

**RECORD OF DEFERRAL
SYDNEY EAST JOINT REGIONAL PLANNING PANEL
MEETING HELD AT CHRISTIES CONFERENCE CENTRE
ON THURSDAY 14 MAY 2015 at 3:00 PM**

Panel members:

John Roseth – Panel Chair
David Furlong – Panel Member
Julie Savet Ward – Panel Member
Peter Fitzgerald – Panel Member
George Glinatsis – Panel Member

Council staff in attendance:

Heather Warton
Phoebe Mikhiel
Lincoln Lawler

Apologies: None

Declarations of interest: None

Matter deferred:

2014SYE016 Botany Bay DA13/271: Integrated Development for the demolition of existing buildings, excavation for a basement level of car parking and site remediation. Construction of four podium levels of car parking and one x 13 storey mixed-use building including 87m2 of commercial floor space fronting Church Avenue (Tower A), one x 13 storey residential flat building (Tower B), and one x 9 storey residential flat building fronting John Street (Tower C). The development comprises 59 x two bedroom units, 12 x one bedroom units and 9 studio units. The basement and podium car parking includes 152 car parking spaces at 27 Church Avenue and 18A Johns Street, Mascot

Verbal submissions made at this meeting:

Against the application: Eleonora Paton, On Fu [on own behalf, and also on behalf of Thomas Gregory and Alfie Cheng], James Li, Jason Capuano, Yvonne Than and Siew Hiong Cheng

On behalf of the applicant: Russell Olsson

Panel Decision:

The Panel defers the determination of the application on the basis of three concerns.

1. The first concern is with the adequacy of solar access. The Panel has received a submission from HWL Ebsworth Lawyers on behalf of the owner of the neighbouring site. The submission casts doubt on the accuracy of the solar analysis accompanying the assessment report. The Panel therefore requests the council to cause an independent solar analysis to be carried out, on the assumption that both the subject site and the

neighbouring site are developed so as to comply with planning controls of FSR and height. The solar access to the apartments on both sites, when they are both developed, is to be calculated. This information should be provided before 31 May 2015.

2. The second concern is that the proposal contains a 14-storey building set back 4m from the boundary. While the Panel is not requesting an amendment at this stage, it wishes to note this concern.
3. The third concern is that the two neighbouring sites, both of them extremely narrow, are to be developed without a master plan. In the Panel's opinion, a master plan may overcome the inherent problems of two narrow sites, which are zoned for high density. The Panel notes that the Council *could* adopt a DCP for the two sites with or without the agreement of the owners.

Following the receipt of the requested solar analysis, the Panel will communicate by electronic or other means to determine the application.

Endorsed by



John Roseth
Chair
Sydney East Joint Regional Planning Panel
Date: 14 May 2015