

# **MINUTES**

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## **Local Planning Panel**

**Thursday, 19 August 2021**

**4.00pm**

**Georges River Civic Centre,  
Hurstville**



**Panel Members:**

Mr Stephen Davies (Chairperson)  
Mr John Brockhoff (Expert Panel Member)  
Mr Marcus Sainsbury (Expert Panel Member)  
Mr Cameron Jones (Community Representative)

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

There were no apologies received

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There were no declarations of Pecuniary Interest

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**2. PUBLIC SPEAKERS**

The meeting commenced at 3.55pm 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 4.35pm and the LPP Panel proceeded into Closed Session to deliberate the items listed below.

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

**LPP041-21     54 and 54A Noble Street Allawah**  
(Report by Senior Development Assessment Officer)

**Speakers**

- Mario Stevanovski (submitter)
- William Karavelas (applicant)
- Bernard Moroz (planner)

**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 4.1A Minimum Allotment Size 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 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. REV2021/0001 for the Review of Determination DA2019/0314 - for demolition of existing structures, lot consolidation and the construction of a four (4) storey Residential Flat Building containing seven (7) apartments with basement car parking for ten (10) vehicles, associated landscaping and site works at 54-54A Noble Street, Allawah, is determined by **granting consent** to the application subject to the conditions recommended in the report submitted to the LPP meeting of 19 August 2021.

#### Statement of Reasons

- The proposed development complies with the requirements of the relevant environmental planning instruments except in relation to the minimum lot size (Clause 4.1A) control. A Clause 4.6 exception has been submitted in support of the application which is considered acceptable having regard to the justification provided in the report above.
- The proposed development satisfies the objectives of the R3 Medium Density zone of Kogarah Local Environmental Plan 2012 by providing a variety of housing types to meet the needs of the community within the medium density environment.
- The proposed development is not considered to be incompatible with surrounding development and surrounding land uses and is an acceptable response to the zoning, context, site area, dimension and orientation of the allotment.
- 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 proposed development is not considered incompatible with the character of the locality and is capable of existing harmoniously with its surroundings.
- The proposed development is consistent with the desired future character of the precinct by providing a residential flat building consistent with the scale and size of adjoining development.
- The proposal is not inconsistent with the provisions of the Draft Georges River Local Environmental Plan 2020.
- This is an isolated site that is unlikely to be amalgamated or consolidated with the immediately adjoining sites. It is for this reason there is a reasonable expectation for the site to be redeveloped in the manner as proposed.

#### **LPP042-21      5 Millett Street Hurstville** (Report by Senior Development Assessment)

#### **Speakers**

- Raymond Ng (planner)

#### **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. DA2020/0188 for the demolition works and construction of a boarding house at 5 Millet Street, Hurstville, is determined by **refusal** for the following reasons:

1. The proposed development cannot be approved as it breaches the maximum 9m height of building by 1.55% as stipulated by Clause 4.3, and has not been accompanied by a Clause 4.6 request to vary this standard under Hurstville Local Environmental Plan 2012.
2. The proposed development is inconsistent and has not demonstrated compliance with the State Environmental Planning Policy (Affordable Rental Housing) 2009, pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979:
  - a) Clause 29 – Standards that cannot be used to refuse
  - b) Clause 30A – Character of Local Area
3. The proposed development is inconsistent and has not demonstrated compliance with the Hurstville Local Environmental Plan 2012, pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979:
  - c) Clause 1.2 – Aims of the Plan;
  - d) Clause 2.3 – Zone objectives and Land use Table;
  - e) Clause 4.3 – Height of Building;
4. The proposed development is inconsistent and has not demonstrated compliance with the following provisions of Hurstville Development Control Plan No. 1, pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979:
  - a) Part 3.1 – Vehicular Access and Parking
  - b) Part 3.4 – Crime Prevention Through Environmental Design
  - c) Part 4.4 – Dwelling Houses on Standard Lots
5. The proposal will result in adverse environmental impacts in the locality, pursuant to Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979.
6. The adverse environmental impacts of the proposal mean that the site is not considered to be suitable for the development as proposed, pursuant to Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979.
7. The public submission raised valid grounds of objection and approval of this application is considered contrary to the public interest, pursuant to Section 4.15(1)(d) and (e) of the Environmental Planning and Assessment Act 1979.

**LPP043-21      4 Marie Dodd Crescent Blakehurst**  
(Report by Principal Planner)

### **Speakers**

- Gerard Turrisi (on behalf of 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, Development Application No. MOD2020/0223 for the modification of consent DA670/2000 for internal and external alterations and additions to approved multi dwelling housing including partial demolition and reconstruction of heritage item at 4 Marie Dodd Crescent, Blakehurst, is determined by **granting consent** to the application subject to the conditions recommended in the report submitted to the LPP meeting of 19 August 2021.

### Statement of Reasons

- The proposed alterations to Units 5, 6 and 7 under this application do not impact on the identified heritage elements of the site.
- The proposed changes are considered to be “*substantially the same*” as the originally approved multi-dwelling housing development in accordance with Section 4.56 of the Environmental Planning and Assessment Act, 1979 and the subsequent amendments.
- The proposed changes are small scale and will improve the overall functionality and internal amenity of the dwellings.
- The changes will not create any adverse amenity or environmental impacts to immediately adjoining properties in terms of overshadowing or overlooking.
- The proposed alterations will not change the scale and height of the development as approved and the built form will largely remain unchanged.
- The proposal satisfies the objectives pursuant to the Kogarah Local Environmental Plan 2013 and Kogarah Development Control Plan 2013.

**LPP044-21      73 Waitara Parade Hurstville Grove**  
(Report by Development Assessment Planner)

## Speakers

- Rodwane Zoabi (architect/owner)

## 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, Development Application No. DA2021/0092 for the double carport forward of the dwelling house and an awning at the rear of the dwelling at 73 Waitara Parade, Hurstville Grove, is determined by **granting consent** to the application subject to the conditions recommended in the report submitted to the LPP meeting of 19 August 2021.

### Statement of Reasons

- The proposed double carport in a bridged form is inconsistent with the objectives and

controls contained in the Kogarah Local Environmental and the Development Control Plan 2013.

- The proposed awning over the existing courtyard area is consistent with the objectives and controls contained in the Kogarah Local Environmental and the Development Control Plan 2013.
- The proposal as conditioned to delete the double carport will result in minimal adverse impacts on the adjoining allotments and the public domain.

#### 4. CONFIRMATION OF MINUTES


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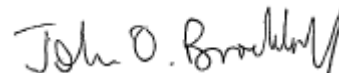
The meeting concluded at 5.15pm



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Stephen Davies  
**Chairperson**

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John Brockhoff  
**Expert Panel Member**



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Marcus Sainsbury  
**Expert Panel Member**

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Cameron Jones  
**Community Representative**

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## Declaration of Interest Georges River Council Local Planning Panel

Panel Member Name:	Stephen Davies
Meeting Date:	19 August 2021
Item Numbers:	<ul style="list-style-type: none"> <li>• 54 and 54A Noble Street Allawah</li> <li>• 5 Millett Street Hurstville</li> <li>• 4 Marie Dodd Crescent Blakehurst</li> <li>• 73 Waitara Parade Hurstville Grove</li> </ul>
In relation to the matters on this agenda, I declare that I have:	<input checked="" type="checkbox"/> No known conflict of interest ✓
In relation to item number I have an actual <sup>1</sup> conflict of interest	<input type="checkbox"/> Conflict Details
In relation to item number I have a potential <sup>2</sup> conflict of interest	<input type="checkbox"/> Conflict Details
In relation to item number I have a reasonably perceived <sup>3</sup> conflict of interest	<input type="checkbox"/> Conflict Details
Name of Panel Member	Stephen Davies
Signature:	
<b>Key of Terms:</b> <sup>1</sup> An 'actual' conflict of interests is where there is a direct conflict between a member's duties and responsibilities and their private interests or other duties. <sup>2</sup> A 'potential' conflict of interests is where a panel member has a private interest or other duty that could conflict with their duties as a panel member in the future. <sup>3</sup> A 'reasonably perceived' conflict of interests is where a person could reasonably perceive that a panel member's private interests or other duties are likely to improperly influence the performance of their duties as a panel member, whether or not this is in fact the case.	



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Name of Panel Member	John Brockhoff
Signature:	

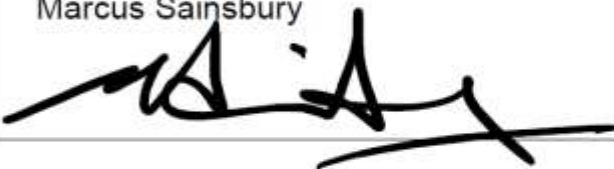
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In relation to item number I have a reasonably perceived <sup>3</sup> conflict of interest	<input type="checkbox"/> Conflict Details
Name of Panel Member	Marcus Sainsbury
Signature:	
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Panel Member Name:	Cameron Jones
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Name of Panel Member	Cameron Jones
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