

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 9 December 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
Felicity Eberhart, Senior Development Assessment Planner
Nitin Thomas, Development Assessment Planner

The Chairperson opened the meeting at 5.02pm.

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-2025/369 - 1579 Botany Road, Botany - Development Application

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

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

- Mrs Alexcia Mack, affected neighbour, made a written submission against the officer's recommendation.
- Mr Warren Totten, affected neighbour, spoke against the officer's recommendation and responded to the Panel's questions.
- Ms Rachael Thornton, affected neighbour, spoke against the officer's recommendation and responded to the Panel's questions.
- Mr Andrew Lamparelli, affected neighbour, spoke against the officer's recommendation and responded to the Panel's questions.
- Ms Deb McKenzie, applicant's representative, made a written submission and 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 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.

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-2025/369 for the extension of operating hours for existing service station (BP Botany) to operate 7 days a week between 5:00am to 12:00am (midnight) at 1579 Botany Road, BOTANY NSW 2019 REFUSE CONSENT for the following reasons:
 - a) The development is not consistent with the objective of the MU1 Mixed Use zone to minimise conflict between land uses within this zone and land uses within adjoining zones and the relevant requirements of the Bayside Development Control Plan 2022.

- b) The site is not suitable for the proposed development having regard to the proximity of the residential zone immediately opposite the site.
- c) The use is likely to have adverse impact on the amenity of the locality and conditions of consent cannot adequately ameliorate the likely impacts on nearby residents.
- d) The issues raised by objectors have been considered and the Panel has formed the view that the matters raised by the objectors are valid and the proposal will result in a significant loss of amenity to the residents.

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

Name	For	Against
Grant Christmas	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Judith Clark	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Peter Brennan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Peter Kauter	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reason for Panel's Determination:

The Panel does not adopt the recommendation and refuses the application for the following reasons:

- The development is not consistent with the objective of the MU1 Mixed Use zone to minimise conflict between land uses within this zone and land uses within adjoining zones and the relevant requirements of the Bayside Development Control Plan 2022.
- The site is not suitable for the proposed development having regard to the proximity of the residential zone immediately opposite the site.
- The use is likely to have adverse impact on the amenity of the locality and conditions of consent cannot adequately ameliorate the likely impacts on nearby residents.
- The issues raised by objectors have been considered and the Panel has formed the view that the matters raised by the objectors are valid and the proposal will result in a significant loss of amenity to the residents.

6.2 DA-2025/453 - 241 A O'Riordan Street MASCOT NSW 2020 - Development Application

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

- There were no speakers for the application.

Reason for Report

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

- In accordance with Schedule 1, subsection 4(f) of the Local Planning Panels Direction dated 6 March 2024, "*Development Applications for which the developer has offered to enter into a planning agreement*" are to be referred for determination to the Local Planning Panel.

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-2025/453 for removal of four (4) existing illuminated building identification signs and installation of two (2) digital advertising signs at upper parapet level at 241A O'Riordan Street, MASCOT NSW 2020 by DEFERRING determination to allow for the planning agreement to be publicly exhibited.

Name	For	Against
Grant Christmas	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Judith Clark	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Peter Brennan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Peter Kauter	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Reason for Panel's Determination:

The Panel defers the matter as the proposed planning agreement needs to be publicly exhibited in accordance with Section 7.5 of the *Environmental Planning & Assessment Act 1979* and before the development application can be determined and provided to the Panel as part of the development application assessment.

The Chairperson closed the meeting at 6.02pm.

Certified as true and correct.

Grant Christmas
Chairperson



Declaration of Interest - Bayside Local Planning Panel Meeting 9/12/2025

Item	Description	Declaration of Interest
Public Meeting		
6.1	1579 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 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	241A O'Riordan Street, Mascot	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.
Other Applications (Non-Public Meeting)		
6.1	65 Johnson Street, Mascot	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.
<div style="display: flex; justify-content: space-between;"> <div> Grant Chirstmas Name (please print) </div> <div> Signature </div> <div> 9, 12, 2025 Date </div> </div>		

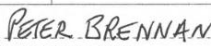


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<div style="display: flex; justify-content: space-between;"> <div> Judy Clark Name (please print) </div> <div> Signature </div> <div> 7 / 12 /2025 Date </div> </div>		




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Bayside
Council

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