

**RECORD OF DEFERRAL
SYDNEY EAST JOINT REGIONAL PLANNING PANEL
MEETING HELD AT CHRISTIES CONFERENCE CENTRE
ON TUESDAY 20 JANUARY 2015 at 2:00 PM**

Panel members:

David Furlong – Chair
Sue Francis – Panel Member
Julie Savet Ward – Panel Member
Peter Fitzgerald – Panel Member

Council staff in attendance:

Heather Warton
Wil Nino
Chris Mackey

Apologies: None

Declarations of interest: None

Matter deferred:

**2013SYE094 Botany Bay City Council DA 2013/208: Integrated Stage 1 Masterplan at
52-54 Pemberton Street**

Public submissions made at this meeting:

Against: Brian Walford, Sandra De Marchi, Paul Banton, Melissa Darke, Rachell Shabshay, Dave Sallows, Noelene Hugh-Smith, Therese Bell and Andrew Faunce.

On behalf of the applicant: Cameron Jackson, Lisa Maree Carrigan, Julie Bindon, Debra Townsend and Richard McLachlan.

Panel Decision:

The Panel resolves unanimously to defer the Development Application pending the following:

1. The maximum building heights are to be amended as follows:
 - a) Buildings A and B (west) along Pemberton Street (within the B4 zone) shall be no greater than 10 metres (3 storeys);
 - b) Building B (south wing) shall retain the proposed 7 and 8 storey components, however the 4 storey component may increase to 5 storeys;
 - c) Building B (east wing) shall be no greater than 8 storeys;
 - d) Building B (north east wing) shall be a consistent 4 storeys (currently 6 and 2 storeys);
 - e) Building D (south/west wing) shall be no greater than 7 storeys;
 - f) Building D (north-west wing) shall be a consistent 4 storeys (currently 6 and 2 storeys);
 - g) Building D2 (east wing) along Wilson Street shall be a maximum of 3 storeys;
 - h) Building E3, along Wilson Street to be a maximum 3 storeys; and
 - i) Building E (west) may be increased from 3 to 5 storeys.

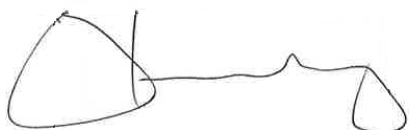
2. The amended plans are to be fully dimensioned, both horizontally and vertically in metres and include Relative levels referenced to AHD. The plans shall also specify the resulting gross floor area and floor space ratio within each of the applicable land use zones within the site and over the whole site.
3. Where buildings are located adjacent to single dwellings i.e., buildings A, B & D there shall be no increases in footprints or reductions in setbacks from common property boundaries. Building E west may increase its internal footprint (close the gap) if required.
4. The proposed public open space area may not be reduced.
5. The two 90 metre long buildings (B east & D west) must be physically broken to reduce their length.
6. Within the B4 zone a minimum of 300 square metres of non - residential floor space must be provided on the ground floor of buildings A & B and shown on the amended plans.
7. If required, the applicant shall prepare a Clause 4.6 submission in relation to any building heights and / or floor space ratios that exceed the maximum permissible in the Botany Bay Local Environmental Plan 2013 as a result of the amended plans.
8. The applicant shall lodge the required amended plans and associated documentation within 14 days of the date of these minutes.
9. Council shall determine whether or not the amended plans require notification in accordance with the relevant DCP.
10. The Council and the applicant shall discuss and determine the final draft conditions to reflect the amended plans and ensure certainty and clarity for subsequent Development Applications.
11. Subject to the need for notification and the consideration of any associated submissions, Council shall provide a supplementary report to the Panel Secretariat within 30 days of the receipt of the amended plans or conclusion of any notification period.

The report shall include advice as to whether the amended plans meet the requirements of point 1 above, an assessment of any associated Clause 4.6 submission and any public submissions and the final draft conditions.

12. Upon receipt of the supplementary report the Panel Chair will determine whether the matter can be finalised by electronic means of communication or whether a further public meeting is required.

The meeting concluded at 5.30pm

Endorsed by



David Furlong
Acting Chair
Sydney East Joint Regional Planning Panel
Date: 20 January 2015