

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 24 September 2019 at 6.05 pm**

Present

Jan Murrell, Chairperson
Robert Montgomery, Independent Expert Member
Robert Furolo, Independent Expert Member
Thomass Wong, Community Representative

Also present

Luis Melim, Manager Development Services
Fausto Sut, Manager Governance & Risk
Marta Gonzalez-Valdes, Coordinator Development Assessment
Christopher Mackay, Coordinator Development Assessment
Pascal Van De Walle, Coordinator Development Assessment
Andrew Ison, Senior Development Assessment Planner
Helen Lai, Development Assessment Planner
Ben Tesoriero, Director, Creative Planning Solutions Pty Limited
Anne Suann, Governance Officer
Taif George, IT Technical Support Officer

The Chairperson opened the meeting in the Botany Town Hall Committee Room at 6.05 pm.

1 Acknowledgement of Country

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

2 Apologies

There were no apologies received.

3 Disclosures of Interest

There were no disclosures of interest.

4 Minutes of Previous Meetings

Nil

5 Reports – Planning Proposals

Nil

6 Reports – Development Applications

6.1 DA-2018/329 - 1445-1447 Botany Road, Botany – Development Application

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

The following people spoke:

- Troy Nicholson, affected neighbour, spoke for the officer's recommendation and responded to the Panel's questions.
- Richard Smolenski from the Botany Historical Trust spoke for the officer's recommendation and responded to the Panel's questions.
- Albert Becerra, architect from Architects Becerra, spoke against the officer's recommendation and responded to the Panel's questions.
- Stephen Kerr, town planning consultant from City Plan, spoke against the officer's recommendation and responded to the Panel's questions.
- Scott Murray, architect from Tropman & Tropman Architects, spoke against the officer's recommendation and responded to the Panel's questions.

Determination

- 1 That this application be deferred to allow the applicant to provide additional information, including amended plans, within a period of approximately one month from today. The assessment report is to consider all of the relevant information required to allow the Panel to determine the application and whether demolition of the heritage item is or is not appropriate.

The Council officers are to prepare an addendum to the report that addresses the additional information submitted by the applicant and those matters outstanding in the current assessment report. This should be done in a timely manner for the matter to be determined by the Panel.

By way of comment, the Panel urges the applicant to reconsider, with amended plans, the juxtaposition of the development with the heritage item to the north.

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

Name	For	Against
Jan Murrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Robert Montgomery	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Robert Furolo	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Thomass Wong	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reason for the Panel's Deferral

The Panel should have all relevant information prior to a determination of this matter and at the same time the applicant has the opportunity to address the northern boundary presentation to the heritage item.

6.2 DA-2019/97 - 15-21 Bay Street, Rockdale – Development Application**Determination**

That Development Application DA-2019/97 for stratum subdivision of mixed use development (Building C) into 3 lots at 15-21 Bay Street, Rockdale, is APPROVED pursuant to Section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979, subject to the recommended conditions attached to the Council officer's report.

Name	For	Against
Jan Murrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Robert Montgomery	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Robert Furolo	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Thomass Wong	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reason for the Panel's Determination

The Panel is satisfied the development application will not materially impact on the environment compared to the existing approval.

6.3 DA-2016/241/B - 15-21 Bay Street Rockdale Building C - S4.56 Modification**Determination**

- 1 That the Bayside Local Planning Panel, exercising the functions of the Council as the consent authority, pursuant to S4.55(1A) of the Environmental Planning and Assessment Act 1979 be satisfied that the proposed modification:

- i is of minimal environmental impact;
 - ii is substantially the same development as the development for which consent was originally granted and before that consent was modified;
 - iii has been notified; and
 - iv has been assessed having regard to the relevant matters in s4.15(1A) of the Environmental Planning and Assessment Act 1979.
- 2 That modification application DA-2016/241/B seeking to modify development consent DA-2016/241 pursuant to Section 4.56 of the Environmental Planning and Assessment Act 1979 to amend carpark layouts in the basement, changes to pedestrian connectivity between Bay Street and Chapel Street, relocate public lift and associated changes at 15-21 Bay Street, Rockdale is APPROVED and the proposal be modified as follows:
 - a amend Condition No. 2 to reference the amended plans and indicate that the security door to the car park is not approved;
 - b amend Condition No. 3 to reflect the changes to parking and to the pedestrian link;
 - c amend Condition No. 11 to reflect the changes to parking;
 - d delete Condition No. 26 and replace with new Condition No. 26, to reflect the changes to the pedestrian link;
 - e amend Condition No. 110 to reflect the changes to parking.
- 3 That the submitter be notified of the Bayside Local Planning Panel's decision.

Name	For	Against
Jan Murrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Robert Montgomery	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Robert Furolo	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Thomass Wong	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reason for the Panel's Determination

The modification will have no material impact on the development as proposed.

6.4 DA-2017/224/G - 152-200 & 206 Rocky Point Road, Kogarah - Section 4.55 (1A) Application

The following person spoke:

- Chris Ferreira from Ethos Urban, representing the applicant, spoke for the officer's recommendation and responded to the Panel's questions.

Determination

- 1 That the Bayside Local Planning Panel, exercising the functions of the Council as the consent authority, pursuant to S4.55(1A) of the Environmental Planning and Assessment Act 1979 be satisfied that the proposed modification:
 - i is of minimal environmental impact;
 - ii is substantially the same development as the development for which consent was originally granted and before that consent was modified;
 - iii has been notified; and
 - iv has been assessed having regard to the relevant matters in s4.15(1A) of the Environmental Planning and Assessment Act 1979.
- 2 That the Panel take into account reasons for approval by the Sydney Eastern City Planning (SECPP) as provided in Section 4.55(3) of the Council officer's report.
- 3 That modification application, DA-2017/224/G, seeking to modify DA-2017/224 (as amended) to amend conditions 3 and 96 related to the Voluntary Planning Agreement to reflect the Deed of Variation at 152-200 & 206 Rocky Point Road, Kogarah, is APPROVED and the proposal modified to amend conditions 3 and 96 as recommended in the Council officer's report.

Name	For	Against
Jan Murrell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Robert Montgomery	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Robert Furolo	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Thomass Wong	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reason for the Panel's Determination

The Panel supports the officer's recommendation and considers the modification warrants approval.

The Chairperson closed the meeting at 7.05 pm.

Certified as true and correct.

Jan Murrell
Chairperson