

DETERMINATION AND STATEMENT OF REASONS

SYDNEY EASTERN CITY PLANNING PANEL

DATE OF DETERMINATION	Thursday 2 August 2018
PANEL MEMBERS	Carl Scully (Chair), John Roseth, Sue Francis, Ed McDougall, Michael Nagi
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held at Frasers Suites Sydney, 488 Kent St, Sydney on 2 August 2018, opened at 11 am and closed at 11:15 am.

MATTER DETERMINED

2017SCL004 –Bayside –DA2017/225 at 41-45 Bay Street and 4 Chapel Street, 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 pursuant to section 4.16 (previously section 80) of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.





REASONS FOR THE DECISION

- The proposal complies with all relevant planning controls in both the Rockdale LEP 2011 and the Rockdale DCP 2011.
- The concerns raised by the objector regarding traffic have been addressed by prohibiting right- hand turns when entering or exiting the site from Bay Street.
- Concerns about noise have been addressed by conditions requiring compliance with the acoustic report.

CONDITIONS

The development application was approved subject to the conditions in the Revised Council Assessment Report dated 30 July 2018 with the following amendments.

- **Additional condition 93A:**
The no right-turn signs shown on the approved plans shall be installed at the cost of the applicant prior to the issue of the occupation certificate. Approval shall be sought from the RMS for the installation of a no right-hand turn sign from Bay Street in to the site. Any approved signage shall be installed at the cost of the applicant prior to the issue of the occupation certificate.

PANEL MEMBERS	
 Carl Scully (Chair)	 Sue Francis
 John Roseth	 Ed McDougall

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Michael Nagi

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SCL004 – Bayside – DA2017/225
2	PROPOSED DEVELOPMENT	Demolition of existing structures and erection of a RSL club over one level of basement parking
3	STREET ADDRESS	41-45 Bay Street and 4 Chapel Street, ROCKDALE
4	APPLICANT/OWNER	Applicant: Statewide Construction & Development Pty Ltd Owner: Owner 45 Bay Street Pty Ltd, Bay Chapel Pty Ltd, Bay On The Chapel Pty Ltd and Rockdale RSL Sub-Branch Club Lt
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy No 55 Remediation of Land ○ State Environmental Planning Policy No 64 Advertising and Signage ○ Sydney Regional Environmental Plan NO 2 (○ Rockdale Local Environmental Plan 2011 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Rockdale Development Control Plan 2011 • 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"> • Revised Draft Conditions of Consent: 30 July 2018 • Revised Plans, Storm water, Landscaping: 25 July 2018 • Council assessment report: 9 July 2018 • Written submissions during public exhibition: One (1) • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Object – John Kirby ○ On behalf of the applicant – Andrew Dale (President, Rockdale RSL Club)
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection and briefing meeting 11 May 2018 • Final briefing meeting to discuss council's recommendation, 2 August 2018 at 10 am. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Carl Scully (Chair), John Roseth, Sue Francis, Ed McDougall, Michael Nagi ○ <u>Council assessment staff</u>: Angela Lazaridis, Ben Latta, Luis Melim, Kerry Gordon
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report