

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 22 October 2024 at 6:00 pm**

Present

Sue Francis, Chairperson
Scott Barwick, Independent Expert Member
Wayne Carter, Independent Expert Member
Emma Kirkman, Community Representative

Also present

Luis Melim, Manager Development Services
Angela Lazaridis, Co-ordinator Development Administration & Advisory
Christopher Mackay, Coordinator Development Assessment
Nitin Thomas, Development Assessment Planner
Ivy Zhang, Development Assessment Planner
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

No minutes were endorsed.

5 Reports – Planning Proposals

Nil

6 Reports – Development Applications

[6.1 MDA-2024/115 - 1-7 Green Street, Banksmeadow NSW 2019 - Section 4.55 Modification](#)

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

The following person spoke:

- Mr Jurgen Weber, affected neighbour, spoke against the officer's recommendation and responded to the Panel's questions.
- The Panel also considered a letter received from Mr Weber on Friday 18 October 2024 and a letter from Mr Steven Callister received by the Panel on 22 October 2024.

Determination

1. That the Bayside Local Planning Panel, exercising the functions of Council as the consent authority pursuant to S4.55(1A) of the *Environmental Planning and Assessment Act 1979* be satisfied that the proposed modification:
 - a) is of minimal environmental impact;
 - b) is substantially the same development as the development for which consent was originally granted and before that consent was modified;
 - c) has been notified and the submissions made have been considered;
 - d) is acceptable after considering reasons for the consent sought to be modified; and
 - e) is acceptable having regard to the relevant matters in Section 4.15 of the *Environmental Planning and Assessment Act 1979*.
2. That the Bayside Local Planning Panel, exercising the functions of Council as the consent authority pursuant to S4.16 and 4.17 of the *Environmental Planning and Assessment Act 1979*, determine Modification Application MDA-2024/115 for the Modification to DA-2023/154 to rebuild the existing ramp leading to the entry of the building, re-location of carparking spaces, alterations to the truck wash bay, the removal of one tree & pruning of one street tree at 1-7 Green Street, Banksmeadow NSW 2019 by Granting Consent to modify the original consent in

the following manner:

- a) Amend condition 1 to reflect changes to the architectural plans.
- b) Amend the wording of condition 14 to delete bunding requirement for the car wash/ truck wash bay.
- c) Amend condition 43 of the development consent to make reference to the deletion of one (1) Spotted Gum tree.
- d) Insert new condition 51A to reflect Sydney Water Trade Waste Agreement requirements.
- e) Insert new condition 63A to align with the Operations Management Plan.
- f) Insert new condition 63AA to ensure liquid spill prevention methods are in place

3. That the objectors are to be notified of the Panel’s decision.

Name	For	Against
Sue Francis	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott Barwick	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wayne Carter	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Emma Kirkman	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reason for Panel’s Decision:

- The proposal (as modified) remains substantially the same development as originally approved – a depot.
- The proposal, subject to conditions, is consistent with the objectives of the IN1 General Industrial zone and the relevant objectives of Chapter 5 under the State Environmental Planning Policy (Transport and Infrastructure) 2021.
- The proposal (as modified) is consistent with the objectives of Bayside Development Control Plan 2022.
- The site is suitable for the proposed modifications.
- The proposal (as modified) is an appropriate response to the streetscape and topography and will not result in any significant impact on the environment or the amenity of nearby residents
- The scale and design of the proposal (as modified) is suitable for the location and is compatible with the desired future character of the locality.

- The proposal (as modified) will not result in any significant impact on the environment or the amenity of nearby residents or businesses.
- The issues raised by objectors have been considered and where appropriate, addressed via amendments to plans or conditions or consent.
- Recommended conditions of consent have been imposed to appropriately mitigate and manage potential environmental impacts of the proposal.

The Panel acknowledges the receipt of two submissions which have been considered as part of deliberations.

In response to the public submissions, many of the issues of concern raised relate to the original approval, and not matters which are subject to the current application.

In relation to the loss of the tree, the Panel notes that two additional trees are to be planted which is consistent with Condition No. 52 of the original approval.

6.2 DA-2024/146 - 369E Bexley Road Bexley - Development Application

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

No registered speaker for this item.

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-2024/146 for use of the existing building for amenities, a club house and pro-shop ancillary to the tennis courts and signage at 369E Bexley Road, BEXLEY NSW 2207 by GRANTING CONSENT subject to the recommended conditions of consent attached to this report.
2. The following condition is to be amended in the Notice of Determination:
 - a) Amend Condition No. 9 as follows:

Condition No. 9

The hours of operation of the pro-shop are limited to 9am to 5pm Monday to Saturday. Notwithstanding, the pro-shop may operate with extended hours of operation per booking request between 7am to 10pm Monday to Sunday.

The approved hours of operation include trading, preparation, waste collection and deliveries to and from the premises.

Name	For	Against
Sue Francis	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott Barwick	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wayne Carter	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Emma Kirkman	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reason for Panel’s Decision:

- The development, subject to conditions, is consistent with the objectives of the RE1 Public Recreation zone and the relevant objectives of Bayside Local Environmental Plan 2021.
- The development, subject to conditions, is consistent with the objectives and controls of Bayside Development Control Plan 2022.
- The site is suitable for the proposed use.
- The proposal will not result in any significant impact on the environment or the amenity of nearby residents.
- Recommended conditions of consent appropriately mitigate and manage potential environmental impacts of the proposal.

The Panel recommends amending Condition No. 9 to delete the first line referring to hours of operation of the tennis courts and club house

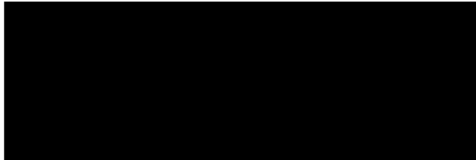
The Chairperson closed the meeting at 6.06pm.

Certified as true and correct.

Sue Francis
Chairperson





Declaration of Interest - Bayside Local Planning Panel Meeting 08/10/2024

Item	Description	Declaration of Interest
Other Applications (Non-Public Meeting)		
6.1	3 Cashman Road, Brighton le Sands	In relation to this matter, I declare that I have: no known conflict of interest <input checked="" type="checkbox"/> or 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.
6.2	1 Rowley Street, Brighton le Sands	In relation to this matter, I declare that I have: no known conflict of interest <input checked="" type="checkbox"/> or 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	1-7 Green Street, Banksmeadow	In relation to this matter, I declare that I have: no known conflict of interest <input checked="" type="checkbox"/> or 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.
6.2	369E Bexley Road, Bexley	In relation to this matter, I declare that I have: no known conflict of interest <input checked="" type="checkbox"/> or 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.
S Francis		/ 16/10/24
Name (please print)	Signature	Date



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Scott Barwick		15/10/2024
Name (please print)	Signature	Date



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Wayne Carter Name (please print)		w carter Signature
		20 / 10 / 24 Date



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Emma Kirkman Name (please print)		 Signature
		21 / 10 / 24 Date