

SYDNEY EAST JOINT REGIONAL PLANNING PANEL

Meeting held at Botany Bay Council on Thursday 1 October 2015 at 5.30pm

Panel Members: David Furlong (chair), Tim Moore, Bruce Clarke, Ben Keneally and George Glinatsis

Apologies: None Declarations of Interest: None

Determination and Statement of Reasons

2014SYE062 Botany Bay 14/80: Development application for the remediation and redevelopment of the site comprising of 36 x two and three storey townhouses fronting Holloway and Page Streets, two residential flat buildings of part 6 and part 7 storeys comprising of a total of 221 apartments (135 studio/1 bedroom apartments, 80x2 bedroom apartments and 6x3 bedroom apartments), Above ground parking for 465 vehicles; landscaping and public domain works at 32 Page Street, Banksmeadow as described in Schedule 1.

Date of determination: 1 October 2015

Decision:

The panel determined to approve the development application as described in Schedule A pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

Panel consideration:

The panel considered the matters listed at item 6 as addressed in the Council Assessment Report, the material listed at item 7, material presented at meetings and the matters listed at item 8 in Schedule 1.

Reasons for the panel decision:

1. The proposal complies with the majority of the relevant planning controls with the exception of the LEP control for maximum Building height, applicable to the site.
2. The panel concurred with the planning Assessment report that there were no site specific grounds to vary the statutory building height limit and therefore the request to do so under Clause 4.6 of the LEP was not well founded.
3. The site is capable of remediation to the level required to make it suitable for the proposed development.
4. Following the exhibition of the amended plans, the number of public submissions was reduced considerably, with many of those matters dealt with by the assessment process or by the proposed conditions of consent.

In arriving at its decision the panel gave further consideration to the predominant issues raised by the objectors who addressed the meeting. In that regard the panel noted that:

- (a) Council has confirmed that the intersections of Wentworth Avenue with Paige and Baker Streets are to be the subject of upgrade and enhanced signalisation. These works will improve the capacity of both intersections and their current level of service.

The funds required are being sourced as part of a nearby development approval (Paige Street) and Section 94 contributions (Baker Street). Both upgrades will occur in the very near future and are required to be completed prior to the occupation of the subject development.

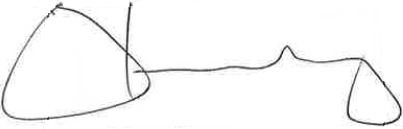




- (b) The registered Site Auditor has issued a Section B Certificate in association with the Site Audit Statement dated 17 December, 2014, which confirms that the proposed remediation works will meet the relevant standards.
- (c) The site was rezoned for the proposed land use under the 2013 Botany Bay LEP.

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Conditions: The development application was approved subject to the conditions in Appendix A of the Council Assessment Report and as amended as follows at the meeting:

- (a) Proposed condition No. 33 is to be relocated to become Condition No.2 and all subsequent conditions re numbered.
- (b) In proposed condition No. 84 (b) the reference to "37.7m" is amended to read "37.3m"

Panel members:

		
David Furlong (chair)	Tim Moore	Bruce Clarke
		
Ben Keneally	George Glinatsis	

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SCHEDULE 1

1	JRPP Reference – LGA- Council Reference: 2014SYE062 Botany Bay 14/80
2	Proposed development: Development application for the remediation and redevelopment of the site comprising of 36 x two and three storey townhouses fronting Holloway and Page Streets, two residential flat buildings of part 6 and part 7 storeys comprising of a total of 221 apartments (135 studio/1 bedroom apartments, 80x2 bedroom apartments and 6x3 bedroom apartments), Above ground parking for 465 vehicles; landscaping and public domain works
3	Street address: 32 Page Street, Banksmeadow
4	Applicant/Owner: TMG Capital Projects Botany Pty Ltd
5	Type of Regional development: General development with a Capital Investment Value of more than \$20 million
6	Relevant mandatory considerations <ul style="list-style-type: none"> • Environmental Planning and Assessment Act 1979 • Environmental Planning and Assessment Regulation 2000 • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 • State Environmental Planning Policy No 55 – Contaminated Land • State Environmental Planning Policy No 65 – Design Quality of Residential Flat Buildings • Botany Bay Local Environmental Plan 2013 • Botany Bay Development Control Plan 2013 • 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 EPA Act or EPA Regulation. • The public interest.
7	Material considered by the panel: Council Assessment Report dated 22 September 2015 Written submissions during public exhibition: 714 Verbal submissions at the panel meeting; <ul style="list-style-type: none"> • Against: Leonard Mahony, Krikor Kardashion, Keiran Robbie, Byron Wood, Frank Becker, Darcey Dahl, Maria teros and Delwyn Hinton. • On behalf of the applicant: Andrew Harvey, Edward Pearce, Craig MacLaren and Andrew Lau
8	Meetings and site inspections by the panel: Briefing meeting on 14 August 2014
9	Council recommendation: Approval
10	Draft conditions: Attached to Council Assessment Report