

DATE OF DECISION	10 March 2022
PANEL MEMBERS	Carl Scully (Chair), Chris Wilson, John Brockhoff
APOLOGIES	None
DECLARATIONS OF INTEREST	Ed McDougall, Michael Nagi advised because they had participated in a council meeting on the proposal they would not participate in the panel for this matter.

REZONING REVIEW

RR-2021-103 – Bayside – PP-2021-3639 - AT 146-154 O’Riordan Street, Mascot (AS DESCRIBED IN SCHEDULE 1)

Reason for Review:

- ☒ The council has notified the proponent that the request to prepare a planning proposal has not been supported
- ☐ The council has failed to indicate its support 90 days after the proponent submitted a request to prepare a planning proposal or took too long to submit the proposal after indicating its support

PANEL CONSIDERATION AND DECISION

The Panel considered: the material listed at item 4 and the matters raised and/or observed at meetings and site inspections listed at item 5 in Schedule 1.

Based on this review, the Panel determined that the proposed instrument:

- ☒ **should** be submitted for a Gateway determination because the proposal has demonstrated strategic and site specific merit
- ☐ **should not** be submitted for a Gateway determination because the proposal has
- ☐ not demonstrated strategic merit
 - ☐ has demonstrated strategic merit but not site specific merit



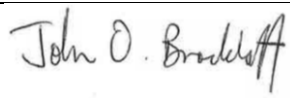
The Panel resolved to appoint itself as the Planning Proposal Authority in accordance with the relevant LEP making guidelines.

This decision and the one to recommend Gateway were unanimous.

REASONS FOR THE DECISION

- The proposal is generally consistent with the underlying strategic planning framework.
- It has been demonstrated that built form outcomes are unlikely to affect residential development to the East and Lionel Bowen Oval to the North.

- The Panel was satisfied that the proponent had adequately responded to Councillors concerns in relation to height building, heritage, public interest and proximity to the local residential area.

PANEL MEMBERS	
 Carl Scully (Chair)	 Chris Wilson
 John Brockhoff	

SCHEDULE 1		
1	PANEL REF – LGA – DEPARTMENT REF - ADDRESS	RR-2021-103 – Bayside – PP-2021-3639 – 146-154 O’Riordan Street, Mascot
2	LEP TO BE AMENDED	Bayside Local Environmental Plan 2021
3	PROPOSED INSTRUMENT	<p>The planning proposal (Attachment A) seeks to amend the Bayside Local Environmental Plan (LEP) 2021 to increase the maximum permitted height of buildings at the subject site from 22m to part 22m and part 44m.</p> <p>The proposal also seeks to identify the site as “Area 3” on the height of buildings map and to introduce the following subclause under clause 4.3: “Despite subclause (2), the area of land identified as “Area 3” is subject to a 45 degree Building Height Plane that is measured on the northern boundary at a height of RL 19 and a height of RL 26 on the eastern boundary.”</p> <p>The planning proposal seeks to deliver a mixed use outcome for the site comprising:</p> <ul style="list-style-type: none"> • 253 hotel rooms • 562 serviced apartments • 288m2 of restaurant floor space • 906m2 of retail floor space. <p>The proposal is anticipated to generate 630-700 direct jobs (FTE).</p>
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Rezoning review request documentation • Briefing report from Department of Planning, Industry and Environment • Council report to Bayside Local Planning Panel and associated minutes, dated: 21 September 2021
5	BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY	<ul style="list-style-type: none"> • Site inspection: Panel members visited the site independently, prior to 10 March 2022 • Briefing with Department of Planning and Environment (DPE): 10 March 2022, 10.30am <ul style="list-style-type: none"> ○ Panel members in attendance: Carl Scully (Chair), Chris Wilson, John Brockhoff ○ DPE staff in attendance: Kris Walsh, Alex Galea, Bailey Williams, Stuart Withington • Joint Briefing with Council and Proponent: 10 March 2022, 11.30am <ul style="list-style-type: none"> ○ Panel members in attendance: Carl Scully (Chair), Chris Wilson, John Brockhoff ○ DPE staff in attendance: Kris Walsh, Alex Galea, Bailey Williams, Stuart Withington ○ Council representatives in attendance: Clare Harley, Josh Ford ○ Proponent representatives in attendance: Larissa Brennan, Siobhan McInerney