

DETERMINATION AND STATEMENT OF REASONS
SYDNEY EASTERN CITY PLANNING PANEL

DATE OF DETERMINATION	2 November 2017
PANEL MEMBERS	John Roseth (Chair), Ed McDougall and Michael Nagi
APOLOGIES	Maria Atkinson
DECLARATIONS OF INTEREST	Sue Francis declared a conflict of interest as her firm, CityPlan, is acting for the applicant.

Public meeting held at Christie Conference Centre on Thursday, 2 November 2017, opened at 12:05 pm and closed at 12:10 pm.

MATTER DETERMINED

2017SCL053 – Bayside - DA2016/241/A AT 15-21 Bay Street, 1-11 Chapel Street, 1-3 Chapel Lane & 6-12 Lister Avenue, 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 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 decision was unanimous.

REASONS FOR THE DECISION

The reason for the decision of the Panel was that the proposed amendment affects only the staging of the proposal and has no environmental or any other kind of impact.

CONDITIONS

The development application was approved subject to the conditions recommended in the Council Assessment Report.

PANEL MEMBERS	
 John Roseth (Chair)	 Michael Nagi
 Ed McDougall	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SCL053 – Bayside - DA2016/241/A
2	PROPOSED DEVELOPMENT	S96AA Modification application for an approved mixed use development, seeking to amend conditions 15a, 15b, 18, 18a, 18b, 41b, 41c(iii), 45, 52 and 70 to facilitate the staged construction of the development
3	STREET ADDRESS	15-21 Bay Street, 1-11 Chapel Street, 1-3 Chapel Lane & 6-12 Lister Avenue, Rockdale
4	APPLICANT OWNER	Combined Projects (Rockdale) Pty Ltd Combined Projects (Rockdale) Pty Ltd & Rockdale City Council
5	TYPE OF REGIONAL DEVELOPMENT	Section 96AA Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • State Environmental Planning Policy No 55 – Remediation of Land • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy (Building and Sustainability Index: BASIX) 2004 • State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development • Rockdale Local Environmental Plan 2011 • 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: 18/10/2017 • Written submissions during public exhibition: three (3) • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ On behalf of the applicant – Stephen Kerr
8	MEETINGS BY THE PANEL	<ul style="list-style-type: none"> • Final briefing meeting to discuss council's recommendation, 2 November 2017, 10:10 am to 10:11 am. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: John Roseth (Chair), Ed McDougall and Michael Nagi ○ <u>Council assessment staff</u>: Marta Gonzalez-Valdes and Pascal Van De Walle
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report