

**PLANNING PROPOSAL AUTHORITY
RECORD OF DECISION PUBLIC MEETING, POST
EXHIBITION AND FINALISATION**
STRATEGIC PLANNING PANEL OF THE
SYDNEY EASTERN CITY PLANNING PANEL

DATE OF DETERMINATION	25 June 2024
DATE OF PANEL DECISION	19 June 2024
PANEL MEMBERS	Carl Scully (Chair), Glennis James, Stephen O'Connor, Joe Awada and Michael Nagi
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held by Public Teleconference on 19 June 2024, opened at 2:39pm and closed at 3.12pm.
Papers circulated electronically on 12 June 2024.

PLANNING PROPOSAL

PP-2023-1805 – Bayside LGA – 776 and 792-794 Botany Road and 33-37 Henry Kendall Crescent, Mascot (as described in Schedule 1).

PANEL CONSIDERATION AND DECISION

The Panel considered: the material listed at item 4, and the material presented at the briefing listed at item 5 in Schedule 1.

As the Planning Proposal Authority, the Panel determined to recommend to the Minister that the proposed instrument, as described in Schedule 1, should be made.

The Panel's decision was unanimous.

REASONS FOR THE DECISION

The Panel considered the Department of Planning, Housing and Infrastructure's (the Department) Post-Exhibition Report, 12 June 2024 and met with the Department, Homes NSW (Landholder & Proponent) and FPD Planning (Planning Consultant), Bayside Council and members of the community in a public meeting conducted to hear their concerns.

The Panel generally concurred with the Department's Post Exhibition Report and conclusions that the Planning Proposal, subject to revisions, demonstrated strategic and site-specific merit, the conditions of the Gateway had been met, agency and community consultation had occurred in accordance with the Gateway Determination requirements and submissions raised had been adequately considered.

While the Panel agreed the Planning Proposal, subject to the Post Exhibition Report's recommendation, warranted support, it shared community and Council concerns with the proposed heights and requested the Department ensure that:

- The maximum height of building map be amended to provide a transition between the low density residential along Henry Kendall Street (3 storeys/11m) and Coward Street in the west (4 storeys/14m) to Botany Road in the east (8 storeys/28m) in accordance with the concept design lodged with the Planning Proposal.

Planning Panels Team

4PSQ 12 Darcy Street, Parramatta NSW 2150 | Locked Bag 5022, Parramatta NSW 2124 | T 02 8217 2060 | strategicpanels@dpie.nsw.gov.au



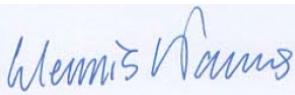


The Panel also agreed with the Post-Exhibition Report's recommendations that the Planning Proposal and supporting documents be revised and updated to remove the ambulance site (776 Botany Road, Mascot) from the Planning Proposal.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions during public exhibition and heard from all those wishing to address the Panel. The Panel notes that issues of concern included built form and urban design, traffic issues, local character, impacts on the community, retention of the ambulance station, maximizing the provision of social and affordable housing on the site and flooding, stormwater and drainage issues.

The Panel acknowledges the statements made by Homes NSW during the Public TeleConference that the site is now intended to be developed 100% for affordable and social housing and fully supports the provision of 100% affordable and social housing being provided on the site.

The Panel considers that the concerns raised by the community have been adequately addressed in the Department's Post-Exhibition Report, this Record of Decision and Homes NSW commitment to 100% affordable and social housing on the site.

PANEL MEMBERS	
 Carl Scully	 Stephen O'Connor
 Glennis James	 Michael Nagi
 Joe Awada	

Planning Panels Team

4PSQ 12 Darcy Street, Parramatta NSW 2150 | Locked Bag 5022, Parramatta NSW 2124 | T 02 8217 2060 | strategicpanels@dpie.nsw.gov.au

SCHEDULE 1		
1	PANEL REF – LGA – PLANNING PROPOSAL NO. – ADDRESS	PP-2023-1805 – Bayside LGA – 776 and 792-794 Botany Road and 33-37 Henry Kendall Crescent, Mascot
2	LEP TO BE AMENDED	Bayside Local Environmental Plan 2021
3	PROPOSED INSTRUMENT	<p>The exhibited Planning Proposal seeks to amend Bayside Local Environmental Plan 2021 by:</p> <ul style="list-style-type: none"> • rezoning from E1 Local Centre to R4 High Density Residential; • increasing the building height from 14m to 28m; and • removing the requirements for Active Street Frontage which applies to Botany Road frontage and Coward Street intersection.
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Department of Planning, Housing and Infrastructure Post-Exhibition Report, 12 June 2024 • Written submissions received during the public exhibition: 26 unique submissions • Total number of unique submissions received by way of objection: 18 of the 22 community submissions • Verbal submissions at the Panel’s public meeting 2:39pm – 3.12pm, 19 June 2024: <ul style="list-style-type: none"> ○ Registered speakers: Greta Werner and James Papas ○ On behalf of the proponent: Michael File and Patrick Koe
5	BRIEFINGS BY THE PANEL	<ul style="list-style-type: none"> • Panel Briefing with Department of Planning, Housing and Infrastructure (DPHI): 1:30pm – 2:15pm, 19 June 2024 <ul style="list-style-type: none"> ○ Panel members: Carl Scully (Chair), Glennis James, Stephen O’Connor, Joe Awada and Michael Nagi ○ DPHI staff: Louise McMahon, Alex Galea, Shruthi Sriram, Kelly McKellar, Lisa Kennedy, Adam Williams, Daniel Bounvan and Lucinda Craig ○ Key Issues Discussed: <ul style="list-style-type: none"> • Public exhibition submissions and issues of concern – number & types of submissions • Built form & urban design – heights, overshadowing, setbacks; consistency with Apartment Design Guide controls • Retention of Ambulance Station • Provision of social & affordable housing – changing to 100% social & affordable housing • Flooding • Site Specific Development Control Plan – Panel recommended however the Gateway determination didn’t require a site specific DCP clause; height controls. • Lodgment of a State Significant Development application for the proposed concept plan • Panel Determination: 3.13pm – 3.29pm, 19 June 2024 <ul style="list-style-type: none"> ○ Panel members: Carl Scully (Chair), Glennis James, Stephen O’Connor, Joe Awada and Michael Nagi ○ DPHI staff: Louise McMahon, Alex Galea, Shruthi Sriram, Kelly McKellar, Lisa Kennedy, Adam Williams and Daniel Bounvan