

## COUNCIL ASSESSMENT REPORT

<b>Panel Reference</b>	2018SCL016
<b>DA Number</b>	DA-16/143/03
<b>LGA</b>	Bayside Council
<b>Proposed Development</b>	Section 4.55(2) Application to modify Development Consent No. 16/143 to amend the approved residential flat building development to introduce rooftop terraces/gardens to the top and podium level apartments, increase in rooftop plant room sizes and internal configuration of a number of units at UB5E
<b>Street Address</b>	130-150 Bunnerong Road Eastgardens
<b>Applicant/Owner</b>	Karimbla Construction Services (NSW) Pty Ltd/ Karimbla Properties (No. 39) Pty Ltd
<b>Date of DA lodgement</b>	22 December 2017
<b>Number of Submissions</b>	Nil
<b>Recommendation</b>	Approval, subject to conditions of consent
<b>Regional Development Criteria (Schedule 4A of the EP&amp;A Act)</b>	Section 4.55(2) Application to modify a consent determined by the former JRPP (Joint Regional Panel)
<b>List of all relevant s79C(1)(a) matters</b>	<ul style="list-style-type: none"> <li>• List all of the relevant environmental planning instruments: s4.15(1)(a)(i) <ul style="list-style-type: none"> <li>◦ State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development;</li> <li>◦ Botany Bay Local Environmental Plan 2013.</li> </ul> </li> <li>• List any proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the consent authority: s4.15(1)(a)(ii); <ul style="list-style-type: none"> <li>◦ Nil</li> </ul> </li> <li>• List any relevant development control plan: s4.15(1)(a)(iii); <ul style="list-style-type: none"> <li>◦ Botany Bay Development Control Plan 2013.</li> </ul> </li> <li>• List any relevant planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4: s4.15(1)(a)(iiia); <ul style="list-style-type: none"> <li>◦ Nil</li> </ul> </li> <li>• List any coastal zone management plan: s4.15(1)(a)(v) <ul style="list-style-type: none"> <li>◦ Nil</li> </ul> </li> <li>• List any relevant regulations: s4.15(1)(a)(iv) eg. Regs 92, 93, 94, 94A, 288</li> <li>• Nil</li> </ul>
<b>List all documents submitted with this report for the Panel's consideration</b>	<ul style="list-style-type: none"> <li>• Wind Assessment Report- SLR</li> <li>• Architectural plans- Nettleton Tribe</li> </ul>
<b>Report prepared by</b>	Angela Lazaridis – Senior Development Assessment Officer
<b>Report date</b>	11 April 2018

### Summary of s79C matters

Have all recommendations in relation to relevant s79C matters been summarised in the Executive Summary of the assessment report?

**Yes**

**Legislative clauses requiring consent authority satisfaction**

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report?

**Yes**

*e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP*

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**Clause 4.6 Exceptions to development standards**

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?

**N/A****Special Infrastructure Contributions**

Does the DA require Special Infrastructure Contributions conditions (S94EF)?

**Not Applicable**

*Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions*

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**Conditions**

Have draft conditions been provided to the applicant for comment?

**N/A**

*Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report*