
Bayside Planning Panel

11/07/2017

Item No	4.1
Subject	Minutes of Bayside Planning Panel – 27 June 2017
Report by	Fausto Sut, Manager Governance & Risk
File	(R) SC17/61

Officer Recommendation

That the Minutes of the Bayside Planning Panel held on 27 June 2017 be confirmed as a true record of proceedings.

The Chairperson opened the meeting in the Rockdale Town Hall at 6.10 pm.

1 Acknowledgement of Traditional Owners

Bayside Planning Panel respects the traditional custodians of the land, and elders past and present, on which this meeting takes place, and acknowledges the Gadigal and Bidjigal Clans.

2 Apologies

There were no apologies received.

3 Conflicts of Interest

There were no conflicts of interest.

4 Minutes of Previous Meetings

4.1 Bayside Planning Panel – 13 June 2017

Panel Decision

That the Minutes of the Bayside Planning Panel meeting held on 13 June 2017 be confirmed as a true record of proceedings.

5 Reports

5.1 DA-2016/65 - 95 Preddy's Road, Bexley North NSW 2207

An on-site inspection took place at the property earlier in the day.

Ms Fatima Wheby spoke on behalf of the owners.

Panel Determination

That Development Application DA-2016/65 for a proposed detached dual occupancy, retaining the existing dwelling and construction of a new two storey dwelling with

basement and consolidation of 4 lots into 2 lots and Torrens Title subdivision be DEFERRED to allow the applicant to submit further information to allow a comprehensive assessment of the development given its proximity to a major stormwater channel.

The Panel requires the applicant to submit details as follows within a period of three months:

- Details of site levels (spot levels and RLs).
- A minimum of three cross-sections through the site to also show the stormwater channel and the boundary conditions.
- A minimum of three cross-sections as above showing the relationship of the proposed dwelling.
- Details of the proposed new garage for the existing dwelling (plans, sections, elevations including street elevations).
- A long section of the driveway.
- Details of the extent and finished levels of the proposed fill including any retaining wall structure, in particular to the canal.
- Landscape plan showing suitable replacement plantings.
- Details of fencing to all boundaries.

The Council is to send a follow up letter to Sydney Water for comment given the proximity to the stormwater channel.

The Panel unanimously decided that the matter be deferred to allow the applicant to submit additional information and for this to be referred back to the Panel following Council officer's assessment report.

5.2 DA-2016/247/A – 3 Holland Avenue, Rockdale NSW 2216

An on-site inspection took place at the property earlier in the day.

At the meeting the following people spoke:

- Ms Saidie Mir spoke against the officer's recommendation.
- Mr John Tsekenes spoke against the officer's recommendation.
- Mr Anthony Milou spoke against the officer's recommendation.
- Mr Paul Lamb, architect, and Mr Warren Chan, owner, spoke in support of the application.

Panel Determination

That the Section 96(A1) of the Environmental Planning & Assessment Act 1979, to modify Development Consent DA-2016/247/A, be REFUSED for the following reason:

- Section 96(1) of the Environmental Planning & Assessment Act 1979 is a facultative provision to facilitate modifications to approved developments. The application before the Panel is not substantially the same development as originally approved in both a quantitative and a qualitative sense. This Section 96 seeks approval for a new dwelling house on existing sandstone foundations whereas the original application approved was to retain a number of external and internal walls. As such, it is not an 'alterations and first floor addition dwelling house', as described in the application originally approved.

By way of comment, the Panel is of the opinion that given the amount of the original fabric that was to be retained is no longer standing then the current approval of the original application cannot be carried out or implemented. As such, it would appear that a new Development Application is the appropriate way forward in the circumstances.

The Panel unanimously decided that the matter be refused.

Name	For	Against
Jan Murrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ross Bonthorne	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael McMahon	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Thomass Wong	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Amber O'Connell	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Chairperson closed the meeting at 7.50 pm.

Chairperson
Bayside Planning Panel

Date: