

<b>DATE OF DETERMINATION</b>	1 June 2017
<b>PANEL MEMBERS</b>	Maria Atkinson, John Roseth, Louise Camenzuli, Debra Dawson
<b>APOLOGIES</b>	Meredith Wallace
<b>DECLARATIONS OF INTEREST</b>	None

Electronic meeting held between 23 May 2017 and 1 June 2017.

#### **MATTER DETERMINED**

2016SCL007 – Bayside – DA13/135/05 at 659-669 Gardeners Road Mascot (AS DESCRIBED IN SCHEDULE 1)

#### **PANEL CONSIDERATION AND DECISION**

The Panel considered: the matters listed at item 6, 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.

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 96 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.





#### **REASONS FOR THE DECISION**

The Panel reviewed the Council assessment report and unanimously approved the application for the following reasons:

1. The modified proposal is substantially the same as the original proposal.
2. No additional bulk is proposed; hence the external impact is not changed.
3. While the separation between the buildings is slightly reduced, the position of the buildings is not changed; hence there are no additional privacy impacts.
4. The modification will not significantly alter the built form or character of the development or create any likely impacts on surrounding properties.

#### **CONDITIONS**

The development application was approved subject to the conditions in the Council Assessment Report.

<b>PANEL MEMBERS</b>	
 Maria Atkinson (Chair)	 John Roseth
 Louise Camenzuli	 Debra Dawson

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016SCL007 – Bayside – DA13/135/05
2	PROPOSED DEVELOPMENT	<p>Section 96AA Application to modify Development Consent No. 13/135 as follows:</p> <ul style="list-style-type: none"> <li>• Design amendments to the buildings including modifications to the eastern, western and southern elevations to include spandrels and fixed glass louvres, increase in balcony sizes to a number of units to increase articulation of the southern façade of the northern building and the northern façade of southern building, amendments to the location of columns; ☐ Deletion of the planter beds at the end of the corridor which results in the reduction of 209sqm landscaped area;</li> <li>• Amend unit type 2.7, located on Level 5 involving the removal of the entry indent to 16 units and will increase the residential GFA by 32sqm;</li> <li>• Amend Condition Nos. 1, 13(c), 37, 56, 63(b) and 130.</li> </ul>
3	STREET ADDRESS	659-669 Gardeners Road Mascot
4	APPLICANT/OWNER	Dedico Development Service / Mascot Circle Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Section 96AA Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy No.65 – Design Quality of Residential Apartment Development</li> <li>○ Botany Bay Local Environmental Plan 2013</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Botany Bay Development Control Plan 2013</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</li> <li>• Coastal zone management plan: Nil</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 <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Council assessment report: 19 May 2017</li> <li>• Written submissions during public exhibition: none</li> </ul>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	Not applicable
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report