



## RECORD OF DEFERRAL

### SYDNEY EASTERN CITY PLANNING PANEL

<b>DATE OF DEFERRAL</b>	Thursday 6 December 2018
<b>PANEL MEMBERS</b>	Carl Scully (Chair), Sue Francis, John Roseth
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	Panel Chair has determined that the General Manager or Mayor cannot participate on the panel due to what he considers perceived conflict of duties in respect of their leadership roles in council and membership of the panel.

Public meeting held at Fraser Suites Sydney 488 Kent Street Sydney on Thursday, 6 December 2018, opened at 10.30am and closed at 11am.

#### MATTER DEFERRED

2017SCL003 – Burwood – DA152/2016 at 27-33 Everton Road Strathfield (as described in Schedule 1)

#### REASONS FOR DEFERRAL

The Panel agreed to defer the determination of the application to enable the applicant to submit a revised clause 4.6 submission dealing with the variation of building height and a new clause 4.6 submission dealing with the variation of the FSR control (unless compliance with the development standard can be achieved). The first variation is necessary because the submitted cl4.6 variation to height dates from 2016 and the latest plans date from 2018. The second variation is necessary because the applicant appears not to have included the garbage areas on the ground floor as part of the Gross Floor Space (GFA). Garbage areas may only be excluded when they are in the basement.




In addition, it is noted that the rooms in the hotel, by definition, may constitute serviced apartments. Cl4.4A(4) of the BLEP limits the FSR of serviced apartments in the area. It is therefore necessary for this clause to be considered and to establish whether there is a breach of this development standard for which, if not amended, this proposal would also require a variation under cl4.6.

Apart from the above variations of development standards, the Panel has no other specific issues with the application.

The Panel requests the applicant to submit to Council, by 10 December 2018, the necessary clause 4.6 variation requests. The Panel requests the Council to prepare, by 17 December 2018, a supplementary report which assesses those requests and any other issues or conditions that may be appropriate. If the Council wishes to attach conditions to the consent which are additional to those in the current assessment report, it should provide them to the applicant by 14 December 2018. If the applicant wishes to comment on those conditions, it should submit those comments to the Panel Secretariat by 17 December 2018.

On receipt of the supplementary report the Panel will determine the application by communicating by electronic means, unless the Chair considers that a further public meeting is necessary.

The decision to defer the matter was unanimous.

PANEL MEMBERS	
 Carl Scully (Chair)	 John Roseth
 Sue Francis	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SCL003 – Burwood – DA152/2016
2	PROPOSED DEVELOPMENT	Part Demolition of existing structures and alterations and additions to the Existing Hotel consisting of commercial space and a 9 storey building at the rear containing hotel suites, 60 residential apartments above 3 levels of basement parking for 81 vehicles.
3	STREET ADDRESS	27-33 Everton Rd Strathfield – Strathfield Hotel
4	APPLICANT/OWNER	ARC Architects / Mr Brian Whelan
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 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 (Vegetation in Non-Rural Areas) 2007</li> <li>Burwood Local Environmental Plan 2012</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Burwood Development Control Plan</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: 22 November 2018</li> <li>Written submissions during public exhibition: 2</li> <li>Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>On behalf of the applicant – Mark Armstrong</li> </ul> </li> </ul>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Site inspection and briefing meeting: 13 July 2017</li> <li>Final briefing meeting to discuss council's recommendation, 6 December 2018 at 10am. Attendees: <ul style="list-style-type: none"> <li><u>Panel members</u>: Carl Scully (Chair), Sue Francis, John Roseth</li> <li><u>Council assessment staff</u>: Brian Olsen, Kimberley Everett</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report