

## COUNCIL ASSESSMENT REPORT

<b>Panel Reference</b>	PPSEC-34
<b>DA Number</b>	DA-2020/12
<b>LGA</b>	Bayside Council
<b>Proposed Development</b>	Integrated Development – Demolition of existing buildings and construction of an eleven (11) storey mixed use development consisting of 133 apartments, six (6) commercial tenancies and basement car parking with access via Crofts Lane.
<b>Street Address</b>	17-35 King Street, Rockdale
<b>Applicant/Owner</b>	<u>Applicant:</u> Zhinar Architects <u>Owners:</u> Baia Lara Pty Ltd, Bayrock Pty Ltd, Brigantine Pty Ltd, Junezt Adem Cihan, Memduh Cihan, Catherine Margaret Cross, Madlen Pty Ltd, Niagara View Pty Ltd, Stephen Grant Sharpe, Peter Man Leung Tam, Virginia Anne Thompson.
<b>Date of DA lodgement</b>	16 January 2020
<b>Number of Submissions</b>	Four (4)
<b>Recommendation</b>	Refusal
<b>Regional Development Criteria (Schedule 7 of the SEPP (State and Regional Development) 2011)</b>	Development with a CIV of \$37,006,678.00
<b>List of all relevant s4.15(1)(a) matters</b>	<ul style="list-style-type: none"> <li>• Environmental Planning &amp; Assessment Act 1979, Part 4 – Development Assessment &amp; Schedule 7 of the SEPP- State and Regional Development 2011 which regional panels may be authorised to exercise consent authority functions of councils</li> <li>• Environmental Planning &amp; Assessment Regulation 2000, Part 6 – Procedures relating to Development Applications</li> <li>• State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>• State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</li> <li>• State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> <li>• State Environmental Planning Policy (Infrastructure) 2007</li> <li>• State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development</li> <li>• Rockdale Local Environmental Plan 2011</li> <li>• Rockdale Development Control Plan 2011</li> <li>• Draft Bayside Local Environmental Plan 2020</li> </ul>
<b>List all documents submitted with this report for the Panel's consideration</b>	<ul style="list-style-type: none"> <li>• Architectural Plans – prepared by Zhinar Architects</li> <li>• Solar Access study – prepared by Zhinar Architects</li> <li>• Landscape Plans – prepared by Paul Scrivener</li> <li>• Survey Plans – prepared by ATS Land &amp; Engineering Surveyors</li> <li>• Design Review Panel Minutes – Bayside Council</li> </ul>
<b>Clause 4.6 requests</b>	Nil
<b>Summary of key submissions</b>	<ul style="list-style-type: none"> <li>• Design Excellence</li> <li>• Building setbacks and separation</li> <li>• Tree removal</li> <li>• Solar access/overshadowing</li> <li>• Proposed construction staging</li> <li>• Bulk and scale</li> <li>• Built form relationship with neighbouring development</li> <li>• Apartment layouts</li> </ul>
<b>Report prepared by</b>	Patrick Nash – Senior Development Assessment Planner
<b>Report date</b>	26 November 2020

**Summary of s4.15 matters**

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report?

**Yes**

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**Legislative clauses requiring consent authority satisfaction**

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report?

**Yes**

*e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP*

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**Clause 4.6 Exceptions to development standards**

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?

**Not Applicable**

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**Special Infrastructure Contributions**

Does the DA require Special Infrastructure Contributions conditions (S7.24)?

**Not Applicable**

*Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions*

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**Conditions**

Have draft conditions been provided to the applicant for comment?

*Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report*

**No, application is recommended for refusal**