

SYDNEY EAST JOINT REGIONAL PLANNING PANEL

Meeting held at Christie Conference Centre on Wednesday 16 December 2015 at 12.30pm

Panel Members: David Furlong (chair), John Roseth, Sue Francis and George Glinatsis

Apologies: Mark Castle Declarations of Interest: None

Determination and Statement of Reasons

2014SYE087 Botany Bay 14/129: Integrated Development - Mixed Use Development at 593-595 Gardeners Road, Mascot as described in Schedule 1.

Date of determination: 16 December 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 and the material presented at meetings listed at item 8 in Schedule 1.

Reasons for the panel decision:

The panel considered that the proposal was worthy of approval for the following reasons;

- The application is generally in accordance with the relevant Planning Framework.
- The amended plans resolve the overshadowing impacts as requested by the Panel in its previous decision
- The amendments to the floor plans, increase in on-site car parking and provision of skylights improve the amenity and capacity of the development.
- The Panel considers that the clause 4.6 variation in respect to height was well founded.

Conditions: The development application was approved subject to the conditions in the original Council Assessment Report presented to the panel meeting on 7 October 2015 with the following amendments;

Additional Conditions

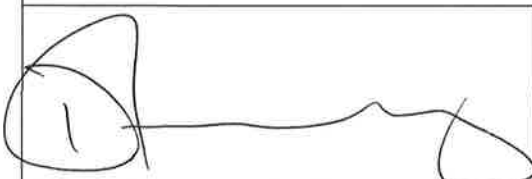
1. The three one bedroom units at the rear of the building on levels one, two and three shall be converted to 2 x 2 bedroom units
2. The four rear units on level three shall be provided with skylights above the living areas to improve solar access

Both of these amendments shall be shown on the plans submitted with the required Construction Certificate.

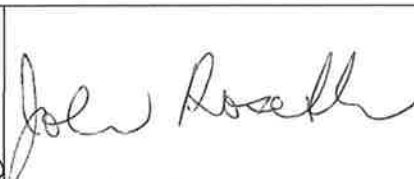
Amended Conditions

1. Condition 1 is to be updated to reflect the approved plan numbers
2. Conditions 26 and 27 shall be reviewed to reflect the correct section 94 contributions as a result of amended condition 1 above
3. Condition 65 shall be deleted as it is a repeat of Condition 46.
4. Condition 46 shall be amended to ensure compliance with Councils car parking requirements

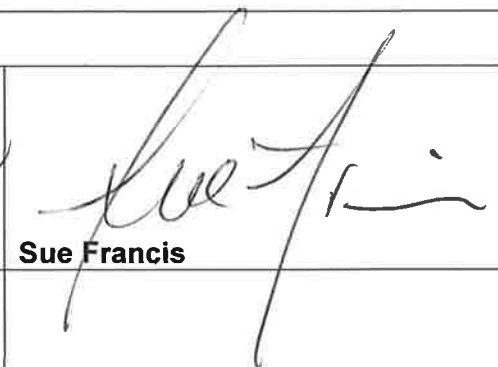
Panel members:



David Furlong (chair)



John Roseth



Sue Francis



George Glinatsis

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SCHEDULE 1

1	JRPP Reference – LGA- Council Reference: 2014SYE087 Botany Bay 14/129
2	Proposed development: Integrated Development - Mixed Use Development
3	Street address: 593-595 Gardeners Road, Mascot
4	Applicant/Owner: A+ Design Group
5	Type of Regional development: General development with a Capital Investment Value of more than \$20 million
6	Relevant mandatory considerations • Environmental Planning & Assessment Act 1979, Part 4 – Development Assessment • Environmental Planning & Assessment Regulation 2000, Part 6 – Procedures relating to development applications • State Environmental Planning Policy No. 55 – Contaminated Land • State Environmental Planning Policy 2004 (BASIX); • 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 29 September 2015 and Council Supplementary Report date 27 November 2015 Written submissions during public exhibition: 1 petition containing 30 signatures Verbal submissions at the panel meeting: Support: Nil ; Against: Nil ; On behalf of the applicant: Tony Leung
8	Meetings and site inspections by the panel: Briefing meeting on 14 August 2014 and Panel Meeting 7 October 2015
9	Council recommendation: Refusal
10	Draft conditions: N/A