

SYDNEY EAST JOINT REGIONAL PLANNING PANEL

Meeting held at Christies Conference Centre on Wednesday 20 April 2016 at 12.00pm

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

Apologies: Stephen Agius - Declarations of Interest: None

Determination and Statement of Reasons

2015SYE129 – Kogarah - 191/2015 - Construction of a mixed use development comprising two buildings of 11 and 16 storeys, containing a community space, two commercial tenancies and 369 residential units over a six level basement car park which incorporates 79 public car spaces - 12-22 Woniora Road, Hurstville as described in Schedule 1.

Date of determination: 20 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. The panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

Reasons for the panel decision:

The Panel considers that the applicant has essentially responded to the Panel's requirements set out following the meeting on 25 February 2016. Therefore the Panel has accepted the recommendation to approve the application. However, the Panel has also listened to the concerns of objectors relating to the proposal's visual impact on the adjoining conservation area. A condition requiring the setback of level 12 is imposed in order to further reduce that impact. As regards overshadowing, the Panel notes that additional shadow will not be cast over the Conservation Area after 10.30am at midwinter.

The Panel has also considered other concerns of the objectors, in particular about the correctness of the traffic report. Notwithstanding several typos in that report, the Panel is satisfied that the report is correct in its major findings and conclusions, namely that the proposal's traffic impact is acceptable. The Panel understands that the objectors still consider the proposal too large. However, the Panel's decision is taken in the context that currently no density or height controls apply to the site, that the proposal generally complies with the draft controls and that the site is not only adjacent to a Conservation area, but also to a major railway station, which justifies increased density. The Panel notes that if the volume of the existing building were converted to residential use, the resulting floor space would likely be greater than that proposed.

Sam Stratikopoulos voted to approve the application without the imposition of the condition requiring the setting back of level 12.


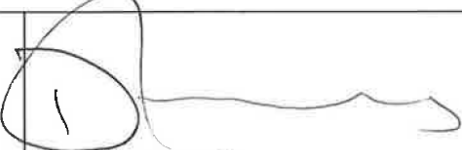
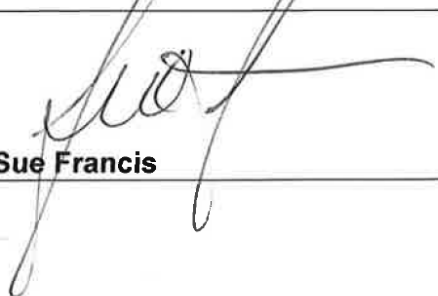

Conditions:

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

A new condition is added: "The proposed floor plan of level 12 of Building C containing C12.02, 12.03 12.04 and 12.05 is to be removed and replaced by the recessed floor area proposed for level 13."

In Condition 13 the word "approval" is replaced by the words "consideration by the Traffic Committee".

Panel members:

		
<p>John Roseth (chair)</p>	<p>David Furlong</p>	<p>Sue Francis</p>
		
	<p>Sam Stratikopoulos</p>	

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SCHEDULE 1

1	JRPP Reference – LGA- Council Reference: 2015SYE129 – Kogarah - 191/2015
2	Proposed development: Construction of a mixed use development comprising two buildings of 11 and 16 storeys, containing a community space, two commercial tenancies and 369 residential units over a six level basement car park which incorporates 79 public car spaces
3	Street address: 12-22 Woniora Road, Hurstville
4	Applicant: Combined Projects (Hurstville)
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) 2004 • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development (SEPP No 65) • Deemed State Environmental Planning Policy – Georges River Catchment • Voluntary Planning Agreement adopted by Council on 14 December 2015 • Kogarah Development Control Plan 2013 (KDCP 2013) • Kogarah Local Environment Plan 2013 (KLEP 2012) • New City Plan - Draft Kogarah Local Environmental Plan 2012 (Amendment No.2) • 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, including the principles of ecologically sustainable development.
7	Material considered by the panel: Council Assessment Report Dated: 11 February 2016 Supplementary Council Assessment Report Dated: 21 March 2016 Written submissions during public exhibition: 57 Verbal submissions at the panel meeting on 25 February 2016: Against- Desmond Robert Davey, Shirley Davey, Anne Selle, Peter Selle, Chris Skiladesllis, Theresa Kot on behalf of Petar Atanasov, Theresa Kot on own behalf, John McCormack, Cosmas Raco, Sharon Raco, Michael Whittemore, Jessica Tosti, Suzanne O'Connor and David Ticcioraz; On behalf of the applicant- Rohan Dickson, Andrew Ludvik, Lynette Gurr, Greg Colbran and Glenn Barker Written submissions accepted by Council after meeting on 25 February 2016: two petitions Verbal submissions during panel meeting on 20 April 2016: Against – Peter Selle, Des Davy, Chris Skiladelis, Sharon Raco (on her behalf and then on behalf of Owen Judge), Suzanne O'Connor, Anne Selle, Theresa Kot, Michael Whittemore, John McCormack, Owen Judge and Cos Raco; On behalf of the applicant – Fouad Deiri, Andrew Ludvik, Theo Loucas and Earl Aninipoc
8	Meetings and site inspections by the panel: Briefing Meeting on 21 October 2015; public determination meeting on 25 February 2016 and 20 April 2016
9	Council recommendation: Approval
10	Draft conditions: Attached to supplementary council assessment report