

## **MINUTES**

**Bayside Local Planning Panel - Other Applications**  
held in the Committee Room, Botany Town Hall  
Corner of Edward Street and Botany Road, Botany  
on **Tuesday 12 March 2024 at 4:00pm**

Decisions outside the public meeting  
in accordance with the Operational Procedures.

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### **Present**

Dr Gary Shiels, Chairperson  
Peter Brennan, Independent Expert Member  
David Epstein, Independent Expert Member  
Katrina Blando, Community Representative

### **Also present**

Luis Melim, Manager Development Services  
Christopher Mackey, Coordinator Development Assessment  
Angela Lazaridis, Coordinator Development Administration & Advisory  
Marta Gonzalez-Valdes, Coordinator Development Assessment  
Michael Maloof, Senior Development Assessment Planner  
Fiona Koutsikas, Development Assessment Planner  
Reanne Salame, Development Assessment Planner  
Dawson Heperi, Customer Relationship Analyst

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The Chairperson opened the meeting at 4:05pm.

### **1 Acknowledgement of Country**

Bayside Council acknowledges the traditional custodians: the Gadigal and Bidjigal people of the Eora nation, and pays respects to Elders past, present and emerging. The people of the Eora nation, their spirits and ancestors will always remain with our waterways and the land, our Mother Earth.

### **2 Apologies**

There were no apologies received.

### **3 Disclosures of Interest**

There were no declarations of interest – refer to the attached declarations.

**4 Minutes of Previous Meetings**

**4.1 Minutes of the Bayside Local Planning Panel - Other Applications Meeting - 13 February 2024**

**Decision**

That the Bayside Local Planning Panel noted that the Minutes of the Bayside Local Planning Panel - Other Applications meeting held on 13 February 2024 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-2023/246 - 26 Primrose Avenue, Sandringham - Development Application**

Panel members have undertaken inspection of the site.

The following person made a written submission and spoke at the meeting:

- Mr Jeff Mead, an applicant’s representative, spoke against the officer’s recommendation and responded to the Panel’s questions.

**Decision**

- 1 That Development Application DA-2023/246 for alterations and additions to an existing dwelling house, including first floor level balcony and rooftop terrace at 26 Primrose Avenue, Sandringham NSW 2219 be **DEFERRED** to allow for consideration of amended plans.
- 2 That the submitters are to be notified of the Panel's decision.

Name	For	Against
Dr Gary Shiels	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Peter Brennan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
David Epstein	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Katrina Blando	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Reason for Panel's Determination:**

The Panel felt that the matter could be deferred rather than refused if the plans were further amended to Council's satisfaction.

**Panel's Comments:**

The Panel heard from Mr Mead, representative of the Applicant, and subsequently discussed the options with Council Officers. The Panel concluded that an amended proposal acceptable to Council could readily be achieved with some variation to the plans currently submitted that further reduce the extent of bulk on the rooftop. Accordingly the Panel has agreed to the Applicant's request for deferral and suggests that they meet with the Council Officers in the first instance before lodging amended plans. The Plans are to be submitted to Council within twenty-one (21) days. The application will be dealt with by electronic determination following receipt of Council's Supplementary report.

**6.2 DA-2022/167 - 689 Gardeners Road Mascot - Development Application**

Panel members have undertaken inspection of the site.

The following person spoke at the meeting:

- Mr Angus Halligan, an applicant's representative, spoke for the officer's recommendation and responded to the Panel's questions.

**Decision**

- 1 That the Bayside Local Planning Panel, exercising the functions of Council as the consent authority pursuant to s4.16 of the *Environmental Planning and Assessment Act 1979* approve the variation to the maximum floor space ratio control of clause 4.4 of the Bayside Local Environmental Plan 2021, as it is satisfied that the applicant's request has adequately addressed the matters required to be demonstrated by cl4.6 of that Plan, and the proposed development would be in the public interest because it is consistent with the objectives of that particular standard and the objectives for development within the zone.
- 2 That Development Application DA-2022/167 for the demolition of the existing structures and construction of a ten (10) storey self-storage facility comprising of a ground floor reception and retail space, loading facilities, car parking, associated landscaping, signage and tree removal at 689 Gardeners Road, MASCOT NSW 2020 be **APPROVED** pursuant to s4.16(1)(a) of the *Environmental Planning and Assessment Act 1979* and subject to the conditions of consent attached to this report.

3 The following condition is to be added into the Notice of Determination:

a) Add Condition No. 22A:

**22A Colours and Finishes on Front Façade**

The blue, yellow and grey corporate logo colours on the middle and easternmost section of the front façade shall be limited to the easternmost section of the elevation. The middle section currently comprising the logo colours is to be changed to a grey colour only. Details are to be submitted to and approved by Council’s Director City Futures, or delegate, prior to the issue of the Construction Certificate.

**REASON**

To require minor amendments to the plans endorsed by the consent following assessment of the development.

4 That a submitter is to be notified of the Panel's decision.

Name	For	Against
Dr Gary Shiels	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Peter Brennan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
David Epstein	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Katrina Blando	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Reason for Panel’s Determination:**

The Panel adopts the reasons outlined in the Council Officer’s Assessment Report subject to an additional condition of consent to modify the front façade.

**Panel’s Comments:**

The Panel was concerned at the extent of corporate colours displayed on the Gardeners Road frontage. The Panel discussed modifying the logo with the Applicant and an agreed condition has been imposed reducing the logo to the north-eastern section of the front façade.

**6.3 DA-2023/86 - 171 Bay Street, Botany - Development Application**

Panel members have undertaken inspection of the site.

The following person made a written submission:

- Mr Matthew McCarthy, an applicant, made a written submission against the officer’s recommendation.

**Decision**

- 1 That Development Application DA-2023/86 for alterations and additions to the existing heritage dwelling, including additional attic space and tree removal at 171 Bay Street, Botany NSW 2019 be **APPROVED** pursuant to s4.16(1)(a) of the *Environmental Planning and Assessment Act 1979* and subject to the conditions of consent attached to this report.
- 2 The following condition is to be added into the Notice of Determination:
  - a) Add Condition No. 19A:

**Condition No. 19A**

Retention of the two existing eastern side windows located closer towards the front of the dwelling is required and is to be demonstrated in any plans prior to the issue of the Construction Certificate.

**REASON**

To protect the significance of items of environmental heritage.

<b>Name</b>	<b>For</b>	<b>Against</b>
Dr Gary Shiels	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Peter Brennan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
David Epstein	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Katrina Blando	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Reason for Panel’s Determination:**

The Panel adopted the reasons outlined in the Council Officer’s Assessment Report with some modifications and subject to a condition to retain the two existing northernmost eastern side windows. The Panel also felt that the heritage nature of those windows should be highlighted.

**Panel’s Comments:**

The Panel noted that the application before it included soft landscaping in front of the

building and did not involve a hard stand car parking space. In any case, the Panel noted that there was an orchid tree in the Council verge that appeared to have some merit and will need to be removed if there was to be a car parking space. The Panel accepts the application as it currently stands.

Closed deliberations concluded at 4:58pm.

Certified as true and correct.

Dr Gary Shiels  
**Chairperson**



**Bayside Council**

**Declaration of Interest - Bayside Local Planning Panel Meeting 12/03/2024**

Item	Description	Declaration of Interest
<b>Non-Public Meeting</b>		
6.1	DA-2023/246 - 26 Primrose Avenue, Sandringham	In relation to this matter, I declare that I have: no known conflict of interest <input checked="" type="checkbox"/> or an actual <sup>1</sup> <input type="checkbox"/> , potential <sup>2</sup> <input type="checkbox"/> or reasonably perceived <sup>3</sup> <input type="checkbox"/> conflict of interest as detailed in the attached document.
6.2	DA-2022/167 - 689 Gardeners Road Mascot	In relation to this matter, I declare that I have: no known conflict of interest <input checked="" type="checkbox"/> or an actual <sup>1</sup> <input type="checkbox"/> , potential <sup>2</sup> <input type="checkbox"/> or reasonably perceived <sup>3</sup> <input type="checkbox"/> conflict of interest as detailed in the attached document.
6.3	DA-2023/86 - 171 Bay Street, Botany	In relation to this matter, I declare that I have: no known conflict of interest <input checked="" type="checkbox"/> or an actual <sup>1</sup> <input type="checkbox"/> , potential <sup>2</sup> <input type="checkbox"/> or reasonably perceived <sup>3</sup> <input type="checkbox"/> conflict of interest as detailed in the attached document.
<b>Public Meeting</b>		
6.1	DA-2022/421 - 1557 Botany Road Botany	In relation to this matter, I declare that I have: no known conflict of interest <input checked="" type="checkbox"/> or an actual <sup>1</sup> <input type="checkbox"/> , potential <sup>2</sup> <input type="checkbox"/> or reasonably perceived <sup>3</sup> <input type="checkbox"/> conflict of interest as detailed in the attached document.
Dr Gary Shiels Name (please print)		12/3/2024 Date

**Bayside Council**

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PETER BRENNAN Name (please print)		6/3/24 Date

Please enter the details of any conflict of interest on the back of this page.



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David Epstein		6/3/2024
Name (please print)		Date



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Katrina Blando		05 / 03 / 2024
Name (please print)		Date