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|---------------------------------|---|
| <b>DATE OF DEFERRAL</b>         | 5 April 2018  |
| <b>PANEL MEMBERS</b>            | Carl Scully (Chair), Sue Francis, Peter Brennan, Ed McDougall, Michael Nagi |
| <b>APOLOGIES</b>                | None  |
| <b>DECLARATIONS OF INTEREST</b> | None  |

Public meeting held at Rydges World Square on 5 April 2018, opened at 12:00 pm and closed at 1:00 pm.

**MATTER DEFERRED**

2017SCL064 – Bayside – DA 2017/1198 AT 1-3 and 3A Ricketty Street Mascot (AS DESCRIBED SCHEDULE 1)

**PANEL CONSIDERATION AND REASONS FOR DEFERRAL**

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 defer the development application as described in Schedule 1 pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.






The Panel deferred the determination of the application to resolve the wording of the condition relating to the easement for pedestrian and bike access along the foreshore. The Panel noted that the Draft Condition 127 seeking a 10 metre strip of the site along the foreshore to be dedicated, is unlawful and should be deleted. Both the council and applicant should liaise to satisfactorily resolve the terms of a condition to allow for appropriate public access. This should be resolved by the 12 April 2018.

The supplementary report shall be prepared by Council and submitted to the Panel by 19 April 2018.

When the supplementary report has been received, the Panel will determine the matter electronically, unless the Chair considers that a public meeting is necessary.

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

The decision was unanimous.

| <b>PANEL MEMBERS</b>   |  |
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| <br>Carl Scully (Chair) | <br>Sue Francis  |
| <br>Peter Brennan       | <br>Michael Nagi |
| <br>Ed McDougall        |  |

| SCHEDULE 1 |  |  |
|------------|--|--|
| 1          | PANEL REF – LGA – DA NO.                   | 2017SCL064 – Bayside – DA 2017/1198  |
| 2          | PROPOSED DEVELOPMENT                       | Integrated Development for the demolition of existing structures, consolidation of the two lots into one lot and the construction of two x 7 storey buildings used as self-storage units with associated landscaping, car parking, fencing, signage and the amalgamation of the site from two lots to one  |
| 3          | STREET ADDRESS                             | 1-3 and 3A Ricketty Street Mascot  |
| 4          | APPLICANT/OWNER                            | Canal Aviv Pty Ltd   |
| 5          | TYPE OF REGIONAL DEVELOPMENT               | General development over \$20 mil CIV lodged before 1 March 2018.  |
| 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 55 – Remediation of Land</li> <li>State Environmental Planning Policy No 64 – Advertising and Signage</li> <li>State Environmental Planning Policy (Infrastructure) 2007</li> <li>Botany Bay Local Environment 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 Environmental Planning and Assessment Regulation 2000: 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 Environmental Planning and Assessment Act 1979 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>Supplementary Council assessment report: 4 April 2017</li> <li>Council Assessment Report: 29 March 2018.</li> <li>Written submissions during public exhibition: Nil</li> <li>Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>On behalf of the applicant – Simon Degaris</li> </ul> </li> </ul>   |
| 8          | MEETINGS AND SITE INSPECTIONS BY THE PANEL | <ul style="list-style-type: none"> <li>Site inspection and briefing meeting 20 February 2018</li> <li>Final briefing meeting to discuss council's recommendation, 5 April 2018 at 11:30 am. Attendees: <ul style="list-style-type: none"> <li><u>Panel members</u>: Carl Scully (Chair), Sue Francis, Peter Brennan, Ed McDougall, Michael Nagi</li> <li><u>Council assessment staff</u>: Angela Lazaridis, Luis Melim</li> </ul> </li> </ul>  |
| 9          | COUNCIL RECOMMENDATION                     | Approval   |
| 10         | DRAFT CONDITIONS                           | Attached to the council assessment report  |