



**DETERMINATION AND STATEMENT OF REASONS**  
SYDNEY EASTERN CITY PLANNING PANEL

<b>DATE OF DETERMINATION</b>	Thursday 5 December 2019
<b>PANEL MEMBERS</b>	Carl Scully (Chair), Abigail Goldberg, John Roseth, Ed McDougall, Michael Nagi
<b>APOLOGIES</b>	Sue Francis
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held at Fraser Suites, 488 Kent Street Sydney, on 5 December 2019, opened at 11am and closed at 11.04am.

**MATTER DETERMINED**

2018ECI007 – Bayside – DA2018/1146 at 19 Bourke Road Mascot for construction of a 12 storey hotel (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.

**Development application**

The panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

**REASONS FOR THE DECISION**

The panel unanimously approved the development application for the following reasons:

1. The proposal complies with the height and FSR development standards of the Botany Bay LEP 2013.
2. The proposal complies with the guidelines of the Botany Bay DCP 2013, with the exception of one setback. This variation is justified.
3. The proposal has achieved design excellence.






**CONDITIONS**

The development application was approved subject to the conditions in the council assessment report with the addition of the following condition:

Condition 5(iv) *A design verification statement shall be submitted to Bayside Council certifying that the development achieves the design quality as approved by the council's Design Review Panel.*

### CONSIDERATION OF COMMUNITY VIEWS

The exhibition of the proposal did not elicit any public submission. No member of the public attended the public meeting.

PANEL MEMBERS	
 Carl Scully (Chair)	 Abigail Goldberg
 John Roseth	 Ed McDougall
 Ed McDougall	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018ECI007 – Bayside – DA2018/1146
2	PROPOSED DEVELOPMENT	Integrated Development – Construction of a 12 storey hotel development addition consisting of an additional 204 rooms to provide a total of 456 rooms, basement car parking for 122 spaces and reconfiguration of existing loading dock and at grade car parking areas.
3	STREET ADDRESS	19 Bourke Road and 183 Coward Street, Mascot
4	APPLICANT/OWNER	Applicant: Mecone NSW Pty Limited Owner: Silversea Investment Pty Ltd and Sydney Water Corp Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy (State and Regional Development) 2011</li> <li>○ State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</li> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ State Environmental Planning Policy No.55 – Contaminated Land</li> <li>○ Botany 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 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: 23 November 2019</li> <li>• Written submissions during public exhibition: Nil</li> <li>• Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>○ On behalf of the applicant – Kate Bartlett, Neil Gardner</li> </ul> </li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Briefing: 22 August 2019 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Carl Scully (Chair), Michael Nagi</li> <li>○ <u>Council assessment staff</u>: Patrick Nash, Fiona Prodromou, Andrew Ison, Luis Melim</li> </ul> </li> <li>• Site inspection: 22 August 2019 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Carl Scully (Chair), Michael Nagi</li> <li>○ <u>Council assessment staff</u>: Patrick Nash, Fiona Prodromou, Andrew Ison, Luis Melim</li> </ul> </li> <li>• Final briefing to discuss council's recommendation, 5 December 2019 at 10.30am. Attendees: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Carl Scully (Chair), Abigail Goldberg, John Roseth, Ed McDougall, Michael Nagi</li> </ul> </li> </ul>

		<ul style="list-style-type: none"><li>○ <u>Council assessment staff</u>: Patrick Nash, Fiona Prodromou, Marta Gonzalez-Valdes, Luis Melim, Chris Mackay</li></ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report