

## SYDNEY EAST JOINT REGIONAL PLANNING PANEL

Meeting held at Christies Conference Centre on Tuesday 5 April 2016 at 10.30am

Panel Members: David Furlong (chair), Sue Francis, Tim Moore and Tony Doueihy

Apologies: George Mannah - Declarations of Interest: None

### Determination and Statement of Reasons

2015SYE098 – Burwood - 89/2015 - Demolition of existing buildings and erect 1 x 4 storey, 1 x 5/6 storey RFB containing 96 apartments over 2 levels of basement parking for 116 vehicles and strata subdivision - 7-15 Conder St, 2-10 Hornsey St & 2-4 Stanley St, Burwood as described in Schedule 1.

**Date of determination:** 5 April 2016

#### **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 the proposed development is generally consistent with the controls within the relevant planning framework. The variation of the building height control is the subject of a written request from the applicant to vary the controls. Having considered the assessment report the Panel formed the view that the written request was well founded.

**Conditions:** The development application was approved subject to the conditions in the Council Assessment Report subject to the following changes:

1. Condition 1 – the Approved plans and documents table be amended for the following changes:  
 Floor Plan – Basement level 2 – date to be amended to Rev.0 22/5/2015  
 Floor Plan – Basement level 1 – date to be amended to Rev.0 22/5/2015  
 Analysis: GFA Calculation Diagrams – date to be amended to Rev.3  
 Analysis: GFA Calculation Diagrams – date to be amended to Rev.3  
 Analysis: Cross flow diagrams – date to be amended to Rev.3  
 Analysis: Cross flow diagrams – date to be amended to Rev.3
2. Condition 17 to be reworded as follows - The applicant is to consult with Energy Australia to determine the need for an electricity substation **prior to the issuing of a Construction Certificate** and, if a site is required, it being situated adjacent to the street alignment, with the size and location of the area being in accordance with the requirements of this Council and Energy Australia, an appropriate easement be created without cost as a public roadway, to enable Energy Australia to establish the substation. The linen plan being submitted to Council for approval and issue of a Subdivision Certificate and being registered with the Land Titles Office prior to the issue of an Occupation Certificate.
3. An additional condition be added – Sliding louvre screens shall be provided to the balconies of the following apartments that face the central courtyard in order to improve visual privacy between apartments. Apartment numbers A105, A106, A107, B109, B110, B111, A205, A206, A207, B209, B210, B211, A304, A305, A306, B309, B310, B311, B409, B410, B411, B508, B509, B510.

#### **Panel members:**



**David Furling (chair)**



**Sue Francis**



**Tim Moore**



**Tony Doueihy**

## SYDNEY EAST JOINT REGIONAL PLANNING PANEL

### SCHEDULE 1

|    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1  | <b>JRPP Reference – LGA- Council Reference:</b> 2015SYE098 – Burwood - 89/2015                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| 2  | <b>Proposed development:</b> Demolition of existing buildings and erect 1 x 4 storey, 1 x 5/6 storey RFB containing 96 apartments over 2 levels of basement parking for 116 vehicles and strata subdivision                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| 3  | <b>Street address:</b> 7-15 Conder St, 2-10 Hornsey St & 2-4 Stanley St, Burwood                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 4  | <b>Applicant/Owner:</b> Loftex 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 No. 55 – Remediation of Contaminated Land;</li> <li>• State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development;</li> <li>• State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;</li> <li>• State Environmental Planning Policy (State &amp; Regional Development) 2011;</li> <li>• Burwood Local Environmental Plan 2012;</li> <li>• Draft State Environmental Planning Policy No. 65 (Amendment No. 3); and</li> <li>• Burwood Development Control Plan 2012.</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, including the principles of ecologically sustainable development.</li> </ul> |
| 7  | <b>Material considered by the panel:</b><br>Council Assessment Report Dated: 24 March 2016<br>Written submissions during public exhibition: 3<br>Verbal submissions at the panel meeting: On behalf of the applicant – Adam Haddow                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 8  | <b>Meetings and site inspections by the panel:</b> Briefing Meeting on 9 September 2015                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 9  | <b>Council recommendation:</b> Approval                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 10 | <b>Draft conditions:</b> Attached to council assessment report                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |