

DATE OF DEFERRAL	Thursday 7 December 2017
PANEL MEMBERS	Sue Francis (Chair), John Roseth, Clare Brown, Michael Nagi, Ed McDougall
APOLOGIES	Maria Atkinson
DECLARATIONS OF INTEREST	None

Public meeting held at Christie Conference Centre 3 Spring Street Sydney on 7 December 2017, opened at 11.30am and closed at 1.40pm.

MATTER DEFERRED

2016SYE112 – Bayside – DA16(165) at 24-26 High Street, 19-25 Robey Street, 5, 5A and 5B Elizabeth Street Mascot

REASONS FOR DEFERRAL

The Panel was not satisfied that the current proposal achieved satisfactory internal or external amenity and design nor that it satisfactorily addressed the streetscape that might be assumed for a B2 zone. However the Panel was made aware that the council staff had indicated a preference for the current design over a previous scheme.

The applicant requested a deferral to address the Panel's concerns and the council agreed to accept amended plans and work with the applicant to achieve a better outcome.






The Panel therefore unanimously agreed to defer the determination so that the applicant can provide amended plans which address the following:

1. The communal open space as proposed is unacceptable due to its location and its inability to achieve adequate solar access. Communal open space should therefore be relocated on the roof of the development and lift access provided.
2. The floor to floor heights shall be a minimum of 3.1 metres for level 1 and above. The Panel notes that this will vary the AGD suggested height for level 1.
3. A new clause 4.6 variation shall be submitted to council for consideration in relation to any development standard breach
4. The Panel questions whether the proposal as submitted achieves the level of solar access and cross ventilation reported in the assessment report. Accordingly more detailed solar access information and cross ventilation information shall be provided to demonstrate compliance with the AGD or to justify any non-compliance. In this review any re-design should maximise the site's northern exposure which may require internal layout changes.
5. Any amended plans should maximise views and orientation over the adjoining park.
6. If a re-design results in zero side boundary setbacks to match the adjoining building at 27-29 Robey Street (up to 3 levels) this would retain streetscape consistency and may be desirable.
7. Consideration should be given to exploring a re-design of the internal courtyard to improve internal amenity.

Amended plans shall be submitted to council no later than 1 March 2018 (or as agreed with the Panel). On receipt of the amended plans council shall provide a supplementary report to the Panel no later than two

months after receipt of the amended plans. When this information has been received, the Panel will consider the matter at a public meeting.

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

PANEL MEMBERS	
 Sue Francis (Chair)	 John Roseth
 Clare Brown	 Michael Nagi
 Ed McDougall	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016SYE112 – Bayside – DA16(165)
2	PROPOSED DEVELOPMENT	Integrated Development Application for the demolition of existing structures and the construction of a five (5) storey mixed commercial and residential apartment building consisting of two (2) levels of basement car parking containing 111 car parking spaces, three (3) ground floor retail spaces and 54 residential apartments across four (4) storeys.
3	STREET ADDRESS	19-25 Robey Street and 5 and 5A Elizabeth Avenue, Mascot
4	APPLICANT/OWNER	19-25 Robey Street and 5 and 5A Elizabeth Avenue, Mascot
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> 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 Apartment Development and the Apartment Design Guide Botany Bay Local Environmental Plan 2013 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Botany Development Control Plan 2013 Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil Coastal zone management plan: Nil 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 <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report: 29 November 2017 Written submissions during public exhibition: 3 Verbal submissions at the public meeting: <ul style="list-style-type: none"> On behalf of the applicant – Angus Halligan, Hong Huang
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Site inspection and briefing meeting: 23 March 2017 Final briefing meeting to discuss council's recommendation, 7 December 2017. Attendees: <ul style="list-style-type: none"> <u>Panel members</u>: Sue Francis (Chair), John Roseth, Clare Brown, Michael Nagi, Ed McDougall <u>Council assessment staff</u>: Chris Mackey, Luis Melim, Kim Johnston
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report