

**RECORD OF DEFERRAL
SYDNEY EAST JOINT REGIONAL PLANNING PANEL
MEETING HELD AT CHRISTIE CONFERENCE CENTRE
ON THURSDAY 28 APRIL 2016 AT 11:00 AM**

Panel members:

John Roseth - Chair
David Furlong – Panel Member
Sue Francis – Panel Member
George Glinatsis – Panel Member
Mark Castle – Panel Member

Council staff in attendance:

Anthony Newland
Amy Groher
Brendon Clendenning

Apologies: None

Declarations of interest: None

Matter deferred:

**2015SYE170 Botany Bay DA-15(216): Mixed use development including
235 residential units across three buildings at 1-5 Kent Rd, Mascot**

Public submissions made at this meeting:

On behalf of the applicant: Walter Gordon and Kevin Driver

Panel Decision:

- 1) The Panel resolved unanimously to defer the determination of the application in order to allow the applicant to lodge an amended application with the following three amendments:
 - a) Remove Units 9.10, 9.11, 9.16, 9.17, 10.10, 10.11, 10.16, 10.17, 11.10, 11.11, 11.16, 11.17, 12.10, 12.11, 12.16, 12.17, 13.10, 13.11, 13.16 and 13.17, so that at least half the separation distances from the northern boundary required by the Apartment Design Guide (ADG) are satisfied. The Panel is aware that the applicant has recently purchased the site to the north, 671-683 Gardeners Road Mascot (the Gardeners Road site). The applicant has told the Panel that it intends to lodge an application for a development on the Gardeners Road site, that will provide the required separation distances between that site and the current version of the application (ie one that includes the apartments mentioned above for removal). Following the lodgement of a development application for the Gardeners Road site, the Panel will look favourably on a s96 application, or another type of application for the subject site that reinstates the above apartments, so long as the required ADG separation distances between the proposals on the two sites are observed.
 - b) Provide a revised justification under s 4.6 of the Botany LEP 2013 for exceeding the building height of 44m that does not rely on the plant rooms being called an architectural feature (which they are not).
 - c) Ensure that the architectural treatment on the eastern façade of Building A and the western façade of Building B complies with the requirements of the Apartment Design Guide where the separation distances are not fully satisfied (i.e. provide alternative mitigating measures).

- 2) The Panel requests the assessment officer to provide a supplementary report on whether the amended application complies with the above requirements. Following the receipt of the supplementary report, the Panel will communicate by electronic means to determine the application unless the Chair or a member considers that another public meeting is necessary.

Endorsed by

A handwritten signature in dark ink, appearing to read 'John Roseth', written in a cursive style.

John Roseth
Chair, Sydney East Joint Regional Planning Panel
Date: 28 April 2016