



**DETERMINATION AND STATEMENT OF REASONS**  
SYDNEY EASTERN CITY PLANNING PANEL

<b>DATE OF DETERMINATION</b>	Thursday 20 December 2018
<b>PANEL MEMBERS</b>	Carl Scully (Chair), John Roseth, Sue Francis, Ed McDougall, Michael Nagi
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held at Fraser Suites Sydney 488 Kent Street Sydney on 20 December 2018, opened at 11.30am and closed at 2.10pm.

**MATTER DETERMINED**

2018SCL009 – Bayside – DA2017/27/A at 62-68 Harrow Road Bexley (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 adjourned during the meeting to deliberate on the matter and formulate a resolution.

The Panel determined to approve the development application pursuant to section 4.55 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

**REASONS FOR THE DECISION**

The Panel unanimously approved the application for the following reasons:

The modified proposal is substantially the same development as that previously approved.

The number of rooms, residents and staff on the site is reduced.

The majority of the additional shadow cast by increased height is due a portion of the development which remains compliant with the 14.5m height limit.

While the FSR of the modified proposal increases, this is largely due to surplus parking which is below ground.






**CONDITIONS**

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

**CONSIDERATION OF COMMUNITY VIEWS**

In coming to its decision, the Panel considered 6 written submissions made during public exhibition and heard one objector during the public meeting. These related to the location of vehicular entry and exit,

height and overshadowing. The Panel notes that the RMS does not allow vehicular access from Harrow Road. The issue of overshadowing is addressed above.

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

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SCL009 – Bayside – DA2017/27/A
2	PROPOSED DEVELOPMENT	S4.55(2) Application - Modification to reduce beds from 198 to 172, reduction in staff numbers, relocation of lift cores, building amendments, increase in height, internal reconfiguration, introduction of a secure resident bus parking area in basement 2 and adjustment of floor levels.
3	STREET ADDRESS	62-82 Harrow Road, Bexley
4	APPLICANT/OWNER	St Basil's Homes
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(2) Modification Application
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 Infrastructure 2007</li> <li>State Environmental Planning Policy State &amp; Regional Development 2011</li> <li>State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</li> <li>State Environmental Planning Policy SEPP 55 Remediation of Land</li> <li>Rockdale Local Environmental Plan 2011</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Rockdale Development Control Plan 2011</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</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: 5 December 2018</li> <li>Written submissions during public exhibition: 6</li> <li>Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>In objection – Simon Roptell</li> <li>On behalf of the applicant – Scott Barwick</li> </ul> </li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Site inspection and briefing: 15 February 2018</li> <li>Final briefing to discuss council's recommendation, 20 December 2018 at 10.00am. Attendees: <ul style="list-style-type: none"> <li><u>Panel members</u>: Carl Scully (Chair), Sue Francis, John Roseth, Michael Nagi, Ed McDougall</li> <li><u>Council assessment staff</u>: Andrew Ison, Fiona Prodromou, Eric Alessi, Andrew Ison, Chris Mackey, Luis Melim</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report