

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 23 September 2025 at 5:00 PM**

Present

Grant Christmas, Chairperson
Judith Clark, Independent Expert Member
Peter Brennan, Independent Expert Member
Peter Kauter, Community Representative

Also present

Carine Elias, Manager, Development Services
Angela Lazaridis, Coordinator Development Administration & Advisory
Chris Mackey, Coordinator, Development Assessment
Michael Maloof, Senior Development Assessment Planner
Andrew Ison, Senior Development Assessment

The Chairperson opened the meeting at 5.00 PM.

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-2025/8 - 55-61 Bonar Street, Arncliffe - Development Application

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

The following people spoke and made a written submission to the meeting:

- Ms Jessica Millington, affected neighbour, made a written submission in favour of the officer's recommendation.
- Mr Ross Lawton, affected neighbour, spoke for the officer's recommendation and responded to the Panel's questions.
- Ms Estelle Bott, affected neighbour, spoke for the officer's recommendation and responded to the Panel's questions.

Reason for the Report

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

- In accordance with Section 2 in Schedule 1 from the Local Planning Panels Direction issued by the Minister for Planning and Public Spaces (dated 6 March 2024), the proposal is a contentious development as it is the subject of 10 or more unique submissions by way of objection.
- In accordance with Section 3 in Schedule 1 from the Local Planning Panels Direction issued by the Minister for Planning and Public Spaces (dated 6 March 2024), the proposal is a development that contravenes a development standard imposed by an environmental planning instrument by more than 10%; and,
- In accordance with Section 4 in Schedule 1 from the Local Planning Panels Direction issued by the Minister for Planning and Public Spaces (dated 6 March 2024), the proposal is deemed to be a sensitive development in which Chapter 4 of the State Environmental Planning Policy (Housing) 2021 applies (formerly State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development); and,

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-2025/8 for Integrated Development - Demolition of existing structures, tree removal, and construction of

an eight (8) storey residential flat building containing thirty (30) residential units, three (3) levels of basement car parking, and associated landscaping at 55-61 Bonar Street, Arncliffe by **REFUSING CONSENT** subject to the reasons for refusal as follows:

- a) Pursuant to the provisions of Sections 4.15(1)(a)(i), 4.15(1)(b) and 4.15(1)(e) of the *Environmental Planning and Assessment Act 1979*, the proposed development will result in the unacceptable loss of a significant tree that will have an adverse impact on the amenity of the area as well as environment and is not in the public interest.
- b) Pursuant to the provisions of Sections 4.15(1)(a)(i) and 4.15(1)(c) of the *Environmental Planning and Assessment Act 1979*, insufficient information has been provided with relation to the nominated units being used for affordable housing for at least 15 years which is contrary to Section 21 of the State Environmental Planning Policy (Housing) 2021.
- c) Pursuant to the provisions of Sections 4.15(1)(a)(i), and 4.15(1)(c) of the *Environmental Planning and Assessment Act 1979*, the proposed development will not provide for a sufficient quality of communal open space which is contrary to Part 3D of the Apartment Design Guide.
- d) Pursuant to the provisions of Section 4.15(1)(b) and Section 4.15(1)(c) of the *Environmental Planning and Assessment Act 1979*, insufficient information has been provided by the applicant to allow a proper and thorough assessment of the impacts of the proposed development and the suitability of the site for the development.
- e) Pursuant to the provisions of Section 4.15(1)(a)(i), 4.15(1)(b) and 4.15(1)(c) of the *Environmental Planning and Assessment Act 1979*, the proposed development provides insufficient detail with relation to stormwater management which is contrary to Clause 6.3 of the Bayside Local Environmental Plan.
- f) Pursuant to the provisions of Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*, the proposed development provides an insufficient front setback which is contrary to Part 7.5 of the Bayside Development Control Plan 2022.
- g) Pursuant to the provisions of Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*, the proposed development provides an insufficient landscape detail which is contrary to Part 3.7 of the Bayside Development Control Plan 2022.
- h) Pursuant to the provisions of Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*, the proposed development has not provided sufficient evidence that the neighbouring sites will not be isolated which is contrary to Part 4.6 of the Bayside Development Control Plan 2022.
- i) Pursuant to the provisions of Section 4.15(1)(a)(iii) and 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979*, insufficient information has been provided by the applicant to allow a proper and thorough

assessment with relation to noise and vibration effects of the proposed development which is contrary to Part 3.14.1 of the Bayside Development Control Plan 2022.

- j) Pursuant to the provisions of Section 4.15(1)(a)(iii) and 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979*, insufficient information has been provided by the applicant to allow a proper and thorough assessment with relation to wind effects of the proposed development which is contrary to Part 3.14.4 of the Bayside Development Control Plan 2022.
- k) Pursuant to the provisions of Section 4.15(1)(e) of the *Environmental Planning and Assessment Act 1979* and for the reasons set out above, the proposed development is not considered to be in the public interest.

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

Name	For	Against
Grant Christmas	☒	☐
Judith Clark	☒	☐
Peter Brennan	☒	☐
Peter Kauter	☒	☐

Reason for Panel's Determination:

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

6.2 DA-2024/309 - 1-5 Charles Street Arncliffe NSW 2205 - Development Application

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

The following people spoke and made a written submission to the meeting:

- Mr Paul Perry, an affected neighbour, made a written submission against the officer's recommendation.
- Mr Stephen Kerr, an applicant representative, spoke for the officer's recommendation and responded to the Panel's questions.
- Mr Steve Zappia, an applicant representative, attended for the officer's recommendation.

Reason for the Report

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

‘In accordance with Section 2 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 which 10 or more unique submissions by way of objection are received by Council must be determined by local planning panels. The proposed development has attracted eleven (11) unique submissions by way of objection which have been addressed in the planning assessment report.’

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-2024/309 for alterations and additions to an approved residential flat building including one additional basement level, six (6) additional apartments and two (2) additional levels resulting in an eleven (11) storey building comprising 44 build-to-rent apartments and 12 affordable rental apartments associated landscaping with a common terrace on Level 10 and four (4) basement levels at 1-5 Charles Street, Arncliffe NSW 2205 by **GRANTING CONSENT** subject to the recommended conditions of consent attached to this report.
- 2 The submitters are to be notified of the Panel's decision.

Name	For	Against
Grant Christmas	☒	☐
Judith Clark	☒	☐
Peter Brennan	☒	☐
Peter Kauter	☒	☐

Reason for Panel's Determination:

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

Panels Comments:

The Panel approves the application for the following reasons:

- The proposal is acceptable when considered against all relevant State Environmental Planning Policies, including Chapter 2 Affordable Housing, Chapter 3 Build to rent housing, Chapter 4 Design Quality of Residential Apartment Development and the associated Apartment Design Guide.

- 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 proposal and use as a residential flat building are suited to the site and area.
- The proposal is an appropriate response to the streetscape and topography and will not result in any significant or unreasonable 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. The matters raised are not sufficient to justify refusal of the application.
- 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 23/09/2025

Item	Description	Declaration of Interest
Non-Public Meeting		
6.1	DA-2025/66 – 44 King Street, Rockdale	In relation to this matter, I declare that I have: no known conflict of interest ☒ or an actual ¹ ☐ , potential ² ☐ or reasonably perceived ³ ☐ conflict of interest as detailed in the attached document.
Public Meeting		
6.1	DA-2025/8 – 55-61 Bonar Street, Arncliffe	In relation to this matter, I declare that I have: no known conflict of interest ☒ or an actual ¹ ☐ , potential ² ☐ or reasonably perceived ³ ☐ conflict of interest as detailed in the attached document.
6.2	DA-2024/309 – 1-5 Charles Street, Arncliffe	In relation to this matter, I declare that I have: no known conflict of interest ☒ or an actual ¹ ☐ , potential ² ☐ or reasonably perceived ³ ☐ conflict of interest as detailed in the attached document.
Grant Christmas Name (please print) Signature 15 / 09 / 25 Date		



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Judy Clark Name (please print) Signature 15/09/25 Date		



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Peter Brennan		23/09/2025
Name (please print)		Signature
		Date



Bayside Council

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PETER KAUTER		16, 9, 2025
Name (please print)		Signature
		Date