

DETERMINATION AND STATEMENT OF REASONS

SYDNEY CENTRAL PLANNING PANEL

DATE OF DETERMINATION	Thursday 21 September 2017
PANEL MEMBERS	Maria Atkinson (Chair), Sue Francis, John Roseth
APOLOGIES	None
DECLARATIONS OF INTEREST	Toni Zeltzer and Luise Esling have both voted on this application at Council meeting on Monday 28 August 2017.

Public meeting held at Christie Conference Centre 3 Spring Street Sydney on 21 September 2017, opened at 12:10pm and closed at 1:10pm.

MATTER DETERMINED

2017SCL038 – Wollahra – DA528/2016/1 at 13, 13A, 15 and 15A Coolong Road Vaucluse (AS DESCRIBED IN SCHEDULE 1)

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, 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 determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel noted the Woollahra Council Motion of 28th August 2017 that Council advise the Sydney Planning Panel to refuse the application.

The Panel agreed to accept the recommendation of the Council assessment report to approve the application.




The Panel notes that the consolidation of properties and proposed design will impact on the existing views to the harbour. Public views have been created on the eastern side of the proposed development with the inclusion of a 9 metre wide view corridor. The Panel notes that the capture of a public view is not possible via the western side set back due to the staggered alignment of the western side boundary and the existence of a two story house on the adjoining property 15B Coolong Road.

The proposal complies with the building height controls of the Woollahra LEP 2014. The Panel gave consideration to the submission from neighbouring property owners through their representative, who requested changes to the proposed development by lowering the ceiling height of the living area and reducing its floor plate. However, no detailed assessment was provided on how much these changes would improve the view impact. In the Panel's view, the changes proposed by the objectors would have a significant negative impact on the amenity of the proposal and it would be unreasonable to require such major changes to the design at this late stage, particularly in view of the uncertainty of their impact and the fact that the proposal complies with the height control.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report with the following amendment:

- New Condition C1.j) to read as follows:
The two chimneys shall be deleted and the associated fireplaces shall be non-solid fuel burning.

PANEL MEMBERS	
 Maria Atkinson (Chair)	 John Roseth
 Sue Francis	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SCL038 – Woollahra – DA528/2016/1
2	PROPOSED DEVELOPMENT	The construction of a dwelling-house, swimming pool, ancillary structures, landscaping and sitework.
3	STREET ADDRESS	13, 13A, 15 and 15A Coolong Road Vaucluse
4	APPLICANT OWNER	Corona Projects Pty Ltd Mr L Kamenev
5	TYPE OF REGIONAL DEVELOPMENT	Development subject to delays in determination
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 State Environmental Planning Policy No.55 Remediation of Land Sydney Regional Environmental Plan (Sydney Harbour Catchment) (Deemed SEPP) Woollahra Local Environmental Plan 2014 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Woollahra Development Control Plan 2015 Woollahra Section 94A Contributions Plan Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil Coastal zone management plan: Draft SEPP (Coastal Management) 2016 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 <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report: 15 August 2017 Council Minutes Record: 28 August 2017 Written submissions during public exhibition: 6 Verbal submissions at the public meeting: <ul style="list-style-type: none"> In objection: Karla Castellnos On behalf of the applicant: Brett Daintry
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Final briefing meeting to discuss council's recommendation, 21 September 2017, 11:30am. Attendees: <ul style="list-style-type: none"> <u>Panel members</u>: Maria Atkinson (Chair), John Roseth, Sue Francis, <u>Council assessment staff</u>: David Booth, Nick Economou
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report