

MINUTES

of a meeting of the **Bayside Planning Panel**
held on Level 1, Rockdale Town Hall
448 Princes Highway, Rockdale
on Tuesday 24 October 2017 at 6.00 pm

Present

Jan Murrell, Chairperson and Independent Specialist Member
Ross Bonthorne, Independent Specialist Member
Michael McMahon, Independent Specialist Member
Dustin Moore, Community Representative
Jesse Hanna, Community Representative

Also present

Michael McCabe, Director City Futures
Luis Melim, Manager Development Services
Fausto Sut, Manager Governance and Risk
Marta Gonzalez-Valdes, Coordinator Major Assessments
Michael Maloof, Senior Development Assessment Planner
Eric Alessi, Development Assessment Planner
Adam Iskander, Development Assessment Planner
James Arnold, CPS Consulting
Helen Lai, Student Planner
Teresita Chan, Student Planner
Ian Vong, IT Support Officer
Anne Suann, Governance Officer

The Chairperson opened the meeting in the Rockdale Town Hall at 6.00 pm.

1 Acknowledgement of Traditional Owners

The Chairperson affirmed that Bayside Council respects the traditional custodians of the land, and elders past and present, on which this meeting takes place, and acknowledged the Gadigal and Bidjigal clans of the Eora Nation.

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 – 10 October 2017

Panel Decision

That the Minutes of the Bayside Planning Panel meeting held on 10 October 2017 be confirmed as a true record of proceedings.

5 Reports

5.1 DA-2017/353 – 47 Churchill Street, Bardwell Park

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

At the meeting the following person spoke:

- Mr Michael Kitmiridis, applicant, spoke for the officer's recommendation of approval and responded to the Panel's questions.

Panel Determination

That this item be deferred for the applicant to consider the Panel's comments on the application, and the matter be referred back to the next meeting if possible.

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"/>
Dustin Moore	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jesse Hanna	<input checked="" type="checkbox"/>	<input type="checkbox"/>

5.2 S82-2017/8 – 40A Stoney Creek Road Bexley

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

At the meeting the following person spoke:

- Mr Matthew Benson, Town Planning Consultant from MB Town Planning, spoke against the officer's recommendation of refusal and responded to the Panel's questions.

Panel Determination

That Development Application S82A-2017/8 for the adaptive reuse and additions and alterations including first floor to convert to residential dwelling at 40A Stoney Creek Road, Bexley be REFUSED on a merit assessment and the Panel agrees with the reasons for the officer's recommendation of refusal.

The Panel considers the development represents an overdevelopment of the site and the Panel considers that the public benefit of a permissible development replacing the existing use of a shop does not warrant approval of an application that is an overdevelopment and will still remain as the built form of the existing use.

The fundamental reason for refusal is that the site is not suitable for the proposed development under S79C(1)(c).

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"/>
Dustin Moore	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jesse Hanna	<input checked="" type="checkbox"/>	<input type="checkbox"/>

5.3 DA-1997/49/F – 339-377 Forest Road, Bexley

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

At the meeting the following people spoke:

- Mr Maurice Devoy, affected neighbour, spoke against the officer's recommendation of approval.
- Mr Doug Doyle, affected neighbour, spoke for the officer's recommendation of approval.
- Messrs Sam Nicola and Talaat Nasralla and Father Samuel Girguis from the Coptic Orthodox Church spoke for the officer's recommendation of approval and responded to the Panel's questions.

Panel Determination

The matter is deferred as the development application sought the removal of 10 trees and there is insufficient information to make a determination at this point.

Panel Note

This item is deferred to allow the applicant, as a matter of urgency, to consider amending this development application and to identify the trees that represent a danger or risk or require tree management as assessed by an arborist.

Following the above, the applicant must consider an overall landscape master plan for the total site that shows existing landscaping and trees with reference to the landscaping carried out in accordance with the approved landscape plan in the previous development consent and any amendments sought.

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"/>
Dustin Moore	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jesse Hanna	<input checked="" type="checkbox"/>	<input type="checkbox"/>

5.4 DA-2017/227 – 6-8 Cecil Street, Monterey

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

At the meeting the following people spoke:

- Mr Anthony Di Stefano, affected neighbour, spoke against the officer's recommendation of approval and responded to the Panel's questions.
- Mr George Lloyd, Consulting Town Planner, spoke for the officer's recommendation of approval on behalf of the applicant, Design Studio 407, and responded to the Panel's questions.
- Mr Leo Sokias, architect for Design Studio 407, spoke for the officer's recommendation of approval, and responded to the Panel's questions.

Panel Determination

- 1 That Development Application DA-2017/227 for the Construction of a four (4) storey residential flat building comprising nine (9) residential units, basement carparking and demolition of existing buildings at 6 and 8 Cecil Street, Monterey be APPROVED pursuant to Section 80(1)(a) of the Environmental Planning and Assessment Act 1979 subject to the conditions of consent attached to this report, and the deletion of Condition 53.
- 2 That the Panel notes that the driveway on the western boundary adjoining No 10 is conditioned to have a 1.6 m landscaping area and this requires the submission of an amended plan to the Council. Such plan is to also include appropriate screening to balconies on the western elevation, and the suitability of tree species and distance from the western boundary must also be addressed.
- 3 That the objectors be advised of the Bayside Planning Panel's decision.

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"/>
Dustin Moore	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jesse Hanna	<input checked="" type="checkbox"/>	<input type="checkbox"/>

5.5 DA-2017/394 – 23 Earlwood Crescent, Bardwell Park

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

At the meeting the following people spoke:

- Mr Anthony James, applicant, spoke for the officer's recommendation of approval and responded to the Panel's questions.
- Mr Boris Markovski, applicant, spoke for the officer's recommendation of approval and responded to the Panel's questions.

Panel Determination

- 1 That the Bayside Planning Panel supports the variation to Clause 4.3 Height of Buildings of the Rockdale Local Environmental Plan 2011 in accordance with the Clause 4.6 variation request submitted by the applicant.
- 2 That Development Application DA-2017/394 for the construction of a split level residential dwelling at 23 Earlwood Crescent, Bardwell Park be APPROVED pursuant to Section 80(1)(a) of the Environmental Planning and Assessment Act 1979 and subject to the conditions of consent attached to this report.
- 3 That the objectors be advised of the Bayside Planning Panel's decision.

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"/>
Dustin Moore	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jesse Hanna	<input checked="" type="checkbox"/>	<input type="checkbox"/>

5.6 DA-2017/429 – 3 Holland Avenue, Rockdale

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

At the meeting the following people spoke:

- Ms Saidie Mir, affected neighbour, spoke against the officer's recommendation of approval.
- Mr John Tsekenes, affected neighbour, spoke against the officer's recommendation of approval.
- Ms Karen Wong, owner, spoke for the officer's recommendation of approval.
- Mr Warren Chan, owner, spoke for the officer's recommendation of approval.
- Mr Paul Lamb, architect, spoke for the officer's recommendation of approval and responded to the Panel's questions.

Panel Determination

- 1 That this Development Application be APPROVED pursuant to Section 80(1)(a) of the Environmental Planning and Assessment Act 1979 subject to the conditions of consent attached to this report, and subject to:
 - an amendment to the plans to set the dressing room external wall back to the blade;
 - the requirement for an amended landscape plan to show the whole of the site including landscaping to soften the garage and frontage and landscaping to the northern and southern boundaries, and including necessary retaining walls on the boundaries.
- 2 That the objectors be advised of the Bayside Planning Panel's decision.

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"/>
Dustin Moore	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jesse Hanna	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Chairperson closed the meeting at 9.35 pm.

Chairperson
Bayside Planning Panel