

MINUTES

of a meeting of the
Bayside Local Planning Panel
held in the Rockdale Town Hall, Council Chambers
Level 1, 448 Princes Highway, Rockdale,
on **Tuesday 24 September 2024 at 6:00 pm**

Present

Grant Christmas, Chairperson
Greg Woodhams, Independent Expert Member
Julian Ardas, Independent Expert Member
Emma Kirkman, Community Representative

Also present

Luis Melim, Manager Development Services
Marta Gonzalez-Valdes, Coordinator Development Assessment
Christopher Mackay, Coordinator Development Assessment
Angela Lazaridis, Senior Development Assessment Planner
Michael Maloof, Senior Development Assessment Planner
Jay Shah, Development Assessment Planner
Haven Barr, Planning Officer
Dawson Heperi, Customer Relationship Analyst

The Chairperson opened the meeting at 6.00pm.

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 Meeting - 13 August 2024

Decision

That the Bayside Local Planning Panel noted that the Minutes of the Bayside Local Planning Panel meeting held on 13 August 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-2023/365 - 502 Forest Road and 198 Queen Victoria Street Bexley - Development Application

An onsite inspection took place at the property earlier in the day.

The following people spoke at the meeting:

- Mrs Liz Barlow, an interested citizen/resident, spoke against the officer's recommendation and responded to the Panel's questions.
- Mr David Barrs, an interested citizen/resident, spoke against the officer's recommendation and responded to the Panel's questions.
- Mrs Yoko Conte, an affected neighbour, spoke against the officer's recommendation and responded to the Panel's questions.
- Mr Jonathon Wood, an applicant representative, spoke for the officer's recommendation and responded to the Panel's questions.
- Mr Ken Hollyoak, an applicant representative, spoke for the officer's recommendation and responded to the Panel's questions.
- Mr Ramy Tawadros, an applicant representative, 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 Council as the consent authority pursuant to s4.16 and s4.17 of the *Environmental Planning and Assessment Act 1979*, determine Development Application DA-2023/365 for the demolition of existing structures, consolidation of 2 lots into 1 lot, and construction of a childcare centre including basement car park with capacity for 82 children, operating Monday to Friday 7am to 7pm at 502 Forest Road and 198 Queen Victoria Street, Bexley NSW 2207 by GRANTING DEFERRED COMMENCEMENT CONSENT subject to the recommended conditions of consent attached to this report.

2. The following conditions are to be added into the Notice of Determination:

- a) Add Condition No. 4(b) as follows:

4 Fencing along Queen Victoria Street

- b) The masonry boundary fence on Queen Victoria Street is to be setback from the boundary by a minimum of 1.5 metres to allow for landscape planting in the setback area. This is to be demonstrated on both the approved architectural and landscape plans.

- b) Amend Condition No. 6 as follows:

6 Signage illumination

The approved illuminated business identification sign shall be extinguished between the hours of 7.00pm to 7.00am daily.

- c) Amend Condition No. 16 as follows:

16 Adopt Acoustic Measures

Adopt and implement all recommendations contained in the acoustic report prepared by Day Design Pty Ltd – “Environmental Noise Assessment – Proposed Childcare Centre – Report No. 7886-1.1R Rev A– 502 Forest Road and 198 Queen Victoria Street Bexley NSW – Prepared for Arquero Architects dated 10 May 2024.

- d) Add Condition No. 59(k) as follows:

59 Landscape Plans

- (k) The landscape plan is to be amended to provide for an advanced specimen of minimum 200L pot size of *Lophostermon confertus* (brush box) in the road reserve and which is to be planted at a minimum distance of 10 metres from the corner.

3. That the submitters are to be notified of the Panel's decision.

Name	For	Against
Grant Christmas	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Greg Woodhams	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Julian Ardas	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Emma Kirkman	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Reason for Panel’s Determination:

The majority of the Panel considered that the proposal was of an acceptable design, and subject to additional and amended conditions regarding signage, landscaping on the Queen Victoria Street verge and reference to the latest acoustic report, supported a deferred commencement consent being granted.

The Panel considered matters raised by the correspondents including but not limited to traffic, the building design, heritage streetscape value, loss of on-street car spaces, noise impacts to neighbours and access and egress from the basement car park.

One member of the Panel didn’t support that application on the basis of its contextual response to the streetscape and surrounds and inadequate internal amenity for occupants.

Panel’s comments- Recommended conditions of consent

- Condition No. 4(b)- the masonry boundary fence on Queen Victoria Street is to be setback from the boundary by a minimum of 1.5 metres to allow for landscape planting in the setback area
- Condition No. 6- the illumination of the signage to be extinguished from 7pm to 7am.
- Condition No. 16- add Revision A dated 10 May 2024
- Condition No. 59(k)- the landscape plan is to be amended to provide for an advance specimen of minimum 200L pot size of *Lophostemon confertus* (brush box) at a minimum distance of 10 metres from the corner.

The Chairperson closed the meeting at 6.41pm.

Certified as true and correct.

Grant Christmas
Chairperson



Declaration of Interest - Bayside Local Planning Panel Meeting 10/03/2020

Item	Description	Declaration of Interest
Other Applications (Non-Public Meeting)		
6.1	DA-2024/129 – 11 Napoleon Street, Rosebery	In relation to this matter, I declare that I have: no known conflict of interest <input checked="" type="checkbox"/> <i>or</i> an actual ¹ <input type="checkbox"/> , potential ² <input type="checkbox"/> or reasonably perceived ³ <input type="checkbox"/> conflict of interest as detailed in the attached document.
Public Meeting		
6.1	DA-2023/365 502 Forest Road and 198 Queen Victoria Street, Bexley	In relation to this matter, I declare that I have: no known conflict of interest <input checked="" type="checkbox"/> <i>or</i> an actual ¹ <input type="checkbox"/> , potential ² <input type="checkbox"/> or reasonably perceived ³ <input type="checkbox"/> conflict of interest as detailed in the attached document.
Grant Christmas		20 / 09 / 24
Name (please print)		Date



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Greg Woodhams		23 / 09 / 24
Name (please print)		Date



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Julian Ardas Name (please print)		[Redacted Signature] Signature
		18 / 9 /2024 Date



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Emma Kirkman Name (please print)		[Redacted Signature] Signature
		23 / 09 / 2024 Date