

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 11:15 am and closed at 11:25 am.

MATTER DETERMINED

2018SCL006 –Bayside –DA2017/1224 at 130-150 Bunnerong Road Eastgardens (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 4.15 (previously section 80) of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.


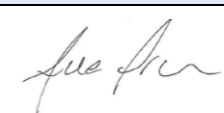
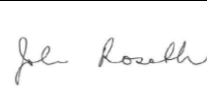

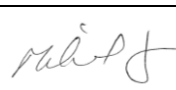
REASONS FOR THE DECISION

- The Clause 4.6 Variation in respect of height and FSR matches that approved under the Stage 1 Master Plan consent and therefore the anticipated built form of the proposal.
- The Panel considered the objections from Randwick Council and a member of the public; the Panel notes that these related to the Master Plan, which is already approved and with which this DA is consistent.

CONDITIONS

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

- Deletion of Condition 7(a)
- Add the words “for above-ground works” after “construction Certificate” in Condition 34.
- Delete the words “with one located in car park and two on street” after the word “spaces” in condition 88(c).

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

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SCL006 – Bayside – DA2017/1224
2	PROPOSED DEVELOPMENT	Integrated development application for the construction of a residential apartment development consisting of three levels of basement, podium and six towers, 2 x 11 storeys, 2 x 14 storeys and 2 x 16 storeys. The development will comprise of 356 units
3	STREET ADDRESS	130-150 Bunnerong Road Eastgardens
4	APPLICANT/OWNER	Applicant: Karimbla Construction Services (NSW) Pty Ltd Owner: Karimbla Properties (No. 39) Pty Ltd
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 (Infrastructure) 2007 State Environmental Planning Policy No 55 Remediation of Land State Environmental Planning Policy (BASIX) 2004 State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development Botany Bay Local Environmental Plan 2013 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Botany Bay 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"> Revised Council Assessment Report: 30 July 2018 Clause 4.6 Variation Request Council assessment report: 23 July 2018 Written submissions during public exhibition: Two (2) Verbal submissions at the public meeting: <ul style="list-style-type: none"> On behalf of the applicant – Walter Gordon & Neil O’Connell (Meriton)
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