

MINUTES

Local Planning Panel

Thursday, 4 April 2019

4.00pm

Georges River Civic Centre,
Hurstville



COMMITTEE MEMBERSHIP

Panel Members:

Mr Adam Seton (Chairperson)
Mr Milan Marecic (Expert Panel Member)
Mr Michael Leavey (Expert Panel Member)
Mr Cameron Jones (Community Representative)

Council Staff:

Nicole Askew (Acting Manager Development and Building)
Chris Young (Acting Coordinator Development Assessment)
Cathy Mercer (Team Leader DA Administration)
Monica Wernej (DA Admin Assistant)

1. APOLOGIES AND DECLARATIONS OF PECUNIARY INTEREST

There were no apologies received

There were no declarations of Conflicts of Interest

2. PUBLIC SPEAKERS

The meeting commenced at 4.00pm and at the invitation of the Chair, registered speakers were invited to address the panel on the items listed below.

The public speakers concluded at 5.07pm and the LPP Panel proceeded into Closed Session to deliberate the items listed below.

3. GEORGES RIVER LOCAL PLANNING PANEL REPORTS

LPP010-19 468-474 Princes Highway, Blakehurst
(Report by Senior Development Assessment Planner)

The Panel carried out an inspection of the site and nearby locality.

Speakers

- Jim Apostolou (consultant architect)
- Theo Loucus (consultant architect)
- Tina Christy (consultant planner)

Voting of the Panel Members

The decision of the Panel was unanimous.

Determination

Approval

The Panel is satisfied that:

1. Other than in respect of the upper level of Unit 4.01, the applicants written request under Clause 4.6 of the Kogarah Local Environmental Plan 2012 seeking to justify a contravention of Clause 4.3 Height of Buildings development standard has adequately addressed and demonstrated that:
 - (a) Compliance with the standard is unreasonable or unnecessary in the circumstances of the case; and
 - (b) There are sufficient environmental planning grounds to justify the contravention.
2. The applicants written request under Clause 4.6 of the Kogarah Local Environmental Plan 2012 seeking to justify a contravention of Clause 6.4 Limited Development on Foreshore Area development standard has adequately addressed and demonstrated that:
 - (a) Compliance with the standard is unreasonable or unnecessary in the circumstances of the case; and
 - (b) There are sufficient environmental planning grounds to justify the contravention.
3. The proposed development other than the upper level of Unit 4.01, will be in the public interest because it is consistent with the objectives of the standards and the objectives for development within the zone in which the development is proposed to be carried out.
4. Pursuant to Section 4.16(1) of the Environmental Planning and Assessment Act 1979, as amended, Development Application No. DA2018/0393 for the demolition of all structures on site and the construction of a residential flat building containing a total of forty (40) apartments with basement parking catering for 72 vehicles, associated landscaping and site works at 468-474 Princes Highway, Blakehurst, is determined by **granting consent** to the application subject to the conditions recommended in the report submitted to the LPP meeting of 4 April 2019 except;
 - (a) Add the following bullet point to Condition 11(iv):
 - The provision of a BBQ and sink.
 - (b) Add the following to Condition 72:

All bins are to use the goods hoist to transport bins between the garbage rooms to the Princes Highway for collection. There needs to be an accessible and unobstructed pathway between the southern garbage rooms and the goods hoist and between the goods hoist and the bin collection area.

Statement of Reasons

- The Panel is not satisfied that the objective of the development standard relating to maximum height in relation to minimising visual impact is met in respect of that part of the development comprising of the upper level of Unit 4.01. In that regard, the part of the

unit that contravenes the standard will be clearly visible from the public domain, particularly when approaching the building from the south. The Panel agrees with the recommendation for deletion of the upper level of Unit 4.01.

- The height exceedance other than in respect of the upper level of Unit 4.01, is considered to be acceptable having regard to the location of the exceedance and the elements comprised in the exceedance.
- The proposed development is considered to be an appropriate scale and form for the site and the character of the locality. Subject to the implementation of the recommended conditions and the deletion of the upper level of Unit 4.01 the development will have no unacceptable adverse impacts upon the natural or built environment.
- The provision of public access as part of this proposal is a significant public benefit for the local community and will provide connectivity to the immediately adjoining areas of open space.
- The proposal aims to create a positive contribution to the streetscape through its design, use of materials and finishes and siting of the building.
- In consideration of the aforementioned reasons, the proposed development is a suitable and planned use of the site and its approval is in the public interest.

LPP011-19 80-84 Regent Street Kogarah
(Report by Senior Development Assessment Planner)

The Panel carried out an inspection of the site and nearby locality.

Speakers

- Tina Christy (consultant planner)
- Phillip Lord (consultant architect)

Voting of the Panel Members

The decision of the Panel was unanimous.

Determination

Deferral

The determination of Development Application No. DA2018/0368 for the demolition of all structures on site and construction of an 11 storey residential flat building containing 64 units over three and a half basement levels of parking accommodating 69 vehicles at 80-84 Regent Street, Kogarah, is **deferred** and the Panel invites the applicant to submit the following:

1. Provision of a survey that confirms the ground level existing immediately below the upper most roof and confirmation that the extent of the height exceedance corresponds with the height plane diagram shown on drawing no. DA580 Issue A dated 3 September 2018 or alternatively provide an updated Clause 4.6 request and updated height plane diagram.

Following receipt of this information, the Panel will determine the application electronically, unless the Chair determines that a further public meeting is required.

The matter is to be referred back to the same Panel for electronic determination within 60 days.

LPP012-19 Planning Proposal PP2016/0002 - Hurstville Civic Precinct
(Report by Independent Assessment)

The Panel carried out an inspection of the site and nearby locality.

Speakers

- Sonny Embleton (consultant planner)
- Stephen Pearse (consultant architect)

Voting of the Panel Members

The decision of the Panel was unanimous.

Recommendation

1. The Panel considers that the Planning Proposal has strategic merit in the sense that it is:
 - (a) Giving effect to the various planning priorities of the South District Plan as identified in the report to the Panel;
 - (b) Giving effect to a relevant local Council strategy that has been exhibited and was the subject to a community consultation, namely the Hurstville City Centre Urban Design Strategy of May 2018.
2. In relation to the site specific merit of the Planning Proposal, the Panel is concerned that the proposal does not currently contain provisions for amendment of the Local Environmental Plan to deal with fundamental matters including:
 - (a) Linking of the proposed development capacity for the site to the delivery of community facilities and benefit.
 - (b) Design excellence including a requirement for design competition in relation to development on the site.
 - (c) The size of the civic space and the provision of solar access to that space. Consideration should be given to whether the civic space area is rezoned to limit potential development of that area to the identified public uses.
3. In order to properly inform the planning proposal including the linkage referred to in paragraph 2, the Panel considers that the following documents should be prepared prior to seeking any Gateway Determination:
 - (a) A Civic Precinct Public Amenities and Facilities Strategy; and
 - (b) A revised Traffic and Parking Impact Assessment.
4. The Panel also considers that the Planning Proposal should be amended to expand upon and document the basis for the proposed building heights having regard to the sites location and relationship with surrounding properties.

5. The Panel considers that if the Planning Proposal is amended to appropriately address the matters in paragraphs 2, 3 and 4 above, it could proceed to the next stage of seeking a gateway determination.

4. CONFIRMATION OF MINUTES

The meeting concluded at 7.10pm



Adam Seton
Chairperson



Michael Leavey
Expert Panel Member



Milan Marecic
Expert Panel Member



Cameron Jones
Community Representative