

DATE OF DEFERRAL	Thursday 9 July 2020
PANEL MEMBERS	Carl Scully (Chair), Roberta Ryan, Sue Francis, Michael Sheils
APOLOGIES	None
DECLARATIONS OF INTEREST	<p>Jan Murrell declared a conflict and did not participate. Jan chaired the Bayside Local Planning Panel when the Planning Proposal came for advice to Council prior to the rezoning. Michael Nagi declared a conflict of interest and did not participate in the Panel for this matter. Michael considered the Planning Proposal in his role at Council.</p> <p>Ed McDougall declared a late conflict of interest and did not participate in the Panel for this matter. He voted on a masterplan variation to the BATA site previously in his role at Council.</p>

Public meeting held via Microsoft Teams on 9 July 2020, opened at 1pm and closed at 1.45am.

MATTER DEFERRED

PPSSEC-45 – Bayside – DA22019/387 at 128 Bunnerong Road & 120 Banks Avenue, Eastgardens – Civil Works – BATA 2 (as described in Schedule 1)

REASONS FOR DEFERRAL




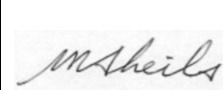
The Panel is mindful that this is a near \$1 billion project and that the Masterplan is yet to be finalised. The Panel discussed with the Council the need for independent internal urban design assistance and the Council staff accepted that would be beneficial and agreed to procure such assistance. With this in place the potential conflict of considering the road network in the absence of the overall Masterplan will be reduced if not resolved.

Accordingly, the Panel agreed to defer the determination of the matter until 24 September 2020. Additionally, the Panel requested a pre-briefing workshop take place at Council's offices on 7 September with the applicant, Council, the appointed urban designer and the Panel.

The Panel intends to have a discussion at the pre-briefing workshop on the progress then to date with the broader Masterplan and to what extent at that time, there is a degree of certainty around where the proposed development roadways will be located.

When this information has been received, the Panel will hold a determination meeting.

The decision to defer the matter was Unanimous.

PANEL MEMBERS	
 Carl Scully (Chair)	 Roberta Ryan
 Sue Francis	 Michael Sheils

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSEC-45 – Bayside – DA2019/387
2	PROPOSED DEVELOPMENT	Civil works involving the construction of roads, sewer, stormwater, water supply infrastructure and public domain landscaping in preparation for the future mixed use concept development application
3	STREET ADDRESS	128 Bunnerong Road & 120 Banks Avenue, Eastgardens
4	APPLICANT/OWNER	Karimbla Construction Services (NSW) Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Concept DA that meets criteria under State and Regional SEPP
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> Environmental Planning & Assessment ACT 1979 State Environmental Planning Regulation 2000 State Environmental Planning Policy (State and Regional Development) 2011 State Environmental Planning Policy No. 55 – Remediation of Land State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 Botany Bay Local Environmental Plan 2013 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Botany Development Control Plan 2013 Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil 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: 29 June 2020 Written submissions during public exhibition: One Verbal submissions at the public meeting: <ul style="list-style-type: none"> Council assessment officer - Fiona Prodromou, Christopher Mackey, Luis Melim On behalf of the applicant – Walter Gordon, Michael Guinane, Cameron Greatbatch
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Site inspection: Due to Coronavirus precautions, the Panel visited the site independently, prior to 9 July 2020 <ul style="list-style-type: none"> <u>Panel members</u>: Carl Scully (Chair), Sue Francis, Roberta Ryan, Michael Sheils Final briefing to discuss council's recommendation, 9 July 2020, 8.40am. Attendees:

		<ul style="list-style-type: none">○ <u>Panel members</u>: Carl Scully (Chair), Sue Francis, Roberta Ryan, Michael Sheils○ <u>Council assessment staff</u>: Fiona Prodmorou, Christopher Mackey, Luis Melim
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	Attached to the council assessment report