



DETERMINATION AND STATEMENT OF REASONS
SYDNEY EASTERN CITY PLANNING PANEL

DATE OF DETERMINATION	8 January 2019
PANEL MEMBERS	Carl Scully (Chair), Sue Francis, John Roseth
APOLOGIES	None
DECLARATIONS OF INTEREST	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.

Papers circulated electronically between 7 January 2019 and 8 January 2019.

MATTER DETERMINED

2017SCL003 – Burwood – DA152/2016 at 27-33 Everton Road Strathfield (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 briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel considered the written proposed cl4.6 variations in respect of height and FSR (both maximum and serviced apartment ratio) and determined that;

- The variations satisfy the objectives of each standard and those of the relevant zone
- That there are sufficient environmental planning grounds to grant the variations as follows:
 - The increase in height relates to the lift overrun and stairs which in turn allows for equitable access to the roof top communal open space. This is in the public interest.
 - The increase in FSR is minor in quantum.
 - The increase in FSR relates to new and improved bathrooms for the hotel which is contained in a heritage item which has constrained amenity. Providing such facilities is in the public interest.
- Overall the variations sought are in the public interest.




With regard to the development as a whole, the Panel is of the view that it is consistent with the desired future character of the area and that any potential environmental impacts have been mitigated by design or conditions. Accordingly, the Panel accepts the Deferred Commencement Consent recommended by Council in its supplementary report.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report and the Supplementary Report received 21 December 2018.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition. The Panel considers that concerns raised by the community have been adequately addressed in the assessment report.

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"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy No.55 – Remediation of Land ○ State Environmental Planning Policy No.65 – Design Quality of Residential Apartment Development ○ State Environmental Planning Policy Infrastructure 2007 ○ State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2007 ○ Burwood Local Environmental Plan 2012 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Burwood Development Control Plan • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil • Coastal zone management plan: Nil • 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: 22 November 2018 • Council supplementary report: 21 December 2018 • Clause 4.6 variation request • Written submissions during public exhibition: 2 • Verbal submissions at the public meeting 6 December 2018: <ul style="list-style-type: none"> ○ On behalf of the applicant – Mark Armstrong
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection and briefing meeting: 13 July 2017 • Final briefing meeting to discuss council's recommendation, 6 December 2018 at 10am. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Carl Scully (Chair), Sue Francis, John Roseth ○ <u>Council assessment staff</u>: Brian Olsen, Kimberley Everett
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report