

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 August 2025 at 5:00 PM**

Decision outside the public meeting
in accordance with the Operational Procedures

Present

Grant Christmas, Chairperson
Tony Tribe, Independent Expert Member
Larissa Ozog, Independent Expert Member
Emma Kirkman, Community Representative

Also present

Carine Elias, Manager Development Services
Angela Lazaridis, Senior Development Assessment Planner
Christopher Mackay, Coordinator Development Assessment
Nitin Thomas, Development Assessment Planner

Deliberations commenced at 5.03pm .

1 Acknowledgement of Country

The Chairperson affirmed that Bayside Council acknowledges the Bidjigal Clan, the traditional owners of the land on which we meet and work and acknowledges the Gadigal people of the Eora Nation. Bayside Council pays respects to Elders past and present.

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

Nil

5 Reports – Planning Proposals

Nil

6 Reports – Development Applications

6.1 DA-2024/119 - 30-34 Wickham Street Arncliffe - Development Application

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

The following people spoke and/or made a written submission to the meeting.

- Mr Stewart Levee, applicant representative spoke for the officer's recommendation and responded to the Panel's questions.
- Mr Ross Shepherd, applicant representative spoke for the officer's recommendation and responded to the Panel's questions.
- Mr Bernard Moroz, applicant representative spoke for the officer's recommendation and responded to the Panel's questions.
- Miss Maya Leszczyska, applicant representative spoke for the officer's recommendation and responded to the Panel's questions.

Reason for report

This application has been referred to the Bayside Local Planning Panel (BLPP) for the following reason:

In accordance with Section 4(b) and Schedule 1 from the Local Planning Panels Direction issued by the Minister for Planning and Public Spaces (dated 6 March 2024), development applications for development to which State Environmental Planning Policy (Housing) 2021 Chapter 4 (Design of Residential Apartment Development) applies must be determined by local planning panels. The proposed development for the subject site complies with the floor space ratio and height of building development standards as imposed by the SEPP (Housing) 2021, namely clauses 16 and 18 which include a 30% bonus for the site.

Decision

1. 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-2024/119 for Integrated Development - Demolition of the existing dwellings, outbuildings and tree removal, and construction of a ten (10) storey residential flat building, comprising 51 apartments, and four (4) levels of basement car parking at 30-34 Wickham Street, ARNCLIFFE NSW 2205 by **GRANTING CONSENT** subject to the recommended conditions of consent attached to this report, and subject to the following conditions:
 - a) Amend Condition No. 4 to include the survey plan prepared by a registered surveyor.

- b) Amend Condition No. 17 as follows:

17. In-fill affordable housing

Units numbered G.01, 101, 102, 103, 104, 105 106 and 206 shall be dedicated as affordable housing in accordance with the SEPP (Housing) 2021.

The dwellings to be used for the purposes of 'affordable housing' as per the provisions of the SEPP (Housing) 2021 shall be used as such for at least 15 years from the date of the issue of the Occupation Certificate.

The affordable units must be managed by a registered Community Housing Provider (CHP) and the CHP must ensure compliance with the occupant restriction and other provisions of the regulatory code established through the regulations in accordance with the Housing Act 2001.

A restriction on title must be registered, before the issue of the Occupation Certificate in accordance with Section 88E of the Conveyancing Act 1919 that will ensure the above requirements are met and that the terms of the restriction may not be varied without Council consent.

Prior to an Occupation Certificate being issued, evidence must be provided to Council demonstrating that the Section 88E covenant has been registered on the title stating that the affordable rental housing component must be used for affordable rental housing and managed by a registered CHP.

Details of the registered CHP managing the property must be provided to Council prior to the issue of an Occupation Certificate.

The above provisions apply even in the event of the strata subdivision development.

Reason: Prescribed condition under Section 82 of the Environmental Planning and Assessment Regulation 2021.

- c) Amend Condition No. 83 as follows:

83. Design Amendments

Before the issue of a construction certificate, the certifier must ensure the approved construction certificate plan (and specifications) detail the following required amendments to the approved plans and supporting documentation stamped by Council.

1. Conceal drainage pipes within the floor slabs and walls so that they do not appear in the exterior of the building, including balconies and driveway entrances.

2. Encase any hot water system / unit in the balconies in a recessed box with the lid / cover designed to be blend into the facades and screened from the public domain.
3. Finish the internal entrance area of the car park that is visible from the public domain in a manner that is consistent with the overall façade design.
4. The architectural plans to be revised to show the internal driveway ramp crest to be RL14.325m AHD which is to be a flat crest at a single level. The driveway ramp is not supported with different levels on western and eastern edge of the ramp, the entire ramp to be consistent driveway rest level on both eastern and western edges.
5. The bin holding area on the ground floor to be raised to RL14.3m AHD to be protected from flood waters and the loading dock door to be deleted to the entry lobby.
6. The northern access to the green waste and bulk waste room on Basement Level 1 is to be widened to a minimum of 1800mm.

The amended plans to be submitted to Bayside Council Director of City Futures (or delegate) for approval prior to the issue of a Construction Certificate.

- d) Delete Condition No. 153 relating to a Plan of Management.

2. That the submitters be notified of the Panel's decision.

Name	For	Against
Grant Christmas	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tony Tribe	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Larissa Ozog	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Emma Kirkman	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reason for Panel's Determination:

The Panel adopts the recommendation and reasons outlined in the Council Officer's Assessment Report.

The Panel made amendments to conditions as noted in the decision above and as follows:

- a) Amend Condition No. 4 relating to survey plan;
- b) Amend Condition No. 16 relating to renumbering condition;
- c) Amend Condition No. 17 relating to In-fill affordable housing;
- d) Amend Condition No. 83 relating to design amendments; and

- e) Delete Condition No. 153 relating to Plan of Management.

The reasons for the Panel's decision are as follows:

- The proposal is acceptable when considered against all relevant State Environmental Planning Policies, including State Environmental Planning Policy (Housing) 2021.
- The development, subject to conditions, is consistent with the objectives of the R4 High Density Residential zone and the relevant objectives of Bayside Local Environmental Plan 2021.
- The development, subject to conditions, is consistent with the objectives of Bayside Development Control Plan 2022.
- The proposed residential flat building is suited to the site and surrounding area.
- The proposal 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 is suitable for the location and is compatible with the desired future character of the locality.
- The issues raised by objectors have been considered and where appropriate, addressed via amendments to plans or conditions or consent.
- Recommended conditions of consent appropriately mitigate and manage potential environmental impacts of the proposal.


The Chairperson closed the meeting at 5.26pm

Certified as true and correct.

Grant Christmas
Chairperson




Declaration of Interest - Bayside Local Planning Panel Meeting 12/08/2025

Item	Description	Declaration of Interest
Other Applications (Non-Public Meeting)		
6.1	DA-2024/119 – 30-34 Wickham Street, Arncliffe NSW 2205	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-2025/114 – Lot 10 Sec 6 DP157, Lot A DP 327820 & Part of Pitt Lane, Rockdale NSW 2216 (8A King Street, Rockdale)	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.
<div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div>Name (please print)</div> <div>Signature</div> <div>Date</div> </div>		
<div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div>Grant Christmas</div> <div></div> <div>01 / 08 /2025</div> </div>		

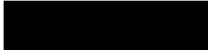


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<div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div>ANTHONY R TRIBE</div> <div></div> <div>01 / 08 /25</div> </div>		




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<div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div> Larissa Ozog Name (please print) </div> <div style="text-align: center;">  Signature </div> <div> 1 / 08 /2025 Date </div> </div>		



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<div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div> Emma Kirkman Name (please print) </div> <div style="text-align: center;">  Signature </div> <div> 11 / 08 / 25 Date </div> </div>		