

SYDNEY EAST JOINT REGIONAL PLANNING PANEL

Meeting held at Christies Conference Centre on Tuesday 12 July 2016 at 10.00am

Panel Members: John Roseth (Chair), Sue Francis, Nicole Gurran, Michel Reymond and Veronique Marchendeau

Apologies: None - Declarations of Interest: None

Determination and Statement of Reasons

2016SYE012 – North Sydney - 486/15 - Mixed Use Development - 168 Walker Street North Sydney as described in Schedule 1.

Date of determination: 12 July 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:

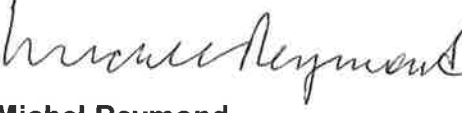
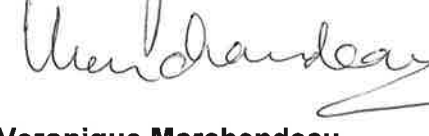
The panel considered: the matters listed at item 6 as addressed in the Council Assessment Report, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1. The panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

Reasons for the panel decision:

1. The proposal complies with the planning controls relating to the site, except for height, and fits in with the desired future character.
2. As regards variation of height, while parts of the proposal exceed the maximum height, other parts are lower than the maximum height. The variation of height has been justified by a submission under cl 4.6 of NSLEP 2013, mainly on the grounds that the varied height results in a better design and thus leads to a better environmental planning outcome.
3. The Panel has given consideration to the concerns of objectors, in particular to overlooking and overshadowing. The Panel is satisfied that there is no additional overshadowing that is the result of the variation of height. While the complying parts of the building have some overshadowing impact on neighbours, this could be avoided only by requiring changes which would reduce the design quality without leading to any major reduction of impact. As concerns overlooking, the separation distances comply with the NSDCP 2013 and exceed those required by the Apartment Design Guide.

Conditions: The development application was approved subject to the amended set of conditions dated 5 July 2016, except for Condition C32, which is to be modified by adding at the end of the second sentence "and replaced with Ausgrid street lamps" and replacing the words "Certifying Authority" with "Council" in the third sentence.

Panel members:

 John Roseth (chair)	 Sue Francis	 Nicole Gurran
 Michel Reymond	 Veronique Marchendeau	

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SCHEDULE 1

1	JRPP Reference – LGA- Council Reference: 2016SYE012 – North Sydney - 486/15
2	Proposed development: Mixed Use Development
3	Street address: 168 Walker Street North Sydney
4	Applicant/Owner: Aqualand Pty Ltd
5	Type of Regional development: General development with a Capital Investment Value of more than \$20 million
6	Relevant mandatory considerations • North Sydney LEP 2013 - Zoning – B4 Mixed Use • North Sydney DCP 2013 • SEPP65 • SEPP 55 - Contaminated Lands • SREP (2005) • 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: 27 June 2016 Written submissions during public exhibition: 39 Verbal submissions at the panel meeting: Support- none; Against- Bruce Abrahams; Meredith Trevallyn-Jones; On behalf of the applicant – Richard Weinman
8	Meetings and site inspections by the panel: Briefing Meeting on 16 March 2016
9	Council recommendation: Approval
10	Draft conditions: Attached to council assessment report