

SYDNEY EAST JOINT REGIONAL PLANNING PANEL

Meeting held at Christies Conference Centre on Thursday 12 November 2015 at 10.30am

Panel Members: John Roseth (chair), David Furlong and Sue Francis

Apologies: John Faker and Tony Doueihy - Declarations of Interest: None

Determination and Statement of Reasons

2015SYE068 Burwood 2015/036: Construction of a 15 storey mixed use building containing 64 residential apartments and retail suites above basement parking at 2-14 Elsie Street, Burwood as described in Schedule 1.

Date of determination: 12 November 2015

Decision:

The panel determined 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.

Reasons for the panel decision:

The panel adopted the assessment of those matters in the Council Assessment Report,

The principal reason for the panel decision was that:

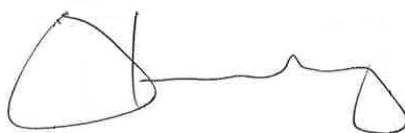
1. The proposal, as conditioned, complies with the FSR control and is considerably lower than the height control.
2. The proposal is consistent with the advice of the independent urban designer commissioned by the council to give advice on the form of development on this site.
3. The Panel considered the submission of Councillor John Faker, who objected to the proposal on the grounds of excessive FSR, setback and podium height, building separation, security measures in the forecourt, the use of utility rooms as bedrooms and strong community objection. The Panel notes that Condition 20 requires the proposal to comply with the FSR control. The podium setback is consistent with adjoining buildings and urban design advice. The building separation is considered adequate in view of the fact that the residential building has a secondary aspect towards the commercial building. The other issues are not determinative.
4. The Panel considered also the objection of Mr John Breen, who said that the existing commercial building has great merit and should be left free on the site. The Panel must act within the constraints of current controls which allow much higher densities than at the time the commercial building was built.

Conditions: The development application was approved subject to the conditions the Council Assessment Report except for the condition imposing s94 contribution, which is changed according to the agreement reached between the council and the applicant.

Panel members:



John Roseth (chair)



David Furlong



Sue Francis

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SCHEDULE 1

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| 1 | JRPP Reference – LGA- Council Reference: 2015SYE068 Burwood 2015/036 |
| 2 | Proposed development: Construction of a 15 storey mixed use building containing 64 residential apartments and retail suites above basement parking |
| 3 | Street address: 2-14 Elsie Street, Burwood |
| 4 | Applicant/Owner: Shallowbridge Pty 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"> • Burwood Local Environmental Plan 2012 • State Environmental Planning Policy – 65 Design Quality of Residential Flat Buildings • Burwood Development Control Plan & Apartment Design Guidelines • 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: 28 October 2015 Written submissions during public exhibition: 44 Verbal submissions at the panel meeting: Support- Nil; Against- John Breen; On behalf of the applicant- Scott Barwick |
| 8 | Meetings and site inspections by the panel: Briefing Meeting on 1 July 2015 |
| 9 | Council recommendation: Approval |
| 10 | Draft conditions: Attached to council assessment report |