

# **MINUTES**

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## **Local Planning Panel**

**Thursday, 20 August 2020**

**4.00pm**

**Georges River Civic Centre,  
Hurstville**



**Panel Members:**

Mr Paul Vergotis (Chairperson)  
Ms Helen Deegan (Expert Panel Member)  
Mr Michael Leavey (Expert Panel Member)  
Mr Erin Sellers (Community Representative)

**1. APOLOGIES AND DECLARATIONS OF PECUNIARY INTEREST**

There were no apologies received

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Helen Deegan declared an interest in item LPP040-20 – 35 River Road Oatley and took no part in the discussions or deliberations of this application.

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**2. PUBLIC SPEAKERS**

The meeting commenced at 4.20pm 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 5.42pm and the LPP Panel proceeded into Closed Session to deliberate the items listed below.

**3. GEORGES RIVER LOCAL PLANNING PANEL REPORTS**

**LPP035-20     33-35 Treacy Street Hurstville - DA2018/0366**  
(Report by Senior Development Assessment Planner)

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

**Speakers**

- Yennie Chen (submitter)
- Frank Stanasic (architect)
- Brett Daintry (planner)

**Voting of the Panel Members**

The decision of the Panel was unanimous.

**Determination****“In Principle” Support**

The Panel in principle supports the granting of development consent pursuant to Section 4.16(1) of the Environmental Planning and Assessment Act 1979, as amended, Development Application No. DA2018/0366 for the construction of thirteen (13) storey mixed use development comprising two (2) commercial/retail on ground floor and a total of 41 residential apartments above, communal open space and five (5) levels of basement car parking and associated site works at 33-35 Treacy Street, Hurstville, and delegates power to the Manager –

Development and Building pursuant to Section 2.20(8) of the Environmental Planning and Assessment Act 1979, as amended, to determine the development application subsequent to the current Modification Application to the Concept Approval (MP\_10 0101 Mod 3) being determined by the Department of Planning and Environment and concurrences from State Rail and Water NSW being approved.

**LPP036-20      608 Forest Road Penshurst - DA2019/0135**  
(Report by Senior Development Assessment Planner)

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

**Speakers**

- Dimitri Tsagaris (applicant)

**Voting of the Panel Members**

The decision of the Panel was unanimous.

**Determination**

Refusal

Pursuant to Section 4.16(1) of the Environmental Planning and Assessment Act 1979, as amended, Development Application No. DA2019/0135 for the demolition works and construction of a three (3) storey mixed use development over two (2) levels of basement parking at 608 Forest Road, Penshurst, is determined by **refusal** for the following reasons:

1. The Clause 4.6 written request is not well founded and does not justify a contravention of the development standard in relation to height and there are insufficient environmental planning grounds to justify the non-compliance of the height development standard in the circumstances.
2. The proposed development is contrary to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, as amended, in that the proposal provides inadequate setbacks which will detrimentally impact on the spacing of development on adjoining lots and future development of neighbouring sites and the amenity of future residents. In particular the proposal will encourage a continuous development form across multiple sites.
3. The proposed development is contrary to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, as amended, in that the proposal is inconsistent with the design quality principles of State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development relating to Context and Neighbouring Character, Built Form and Scale, Density, Amenity, and Aesthetics.
4. The proposed development is contrary to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, as amended, in that the proposed development does not contribute to the creation of a distinct, attractive landscape character for streets and neighbourhoods.
5. The proposed development is contrary to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, as amended, in that the proposed development does not present well to Forest Road as the narrowness of the site necessitates half of the frontage to be utilised as a driveway which does not contribute to orderly street activation.
6. The proposed development is contrary to Section 4.15(1)(c) of the Environmental

Planning and Assessment Act 1979, as amended, in that the built form is considered to be an overdevelopment for the site given the nature of the proposal and the size of the site.

**LPP037-20      506-508 Railway Parade Allawah**  
(Report by Senior Development Assessment Planner)

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

**Speakers**

- Theo Loucas (applicant)

**Voting of the Panel Members**

The decision of the Panel was unanimous.

**Determination**

Approval

Pursuant to Section 4.16(1) of the Environmental Planning and Assessment Act 1979, as amended, Modification Application No. MOD2020/0076 for the Section 4.55(2) Modification of Consent No: DA2017/0394 for demolition works and construction a residential flat building to relocate the rooftop communal open space to ground level and provide 3 additional residential units at level 5, and other design rearrangements at 506-508 Railway Parade, Allawah, is determined by **granting consent** to the application subject to the conditions recommended in the report submitted to the LPP meeting of 20 August 2020.

Statement of Reasons

- The proposal remains consistent with the original reasons for approval; and
- The proposed modifications to the approved plans do not result in any adverse impact on the natural and built environment.

**LPP038-20      591-611 Princes Highway Blakehurst**  
(Report by Senior Development Assessment Planner)

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

**Speakers**

No speakers required

**Voting of the Panel Members**

Not applicable

**Determination**

This application was withdrawn from the agenda prior to the meeting commencing.

## **LPP039-20      4 Wadsley Crescent Connells Point** (Report by Development Assessment Planner)

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

### **Speakers**

- Alison Davidson (planner)
- Greg Jones (architect)

### **Voting of the Panel Members**

The decision of the Panel was unanimous.

### **Determination**

#### Approval

The Panel is satisfied that:

1. 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 and Clause 6.4 Limited Development in Foreshore Area development standards have 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 proposed development 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.

Pursuant to Section 4.16(1) of the Environmental Planning and Assessment Act 1979, as amended, Development Application No. DA2019/0638 for the demolition works, alterations and additions to the existing garage and boatshed and construction of a 2-3 storey dwelling with a front fence and in-ground swimming pool at 4 Wadsley Crescent, Connells Point, is determined by **granting consent** to the application subject to the conditions recommended in the report submitted to the LPP meeting of 20 August 2020.

#### Statement of Reasons

- The proposal is an appropriate response to the site and is consistent with the objectives of the R2 zone and existing developments in the locality.
- The Clause 4.6 requests to vary the height of building development standard, and the limited development in foreshore area development standard are well founded and are acceptable in the circumstances of this proposal.
- The proposed development generally complies with the requirements of the relevant environmental planning instruments and development control plan.
- The proposed development is well considered and sensitively designed so that it will not result in any unreasonable impact on the natural and built environment.
- The building will not unreasonably affect the amenity of any immediately adjoining properties in terms of unreasonable overlooking, overshadowing or view loss.

- The proposal replaces the existing dwelling located partially within the foreshore area with a high quality dwelling house that largely maintains the same footprint.
- The proposal is not inconsistent with the provisions of Draft Georges River Local Environmental Plan 2020.

**LPP040-20      35 River Road Oatley**  
(Report by Independent Assessment)

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

**Speakers**

- Peter Mahoney (submitter)
- Melissa Derwent (submitter) – unable to contact
- Graham Lalchere (submitter)
- Kim Wagstaff (submitter)
- Tony Guriguis (architect)
- Paul Vezgoff (arborist)

**Voting of the Panel Members**

Helen Deegan declared an interest in this application and took no part in the discussions and deliberations. The decision of the remainder of the Panel was unanimous.

**Determination**

Deferral

Pursuant to Section 4.16(1) of the Environmental Planning and Assessment Act 1979, as amended, Development Application No. DA2020/0152 for the Remediation works of the former Oatley Bowling Club site in accordance with the remedial action plan prepared for the site including associated retaining walls and land grading at 35 River Road, Oatley, be **deferred** pending the submission of further details in relation to addressing visual impacts of the retaining wall including landscape and design treatment, and details of the interim finished surface treatments prior to final certification.

The matter is to be referred back to the Panel as constituted on 20 August 2020 for electronic determination within 60 days.

**4.            CONFIRMATION OF MINUTES**

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The meeting concluded at 8.11pm



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Paul Vergotis  
**Chairperson**



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Michael Leavey  
**Expert Panel Member**



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Helen Deegan  
**Expert Panel Member**



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Erin Sellers  
**Community Representative**