

## MINUTES

of a meeting of the  
**Bayside Local Planning Panel - Other Applications**  
held in the Committee Room, Botany Town Hall  
Corner of Edward Street and Botany Road, Botany  
on **Tuesday 10 February 2026 at 4:00 PM**

Decisions outside the public meeting  
In accordance with the Operational Procedures

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### Present

Paul Vergotis, Chairperson  
Greg Woodhams, Independent Expert Member  
Wayne Carter, Independent Expert Member  
Katrina Blando, Community Representative

### Also present

Angela Lazaridis, Coordinator Development Administration & Advisory  
Marta Gonzalez-Valdes, Coordinator Development Assessment  
Michael Maloof, Senior Development Assessment Planner  
Pavel Zaytsev, Development Assessment Planner  
Vasira Jayamanna Mudiyanselage, Development Assessment Planner

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Deliberations commenced at 4.10pm.

### 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 MDA-2025/38 - 100A, 102-106 Robey Street Mascot - Section 4.55 Modification

- Mr Aaron Sutherland, an applicant representative, spoke for the officer's recommendation and responded to the Panel's questions.
- Mr Paul Bettar, an applicant representative, 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 for the following reason:

In accordance with Section 2 and Section 3 of Schedule 1 from the Local Planning Panels Direction issued by the Minister for Planning and Public Spaces (dated 6 March 2024), states that Local Planning Panels are to determine applications under Section 4.55(2) of the Act for the modification of development consents granted by the Panel that meet the criteria for development applications set out in the schedule to the direction relating to development standards.

Development consent to the original DA (DA-2024/111) was granted by the Panel on 16 December 2024.

The development contravenes a development standard imposed by an environmental planning instrument by more than 10% and must be determined by a local planning panel. The proposed development for the subject site contravenes the floor space ratio development standard as imposed by the Bayside Local Environmental Plan 2021, Clause 4.4 by more than 10%.

#### **Decision**

1. The Bayside Local Planning Panel, exercising the functions of Council as the consent authority, pursuant to S4.55(2) of the *Environmental Planning and Assessment Act 1979* is satisfied that the proposed modification:
  - a) is the same or substantially the same development as the development for which consent was originally granted and before that consent was modified;
  - b) the relevant Minister, public authority or approval body has been consulted;
  - c) has been notified and no submissions were received by Council;

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. 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*, determined Development Application MDA-2025/38 for Modification to DA-2024/111 to approved hotel including an additional eight (8) hotel rooms at Level 1, construction of one (1) additional storey for pool, bar and guest facilities, and internal changes at 100A, 102-106 Robey Street, Mascot NSW 2020 by **GRANTING CONSENT** to modify the original consent in the following manner:

- By amending Condition Nos. 1, 7, 12, 14(c), 16, 18, 34, 50, 111(c), 112(e), 121 and 156 to read as outlined in the planning assessment report; and,
- By imposing one additional condition being Condition No. 14C in relation to swimming pools as outlined in the planning assessment report.

Name	For	Against
Paul Vergotis	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wayne Carter	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Greg Woodhams	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Katrina Blando	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### Reason for Panel's Decision:

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

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

- The proposal remains the same or substantially the same development as originally approved.
- The proposal, subject to conditions, is consistent with the objectives of the E3 Productivity Support zone and the relevant objectives of Bayside Local Environmental Plan 2021.
- The proposal is consistent with the objectives of and complies with the controls in the Bayside Development Control Plan 2022.
- The proposal and use of the roof top terrace is suited to the site and area.

- The scale and design of the proposed additional storey is suitable for the location and is compatible with the desired future character of the locality.
- 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.

## **6.2 DA-2025/658 - 9 Union Street ARNCLIFFE NSW 2205 - Development Application**

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

There were no speakers for this item.

### **Reason for the Report**

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

In accordance with Section 3 of Schedule 1 from the Local Planning Panels Direction issued by the Minister for Planning and Public Spaces (dated 6 March 2024), development which contravenes a development standard imposed by an environmental planning instrument by more than 10% must be determined by a local planning panel. The proposed development for the subject site contravenes the minimum site area standard as imposed by the State Environmental Planning Policy (Housing) 2021, Clause 53(2)(a) by more than 10%.

### **Decision**

1. The Bayside Local Planning Panel, exercising the functions of Council as the consent authority is satisfied that the applicant's written request to contravene Clause 53(2)(a) of the State Environmental Planning Policy (Housing) 2021 has adequately addressed the matters required to be demonstrated by Clause 4.6 of the Bayside Local Environmental Plan 2021.
2. 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*, determined Development Application DA-2025/658 for the demolition of existing shed and construction of a secondary dwelling at 9 Union Street, ARNCLIFFE NSW 2205 by **GRANTING CONSENT** subject to the recommended conditions of consent attached to the Officers report.
3. The submitter is to be notified of the Panel's decision.
3. That the submitter is to be notified of the Panel's decision.

Name	For	Against
Paul Vergotis	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wayne Carter	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Greg Woodhams	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Katrina Blando	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Reason for Panel's Decision:**

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

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

- The proposed contravention has been assessed in accordance with Section 4.6 of Bayside Local Environmental Plan 2021 and is considered acceptable subject to conditions of consent.
- The development, subject to conditions, is consistent with the objectives of the R2 Low 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 and generally consistent with the relevant requirements of Bayside Development Control Plan 2022.
- The issues raised by objectors have been considered and where appropriate, addressed via amendments to plans or conditions or consent.

Closed Deliberations Concluded at 4.15pm.

Certified as true and correct.

Paul Vergotis  
**Chairperson**



## Declaration of Interest - Bayside Local Planning Panel Meeting 10/02/2026

Item	Description	Declaration of Interest
<b>Other Applications (Non-Public Meeting)</b>		
6.1	MDA-2025/38 – 100A, 102-106 Robey Street, Mascot	In relation to this matter, I declare that I have no known conflict of interest <input checked="" type="checkbox"/> or an actual <sup>1</sup> <input type="checkbox"/> , potential <sup>2</sup> <input type="checkbox"/> or reasonably perceived <sup>3</sup> <input type="checkbox"/> conflict of interest as detailed in the attached document
6.2	DA-2025/658 – 9 Union Street, Arncliffe	In relation to this matter, I declare that I have no known conflict of interest <input checked="" type="checkbox"/> or an actual <sup>1</sup> <input type="checkbox"/> , potential <sup>2</sup> <input type="checkbox"/> or reasonably perceived <sup>3</sup> <input type="checkbox"/> conflict of interest as detailed in the attached document
Name (please print) <b>Paul VERGOUIS</b>		Signature 
		Date <b>10/02/2026</b>



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Name (please print) <b>WAYNE CARTER</b>		Signature 
		Date <b>30/11/2026</b>


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