

MINUTES – ELECTRONIC DETERMINATION

Electronic Meeting was held on **Monday 21 October 2024**

MATTER DETERMINED

Item 6.1 – DA-2024/143 – 52 Johnson Street, Mascot

PANEL CONSIDERATION AND DECISION

The Development Application was deferred at the 10 September 2024 Meeting as the Panel concluded that a revised BASIX Certificate was required to reflect the amended architectural plans and a revised Clause 4.6 written request expanding on the environmental planning grounds to justify support for the contravention. The Applicant submitted amended architectural plans, Clause 4.6 variation and an amended BASIX Certificate on 18 September 2024 to address the Panel's comments.

The Panel considered amended plans and supporting documentation, Council's Supplementary Assessment Report and conditions. The Panel are satisfied that the officer's report and amended documentation address the reason for deferral.

The Panel determined to approve the development application pursuant to Section 4.15 of the *Environmental Planning Assessment Act 1979*.

The decision was unanimous.

REASONS FOR DECISION

1. The Panel are satisfied that the applicant's written request to contravene Clause 53(2)(a) non-discretionary standards - Minimum site area of 450sqm of the State Environmental Planning Policy (Housing) 2021 has adequately addressed the matters required to be demonstrated by Clause 4.6 of that Plan, and
2. The development is consistent with the objectives of the R2 Low Density Residential zone and other objectives of the Bayside LEP 2021 and the objectives and requirements in the Bayside Development Control Plan 2022, and
3. The scale and design of the proposal is suitable for the location and is compatible with the desired future character of the locality, and
4. The proposal will not result in any significant impact on the environment or the amenity of nearby residents.

CONDITIONS

The development application was approved subject to the conditions attached to the Council Assessment Officer's report.

Certified as true and correct.

Grant Christmas
Chairperson