

## SYDNEY EAST JOINT REGIONAL PLANNING PANEL

Meeting held at Christie Conference Centre on Thursday 9 July 2015 at 1:30 pm

Panel Members: John Roseth (Chair), David Furlong, Sue Francis, George Glinatsis and Mark Castle

Apologies: None Declarations of Interest: None

### Determination and Statement of Reasons

**2014SYE077 Botany Bay 14/47 [at 5-11 Ewan Street, Mascot] as described in Schedule 1.**

**Date of determination:** 9 July 2015

**Decision:**

The panel determined to accept the recommendation of the planning assessment report 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 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

**Reasons for the panel decision:**


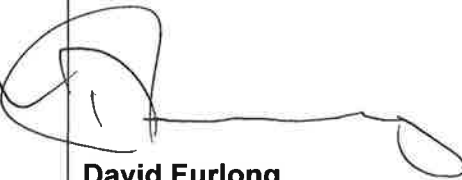



The Panel notes that serviced apartments are permissible in the zone and respond to a market demand in the area.

The Panel has previously approved a hotel building of similar bulk on this site. On that occasion, as well as on this one, the Panel took into account that the FSR control of 3:1 in the Botany LEP 2013 has been effectively abandoned, and that the FSR of this proposal at 4.36:1 is compatible with other recent consents in the area.

The Panel notes that SEPP 65 is not applicable to this proposal as it is not residential development. Finally, the Panel was mindful of the fact that it had earlier refused an application at 210 O'Riordan Street, which was also similar in bulk to a previously approved development. However, in that case the new application sought a FSR of 6.6:1, much greater than in the present case. At no time in that case did the Panel wish to strictly apply the FSR standard of 3:1, indicating that it would accept a development with a FSR of between 5:1 and 6:1.

**Conditions:** The development application was approved subject to the conditions recommended in the assessment report.

**Panel members:**

 <b>John Roseth (Chair)</b>	 <b>David Furlong</b>	 <b>Sue Francis</b>
 <b>George Glinatsis</b>	 <b>Mark Castle</b>	

## SYDNEY EAST JOINT REGIONAL PLANNING PANEL

### SCHEDULE 1

1	<b>JRPP Reference – LGA- Council Reference:</b> 2014SYE077 Botany Bay 14/47
2	<b>Proposed development:</b> Serviced Apartment Complex
3	<b>Street address:</b> 342 King St, Mascot (also known as 5-11 Ewan St)
4	<b>Applicant:</b> Parking Station Pty Ltd
5	<b>Type of Regional development:</b> General development with a Capital Investment Value of more than \$20 million
6	<b>Relevant mandatory considerations</b> <ul style="list-style-type: none"> <li>• Environmental Planning &amp; Assessment Act 1979, Part 4 – Development Assessment</li> <li>• Environmental Planning &amp; Assessment Regulation 2000, Part 6 – Procedures relating to development applications</li> <li>• State Environmental Planning Policy No. 55 – Contaminated Land</li> <li>• State Environmental Planning Policy 2004 (BASIX)</li> <li>• State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings</li> <li>• Botany Bay Local Environmental Plan 2013</li> <li>• Botany Development Control Plan 2013</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality.</li> <li>• The suitability of the site for the development.</li> <li>• Any submissions made in accordance with the EPA Act or EPA Regulation.</li> <li>• The public interest.</li> </ul>
7	<b>Material considered by the panel:</b> Council Assessment Report Dated 26 June 2015 Written submissions during public exhibition: None
8	<b>Meetings and site inspections by the panel:</b> Briefing meeting on 22 July 2014
9	<b>Council recommendation:</b> Approval
10	<b>Draft conditions:</b> As attached to the Council Assessment Report