

DETERMINATION AND STATEMENT OF REASONS

SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	4 June 2018
PANEL MEMBERS	Carl Scully (Chair), John Roseth, Michael Nagi, Ed McDougall
APOLOGIES	None
DECLARATIONS OF INTEREST	Sue Francis declared a non-pecuniary conflict as her firm is providing planning consulting for this application.

Electronic meeting held between 28 May 2018 and 4 June 2018.

MATTER DETERMINED

2018SCL042 – Bayside – DA16/143/02 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 as described in Schedule 1 pursuant to section 4.55 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

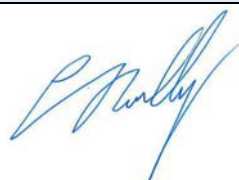



REASONS FOR THE DECISION

The panel determined to approve the application for the reasons outlined in the council assessment report.

The Panel also notes that the internal amenity of the development is maintained.

CONDITIONS

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

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

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SCL042 – Bayside – 16/143/02
2	PROPOSED DEVELOPMENT	Section 4.55(1A) Modification to modify Development Consent No. 16/143 to align the development with the adjoining UB4 development including adjustment to the finished ground levels, reconfiguration of the internal layout of the basement parking areas to allow shared parking with the UB4 development and changes to some external finishes and materials in response to structural requirements.
3	STREET ADDRESS	130-150 Bunnerong Road Eastgardens
4	APPLICANT/OWNER	Karimbla Construction Services (NSW) Pty Ltd/ Karimbla Properties (No. 39) Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(1A) 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; ◦ Botany 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"> • Council assessment report: 23 May 2018 • Written submissions during public exhibition: nil
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report