

SYDNEY EAST JOINT REGIONAL PLANNING PANEL

Meeting held at Christies Conference Centre on Thursday 11 February 2016 at 11.00 am

Panel Members: John Roseth (chair), David Furlong, Sue Francis, Andrew Tsounis and Michael Nagi

Apologies: None - Declarations of Interest: None

Determination and Statement of Reasons

2015SYE102 Rockdale DA-2016/58: Integrated Development - Construction of part six (6) and part eight (8) storey residential flat building comprising 167 residential units two (2) levels basement car parking and demolition of existing structures at 17-37 Wollongong Road, Arncliffe as described in Schedule 1.

Date of determination: 11 February 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.

Reasons for the panel decision:

The Panel approved the application for the following reasons:

The proposal, as amended by this consent, fits into its context and the desired future character of the area.

The Panel does not accept the applicant's contention that the double-sided corridor is not enclosed and therefore does not contribute to the FSR. However, the Panel accepts a non-compliance with the FSR to the extent of approximately 250 square metres on the basis that requiring strict compliance would be unreasonable given that recently approved buildings in the vicinity have also exceeded the FSR control. As concerns the breach of the height control, this is reasonable to vary also on the basis of accepted variation in recently approved buildings in the vicinity on the basis of elevated flood plain levels, which apply also to this site. The non-compliance of FSR and height has been justified by a written submission under s4.6 of the LEP. For this reason, the Panel has resolved to require the removal of only two apartments instead of the six recommended in the assessment report. The removal of the two apartments will assist with reducing the extent of non-compliance with the FSR and height controls.

Conditions: The development application was approved subject to the conditions recommended in the assessment report, except:

Amend Condition 14(ii) to require the removal of two apartments, Units 6.08 and 6.09;

Delete Condition 14(iii);

Delete the last paragraph of Condition 14;


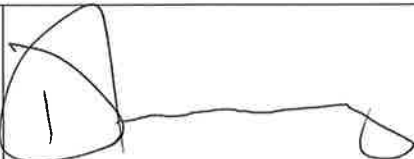
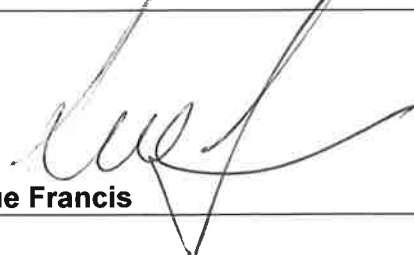
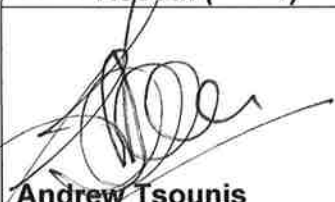

Following amendment, place Condition 14 immediately after the list of approved plans;

Delete Condition 15(xiii);

Delete Condition 69;

Delete Conditions 39, 110 and 111.

Panel members:

 John Roseth (Chair)	 David Furlong	 Sue Francis
 Andrew Tsounis	 Michael Nagi	

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SCHEDULE 1	
1	JRPP Reference – LGA- Council Reference: 2015SYE102 Rockdale DA-2016/58
2	Proposed development: Integrated Development - Construction of part six (6) and part eight (8) storey residential flat building comprising 167 residential units two (2) levels basement car parking and demolition of existing structures
3	Street address: 17-37 Wollongong Road, Arncliffe
4	Applicant/Owner: CT Arncliffe Pty Ltd / The Prop Of Strata Plan 57198
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 Building Sustainability Index (BASIX) • State Environmental Planning Policy No.55 - Contaminated Land (SEPP 55) • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy No.65 - Design Quality of Residential Flat Development (SEPP 65) • Rockdale Local Environmental Plan 2011 (RLEP 2011) • Rockdale Development Control Plan 2011(DCP 2011) • Environmental Planning and Assessment Regulations 2000 • 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 January 2016 Written submissions during public exhibition: 2 Verbal submissions at the panel meeting: Support- None; Against- None; On behalf of the applicant- Scott Barwick, Adam Haddow, Oliver McGeechie
8	Meetings and site inspections by the panel: Briefing Meeting on 7 October 2015
9	Council recommendation: Approval
10	Draft conditions: Attached to council assessment report