

## DETERMINATION AND STATEMENT OF REASONS

### SYDNEY EASTERN CITY PLANNING PANEL

<b>DATE OF DETERMINATION</b>	2 May 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

Electronic meeting held between 24 April 2018 and 2 May 2018.

#### MATTER DETERMINED

2017SCL064 – Bayside – DA 2017/1198 AT 1-3 & 3A Ricketty Street 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 4.16 (previously section 80) of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

#### REASONS FOR THE DECISION






The reasons for the decision of the Panel were:

- The proposal will have minimal environmental impact;
- The proposal will see the landscaping of the foreshore to the broader public good;
- The conditions of consent will address any impact concerns.

#### CONDITIONS

The development application was approved subject to the conditions in the Supplementary Council Assessment Report dated 24 April 2018.

The Panel notes that these accepted conditions include a deletion of the previously proposed condition (Condition 127 in the Council Assessment Report dated 4 April 2018) seeking a 10 metre strip of the site along the foreshore to be dedicated to pedestrians and bike access, as the condition was deemed to be unlawful.

PANEL MEMBERS	
 Carl Scully (Chair)	 Sue Francis
 Peter Brennan	 Michael Nagi
 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>Additional supplementary Council assessment report: 24 April 2018</li> <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>Public meeting 5 April 2018 - deferred</li> <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