

DATE OF DETERMINATION	22 October 2020
PANEL MEMBERS	Carl Scully (Chair), Jan Murrell, Roberta Ryan, Ed McDougall, Michael Nagi
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Meeting held via Microsoft Teams on 22 October 2020, opened at 11.30 and closed at 12.30pm.

#### MATTER DETERMINED

PPSSEC-75 – Bayside – DA-2012/10087/J – 289-293 King 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 briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

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

#### Development application

The Panel determined to approve the development application pursuant to section 4.56 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

#### REASONS FOR THE DECISION


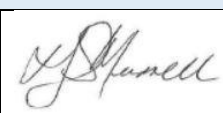



- The Panel is satisfied the modification is substantially the same development as the original approval and as amended and the reasons for the original decision would not warrant refusal of the application.
- The Panel is satisfied the modification application will not create any unreasonable impacts.

#### CONDITIONS

The development application is approved subject to the conditions in the Council Officer's assessment report.

#### CONSIDERATION OF COMMUNITY VIEWS

The Panel notes there were no submissions received in respect of the exhibition of the modification.

PANEL MEMBERS	
 Carl Scully (Chair)	 Jan Murrell
 Roberta Ryan	 Ed McDougall
 Michael Nagi	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSEC-75 – Bayside – DA-2012/10087/J
2	PROPOSED DEVELOPMENT	Modification application to approved hotel to include roof top terrace and internal changes.
3	STREET ADDRESS	289 – 293 King Street, Mascot
4	APPLICANT/OWNER	Futuroscop Enterprises Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.56 Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>Environmental Planning &amp; Assessment Act 1979</li> <li>Environmental Planning &amp; Assessment Regulation 2000</li> <li>Botany Bay Local Environmental 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 <i>Environmental Planning and Assessment Regulation 2000</i>: 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 <i>Environmental Planning and Assessment Act 1979</i> 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>Council assessment report: 8 October 2020</li> <li>Written submissions during public exhibition: Nil</li> <li>Verbal submissions at the meeting: <ul style="list-style-type: none"> <li>Council assessment officer – Patrick Nash, Mart Gonzalez-Valdes</li> </ul> </li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Briefing: 2 September 2020 <ul style="list-style-type: none"> <li><u>Panel members</u>: Carl Scully, Roberta Ryan, Michael Nagi</li> <li><u>Council assessment staff</u>: Patrick Nash, Marta Gonzalez-Valdes, Luis Melim</li> </ul> </li> <li>Site inspection: Due to Coronavirus precautions, the Panel visited the site independently, prior to 22 October 2020</li> <li>Final briefing to discuss council's recommendation, 22 October 2020, 11.30am. Attendees: <ul style="list-style-type: none"> <li><u>Panel members</u>: Carl Scully (Chair), Jan Murrell, Roberta Ryan, Michael Nagi, Ed McDougall</li> <li><u>Council assessment staff</u>: Patrick Nash, Marta Gonzalez-Valdes</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report