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## **Bayside Planning Panel**

**12/12/2017**

Item No	4.1
Subject	<b>Draft Minutes of Bayside Planning Panel – 28 November 2017</b>
Report by	Lauren Thomas, Governance Officer
File	SC17/128

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### **Officer Recommendation**

That the Minutes of the Bayside Planning Panel held on 28 November 2017 be confirmed as a true record of proceedings.

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### **Present**

Jan Murrell, Chairperson and Independent Specialist Member  
Ross Bonthorne, Independent Specialist Member  
Michael McMahon, Independent Specialist Member  
Amber O'Connell, Community Representative  
Joe Bevaqua, Community Representative

### **Also present**

Michael McCabe, Director City Futures  
Clare Harley, Manager Strategic Planning  
Luis Melim, Manager Development Assessment  
Fausto Sut, Manager Governance and Risk  
Marta Gonzalez-Verdes, Coordinator Development Assessment  
Josh Ford, Co-ordinator Statutory Planning  
Chris Mackey, Coordinator Development Assessment  
Fiona Prodromou, Senior Development Assessment Planner  
Michael Maloof, Senior Development Assessment Planner  
Angela Lazaridis, Senior Development Assessment Planner  
John McNally, Senior Urban Planner  
Katerina Lianos, Development Assessment Planner  
Patrick Waite, Consultant Development Assessment Planner  
James Arnold, Consultant Development Assessment Planner  
Bin Chen, IT Support Officer  
Lauren Thomas, Governance Officer

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The Chairperson opened the meeting in the Rockdale Town Hall at 6:20 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

Amber O'Connell declared a non-significant, non-pecuniary interest in Item 6.4 being that she lives in the same Ward that the Development Application is located in.

## 4 Minutes of Previous Meetings

### 4.1 Bayside Planning Panel – 14 November 2017

That the Minutes of the Bayside Planning Panel held on 14 November 2017 be confirmed as a true record of proceedings.

## 5 Reports – Planning Proposals

### 5.1 Post-Exhibition Report: Planning Proposal for Land Bounded by Abercorn Street, Kingsland Road South, Stoney Creek Road and Bexley RSL, Bexley

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

Helen Deegan, Planning Consultant, spoke for the officer's recommendation.

#### Recommendation to Council

The Panel recommends to the Council that it defers the making/gazettal of the planning proposal to allow a DCP for the total site proposed to be rezoned to B4. Such a DCP would be to guide future development of the site which is in multiple ownership and to allow urban design guidelines to be incorporated having regard to the total context of the Bexley local centre and surrounding residential areas in particular, the relationship with the Kingsland Road and Abercorn street.

The Panel considers that a deferral would allow for a DCP to inform future development of the site as a blanket B4 zone without more detailed controls within the LEP would create uncertainty and not necessarily provide the impetus for revitalisation of the entire Bexley centre.

Council may also wish to consider that additional controls could be provided in the LEP with regard to percentages of commercial, residential and other uses having regard to the entire site's juxtaposition with adjoining development.

Name	For	Against
Joe Bevacqua	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ross Bonthorne	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

## 5.2 Post-Exhibition Report: Planning Proposal for 591-597 Princes Highway, Rockdale

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

### Recommendation to Council

That the Bayside Planning Panel recommends to Council that the Minister makes the Local Environment Plan amendment, as exhibited, in accordance with Section 59 of the Environmental Planning and Assessment Act 1979 for 591-597 Princes Highway, Rockdale.

Name	For	Against
Joe Bevacqua	<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"/>
Jan Murrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Amber O'Connell	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## 6 Reports – Development Applications

### 6.1 DA-2017/353 - 47 Churchill Street, Bardwell Park

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

Michael Kitmiridis spoke for the officer's recommendation.

### Panel Determination

- 1 That development application DA-2017/353 for alterations and additions to an existing dwelling comprising of a ground and first floor addition, new front fence and vehicular footway crossing at 47 Churchill Street, 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.

- 2 That the objector be advised of the Bayside Planning Panel's decision.

Name	For	Against
Joe Bevacqua	<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"/>
Jan Murrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Amber O'Connell	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 6.2 DA-2017/284 - 1 Caledonian Street, Bexley

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

Reginald Hyndman spoke against the officer's recommendation.

Anita Guo attended to answer any questions the Panel might have.

Fabricio Siqueira spoke for the officer's recommendation.

Gerard Turrisi spoke for the officer's recommendation.

Greg Patch spoke for the officer's recommendation.

#### Panel Determination

- 1 That the Development Application No.DA-2017/284 for construction of a two (2) storey multi dwelling housing development containing seven (7) townhouses, basement car parking and demolition of existing structures at 1 Caledonian Street, Bexley be approved subject to the conditions attached to this report, noting the amendments and that further information has been provided to the Panel.

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

Name	For	Against
Joe Bevacqua	<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"/>
Jan Murrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Amber O'Connell	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### 6.3 DA-2017/231 - 10 Loftus Street, Turrella

This Development Application has been withdrawn by the applicant.

### 6.4 DA-2017/1023 - 79 Middlemiss Street, Mascot

Amber O'Connell declared a non-significant, non-pecuniary interest in Item 6.4, being that she lives in the same Ward that the Development Application is located in. Ms O'Connell did not participate in the discussion of this item nor did she vote in respect of this item.

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

Mrs Bo Chen spoke against the officer's recommendation.

Mr Arthur Karagiannis spoke against the officer's recommendation.

Huss Chalich, on behalf of the applicant spoke for the officer's recommendation.

#### Panel Determination

- 1 That Bayside Planning Panel 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 Floor Space Ratio and the objectives for the R2 Low Density Residential zone.
- 2 That Development Application No. 2017/1023 for the demolition of existing structures, subdivision into two Torrens title allotments and construction of two semi-detached dwellings and swimming pool for each dwelling at 79 Middlemiss Street, Mascot 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 further conditions to achieve the objective of a street tree 100 litres consistent with other species in the street and conditions for the narrowing of the driveway to allow additional landscaping in particular to the side boundaries and a permeable surface to the driveways.
- 3 That the objectors be advised of the Bayside Planning Panel's decision.

Name	For	Against
Joe Bevacqua	<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"/>
Jan Murrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Name	For	Against
Amber O'Connell	<input type="checkbox"/>	<input type="checkbox"/>

Amber O'Connell returned to the meeting.

#### 6.5 DA-2017/343 - 190-196 Russell Avenue, Dolls Point & 1 Cook Park, Sandringham

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

Mr Sean Fogarty spoke against the officer's recommendation.

Mr Rod Stoddart spoke for the officer's recommendation.

Mr Steven Adams spoke for the officer's recommendation.

John Cocking, architect spoke for the officer's recommendation.

Greg Hastie, applicant attended the meeting.

#### Panel Determination

- 1 That Development Application DA-2017/343 for the change of use of Primrose House to a preparatory school (K-6) with on site car parking for 24 vehicles, capacity for 250 students and 24 staff operating 7:00am to 6:00pm (and on occasions to 10:00pm to cater for after school activities) Monday to Friday at 190-196 Russell Avenue Dolls Point and public domain works within 1 Cook Park Sandringham, 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 an amendment to the following condition:

Condition 25 should be deleted and in its place there be a condition that allows for 12 events per year where music is played that shall not commence before 7:00 am or continue past 8:00 pm with the exception of the ANZAC day dawn service; and surrounding residents are to be notified prior to such events taking place.

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

Name	For	Against
Joe Bevacqua	<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"/>
Jan Murrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Name	For	Against
Amber O'Connell	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## 6.6 DA-16/116/02 - 124 Banksia Street, Botany

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

Huss Chalich, on behalf of the applicant spoke for the officer's recommendation.

### Panel Determination

- 1 That Section 96(2) Application to modify Development Consent No. 16/116 to amend Development Consent No. 16/116 to reduce the size of the dwellings, delete the swimming pools and replace with a cabana at the rear of each dwelling at 124 Banksia Street, Botany, be determined in the following manner:
  - a Amend Condition No. 1 to refer to the amended plans;
  - b Amend Condition No. 11 which relates to proposed changes to the approved plans regarding to eaves and balcony sizes by deleting clause a) and b) and adding clause c) relating to privacy screening on the balconies fronting the street;
  - c Amend Condition No. 13 which relates to the driveway and vehicular crossing dimensions to refer from one crossing to two;
  - d Delete Condition No. 59 as easements are not required for a shared driveway which is being deleted;
  - e Delete Condition Nos. 62, 63, 70, 71, 72, 73 and 74 which relate to swimming pool conditions;
  - f Amend Condition No. 67 to refer to the use of the cabanas to not be habitable;
  - g Add Condition Nos. 11A, 11B, 24A, 27A and 54A which relates to the protection of neighbouring trees and planting of new trees; and
  - h Amend Condition No. 76 to refer to the Subject Application.
- 2 That any objectors be notified of the determination made by the Planning Panel.

Name	For	Against
Joe Bevacqua	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ross Bonthorne	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

#### 6.7 DA-16/237 - 23 Swinbourne Street, Botany

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

Alison Davidson spoke for the officer's recommendation.

Graham Bakewell spoke for the officer's recommendation.

#### Panel Determination

- 1 That the Bayside Planning Panel 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 B1 Neighbourhood Centre zone.
- 2 That Development Application No. 16/237 for the demolition of the existing structures on site and construction of a three storey shop top housing development and basement parking at 23 Swinbourne Street, Botany 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 any objectors be notified of the determination made by the Bayside Planning Panel.

Name	For	Against
Joe Bevacqua	<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"/>
Jan Murrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Amber O'Connell	<input checked="" type="checkbox"/>	<input type="checkbox"/>



## **6.8 DA-2017/1107 - 152 Bunnerong Road, Eastgardens (Westfield Eastgardens Shopping Centre)**

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

Robert Johnston from Scentre Group spoke for the officer's recommendation.

Ric O'Connell from Scentre Group spoke for the officer's recommendation.

Brett Brown from Ingham Planning spoke for the officer's recommendation.

### **Panel Determination**

- 1 That Development Application No. 2017/1107 for the installation and operation of a ticketless car-park control system including modifications to the car park layout, installation of boom gates and automated pay machines, modifications to entry and exit lanes, kerbing, line-marking and installation of external navigational signage at 152 Bunnerong Road, Pagewood 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 customers/visitors shall be provided with free parking for not less than the first three hours per day.
- 2 That objectors are advised of the Bayside Planning Panel's decision.

<b>Name</b>	<b>For</b>	<b>Against</b>
Joe Bevacqua	<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"/>
Jan Murrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Amber O'Connell	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The reasons for this decision are:

- This stand-alone regional shopping centre contains community facilities including a medical centre and a Council library and it is not located as conveniently as other centres with respect to the provision of public transport.
- Visitors to the centre may wish to combine their shopping trip with access to the community facilities.

The Chairperson closed the meeting at 9:35 pm.

Jan Murrell  
Chairperson  
Bayside Planning Panel