



<b>DATE OF DETERMINATION</b>	Thursday 12 July 2018
<b>PANEL MEMBERS</b>	John Roseth (Chair), Louise Camenzuli, Clare Brown
<b>APOLOGIES</b>	Carl Scully
<b>DECLARATIONS OF INTEREST</b>	Sue Francis, Ed McDougall, Michael Nagi

Public meeting held at Bayside Council, 444 Princes Highway Rockdale on 12 July 2018, opened at 11:30 am and closed at 11:50 am.

**MATTER DETERMINED**

2018SCL014 – Bayside – DA2017/606 at 177 Russell Ave, Dolls Point (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 4.16 (previously section 80) of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

**REASONS FOR THE DECISION**

1. The proposed development is permissible within the zone and satisfies the relevant objectives and numerical controls contained within the *Rockdale Local Environment Plan 2011*.
2. The proposed development complies with the relevant provisions contained within the SEPP (BASIX), SEPP 65 and SEPP 55.
3. The proposed development complies with the site specific DCP.
4. The proposed development has suitably demonstrated acceptable impacts with regards to the natural and built environment; social and economic consideration for development within Dolls Point.
5. The Panel has considered the written objections to the proposal. There were no objectors who spoke at the public meeting. The Panel considers that the proposal responds satisfactorily to the written objections.

**CONDITIONS**

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

<b>PANEL MEMBERS</b>	
 John Roseth (Chair)	 Clare Brown
 Louise Camenzuli	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SCL014 – Bayside – DA2017/606 at
2	PROPOSED DEVELOPMENT	Demolition of existing structures and construction of a five (5) storey residential flat building comprised of 36 apartments; two levels of basement parking; front fence and landscaping
3	STREET ADDRESS	177 Russell Ave, Dolls Point
4	APPLICANT/OWNER	HELM Pty Ltd / War Widows Guild of Australia NSW Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development > \$20 mil lodged before 1 March 2018
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ Greater Metropolitan REP no 2 – Georges River Catchment</li> <li>○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> <li>○ State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</li> <li>○ State Environmental Planning Policy No 19 – Bushland in Urban Areas</li> <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>○ 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: Voluntary Planning Agreement executed on 4 May 2018</li> <li>• Provisions of the Environmental Planning and Assessment Regulation 2000: 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 Environmental Planning and Assessment Act 1979 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: 1 June 2017</li> <li>• Written submissions during public exhibition: eight (8)</li> <li>• Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>○ On behalf of the applicant – Stephen Kerr</li> </ul> </li> </ul>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Site inspection John Roseth 15 February 2018</li> <li>• Final briefing meeting to discuss council's recommendation, 12 July 2018 Attendees: <ul style="list-style-type: none"> <li>○ Panel members: John Roseth (Chair), Louise Camenzuli, Clare Brown</li> <li>○ Council assessment staff: Alexandra Hafter, Luis Melim, Ben Latta</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report