

DATE OF DETERMINATION	21 March 2018
PANEL MEMBERS	Carl Scully (Chair), John Roseth, Sue Francis, Ed McDougall, Michael Nagi
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Matter determined electronically between 14 March and 21 March 2018.

MATTER DETERMINED

2018SCL005 – Bayside - DA-13/135/07 at 659, 661-663 & 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 80 of the *Environmental Planning and Assessment Act 1979*.

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

The decision was unanimous.






REASONS FOR THE DECISION

The Panel chose to approve the development application for the following reasons:

1. The proposal is substantially the same development as originally approved.
2. There would be no detrimental impact as a consequence of the proposal.
3. The modification has merit.

CONDITIONS

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

PANEL MEMBERS	
 Carl Scully (Chair)	 John Roseth
 Sue Francis	 Ed McDougall
 Michael Nagi	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SCL005 – Bayside - DA-13/135/07
2	PROPOSED DEVELOPMENT	Section 4.56 Application to modify Development Consent No. 13/135 to delete two rooftop pergolas, amend the building facade of the approved mixed use development and modify conditions of consent.
3	STREET ADDRESS	659, 661-663 & 669 Gardeners Road, Mascot
4	APPLICANT/OWNER	Cbus Property Sydney Residential Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Section 96AA Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development Botany Bay Local Environmental Plan 2013 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Botany Bay Development Control Plan 2013 Planning agreements: Nil Provisions of the Environmental Planning and Assessment Regulation 2000: 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 Environmental Planning and Assessment Act 1979 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: 6 March 2018 Written submissions during public exhibition: Nil Verbal submissions at the public meeting: Nil
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Site inspection and briefing meeting 20 February Attendees: <ul style="list-style-type: none"> Panel members: Carl Scully (Chair), Sue Francis, Ed McDouall Council assessment staff: Angela Lazaridis, Ben Latta, Olivia Yana, Luis Melim
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report