

## SYDNEY EAST JOINT REGIONAL PLANNING PANEL

Meeting held at Christies Conference Centre on Wednesday 20 July 2016 at 2.00pm

Panel Members: John Roseth (Chair), Stuart McDonald, Nicole Gurran, Mark Castle and George Glinatsis

Apologies: None - Declarations of Interest: None

### Determination and Statement of Reasons

2016SYE055 – Botany Bay - DA-13/208/3 - Construction of 5 residential flat buildings up to 8 storeys - 54 Pemberton Street, Botany as described in Schedule 1.

**Date of determination:** 20 July 2016

**Decision:**

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*.

**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 in Schedule 1. The panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

**Reasons for the panel decision:**

1. The modification application does not materially change the impact of the proposal.
2. The changes in access arrangements to the car park have been justified by the traffic study submitted by the applicant and reviewed by the council.

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

- The words "Lot 1 DP 701262" are added to Condition 2.
- Conditions 81A and 152(c) are deleted.

**Panel members:**



**John Roseth (chair)**



**Stuart McDonald**



**Nicole Gurran**



**Mark Castle**



**George Glinatsis**

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## SCHEDULE 1

1	<b>JRPP Reference – LGA- Council Reference:</b> 2016SYE055 – Botany Bay - DA-13/208/3
2	<b>Proposed development:</b> Construction of 5 residential flat buildings up to 8 storeys
3	<b>Street address:</b> 54 Pemberton Street, Botany
4	<b>Applicant:</b> Australand Property Group Pty Ltd <b>Owner:</b> Botany No 1 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>• State Environmental Planning Policy (State and Regional Development) 2011</li> <li>• Botany Bay Local Environmental 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, including the principles of ecologically sustainable development.</li> </ul>
7	<b>Material considered by the panel:</b> Council Assessment Report Dated: 12 July 2016 Written submissions during public exhibition: Nil Verbal submissions at the panel meeting: Support- nil; Against- nil; On behalf of the applicant- Cameron Jackson, Michael Rowe, Alexi Cella
8	<b>Meetings and site inspections by the panel:</b> Nil
9	<b>Council recommendation:</b> Approval
10	<b>Draft conditions:</b> Attached to council assessment report