

## SYDNEY EAST JOINT REGIONAL PLANNING PANEL

Meeting held at Christie Conference Centre on Wednesday 19 August 2015 at 1:30pm

Panel Members: John Roseth (Chair), Sue Francis, Brian Robson and Gillian Dawson

Apologies: None Declarations of Interest: None

### Determination and Statement of Reasons

**570-574 New Canterbury Road, Hurlstone Park [at 2015SYE041 Canterbury DA-66/2015] as described in Schedule 1.**

**Date of determination:** 19 August 2015

**Decision:**

The panel determined to accept the recommendation of the assessment report to approve the development application as described in Schedule A pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

**Panel consideration:**

The panel considered: the matters listed at item 6 as addressed in the Council Assessment Report, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

**Reasons for the panel decision:**

The proposal complies with the scale and character envisaged by the relevant controls applying to the site. The Panel notes that the council has agreed to a six-storey building nearby under an 18m height control. Except for the top storey, the proposal is smaller than would be allowed by the envelope control, and as a result causes less overshadowing on nearby residential properties than would occur if the building filled the envelope.

The Canterbury DCP 2012 indicates an additional storey as appropriate for some large sites. In this case, the top storey has no adverse impact, including overshadowing, on surrounding properties.

The only professional heritage assessment available to the Panel suggests that the heritage impact of the proposal is acceptable.

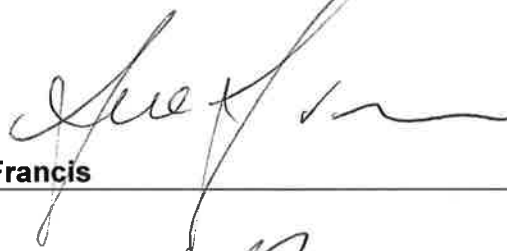
The Panel has considered the views of objectors in whose opinion the proposal is an overdevelopment. However, the Panel notes that the scale of development is a result of the controls which apply to the site. It would be unreasonable to expect the applicant to develop significantly under the potential permitted by these controls.

**Conditions:** The development application was approved subject to the conditions recommended in the assessment report.

**Panel members:**



**John Roseth (Chair)**



**Sue Francis**



**Brian Robson**



**Gillian Dawson**

## SYDNEY EAST JOINT REGIONAL PLANNING PANEL

### SCHEDULE 1

1	<b>JRPP Reference – LGA- Council Reference:</b> 2015SYE041 Canterbury DA-66/2015
2	<b>Proposed development:</b> Demolition of existing buildings and construction of a mixed use development containing sixty eight (68) residential apartments over 8 ground floor business premises and three level basement carpark
3	<b>Street address:</b> 570-574 New Canterbury Road, Hurlstone Park
4	<b>Applicant:</b> Prolet Constructions Pty Limited <b>Owner:</b> Five Flamingoes Pty Ltd
5	<b>Type of Regional development:</b> General development with a Capital Investment Value of more than \$20 million
6	<b>Relevant mandatory considerations</b> <ul style="list-style-type: none"> <li>• State Environmental Planning Policy (State and Regional Development) 2011</li> <li>• State Environmental Planning Policy 55 – Remediation of Land</li> <li>• State Environmental Planning Policy (Infrastructure) 2007</li> <li>• State Environmental Planning Policy BASIX 2004</li> <li>• State Environmental Planning Policy 65 – Design Quality of Residential Flat Development</li> <li>• Canterbury Local Environmental Plan 2012</li> <li>• Canterbury Development Control Plan 2012</li> <li>• Canterbury Development Contributions Plan 2013</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality.</li> <li>• The suitability of the site for the development.</li> <li>• Any submissions made in accordance with the EPA Act or EPA Regulation.</li> <li>• The public interest.</li> </ul>
7	<b>Material considered by the panel:</b> Council Assessment Report dated 4 June 2015 Written submissions in total: 51 Verbal submissions at panel meeting on 17 June 2015: Against – Jane Fitzgerald; on behalf of the applicant – Ross Howieson and Allan Caladine Supplementary Council Assessment Report dated 19 August 2015 Verbal submissions at the panel meeting on 19 August 2015: Against- Margaret Fazan and Steven Black; On behalf of the applicant- Michael Harrison, Pierre Jacob and Ross Howieson
8	<b>Meetings and site inspections by the panel:</b> Briefing meeting on 6 May 2015, public meeting on 17 June 2015
9	<b>Council recommendation:</b> Approval
10	<b>Draft conditions:</b> As attached to the Supplementary Council Assessment Report