



**REZONING REVIEW
RECORD OF DECISION**

STRATEGIC PLANNING PANEL of the
SYDNEY EASTERN CITY PLANNING PANEL

DATE OF DETERMINATION	28 October 2025
DATE OF DECISION	4 November 2025
PANEL MEMBERS	Carl Scully (Chair), Cinnamon Dunsford, Glennis James
APOLOGIES	None
DECLARATIONS OF INTEREST	Councillor Joe Awada voted at the Council Meeting of 28 May 2025 to not support the progression of the planning proposal and is unable to sit on the Panel due to this being a conflict of interest.

REZONING REVIEW

RR-2025-13 – Bayside Local Government Area – PP-2024-1442

1 Highworth Avenue, Bexley (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 115 days after the proponent submitted a request to prepare a planning proposal.
- ☐ The council has not submitted the planning proposal for a Gateway determination within 28 days of indicating its support for the proposal.

PANEL CONSIDERATION AND DECISION

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

Based on this review, the Panel recommends 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
 - ☐ demonstrated strategic merit but not site specific merit

The decision was unanimous.

REASONS FOR THE DECISION

The Panel considered the documentation, was briefed by the Department of Planning, Housing and Infrastructure, and heard extensively from Bayside Council and the proponent, SLR Consulting Australia Pty Ltd.

The Panel accepts and agrees with the recommendation of the Bayside Local Planning Panel to the Council that the proposal has both strategic and site-specific merit.

Strategic Merit

The Panel agreed that the planning proposal had Strategic Merit given that:

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- the planning proposal is generally consistent with applicable strategic planning documents, particularly as they relate to the general objectives for supporting commercial activities, as outlined in the Greater Sydney Regional Plan, the planning priorities of the Eastern City District Plan and Bayside Local Strategic Planning Statement,
- the planning proposal will facilitate a positive net economic return, and
- the proposed Additional Permitted Use won't preclude the site from future development for housing, should the proposed development envisaged under the concept plan not be realised.

Site Specific Merit

The Panel agreed that the planning proposal had Site Specific Merit given that:

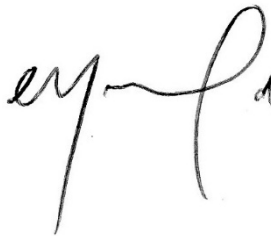
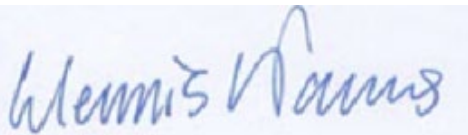
- the Additional Permitted Use for takeaway food and drink premises is acceptable.
- The subject site is not identified within a flood prone, bushfire land or as environmentally significant land, and
- Any potential impacts stemming from the future development of the site can be appropriately managed as part of a future development application stage.

Panel recommendations

The Panel supports the planning proposal to proceed to Gateway Assessment, as proposed.

Bayside Council has resolved not to support the planning proposal, and thus are unable to accept the role of Planning Proposal Authority (PPA) for this planning proposal. In accordance with Section 3.32(1) of the *Environmental Planning and Assessment Act 1979*, the Planning Panel as delegate of the Minister for Planning has determined to appoint itself as the PPA for this planning proposal.

Should the proponent fail to pay the PPA fee by the designated invoice date, then the Panel will no longer proceed with the planning proposal and the making of a local environmental plan amendment.

PANEL MEMBERS	
Carl Scully (Chair) 	Cinnamon Dunsford 
Glennis James 	

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SCHEDULE 1		
1	PANEL REF – LGA – DEPARTMENT REF - ADDRESS	RR-2025-13 – Bayside Local LGA – PP-2024-1442 at 1 Highworth Avenue, Bexley
2	LEP TO BE AMENDED	Bayside Local Environmental Plan (LEP) 2021
3	PROPOSED INSTRUMENT	The proposal seeks to introduce an Additional Permitted Use (APU) for the purposes of a take away food and drink premises at 1 Highworth Avenue, Bexley.
4	MATERIAL CONSIDERED BY THE PANEL	- Rezoning review request documentation - Department of Planning, Housing and Infrastructure, Rezoning Review Briefing Report, 10 October 2025 - Slide presentations from DPHI, 28 October 2025; Bayside Council, 20 28 October 2025 and SLR Consulting Australia Pty Ltd, 28 October 2025.
5	SITE INSPECTIONS AND BRIEFINGS BY THE PANEL	Site inspection with Department of Planning, Housing and Infrastructure (DPHI): 10:00am – 10:18 am, 28 October 2025. - Panel members in attendance: - Carl Scully (Chair) - Cinnamon Dunsford - Glennis James - DPHI staff in attendance: - Douglas Cunningham, PPA Team - Pat Connor, PPA Team - Jirui Qian, PPA Team - Key issues discussed: - History of proposal - Extend of proposed Concept Plan - Consultation with Neighbors - Occupancy of Dwelling Briefing with Department of Planning, Housing and Infrastructure (DPHI): 1:00pm – 1:16pm, 28 October 2025 - Panel members in attendance: - Carl Scully (Chair) - Cinnamon Dunsford - Glennis James - DPHI staff in attendance: - Louise McMahon, PPA Team - Douglas Cunningham, PPA Team - Pat Connor, PPA Team - Jirui Qian, PPA Team - Key issues discussed: - History of proposal - Proposed Changes

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		• Proposed Concept plan • Potential Impact on adjacent Heritage items • Acquisition of adjacent sites • Briefing with Bayside Council: 1:45pm – 2:04pm, 28 October 2025 ○ Panel members in attendance: ▪ Carl Scully (Chair) ▪ Cinnamon Dunsford ▪ Glennis James ○ DPHI staff in attendance: ▪ Louise McMahon, PPA Team ▪ Douglas Cunningham, PPA Team ▪ Pat Connor, PPA Team ▪ Jirui Qian, PPA Team ○ Council representatives in attendance: ▪ David Smith – Manager Strategic Planning ▪ Lisa Ho – Coordinator Strategic Planning ▪ Maze Hammond – Urban Planner ○ Key issues discussed: • Council committee consideration of the proposal • Community engagement • Proposed amendment history • Proximity to local center • Briefing with SLR Consulting Australia Pty Ltd (Proponent): :2:20pm – 2:32pm, 28 October 2025 ○ Panel members in attendance: ▪ Carl Scully (Chair) ▪ Cinnamon Dunsford ▪ Glennis James ○ DPHI staff in attendance: ▪ Louise McMahon, PPA Team ▪ Douglas Cunningham, PPA Team ▪ Pat Connor, PPA Team ▪ Jirui Qian, PPA Team ○ Proponent representatives in attendance: ▪ Jarrod Dixon, SLR Consulting, Senior Planner ▪ Demi Goussis, McDonald's, Senior Portfolio Manager ▪ Lyndal Arentson, McDonald's, Property Manager ▪ James Thompson, McDonald's, Head of Property ○ Key issues discussed: ▪ Community consultation ▪ Land Use ▪ Future plans for the site
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		▪ Other sites considered for acquisition • Panel Discussion: 2:20pm – 2:46pm, 28 October 2025 ○ Panel members in attendance: ▪ Carl Scully (Chair) ▪ Cinnamon Dunsford ▪ Glennis James ○ DPHI staff in attendance: ▪ Louise McMahon, PPA Team ▪ Douglas Cunningham, PPA Team ▪ Pat Connor, PPA Team ▪ Jirui Qian, PPA Team
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