

DETERMINATION AND STATEMENT OF REASONS

SYDNEY EASTERN CITY PLANNING PANEL

DATE OF DETERMINATION	Thursday, 21 December 2017
PANEL MEMBERS	Maria Atkinson (Chair), John Roseth, Sue Francis
APOLOGIES	None
DECLARATIONS OF INTEREST	Michael Nagi and Ed McDougall both declare conflict of interest as the land is owned by Council and considered that in their capacity as Councilors bias could be perceived.

Public meeting held at Christie Conference Centre, 3 Spring Street Sydney on 21 December 2017, opened at 12.30pm and closed at 1.40pm.

MATTER DETERMINED

2017SCL052 - Bayside – DA2014/319/A at 213 Princes Highway and 4 Wardell Street Arncliffe
(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 96 of the *Environmental Planning and Assessment Act 1979*.

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

The decision was unanimous.

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

The application is substantially the same develop and any environmental impacts are minor and acceptable.

CONDITIONS

The development application was approved subject to the conditions submitted by council on 21 December 2017 and the amendments listed in the Council Assessment Report as follows:

- Description of proposed development, amend to read as follows:
Demolition of existing structures and construction of a mixed use development including 36 commercial suites, 318 residential units, Youth Centre and associated ball courts, basement parking, public reserve, landscaping, road works and torrens title subdivision creating 3 lots, including public park.
- Condition 2 – Approved Plans
Changes to the description of the approved plans are proposed. See Table 2 of the assessment report for a detailed list of the amended plans.
- Condition 5 – BASIX Requirements
Amend to reflect amended BASIX Certificate for amended plans.

The development must be implemented and all BASIX commitments thereafter maintained in accordance with BASIX Certificate Number 540937M_08.

- Condition 12v – Building design, amend to read as follows
The balconies to apartments within the inset portions of the building link Building G and E and E and D are to have clear glass balustrades individually fixed at the base of each the glass panels with polished u-channel strip capping. The slab edges and solid façade elements of these balconies are to be rendered and painted and finished in Dulux colour “Peplum”.
- Condition 12vi – Building design, amend to read as follows
The solid angled panels to the protruding windows for units in the southern façade of Building F and the northern façade of Building C are to be finished in aluminium high-quality durable cladding materials to match the colour of the leafstream privacy screens for each building.
- Delete Condition 12vii – Building design
- Condition 12xiv – Building design, amend to read as follows:
The curved balconies to Building G are to be metal glazed balustrades with vertical steel balusters and a base and top rail. The design is to be contemporary and minimise the visual impact of the balustrade. The glass panels, handrail and base rail are to be curved where they occur around the curved portion of the balcony to match the curvature of the façade. No facettted railings or pool fencing product is to be used.
- Condition 12ic- Building design, insert the following:
The leaf-stream privacy screens are to be reinstated to Elevation A and F as per the following approved plans under DA-2014/319:

Drawing number DA203, Revision H, Dated Dec 2015, Elevation A

Drawing number DA208, Revision H, Dated Dec 2015, Elevation F

The amended elevations are to be approved by Director City Futures at Bayside Council prior to the issue of the Construction Certificate.
- Condition 13iv Building design, delete the following:
The portion of the long balcony to Unit 29, 37, 45, 52 and 59 in Building A which protrudes beyond the main alignment of the façade and the line of glazing to Bed 1 and the dining area is to be reduced in width to a maximum of 400mm sufficient to provide an elevational feature only. The balconies to this unit are to be reduced in width to align with this width. This is to reduce the extension of the building at upper levels over the remainder of the building below.
- Condition 13viii, amend to read as follows:
All ceilings for habitable areas within the units are to be suspended plasterboard ceilings with recessed downlights and other feature lighting at a height of 2.7m above the finished floor level of the unit.

PANEL MEMBERS	
 Maria Atkinson (Chair)	 Sue Francis
 John Roseth	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SCL052 - Bayside – DA2014/319/A
2	PROPOSED DEVELOPMENT	S96AA Modification to approved mixed use development comprising of changes to front facade/built form; increase in gross floor area; rationalisation of the number of commercial units by amalgamating units to reduce the number from 41 to 36; changing the composition of residential units without increasing the total number of residential units (318); internal changes to residential units; and changes to comply with the building code(BCA).
3	STREET ADDRESS	213 Princes Highway and 4 Wardell Street Arncliffe
4	APPLICANT/OWNER	Ralan Arncliffe Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - Residential Flat Design Code/Apartment Design - State Environmental Planning Policy No.65 - Design Quality of Residential Apartment Development - Draft environmental planning instruments: Nil - Development control plans: - Rockdale Development Control Plan 2011 - Planning agreements: Nil - Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil [or enter the clauses if relevant] - 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	- Council assessment report: Click here to enter a date. - Written submissions during public exhibition: 2 - Verbal submissions at the public meeting: - On behalf of the applicant – Alex and Michael
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	- Final briefing meeting to discuss council's recommendation, Thursday, 21 December 2017 at 12pm. Attendees: <u>Panel members</u>: Maria Atkinson (Chair), John Roseth and Sue Francis <u>Council assessment staff</u>: Luis Melim, Paul Grech (consultant) and Marta Gonzalez-Valdes
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report