

DATE OF DECISION	Tuesday 12 September 2017
PANEL MEMBERS	Maria Atkinson (Chair), Sue Francis, John Roseth, Meredith Wallace, Debra Dawson
APOLOGIES	None
DECLARATIONS OF INTEREST	None

REZONING REVIEW

2017SCL043 – Bayside – PGR_2017_BSIDE_001_00 at 128 and 130-150 Bunnerong Road Pagewood (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 90 days after the proponent submitted a request to prepare a planning proposal or took too long to submit the proposal after indicating its support

PANEL CONSIDERATION AND DECISION

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

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

The decision was 4:1 in favour, against the decision was Maria Atkinson.

REASONS FOR THE DECISION

The majority of the Panel (John Roseth, Sue Francis, Debra Dawson and Meredith Wallace) believe the proposal has strategic and site specific merit and support the planning proposal proceeding to Gateway.

As part of the Gateway determination, the majority recommends that a number of impacts be addressed and that the proposal be revised to respond to the following:

- No additional shadowing on existing and proposed open spaces in mid-winter between 12:00pm and 2:00pm.
- No additional shadowing on existing developments to the eastern side of Bunnerong Road.
- Five percent (5%) affordable housing to be integrated into the development without a bonus as contained in the current planning proposal. Affordable housing to be handed to a Council nominated community housing provider.
- Satisfactory arrangements with Council for the provision of appropriate community facilities, open space and social infrastructure.
- Detailed transport report(s) which include;
 - Assurance from Transport NSW that public transport will cope with the proposed population increase;
 - Impact on and conflicts with large dangerous good vehicles, eg Dennison Road; and
 - Cumulative impacts of surrounding developments eg Westfield Eastgardens Planning Proposal.

Maria Atkinson did not support the planning proposal proceeding to Gateway because Bayside local government area can achieve the 10-year housing targets of the draft Central District Plan without this rezoning. The planning proposal would result in the loss of industrial employment land and conflict with Section 117 direction 1.1 *"Business and Industrial Lands"*, which aims to protect industrial lands and to encourage employment growth. Additionally, the draft Central District Plan requires a precautionary approach to the loss of industrial land.

PANEL MEMBERS	
 Maria Atkinson (Chair)	 John Roseth
 Sue Francis	 Meredith Wallace
 Debra Dawson	

SCHEDULE 1		
1	PANEL REF – LGA – DEPARTMENT REF - ADDRESS	2017SCL043 – Bayside – PGR_2017_BSIDE_001_00 at 128 & 130-150 Bunnerong Road Pagewood
2	LEP TO BE AMENDED	Botany Local Environmental Plan 2013
3	PROPOSED INSTRUMENT	The proposal seeks to rezone the subject site from part IN1 General Industrial and R3 Medium Density Residential to R4 High Density Residential and amend the FSR standard to 2.35:1 and height of building development standard to part 28m and part 65m.
4	MATERIAL CONSIDERED BY THE PANEL	- Rezoning review request documentation - Briefing report from Department of Planning and Environment
5	MEETINGS AND SITE INSPECTIONS BY THE PANEL	Site inspection & briefing meeting with Department of Planning and Environment (DPE): 12 September 2017 commencing at 9:30am - Panel members in attendance: Maria Atkinson (Chair), Sue Francis, John Roseth, Debra Dawson - Department of Planning and Environment (DPE) staff in attendance: Karen Armstrong, Martin Cooper, Elvie Magallanes Briefing meeting with Council & proponent: 12 September 2017 commencing at 11:00am - Panel members in attendance: Maria Atkinson (Chair), Sue Francis, John Roseth, Debra Dawson - Department of Planning and Environment (DPE) staff in attendance: Karen Armstrong, Martin Cooper, Elvie Magallanes - Council representatives in attendance: Michael McCabe, Clare Harvey - Proponent representatives in attendance: Harry Triguboff, Walter Gordon, Andrew Hulse, James Turner