

COUNCIL ASSESSMENT REPORT

Panel Reference	PPSSEC-38
DA Number	DA-2020/14
LGA	Bayside Council
Proposed Development	Demolition of existing structures and construction of a ten (10) storey commercial development comprising retail and office
Street Address	46-50 Kent Road Mascot
Applicant/Owner	Sutherland and Associates Planning Pty/Ltd/ Cate Investments P/L and Hidon Pty Ltd and Direct Vision Pty Ltd
Date of DA lodgement	17 January 2020
Total number of Submissions Number of Unique Objections	<ul style="list-style-type: none"> Two (2) submissions (same objector)
Recommendation	Approval
Regional Development Criteria (Schedule 7 of the SEPP (State and Regional Development) 2011	Development with a CIV of \$90,250,274.00
List of all relevant s4.15(1)(a) matters	<ul style="list-style-type: none"> Environmental Planning and Assessment Act 1979- Part 4- Development Assessment and Schedule 7 of the SEPP – State and Regional Development 2011 which regional panels may be authorised to exercise consent authority functions of councils Environmental Planning and Assessment Regulation 2000, Part 6 – Procedures relating to Development Applications State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy No. 55- Remediation of Land State Environmental Planning Policy (Vegetation in non-rural areas) 2017 Botany Bay Local Environmental Plan 2013 Botany Bay Development Control Plan 2013
List all documents submitted with this report for the Panel's consideration	<ul style="list-style-type: none"> Architectural Plans- Sissons Clause 4.6 variation- Sutherland and Associates Planning Pty Ltd Landscape Plans- Aspect Studios
Clause 4.6 requests	<ul style="list-style-type: none"> The Local Environmental Plan (LEP) the clause 4.6 application relates to is the Botany Bay LEP 2013 The development standard the clause 4.6 application relates to is Clause 4.4 of the BBLEP 2013. The maximum FSR allowed on the site is 3:1 The zone the clause 4.6 relates to is B7 Business Park
Summary of key submissions	<ul style="list-style-type: none"> Floor Space Ratio (FSR)- non-compliance Car parking non-compliance
Report prepared by	Angela Lazaridis- Senior Development Assessment Planner
Report date	24 August 2020

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?

Yes

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?

Yes

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S7.24)?

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

Not applicable

Conditions

Have draft conditions been provided to the applicant for comment?

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

Yes