

MINUTES – ELECTRONIC DETERMINATION

Electronic Meeting was held 13 November 2024.

MATTERS DETERMINED

Item 6.1 – DA-2024/160 – 1 Rowley Street, Brighton-Le-Sands
Item 6.2 – DA-2024/198 – 3 Cashman Road, Brighton-Le-Sands

ITEM 6.1 – DA-2024/160 – 1 ROWLEY STREET, BRIGHTON-LE-SANDS

Panel Consideration and Decision

The Development Application was deferred at the 22 October 2024 Meeting as the Panel concluded that a revised Clause 4.6 written request contravening the Floor Space Ratio development standard was to be submitted to Council and the Panel for consideration. The Applicant submitted the revised Clause 4.6 written request on 6 November 2024 to address the Panel's comments.

The Panel considered the amended Clause 4.6 written request, Council's Supplementary Assessment Report and conditions. The Panel are satisfied that the officer's report and amended Clause 4.6 request address the reason for deferral.

The Panel determined to approve the development application pursuant to Section 4.15 of the *Environmental Planning Assessment Act 1979*.

The decision was unanimous.

Reasons for Decision

1. The Panel are satisfied that the applicant's written requests to contravene Clauses 4.3 and 4.4 of the Bayside Local Environmental Plan 2021 has adequately addressed the matters required to be demonstrated by Clause 4.6 of that Plan;
2. The development is consistent with the objectives of the R2 Low Density Residential zone and the relevant objectives of Bayside Local Environmental Plan 2021.
3. The development, subject to conditions, is consistent with the objectives of Bayside Development Control Plan 2022 and generally consistent with the relevant requirements of Bayside Development Control Plan 2022.
4. The proposal is suited to the site and area.
5. The proposal will not result in any significant impact on the environment or the amenity of nearby residents.
6. The scale and design of the proposal is suitable for the location and is compatible with the desired future character of the locality.

7. The proposal will not result in any significant impact on the environment or the amenity of nearby residents.
8. The issues raised by objectors has been considered and addressed.

Conditions

The development application was approved subject to the conditions attached to the Council Assessment Officer's report.

ITEM 6.2 – DA-2024/198 – 3 CASHMAN ROAD, BRIGHTON-LE-SANDS

The Development Application was deferred at the 22 October 2024 Meeting as the Panel concluded that a revised Clause 4.6 written request contravening the Floor Space Ratio development standard was to be submitted to Council and the Panel for consideration. The Applicant submitted the revised Clause 4.6 written request on 4 November 2024 to address the Panel's comments.

The Panel considered the amended Clause 4.6 written request, Council's Supplementary Assessment Report and conditions. The Panel are satisfied that the officer's report and amended Clause 4.6 request address the reason for deferral.

The Panel determined to approve the development application pursuant to Section 4.15 of the *Environmental Planning Assessment Act 1979*.

The decision was unanimous.

Reasons for Decision

1. The Panel are satisfied that the applicant's written requests to contravene Clauses 4.3 and 4.4 of the Bayside Local Environmental Plan 2021 has adequately addressed the matters required to be demonstrated by Clause 4.6 of that Plan;
2. The development is consistent with the objectives of the R3 Medium Density Residential zone and the relevant objectives of Bayside Local Environmental Plan 2021.
3. The development, subject to conditions, is consistent with the objectives of Bayside Development Control Plan 2022 and generally consistent with the relevant requirements of Bayside Development Control Plan 2022.
4. The proposal is suited to the site and area.
5. The proposal will not result in any significant impact on the environment or the amenity of nearby residents.
6. The scale and design of the proposal is suitable for the location and is compatible with the desired future character of the locality.
7. The proposal will not result in any significant impact on the environment or the amenity of nearby residents.
8. The issues raised by the objector have been considered and addressed.

Conditions

The development application was approved subject to the conditions attached to the Council Assessment Officer's report.

Certified as true and correct.

Sue Francis
Chairperson