



DETERMINATION AND STATEMENT OF REASONS
SYDNEY CENTRAL CITY PLANNING PANEL PLANNING PANEL

DATE OF DETERMINATION	5 October 2017
PANEL MEMBERS	Sue Francis (Acting Chair), John Roseth, Louise Camenzuli, Michael Nagi, Edward McDougall
APOLOGIES	Maria Atkinson
DECLARATIONS OF INTEREST	None

Public meeting held at Christie Conference Centre 3 Spring Street Sydney on 5 October 2017, opened at 10:00am and closed at 10:15am.

MATTER DETERMINED

2017SCL019 – Bayside – DA2017/1022 at 130-150 Bunnerong Road Pagewood (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 reasons for the decision of the Panel were:

The Panel considered the cl 4.6 variations for both height and FSR were well founded having regard to the previously approved Stage 1 Concept application approved by the Land and Environment Court for the site which allowed greater permissible height and FSR. The proposal is consistent with that Stage 1 Concept Approval.

In relation to a concern identified in relation to sunlight access to some proposed media rooms, the Panel imposed a condition to remove the eastern wall of 2 media rooms – B-G07 and B-108.






The Panel also deleted condition 150 since it served no purposes.

The Panel noted the overall compliance of the proposal with the approved Staged 1 consent.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report with the following amendments.

- The introduction of a new condition to read:-
The eastern wall of media rooms –G07 and B-108 shall be deleted to achieve sunlight access to the habitable rooms.
- Condition 150 to be deleted.

PANEL MEMBERS	
 Sue Francis (Acting Chair)	 John Roseth
 Louise Camenzuli	 Edward McDougall
 Michael Nagi	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SCL019 – Bayside – DA2017/1022
2	PROPOSED DEVELOPMENT	Integrated Development Application for the construction of a residential flat building consisting of one level of basement car parking, a podium and two towers, 1 x 6 storeys and 1 x 8 storeys. The development will accommodate 167 apartments and a child care centre.
3	STREET ADDRESS	130-150 Bunnerong Road Pagewood
4	APPLICANT/OWNER	Karimbla Constructions Services (NSW) Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 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.65 – Design Quality ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy No.55 – Remediation of Land ○ State Environmental Planning Policy 2004 (BASIX) ○ Botany Local Environmental Plan 2013 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Botany Development Control Plan 2013 • 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: 16 September 2017 • Written submissions during public exhibition: 5 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ On behalf of the applicant – Walter Gordon
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing meeting: 11 May 2017 • Final briefing meeting to discuss council's recommendation, 5 October 2017 at 9:30am. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Sue Francis (Acting Chair), John Roseth, Louise Camenzuli ○ <u>Council assessment staff</u>: Angela Lazaridis, Chris Mackay, Luis Melim
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report