

COUNCIL ASSESSMENT REPORT

Panel Reference	2018SCL049 and 2018SCL050
DA Number	DA-14/96/02 and DA-14/96/07
LGA	Bayside Council
Proposed Development	<p>DA-14/96/02- 130-150 Bunnerong Road Eastgardens</p> <p>Section 4.56 Application to modify Development Consent No. 14/96. Modifications include reduction in the ground floor retail component, relocation of the civic retail square and extension of the five storey podium, additional residential units, deletion of two childcare centres, reduction in podium height and provision of an additional residential level within the 6 tower forms in response to the reduced podium height and modifications to conditions.</p> <p>DA-14/96/07- 130-150 Bunnerong Road Eastgardens</p> <p>Section 4.56 Application to modify Development Consent No. 14/96 which approved a Stage 1 masterplan for the site to modify the approved unit mix, unit sizes and private open space relating to Urban Blocks 3 and 5C and amend the setback requirements for Urban Block 3.</p>
Street Address	130-150 Bunnerong Road Eastgardens
Applicant/Owner	Karimbla Construction Services (NSW) Pty Ltd/ Karimbla Properties (No. 39) Pty Ltd
Date of DA lodgement	DA-14/96/02- 30 November 2016 DA-14/96/07- 22 March 2018
Number of Submissions	DA-14/96/02- Two submissions DA-14/96/07- One submission
Recommendation	Approval, subject to modifications to conditions
Regional Development Criteria (Schedule 7 of the SEPP (State and Regional Development) 2011)	Section 4.56 Applications to modify a consent determined by the Land and Environment Court through the Section 34 conciliation process
List of all relevant s4.15(1)(a) matters	<ul style="list-style-type: none"> • List all of the relevant environmental planning instruments: s4.15(1)(a)(i) <ul style="list-style-type: none"> ○ State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development; ○ Botany Bay Local Environmental Plan 2013. • 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"> ○ Nil • List any relevant development control plan: s4.15(1)(a)(iii); <ul style="list-style-type: none"> ○ Botany Bay Development Control Plan 2013. • 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"> ○ Nil • List any coastal zone management plan: s4.15(1)(a)(v) <ul style="list-style-type: none"> ○ Nil • List any relevant regulations: s4.15(1)(a)(iv) eg. Regs 92, 93, 94, 94A, 288 Nil
List all documents submitted with this report for the Panel's consideration	<ul style="list-style-type: none"> • Architectural Plans • Gateway Determination- Planning Proposal for BATA 2 Approved Stage 1 Plans – PTW Architects
Report prepared by	Angela Lazaridis – Senior Development Assessment Officer
Report date	6 July 2018

Summary of s4.15 matters

Have all recommendations in relation to relevant s4.15 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? **Not Applicable**

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

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? **Not Applicable**

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S7.24)? **Not Applicable**

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

Conditions

Have draft conditions been provided to the applicant for comment? **Yes**

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