

DETERMINATION AND STATEMENT OF REASONS

SYDNEY EASTERN CITY PLANNING PANEL

DATE OF DETERMINATION	7 August 2023
DATE OF PANEL DECISION	1 August 2023
DATE OF PANEL BRIEFING	1 August 2023
PANEL MEMBERS	Carl Scully (Chair), Amelia Thorpe, Alice Spizzo, Michael Nagi and Joe Awada
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 25 July 2023.

MATTER DETERMINED

PPSSEC-249 - MDA-2022/216, Bayside, 253 Coward Street, Mascot, Modification to DA-2019/281, Deletion of basement level, internal and external changes, amendment of materials and finishes and changes to landscaping (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.

Application for modification of consent

The Panel agreed that the development is substantially the same.

The Panel determined to approve the modification application pursuant to section 4.55 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined to approve the application for the reasons outlined in the Council Assessment Report.

The Panel noted the Council's intention to correct an error on page 31 of the final Assessment Report in relation to contributions in the sum of \$5,416,111.09.

CONDITIONS

The Development Application was approved subject to the conditions in the Council Assessment Report and revised Conditions (as amended on 31 July 2023).

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel notes that no written submissions were made during public exhibition and therefore no issues of concern were raised.

PANEL MEMBERS



Carl Scully (Chair)



Amelia Thorpe



Alice Spizzo



Michael Nagi



Joe Awada

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSEC-249 – Bayside Council - MDA-2022/216
2	PROPOSED DEVELOPMENT	Modification to DA-2019/281 including deletion of basement level, internal and external changes, amendment of materials and finishes and changes to landscaping
3	STREET ADDRESS	253 Coward Street, Mascot
4	APPLICANT OWNER	T & P Developments Pty Ltd Skylife Coward Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(2) Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Industry and Employment) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 Bayside Local Environmental Plan 2021 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Botany Bay Development Control Plan 2013 Bayside Development Control Plan 2022 Planning agreements: Nil Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> Coastal zone management plan: Nil The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality The suitability of the site for the development Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council Assessment Report: 5 July 2023 (received 24 July 2024) Written submissions during public exhibition: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Kick-Off Briefing: 14 March 2023 <ul style="list-style-type: none"> <u>Panel members</u>: Carl Scully (Chair), Amelia Thorpe and Alice Spizzo <u>Council assessment staff</u>: Andrew Ison, Pascal Van de Walle and Marta Gonzales-Valdes <u>Department staff</u>: Lillian Charlesworth and Suzie Jattan Briefing: 11 May 2023 <ul style="list-style-type: none"> <u>Panel members</u>: Carl Scully (Chair), Amelia Thorpe and Michael Nagi <u>Council assessment staff</u>: Andrew Ison <u>Department staff</u>: Lillian Charlesworth and Suzie Jattan Site inspection: 1 August 2023 <ul style="list-style-type: none"> <u>Panel members</u>: Carl Scully (Chair), Alice Spizzo and Joe Awada

		<ul style="list-style-type: none"> ○ <u>Apologies</u>: Amelia Thorpe and Michael Nagi ○ <u>Council assessment staff</u>: Andrew Ison, Pascal Van de Walle and Luis Melim <ul style="list-style-type: none"> • Applicant Briefing: 1 August 2023 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Carl Scully (Chair), Amelia Thorpe, Alice Spizzo, Michael Nagi and Joe Awada ○ <u>Applicant representatives</u>: Aaron Sutherland, Peter Kazaglis, Demos Avramidis, Sean McPeake, Alessandro Rossi ○ <u>Department staff</u>: Carolyn Hunt, Louisa Agyare, and Lisa Ellis • Final briefing to discuss council's recommendation: 1 August 2023 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Carl Scully (Chair), Amelia Thorpe, Alice Spizzo, Michael Nagi and Joe Awada ○ <u>Council assessment staff</u>: Andrew Ison, Pascal Van de Walle and Luis Melim ○ <u>Department staff</u>: Carolyn Hunt, Louisa Agyare, and Lisa Ellis
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report