

## DETERMINATION AND STATEMENT OF REASONS

### SYDNEY CENTRAL PLANNING PANEL

<b>DATE OF DETERMINATION</b>	3 August 2017
<b>PANEL MEMBERS</b>	Maria Atkinson (Chair), John Roseth, Sue Francis, Meredith Wallace, Debra Dawson
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held at Christie Conference Centre 3 Spring Street Sydney 3 August 2017, opened at 12:05 pm and closed at 12:10 pm.

#### MATTER DETERMINED

2016SYE079 – Bayside – DA2016/420 at 397 Princes Highway Rockdale (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 decision was unanimous.

#### REASONS FOR THE DECISION






The Panel reviewed the Council assessment report and undertook a site visit of the development.

The Panel accepts the Clause 4.6 Variation to Clause 4.3 of the Rockdale Local Environmental Plan 2001 as it contributes to the design excellence outcomes and has no negative impacts on surrounding developments.

The Panel unanimously agreed with the Council's recommendation to approve the application.

#### CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report and amended conditions submitted by Council on 3 August 2017.

PANEL MEMBERS	
 Maria Atkinson (Chair)	 John Roseth
 Sue Francis	 Meredith Wallace
 Debra Dawson	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016SYE079 – Bayside – DA2016/420
2	PROPOSED DEVELOPMENT	Construction of an eleven (11) storey mixed use development comprising 91 residential units, 3 commercial units & three levels of basement parking.
3	STREET ADDRESS	397 Princes Highway Rockdale
4	APPLICANT/OWNER	Rockdale One Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy No.55 – Remediation of Land</li> <li>○ State Environmental Planning Policy No.65 – Design Quality of Residential Apartment Development</li> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ State Environmental Planning Policy (BASIX) 2005</li> <li>○ State Environmental Planning Policy (Major Developments) 2005</li> <li>○ Rockdale Local Environmental Plan 2011</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Rockdale Development Control Plan 2011</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</li> <li>• Coastal zone management plan: Nil</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>• The suitability of the site for the development</li> <li>• Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Council assessment report: 25 April 2017</li> <li>• Updated conditions dated 3 August 2017</li> <li>• Written submissions during public exhibition: 3</li> <li>• Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>○ On behalf of the applicant – Greg Dowling</li> </ul> </li> </ul>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Site inspection and briefing meeting: 23 March 2017</li> <li>• Final briefing meeting to discuss council's recommendation, 3 August 2017. Attendees: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Maria Atkinson (Chair), Sue Francis, John Roseth, Meredith Wallace, Debra Dawson</li> <li>○ <u>Council assessment staff</u>: Pascal van de Walle, Luis Melim</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report