

DEVELOPMENT APPLICATION ASSESSMENT REPORT

ITEM No.	0.0
FILE No.	DA 377/2016/4
ADDRESS	636 & 638-646 New South Head Road ROSE BAY
SITE AREA	1,496m ²
ZONING	R3 Medium Density Residential (No.636 NSHR) B2 Local Centre (Nos. 638-646 NSHR)
PROPOSAL	Demolition of the existing service station at 638-646 New South Head Road & residential flat building at 636 New South Head Road, remediation of the site(s), the erection of a new Seniors Living Development comprising of nine (9) residences, two (2) retail and two (2) commercial tenancies & 19 car parking spaces
TYPE OF CONSENT	Integrated development
DATE S96 LODGED	18/09/2017
APPLICANT	Mr D Rabinowitz
OWNERS	The Owners - Strata Plan No. 22533 (No. 636 NSHR) Mr A & Mrs I Spindel (Nos. 638-646 NSHR)
AUTHOR	Ms L Samuels
ACTING MANAGER	Ms E Smith
SUBMISSIONS	10
RECOMMENDATION	Refusal
DETERMING BODY	Sydney Central Planning Panel (SCPP)
JRPP MEETING DATE	TBC

1. Preamble

The Sydney Central Planning Panel (SCPP) is the consent authority for this modification (Section 96(2) application) as the original approved development application under DA377/2016/4 was determined by the (previously known) Joint Regional Planning Panel on 16/02/2017.

The planning assessment report is attached as **Annexure 1**. The recommendation is for refusal. The application will be considered by the SCPC on a date to be determined.

2. Recommendation

That Council advises the Sydney Central Planning Panel (SCPP), that it recommends refusal of the application to modify development consent to DA 377/2016/4 for demolition of the existing service station at 638-646 New South Head Road & residential flat building at 636 New South Head Road, remediation of the site(s), the erection of a new Seniors Living Development comprising of nine (9) residences, two (2) retail and two (2) commercial tenancies & 19 car parking spaces on land at 638-646 New South Head Road ROSE BAY, for the following reasons:

1. The bulk and scale of the proposed additional storey is inconsistent with the design quality principles 1 (context and neighbourhood character) and 2 (built form and scale), under SEPP 65 (Design Quality of Residential Apartment Development).
2. The proposal is inconsistent with Clause 33 (neighbourhood amenity and streetscape), under SEPP (Housing for Seniors and People with a Disability) 2004.
3. The proposed five storey development is inconsistent with the desired future character of the Rose Bay Centre and is unsatisfactory in terms of the aims in Part 1.2(2) of Woollahra LEP 2014, objective (l).
4. The proposed height non-compliance is considered to be excessive and is inconsistent with the control and the objectives under Clause 4.3 of WLEP 2014.
5. The location of the additional gross floor area is considered to be inconsistent with the objectives under Clause 4.4 of WLEP 2014.
6. The proposed additional storey is inconsistent with the Rose Bay centre objectives under Part D6.1.3 of the WDCP 2015.
7. The proposed additional storey is excessive in bulk and scale and is non-compliant with regard to the building envelope and height controls (C1 and C2) under Part D6.6.3.1 of WDCP 2014.
8. The additional storey would present additional bulk when viewed from long views from the harbour and is considered to be unsatisfactory with regard to the provisions of SREP (Sydney Harbour Catchment) 2005.

Ms L Samuels
SENIOR ASSESSMENT OFFICER

Ms E Smith
TEAM LEADER

ANNEXURES

1. S96 Assessment Report
2. Plans and Elevations
3. Urban Design Referral Response
4. Traffic Referral Response