

MINUTES

of a meeting of the
Bayside Local Planning Panel
held in the Committee Room, Botany Town Hall
Corner of Edward Street and Botany Road, Botany
on **Tuesday 14 May 2019** at **6.00 pm**

Present

Marcia Doheny, Chairperson
Jan Murrell, Independent Expert Member
Stephen Moore, Independent Expert Member

Also present

Ben Latta, Acting Manager Development Services
Fausto Sut, Manager Governance & Risk
Pascal Van De Walle, Coordinator Development Assessment
Angela Lazaridis, Senior Development Assessment Planner
Eric Alessi, Development Assessment Planner
Helen Lai, Development Assessment Planner
James Arnold, Principal Town Planner, Arnold Urban
Taif George, IT Technical Support Officer
Anne Suann, Governance Officer

The Chairperson opened the meeting in the Botany Town Hall Committee Room at 6.04 pm.

1 Acknowledgement of Traditional Owners

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

2 Apologies

An apology was received from Patrick Ryan, Community Representative.

3 Disclosures of Interest

There were no disclosures of interest.

4 Minutes of Previous Meetings

4.1 Minutes of the Bayside Local Planning Panel Meeting - 23 April 2019

Decision

That the Bayside Local Planning Panel notes that the Minutes of the Bayside Local Planning Panel meeting held on 23 April 2019 have been confirmed as a true record of proceedings by the Chairperson of that meeting.

5 Reports – Planning Proposals

Nil

6 Reports – Development Applications

6.1 DA-2018/325 - 10 Rye Avenue, Bexley

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

Determination

That the development application DA-2018/325 for the construction of a storage shed within the Bayside Council Bexley Depot at 10 Rye Avenue, Bexley is **APPROVED** pursuant to Section 4.16(1) of the Environmental Planning and Assessment Act 1979, subject to the conditions of consent attached to the Council officer's report.

Name	For	Against
Marcia Doheny	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jan Murrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Stephen Moore	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reasons for the Panel's Determination

- The application is compliant with the requirements of the Rockdale LEP 2011 and the Rockdale DCP 2011.
- The shed is not visible from the street and will have no adverse impacts on adjoining properties.
- The requirements of Council staff that the shed not impact on existing trees, the drainage line, the water tank or a shed on the site have been addressed by a condition of consent.

- The conditions of consent also address stormwater issues by requiring that a functional stormwater system be designed with details of it to be submitted to Council with a Construction Certificate.

6.2 DA-2018/222 - 152-200 & 206 Rocky Point Road, Kogarah

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

The following person spoke:

- Chris Ferreira, planning consultant, Ethos Urban, spoke for the officer's recommendation and responded to the Panel's questions.

Determination

- 1 That the Stage 2 development application DA-2018/222 for the construction of a two (2) storey child care centre for 66 children, car parking, landscaping and signage at 152-200 & 206 Rocky Point Road, Kogarah is **APPROVED** pursuant to Section 4.16(1) of the Environmental Planning and Assessment Act 1979, subject to the conditions of consent attached to the Council officer's report, with the following additional change to Condition 49:
 49. Prior to issue of the Construction Certificate, detailed drainage design plans for the management of stormwater generally in accordance with the approved civil engineering design stormwater drainage plans prepared by C&M Consulting Engineers:

Drawing Number	Revision	Dated
01859_100	-	-
01859_201	03	08/02/19
01859_601	03	07/02/19
01859_621	01	15/08/18
01859_631	02	30/08/18
01859_701	03	11/02/19
01859_702	01	15/08/18

The detailed drainage design places shall be reflective of the approved architectural plans. The rainwater tank is to be connect for internal stormwater re-use to all toilets and external landscape irrigation. Design certification, in the form specified in Rockdale Technical Specification Stormwater Management, and drainage design calculations are to be submitted with plans. Council's Rockdale Technical Specification Stormwater Management sets out the minimum documentation requirements for detailed design plans. Stormwater management requirements for the development site, including the final discharge/end connection point, must comply with Rockdale Technical Specification Stormwater Management.

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

Name	For	Against
Marcia Doheny	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jan Murrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Stephen Moore	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reasons for the Panel's Determination

- The proposed development is fully compliant with all the applicable planning controls.
- The amended plans have responded to the issues raised by Council staff and will result in a well designed high quality child care centre.
- The Panel notes that the building has been designed to minimise openings to the west and south and to open out onto the street, thereby reducing impacts on neighbouring properties.
- The 1.8 m acoustic fence on the western boundary and the 3 m rear wall and the separation created by the 1.88 m wide drainage line at the rear of the site will provide good separation and will assist with noise management.
- There was one submission that relates to traffic impacts on Rocky Point Road and the Panel notes that the Sydney Eastern City Planning Panel fully considered traffic issues when it determined the development application and approved the location of the child care centre.
- The Panel is satisfied that the arrangements for the vehicular access to the centre are appropriate and notes that traffic generation will be reduced because many of the users of the child care centre are likely to reside in the adjoining development and therefore will not drive to the centre.

6.3 DA-2017/224/F - 152-200 & 206 Rocky Point Road, Kogarah

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

The following person spoke:

- Chris Perreira, planning consultant, Ethos Urban, spoke for the officer's recommendation and responded to the Panel's questions.

Determination

- 1 In accordance with Section 4.55(1) of the EPA the Panel is satisfied that the proposed modification is:
 - of minimal environmental impact;

- that it is substantially the same development as the development for which consent was granted before it was modified; and
 - that it did not require notification.
- 2 That Modification Application No. DA-2017/224/F, being a Section 4.55(1A) application to amend Development Consent No. DA-2017/224, to amend condition 19(h) relating to louvres within the western facades of Buildings B & E at 152-200 & 206 Rocky Point Road, Rockdale, is **APPROVED** pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 and subject to the modifications of conditions of consent attached to the Council officer's report and the following changes to Condition 2:
2. The development must be implemented substantially in accordance with the plans listed below, the application form and on any supporting information received with the application, except as may be amended in red on the attached plans and by the following conditions:

Plan/Dwg No.	Issue No.	Dated	Received
ARCHITECTURAL PLANS—prepared by PTW			
DA-002 SITE ANALYSIS	6	14/07/2017	17/11/2017
DA-099 BASEMENT B3	2	13/11/2017	17/11/2017
DA-1007BASEMENT B2	7	13/11/2017	17/11/2017
DA-101 BASEMENT B1	8	31/01/2018	5/10/2018
DA-110 LEVEL GROUND	12	17/09/2018	5/10/2018
DA-111 LEVEL 1	8	23/03/2018	5/10/2018
DA-112 LEVEL 2	8	23/03/2018	5/10/2018
DA-113 LEVEL 3	8	28/09/2018	5/10/2018
DA-114 LEVEL 4-5	7	13/11/2017	17/11/2017
DA-116 LEVEL 6	7	13/11/2017	17/11/2017
DA-117 LEVEL 7	7	13/11/2017	17/11/2017
DA-118 LEVEL 8	7	13/11/2017	17/11/2017
DA-119 LEVEL 9	7	13/11/2017	17/11/2017
DA-120 LEVEL 10	7	13/11/2017	17/11/2017
DA-121 LEVEL 11-12	7	13/11/2017	17/11/2017
DA-123 ROOF PLAN	8	31/01/2018	10/08/2018
DA-200 STREET ELEVATIONS	5	14/07/2017	17/11/2017
DA-210 ELEVATIONS – BUILDING B	5	14/07/2017	17/11/2017
DA-211 ELEVATIONS – BUILDING C	5	14/07/2017	17/11/2017
DA-212 ELEVATIONS – BUILDING D	5	14/07/2017	17/11/2017
DA-213 ELEVATIONS – BUILDING E	6	13/11/2017	17/11/2017
DA-214 ELEVATIONS – BUILDING F&G	6	23/03/2018	5/10/2018
DA-300 SECTIONS – BUILDING B & C	5	14/07/2017	17/11/2017
DA-301 SECTIONS – BUILDING D & E	5	14/07/2017	17/11/2017
DA-302 SECTION PARK	5	14/07/2017	17/11/2017
DA-303 SECTIONS - ROCKY POINT ROAD TO PRODUCTION LANE	1	14/07/2017	17/11/2017
DA-304 SECTIONS – WESTERN & SOUTHERN BOUNDARY	1	14/07/2017	17/11/2017
DA-310 DRIVEWAY PROFILE RAMP 1 – MAIN ENTRY	6	13/11/2017	17/11/2017
DA-311 DRIVEWAY PROFILE RAMP 3	6	14/07/2017	17/11/2017
DA-312 DRIVEWAY PROFILE RAMP 4 – TOWNHOUSE ENTRY	7	23/03/2018	5/10/2018
DA-400 DA ADAPTABLE APARTMENT – TYPE PLAN	6	14/07/2017	17/11/2017

DA-401 DA LIVABLE SILVER TYPE PLAN	6	14/07/2017	17/11/2017
DA-511 LEVEL 1 STORAGE	2	13/11/2017	17/11/2017
DA-612 DA DEEP SOIL DIAGRAM	7	13/11/2017	17/11/2017
DA-710 FACADE ELEVATIONS (BUILDING B)	5	14/07/2017	17/11/2017
DA-711 FACADE ELEVATIONS (BUILDING C&D)	5	14/07/2017	17/11/2017
DA-712 FACADE ELEVATIONS (BUILDING E)	5	14/07/2017	17/11/2017
DA-713 FACADE ELEVATIONS (LINK BUILDING & BUILDING F&G)	5	14/07/2017	17/11/2017
PROJECT SCHEDULE	6	14/11/2017	17/11/2017
MATERIALS & FINISHES			
DA-700 DA COLOUR SAMPLE BOARD	5	14/11/2017	17/11/2017
ARCHITECTURAL PLANS—prepared by mosca pserras architects			
Operable Louvre Sections / OL1	A	12/02/2019	17/04/2019
	C	15/04/2019	
Operable Louvre Elevations / OL2	C	15/04/2019	17/04/2019
	A	12/02/2019	1/03/2019
Block B East & West Elevations / 802	K	17/12/2019	17/04/2019
Block E East & West Elevations / 804	K	17/12/2019	17/04/2019
Horizontal Operable Louvre Panel / 1005	A	13/12/2018	17/04/2019 1/03/2019
SUBDIVISION PLAN			
Sheets 1 & 2 Surveyor's Reference 118031505_12	N/A	No date	16/11/2017
LANDSCAPE PLANS – prepared by Arcadia Landscape Architecture			
Pages 1 – 34 200_Masterplan, 400_Plant Schedule, Softscape Plans No.'s 401 – 406 Landscape Details (2 pages)	Issue S	November 2017	16 Nov 2017
CIVIL & STORMWATER PLANS – Prepared by AT&L with Project No. 16-380			
SKC25_ACCESS ROAD LAYOUT OPTION 2	B	13-11-17	13/11/2017
SKC26_ACCESS ROAD CROSS SECTION OPTION 2	B	14-11-17	13/11/2017
SKC27_TOWNHOUSES RAMP	B	14-11-17	13/11/2017
SKC28_ACCESS ROAD AND PRODUCTION INTERSECTION	B	14-11-17	13/11/2017
DAC011 - SITEWORKS AND STORMWATER DRIANAGE PLAN SHEET 1	C	14-07-17	28/07/2017
DAC012 - SITEWORKS AND STORMWATER DRIANAGE PLAN SHEET 2	D	14-07-17	28/07/2017
DAC013 - SITEWORKS AND STORMWATER DRIANAGE PLAN SHEET 3	D	14-07-17	28/072017
DAC015 - STORMWATER DETAILS SHEET 1	B	19-12-16	28/07/2017
DAC016 - STORMWATER DETAILS SHEET 2	A	14-07-17	28/07/2017

DAC050 – STORMWATER DRAINAGE CATCHMENT PLAN	E	14-07-17	28/07/2017
DAC051 - OSD TANK 1 DETAILS	C	14-07-17	28/07/2017
DAC052 - OSD TANK 2 DETAILS	C	14-07-17	28/07/2017
DAC053 - OSD TANK 3 DETAILS	D	14-07-17	28/07/2017
DAC080 – EROSION AND SEDIMENTATION CONTROL PLAN	D	14-07-17	28/07/2017
DAC081 – EROSION AND SEDIMENTATION CONTROL DETAILS	B	19-12-16	28/07/2017

In the event of any inconsistency between conditions of this approval and the drawings/documents referred to in condition 2, the conditions of this approval prevail.

[Amendment A - S4.55(1A) amended on 20 April 2018]

[Amendment B - S.455(1A) amended on 11 September 2018]

[Amendment D - S4.55(1A) amended on 8 October 2018]

[Amendment F – S4.55(1A) amended on **]***

- 3 That a Building Information Certificate be obtained for the unauthorised building works (erection of louvres to Buildings B & E).

Name	For	Against
Marcia Doheny	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jan Murrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Stephen Moore	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reasons for the Panel's Determination

- The modified louvre design is required because building regulations specify a window type design that does not permit moveable louvres.
- The Panel is satisfied that the fixed openable louvres proposed will achieve the objective of moderating light and heat on the west facing facade of the building.

6.4 DA-2018/318 - 72 Banksia Street, Botany

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

The following person spoke:

- Huss Chalich, architect from Pinnacle Plus, spoke for the officer's recommendation and responded to the Panel's questions.

Determination

- 1 That the Development Application No. DA-2018/318, for the proposed demolition of existing structures, Torrens Title subdivision into two (2) lots and construction of a two (2) x two (2) storey semi-detached dwellings, at 72 Banksia Street, Botany, be **DEFERRED** to enable the preparation of amended plans that:

- replace the double driveway with a single driveway;
 - improve the design of the front facade to add more articulation;
 - create an improved landscape setting at the front of the development with canopy trees and more planting in keeping with the existing streetscape.
- 2 That a revised Clause 4.6 request to vary the floor space ratio (FSR) standard contained in Clause 4.4A of the BBLEP2013 is also required.
- 3 That the objector be advised of the Bayside Local Planning Panel's decision.

Name	For	Against
Marcia Doheny	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jan Murrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Stephen Moore	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reasons for the Panel's Determination

- The Panel considers that the presentation of the proposed development to the street is unsatisfactory. This is because of the double driveway and lack of modulation to the front facade.
- The Panel has also considered the applicable desired future character statement in the Rockdale DCP and does not consider that the proposal is consistent with the desired future character as it relates to:
 - enhancing the public domain and streetscape;
 - promoting neighbourhood amenity and enhancing pedestrian comfort;
 - encouraging site layout and building designs that promote commonality and a visual relationship with the surrounding built form and dwelling styles;
 - encouraging a strong landscape and vegetation theme within both the private and public domain;
 - promoting site access and parking facilities that do not dominate the streetscape; and
 - maintaining roof forms to reflect the characteristics of the prevailing designs within the street.

6.5 DA-2017/227/A - 6-8 Cecil Street, Monterey

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

The following person spoke:

- Elias John Sokias, Design Studio 407, was present for discussion.

Determination

- 1 In accordance with Section 4.55(1a) of the EPA Act the Panel is satisfied that the proposed modification is:
 - of minimal environmental impact;
 - substantially the same development as the development for which consent was granted before the consent was modified; and
 - that it was not required to be notified.
- 2 That the Bayside Local Planning Panel resolve pursuant to Section 4.55(1A) of the Environmental Planning and Assessment Act 1979, to modify Development Consent No. DA-2017/227 to widen a lift well and other changes to satisfy building regulation requirements at 6-8 Cecil Street, Monterey is APPROVED subject to the conditions of consent attached to the Council officer's report, and the consent amended in the following manner:
 - a Modify condition no. 2 to refer to the amended plans.
 - b Modify condition no 24 to read as follows:
 24. All vertical plumbing, other than roofwater heads and downpipes, shall be concealed within the brickwork of the building. The fire booster valves shall be located in accordance with the public domain plan. Utilities shall be softened with landscaping so as not to detract from the overall appearance of the development and amenity of the streetscape. Details demonstrating compliance with this requirement shall be submitted to the Principal Certifying Authority (PCA) prior to the issue of the Construction Certificate.

Name	For	Against
Marcia Doheny	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jan Murrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Stephen Moore	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reason for the Panel's Determination

- The modifications sought are required to comply with building regulations and will have no adverse impact.

6.6 DA-2018/63 - 1-2 Waines Crescent, Rockdale

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

The following person spoke:

- Ziad Chanine, architect, Director of CD Designs, spoke for the officer's recommendation and responded to the Panel's questions.

Determination

- 1 That the Panel is satisfied that the Clause 4.6 request to vary the height standard contained in Clause 4.3 of the RLEP 2013 will result in consistency with the objectives of the height standard and the objectives of the B4 Mixed Use zone and that it is therefore in the public interest to vary the control.
- 2 That the Development Application No. 2018/63 for the construction of a seven (7) storey shop-top housing development comprising of fifty (50) residential apartments, two (2) commercial units and basement parking at 1-2 Waines Crescent, Rockdale is **APPROVED** pursuant to Section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979 and subject to the conditions of consent attached to the Council officer's report.
- 3 That the objector be advised of the Bayside Local Planning Panel's decision.

Name	For	Against
Marcia Doheny	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jan Murrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Stephen Moore	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reasons for the Panel's Determination

- The applicant has responded to the issues raised by the Design Advisory Panel to produce a high quality design in a very constrained site.
- The height exceedance is largely a result of the lift overruns, pergolas and parapets of the building which will allow for access to the rooftop communal space.
- The non-compliance with the natural ventilation requirements of the Apartment Design Guidelines have been addressed by a condition of consent requiring amendments to the plans for more openable windows.

- With respect to the submission concerning the development using street parking which is currently used by customers of a nearby business, in accordance with the Apartment Design Guidelines the Panel notes that the parking required by the development will all be provided on-site which will minimise any parking impacts to the laneway.

The Chairperson closed the meeting at 7.20 pm.

Certified as true and correct.

Marcia Doheny
Chairperson