

SYDNEY EAST JOINT REGIONAL PLANNING PANEL

Meeting held at Christies Conference Centre on Thursday 10 March 2016 at 2.30pm

Panel Members: John Roseth (chair), David Furlong, Sue Francis, Michael Megna and Tony Fasenella

Apologies: None - Declarations of Interest: None

Determination and Statement of Reasons

2015SYE056 – Canada Bay - DA2015/0105 - Demolition of all structures and construction of a mixed use building of six storeys to Victoria Road and stepping down to two storeys to Formosa Street containing 164 dwellings, 509m² of retail, 688m² of commercial space and basement parking for 314 vehicles - 77-105 Victoria Road, Drummoyne as described in Schedule 1.

Date of determination: 10 March 2016

Decision:

The Panel determined to accept the recommendation of the assessment report to approve the development application as described in Schedule 1 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 listed at item 8 in Schedule 1. The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

Reasons for the panel decision:

The Panel approved the application for the following reasons:




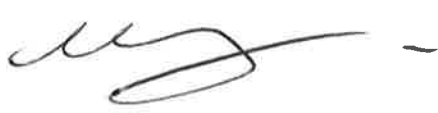

The proposal fits into the desired future character of the area.

The proposal complies with the planning controls except for a minor variation of the height control, (justified by a submission under clause 4.6 of the Canada Bay LEP 2013) which has no impact on surrounding development.

The Panel considered the objection of Mr John Scott in relation to view loss; the Panel agrees that there will be a view loss from Mr Scott's balcony; however, this could be prevented only if the proposal was considerably below the permissible height. In the Panel's opinion, this would be an unreasonable requirement to impose.

Conditions: The development application was approved subject to the conditions recommended in the assessment report, as modified by agreement between the council and the applicant in the letter of EG Fund Management dated 7 March 2016.

Panel members:

 John Roseth (chair)	 David Furlong	 Sue Francis
 Michael Megna	 Tony Fasenella	

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SCHEDULE 1

1	JRPP Reference – LGA- Council Reference: 2015SYE056 – Canada Bay - DA2015/0105
2	Proposed development: Demolition of all structures and construction of a mixed use building of six storeys to Victoria Road and stepping down to two storeys to Formosa Street containing 164 dwellings, 509m2 of retail, 688m2 of commercial space and basement parking for 314 vehicles
3	Street address: 77-105 Victoria Road, Drummoyne
4	Applicant: EG Funds Management Pty Ltd Owner: Australian Executor Trustees Ltd
5	Type of Regional development: General development with a Capital Investment Value of more than \$20 million
6	Relevant mandatory considerations <ul style="list-style-type: none"> • State Environmental Planning Policy No 65 - Design Quality of Residential Flat Buildings • State Environmental Planning Policy - Building Sustainability Index (2004) • State Environmental Planning Policy (Infrastructure) 2007 • Canada Bay Local Environmental Plan 2013 • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality. • The suitability of the site for the development. • Any submissions made in accordance with the EPA Act or EPA Regulation. • The public interest.
7	Material considered by the panel: Council Assessment Report Dated: 29 February 2016 Written submissions during public exhibition: 13 Verbal submissions at the panel meeting: Against- John Scott; On behalf of the applicant- Scott Barwick and Rob Mirans
8	Meetings and site inspections by the panel: Briefing Meeting on 20 May 2015
9	Council recommendation: Approval
10	Draft conditions: Attached to council assessment report