

DETERMINATION AND STATEMENT OF REASONS
SYDNEY EASTERN CITY PLANNING PANEL

DATE OF DETERMINATION	Thursday 19 July 2018
PANEL MEMBERS	John Roseth (Chair), Sue Francis, Louise Camenzuli
APOLOGIES	None
DECLARATIONS OF INTEREST	Michael Nagi, Ed McDougall

Public meeting held at Westin Hotel, 1 Martin St Sydney on 19 July 2018, opened at 10:30 am and closed at 10:35 am

MATTER DETERMINED

2018SCL027 – Bayside - DA-2014/319/B

213 Princes Highway and 4 Wardell Street Arncliffe

Modification to conditions 25,30, 36 and 102 -Application to modify condition 36 (floor to ceiling heights for commercial tenancies), conditions 25 & 30 (acoustic flooring material); and condition 102 (dedication land for road widening in Townsend PI)

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 4.55 (previously 96) of the *Environmental Planning and Assessment Act 1979*.




The decision was unanimous

REASONS FOR THE DECISION

- The amended application is substantially the same as the original.
- The amendments are minor and the intent of the conditions has been maintained.
- There are no changes to the shape of the building or its impact.

CONDITIONS

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

PANEL MEMBERS	
 John Roseth (Chair)	 Sue Francis
 Louise Camenzuli	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SCL027 – Bayside - DA-2014/319/B
2	PROPOSED DEVELOPMENT	Modification to conditions 25,30, 36 and 102 -Application to modify condition 36 (floor to ceiling heights for commercial tenancies), conditions 25 & 30 (acoustic flooring material); and condition 102 (dedication land for road widening in Townsend Pl)
3	STREET ADDRESS	213 Princes Highway and 4 Wardell Street Arncliffe
4	APPLICANT/OWNER	Applicant: Mr Michael Ghobrial Owner: Bayside Council and Ralan Arncliffe Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Section 96(2) Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy No 65 Design Quality of Residential Apartment Development ○ Rockdale Local Environmental Plan 2011 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Rockdale Development Control Plan 2011 • 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"> • Council assessment report: 6 July 2018 • Written submissions during public exhibition: One (1) • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ On behalf of the applicant – Michael Ghobrial
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Final briefing meeting to discuss council's recommendation, 19 July 2018 at 10:00 am Attendees: <ul style="list-style-type: none"> ○ Panel members: John Roseth (Chair), Sue Francis, Louise Camenzuli ○ Council assessment staff: Marta Gonzales-Valdes
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report