

SYDNEY EAST JOINT REGIONAL PLANNING PANEL

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

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

Apologies: None - Declarations of Interest: None

Determination and Statement of Reasons

2015SYE047 – Botany Bay - DA-22/2015 - Mixed use development, nominated integrated, incl demolition of existing structures, remediation of land, construction of 14 storey building with commercial and residential at ground level, residential above ground height, car parking over 2 basement levels and part of ground floor and ancillary works - 653 Gardeners Road, Mascot as described in Schedule 1.

Date of determination: 16 December 2015

Decision:

The panel determined to accept the recommendation of the assessment report to refuse the development application as described in Schedule 1 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.


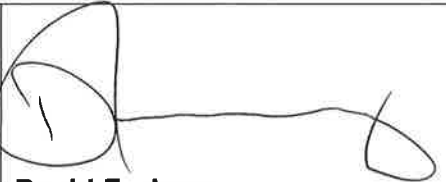
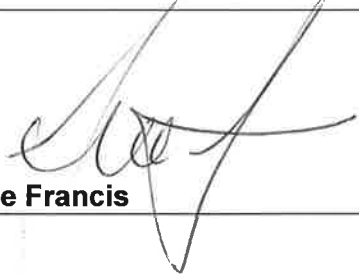


Reasons for the panel decision:

The Roads and Maritime Services have refused to give concurrence to the development, which is located on a classified road.

Sydney Trains has not provided its concurrence required under cl 86 of SEPP (Infrastructure) 2007.

Conditions: not applicable

Panel members:

 John Roseth (chair)	 David Furlong	 Sue Francis
 George Glinatsis	 Ben Kenneally	

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SCHEDULE 1

1	JRPP Reference – LGA- Council Reference: 2015SYE047 – Botany Bay - DA-22/2015
2	Proposed development: Mixed use development, nominated integrated, incl demolition of existing structures, remediation of land, construction of 14 storey building with commercial and residential at ground level, residential above ground height, car parking over 2 basement levels and part of ground floor and ancillary works
3	Street address: 653 Gardeners Road, Mascot
4	Applicant: Icek Holdings 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 & Assessment Act 1979, Part 4 – Development Assessment • Environmental Planning & Assessment Regulation 2000, Part 6 – Procedures relating to development applications • State Environmental Planning Policy (Infrastructure) 2007 • 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 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: 2 December 2015 Written submissions during public exhibition: 2 Verbal submissions at the panel meeting: Support- Nil; Against- Nil; On behalf of the applicant-Anne McCabe
8	Meetings and site inspections by the panel: Briefing Meeting on 20 May 2015
9	Council recommendation: Refusal
10	Draft conditions: N/a