

DETERMINATION AND STATEMENT OF REASONS
SYDNEY EASTERN CITY PLANNING PANEL

DATE OF DETERMINATION	Thursday 25 October 2018
PANEL MEMBERS	Carl Scully (Chair), John Roseth, Susan Budd
APOLOGIES	George Mannah, Tommaso Briscese, Heather Crichton, John Faker
DECLARATIONS OF INTEREST	<p>Sue Francis declared a conflict as she is currently providing planning advise on the adjoining property.</p> <p>Bruce MacDonnell declared a conflict as he was involved in the negotiations of this application.</p>

Public meeting held at Fraser Suites Sydney 488 Kent Street Sydney on 25 October 2018, opened at 1.00pm and closed at 1.10pm.

MATTER DETERMINED

2018SCL070 – Burwood – BD.2015.193 at 39-47 Belmore Street Burwood (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 4.55 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION


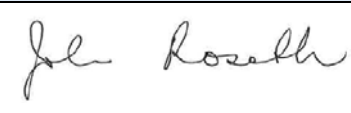

The amended proposal is substantially the same as the original proposal.

The amalgamation of the small additional parcel with the site on which the original development was approved will lead to a better planning outcome. While additional gross floor space is proposed, the floor space ratio of the total development will decrease. While additional height is proposed, the building still complies with the building height plane of the Burwood Development Control Plan 2013.

There are no material adverse impacts arising from the amendment.

CONDITIONS

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

PANEL MEMBERS	
 Carl Scully (Chair)	 John Roseth
 Susan Budd	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SCL070 – Burwood – BD.2015.193
2	PROPOSED DEVELOPMENT	CI 4.55 Modification application for the variation to an existing consent by the addition of an additional 2 stories (895m2 of floor space – 8 units) to the existing approved development under construction.
3	STREET ADDRESS	39-47 Belmore St Burwood
4	APPLICANT/OWNER	Applicant: Tom Hu - Kapau Holdings
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
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 Burwood Local Environmental Plan 2012 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Burwood Development Control Plan 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: 24 September 2018 Written submissions during public exhibition: 2 Verbal submissions at the public meeting: <ul style="list-style-type: none"> Council assessment officer – Brian Olsen On behalf of the applicant – Brett Daintry, Stephen Jamieson
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Final briefing to discuss council's recommendation, 25 October 2018, 12.35pm. Attendees: <ul style="list-style-type: none"> <u>Panel members</u>: Carl Scully (Chair), John Roseth, Susan Budd <u>Council assessment staff</u>: Brian Olsen, Jeff Mead (consultant planner for council)
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report