

# DETERMINATION AND STATEMENT OF REASONS

## SYDNEY EASTERN CITY PLANNING PANEL

<b>DATE OF DETERMINATION</b>	Wednesday 25 October 2018
<b>PANEL MEMBERS</b>	Carl Scully (Chair), John Roseth, Susan Budd, Michael Megna, Kevin Hoffman
<b>APOLOGIES</b>	Sue Francis
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held at Fraser Suites Sydney 488 Kent Street Sydney on 25 October 2018, opened at 10.45am and closed at 11.00am.

### MATTER DETERMINED

2018SCL007 – Canada Bay – DA2017/0544 at 34 Walker Street Rhodes (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 briefings 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 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

### REASONS FOR THE DECISION

The proposal is permissible and complies with the height and FSR specified in the Canada Bay LEP 2013 for the site.






The form of the development (comprising two towers on a podium) generally complies with the Rhodes West DCP 2015.

The original concerns of the Design Review Panel have been satisfactorily addressed in the revised design.

The Panel notes that the applicant has agreed to the draft conditions submitted on 24 October 2018, and that the child care centre is subject to a further application for consent.

### CONDITIONS

The development application was approved subject to the amended conditions submitted on 24 October 2018.

PANEL MEMBERS	
 Carl Scully (Chair)	 John Roseth
 Susan Budd	 Michael Megna
 Kevin Hoffman	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SCL007 – Canada Bay – DA2017/0544
2	PROPOSED DEVELOPMENT	Demolition of existing structures, vegetation removal and construction of a shop-top housing development comprising 400 apartments, commercial space, community centre, recreation facility (indoor), centre-based child care facility, medical centre, basement parking for 583 cars and stratum subdivision into three lots. Capital Investment Value = \$247 million (approx.)
3	STREET ADDRESS	34 Walker Street Rhodes
4	APPLICANT/OWNER	Thirty Four Walker Development Pty Ltd (a related entity of Billbergia Pty Ltd) / Mifare Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development</li> <li>State Environmental Planning Policy (Building Sustainability Index – BASIX)</li> <li>State Environmental Planning Policy (Infrastructure) 2007</li> <li>State Environmental Planning Policy (State and Regional Development) 2011</li> <li>State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017</li> <li>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP)</li> <li>Canada Bay Local Environmental Plan 2013</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Rhodes West Development Control Plan 2015</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: cl92(1)(b) – Australian Standard AS2601 – Demolition of Structures</li> <li>Coastal zone management plan: Nil</li> <li>The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>The suitability of the site for the development</li> <li>Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Council assessment report: 11 October 2018</li> <li>Amended conditions: 24 October 2018</li> <li>Written submissions during public exhibition: 1</li> <li>Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>Council assessment officer – Kendall Mackay</li> <li>On behalf of the applicant – Stephen White, John Pradel, Tom Greg, Bill McGarry</li> </ul> </li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Site inspection and briefing: 22 May 2018</li> <li>Final briefing to discuss council's recommendation, 25 October 2018, 10.10am. Attendees: <ul style="list-style-type: none"> <li><u>Panel members</u>: Carl Scully (Chair), John Roseth, Susan Budd, Michael Megna, Kevin Hoffman</li> <li><u>Council assessment staff</u>: Kendal Mackay, Samuel Lettice</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report

