

MINUTES

of the **City Planning & Environment Committee**
held in the Rockdale Town Hall, Council Chambers,
Level 1, 448 Princes Highway, Rockdale
on **Wednesday 10 May 2023 at 8:42 pm**

Present

Councillor Bill Saravinovski, (Chairperson)
Councillor Christina Curry
Councillor Heidi Lee Douglas
Councillor Jennifer Muscat
Councillor Greta Werner
Councillor Scott Morrissey

Also present

Meredith Wallace, General Manager
Peter Barber, Director City Futures
Richard Sheridan, Director City Performance
Fausto Sut, Manager Governance & Risk
David Smith, Manager Strategic Planning
Eli Cowley, Coordinator Strategic Property
Tamara Lukic, Governance Officer
Taif George, IT Service Management Officer

The Chairperson opened the meeting in the Council Chambers, Rockdale Town Hall, Level 1, 448 Princes Highway, Rockdale at 8:42pm

1 Acknowledgement of Country

The Chairperson affirmed that Bayside Council acknowledges the traditional custodians the Gadigal and Bidjigal people of the Eora nation, and pays respects to Elders past, present and emerging. The people of the Eora nation, their spirits and ancestors will always remain with our waterways and the land, our Mother Earth.

2 Apologies and Attendance via Audio Visual link

Apologies

Committee Recommendation (Councillors Douglas and Warner)

That the following apologies be received

- Councillor Jansyn
- Councillor Barlow

Attendance Via Audio Visual Link

There were no requests for attendance via audio visual link.

3 Disclosures of Interest

There were no disclosures of interest.

4 Minutes of Previous Meetings

4.1 Minutes of the City Planning & Environment Committee Meeting - 12 April 2023

Committee Recommendation (Councillors Muscat and Curry)

That the Minutes of the City Planning & Environment Committee meeting held on 12 April 2023 be noted.

4.2 Business Arising

The Committee notes that the Minutes of the City Planning & Environment Committee meeting held on 12 April 2023 were received and the recommendations therein were adopted by the Council at its meeting of 26 April 2023.

5 Items by Exception

There were no Items by Exception.

6 Public Forum

Details associated with the presentations to the Council in relation to items on this agenda can be found in the individual items.

Item CPE23.013 - Planning Proposal - 776, 792-794 Botany Road and 33-37 Henry Kendall Crescent, Mascot

The following people spoke at the meeting:

- Mr Michael File, Planning Consultant from Land and Housing Corporation, speaking against the Committee Recommendation.
- Mr Fouad Habbouche, Applicant, speaking against the Committee Recommendation.

Note: Item CPE23.013 was dealt with next

7 Reports

CPE23.012 Planning Proposal - Housekeeping and other amendments to Bayside Local Environmental Plan 2021

Committee Recommendation (Councillors Douglas and Curry)

- 1 That Council endorses the planning proposal for housekeeping and other amendments to the Bayside Local Environmental Plan 2021 and forward the planning proposal to the Department of Planning and Environment requesting a Gateway Determination pursuant to s3.34 of the *Environmental Planning & Assessment Act 1979*.
- 2 That Council, subject to receiving a Gateway Determination, publicly exhibits the planning proposal in accordance with the conditions of the Gateway determination and the Bayside Community Participation Plan 2019.
- 3 That Council receives a further report following public exhibition of the planning proposal detailing any submissions received.

CPE23.013 Planning Proposal Request - 776,792-794 Botany Road and 33-37 Henry Kendall Crescent, Mascot

The following people spoke at the meeting:

- Mr Michael File, Planning Consultant from Land and Housing Corporation, speaking against the Committee Recommendation.
- Mr Fouad Habbouche, Applicant, speaking against the Committee Recommendation.

Committee Recommendation (Councillors Curry and Muscat)

1. That the planning proposal request for land at 776, 792-794 Botany Road and 33-37 Henry Kendall Crescent, Mascot be deferred for the following reasons:
 - a) The site is in an area that has been identified in the Bayside Local Strategic Planning and Local Housing Strategy for further investigation by way of a master planning process, which will allow a more comprehensive and holistic planning outcome to be delivered in the broader precinct.
 - b) Proceeding with a site-specific planning proposal prior to the masterplan finalisation would set an undesirable precedent, lead to ad hoc planning, and undermine any future vision to be established by the master planning process.
 - c) There are unresolved issues including heritage impacts, traffic and access, urban design, impacts on adjoining properties and the streetscape, and impact on community services and commercial activity in the precinct.
2. That the planning investigation area along Botany Road, Mascot that Council resolved to progress at its meeting in October 2022 be prioritised ahead of the West Kogarah and Bexley North investigation areas to assist in deciding the NSW Land and Housing planning proposal.

CPE23.014 Clause 4.6 Variations to Development Standards - Quarterly Report

Committee Recommendation (Councillors Curry and Saravinovski)

That the report on the use of Clause 4.6 of Council's Local Environmental Plans to vary development standards in the determination of development applications during quarter three (3) of FY2023 to be received and noted.

CPE23.015 Planning Proposal Request - 200 Coward Street, Mascot

Committee Recommendation (Councillors Muscat and Saravinovski)

- 1 That the attachment to this report be withheld from the press and public as it is confidential for the following reason:

With reference to Section 10(A) (2) (d)(i) of the *Local Government Act 1993*, the attachment relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. It is considered that if the matter were discussed in an open Council Meeting it would, on balance, be contrary to the public interest due to the issue it deals with.
- 2 That Council notes the correspondence received from the proponent regarding a potential Planning Agreement.

- 3 That Council rejects the planning proposal request for land at 200 Coward Street, Mascot.

CPE23.016 Safer Cities Her Way Program - Project Update and Engagement Strategy

Committee Recommendation (Councillors Curry and Werner)

That Council receives and notes this report, including the draft Engagement Plan.

The next meeting will be held in the Committee Room, Botany Town Hall, Botany at 6:30pm on Wednesday, 14 June 2023.

The Chairperson closed the meeting at 9:19pm.