
Bayside Planning Panel

10/10/2017

Item No	4.1
Subject	Minutes of Bayside Planning Panel – 26 September 2017
Report by	Name, Title
File	SC17/67

Officer Recommendation

That the Minutes of the Bayside Planning Panel held on 26 September 2017 be confirmed as a true record of proceedings.

Present

Jan Murrell, Chairperson and Independent Specialist Member
Ross Bonthorne, Independent Specialist Member
Michael McMahon, Independent Specialist Member
Christopher Middlemiss, Community Representative
Thomass Wong, Community Representative

Also present

Michael McCabe, Director City Futures
Luis Melim, Manager Development Assessment
Fausto Sut, Manager Governance and Risk
Marta Gonzalez-Valdes, Coordinator Development Assessment
Christopher Mackey, Team Leader Development Assessment Planner
Katerina Lianos, Development Assessment Planner
Angela Lazaridis, Development Assessment Planner
Kim Johnston, Consultant Planner
Adam Iskander, Development Assessment Planner
Lauren Thomass, Governance Officer

The Chairperson opened the meeting in the Rockdale Town Hall at 6:10 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.

2 Apologies

There were no apologies received.

3 Disclosures of Interest

There were no disclosures of interest.

4 Minutes of Previous Meetings

3.1 Bayside Planning Panel – 12 September 2017

That the Minutes of the Bayside Planning Panel held on 12 September 2017 be confirmed as a true record of proceedings.

5 Reports

West Bayside Planning Office

5.1 DA-2016/209 - 3-5 Arncliffe Street, Wolli Creek

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

Genevieve Slattery spoke for the officer's recommendation.

John Kavanagh spoke for the officer's recommendation.

Panel Determination

- 1 That the Bayside Planning Panel accept the Clause 4.6 variation to Clause 4.4 of RLEP 2011 (FSR) as requested by the Applicant.
- 2 That this Development Application 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

Name	For	Against
Ross Bonthorne	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael McMahon	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Christopher Middlemiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jan Murrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Thomass Wong	<input checked="" type="checkbox"/>	<input type="checkbox"/>

5.2 DA-2017/276 - 3 Jones Avenue, Monterey

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

Andria Poulos spoke against the officer's recommendation.

Manual Panagiotopoulos spoke against the officer's recommendation.

Sophie Yousef spoke for the officer's recommendation.

Anthony Milou spoke for the officer's recommendation.

Panel Determination

1. That the Bayside Planning Panel supports the variation to the Height development standard, as contained in Clause 4.3 - Height of Buildings within Rockdale LEP 2011, in accordance with the request under Clause 4.6 of RLEP 2011 submitted by the applicant.
2. That this Development Application 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 and as amended by the Panel as follows:
 - The roof top terrace is to be reduced in size to be a maximum of 24 square metres and with minimum dimensions from the side and front walls of 1.5 metres and the balustrade is to be positioned at this point.
Panel reason: the reduced size of the roof top terrace is to provide residential amenity both to the occupants of the dwelling while at the same time not allowing large numbers of people to congregate.
 - The trees in the rear yard to be retained are the eucalypt and coastal banksia near the western boundary and the tall thin palm on the north-western corner and others that may be suitable for retention in that vicinity. As such condition 63 is deleted.
Panel reason: to continue to provide vegetative district amenity.
 - The swimming pool is to be set back a minimum of 4 metres from the rear boundary, unless an arborist's report states that the pool can be located closer without impacting on the longevity of the gum and banksia near the western boundary. Furthermore the arborist's report must specify suitable construction methods for the protection of the roots of these two trees and inspect the trees prior to any occupation certificate.
 - The al-fresco dining roof-covered area is to be reduced in size such that it is a minimum of 2.4 metres off the northern and southern boundaries and landscaped accordingly.
Panel reason: to provide soft landscaping and a buffer for the subject property and the adjoining properties.

Consequential amendments to the conditions are to be made before the approval is issued. That is; a condition for amended

plans, landscape plan and arborist's report prior to the issuing of the construction certificate and a further arborists report for the health of the trees prior to the issuing of any occupation certificate.

3. That the objectors be advised of the Bayside Planning Panel's decision.

Name	For	Against
Ross Bonthorne	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael McMahon	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Christopher Middlemiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jan Murrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Thomass Wong	<input checked="" type="checkbox"/>	<input type="checkbox"/>

East Bayside Planning Office

5.3 DA-2017/0012 - 228 Bunnerong Rd, Hillsdale

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

Panel Determination

- 1 That Council is satisfied that the applicant's written request has adequately addressed the matters required to be demonstrated by Clause 4.6(3) of *Botany Bay Local Environmental Plan 2013* and that the proposed development is in the public interest as it is consistent with the objective of the Height Standard and the objectives for the B2 Local Centre zone.
- 2 That Development Application No. 2017/0012 for the demolition of the existing structures, tree removal and construction of a mixed use development comprising a commercial tenancy and residential apartments (4 x 1 bed and 6 x 2 bed units) and two levels of basement car parking at 228 Bunnerong Road, Hillsdale 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 and as amended to provide:
 - The colour of the bricks is to be a light to mid tone, to be more compatible with adjoining built forms
 - The balustrades may be glazing as shown on the plans as submitted.

Reason: these changes of material are considered appropriate given the adjoining development and in the context of Heffron Park.
- 3 That objectors be advised of the Bayside Planning Panel's decision.

Name	For	Against
Ross Bonthorne	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael McMahon	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Christopher Middlemiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jan Murrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Thomass Wong	<input checked="" type="checkbox"/>	<input type="checkbox"/>

5.4 DA-2016/173 - 21 Bay Street, Botany

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

Marcus Jones spoke against the officer's recommendation.

Chris Haughton spoke for the officer's recommendation.

Ryan Gill spoke for the officer's recommendation.

Panel Determination

- 1 That Council is satisfied that the applicant's written request has adequately addressed the matters required to be demonstrated by Clause 4.6(3) of *Botany Bay Local Environmental Plan 2013* and that the proposed development is in the public interest as it is consistent with the objective of the Height Standard and the objectives for the B7 – Business Park Zone.
- 2 That Development Application No. 2017/0012 for the construction of a four storey commercial development with ground level parking and associated landscaping works at 21 Bay Street, Botany 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 imposition of a deferred commencement condition as follows:
 - the applicant must provide from a suitably qualified person that the car stacker for the number of vehicles shown in the plans can be installed and operated satisfactorily.
 - The following additional operational conditions are imposed: a dilapidation report is to be prepared for the adjoining property at No. 23 prior to the issue of a construction certificate; and the car stackers are to only to operate between the hours of 7am to 9pm seven days.

Name	For	Against
Ross Bonthorne	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael McMahon	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Name	For	Against
Christopher Middlemiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jan Murrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Thomass Wong	<input type="checkbox"/>	<input checked="" type="checkbox"/>

5.5 DA-2016/237 - 23 Swinbourne Street, Botany

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

Robert Milicevic spoke for the officer's recommendation.

Panel Determination

This matter be deferred to allow the applicant the opportunity to gain Council consent for the development that is not wholly contained within the site boundaries. Furthermore, comments were offered by the panel with respect to the façade resolution and articulation, in particular, addressing the corner.

Name	For	Against
Ross Bonthorne	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael McMahon	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Christopher Middlemiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jan Murrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Thomass Wong	<input checked="" type="checkbox"/>	<input type="checkbox"/>

5.6 DA-2015/253/03 - 37A Daphne Street, Botany

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

Joe Tubia spoke for the officer's recommendation.

Derek Raithby spoke for the officer's recommendation.

Panel Determination

- 1 That Section 96(2) Application to modify Development Consent No. 15/253 to amend the basement car park, approved units and an addition of 3 (2 x 1 bed and 1 x 2 bed) units on a new upper level along with a modified communal open space area and ten affordable units at 37A-39 Daphne Street, Botany be determined in the following manner:

- a) Amend Condition No. 1 to refer to the amended plans;

- b) Amend Condition Nos. 6(a) and (b), 59 and 75 which relate to the number of units allocated to affordable housing;
 - c) Amend Condition No. 18(c) relating to study nooks within two bedroom units;
 - d) Amend Condition No. 20 which amends the Section 94 Contributions;
 - e) Amend Condition No. 60 relating to the allocation of car parking spaces;
 - f) Amend Condition No. 78, to refer to the subject application.
 - g) Refuse modification of Condition Nos. 31 and 33 which relate to stormwater management and easement; and
- 2 The Panel adopts the Council officer's report and recommendation subject to an additional condition of approval requiring the affordable housing component to be managed by a registered community housing provider for a period of ten years.
- 3 All conditions are to be consequential amendments to other conditions.
- 4 That objectors be notified of the Bayside Planning Panel's decision.

Name	For	Against
Ross Bonthorne	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael McMahon	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Christopher Middlemiss	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jan Murrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Thomass Wong	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The Chairperson closed the meeting at 9:19 pm.

Chairperson
Bayside Planning Panel