

# **MINUTES**

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## **Local Planning Panel**

**Thursday, 7 October 2021**

**4.00pm**

**Georges River Civic Centre,  
Hurstville**



**Panel Members:**

Mr Stephen Davies (Chairperson)  
Mr Ian Armstrong (Expert Panel Member)  
Ms Juliet Grant (Expert Panel Member)  
Mr Erin Sellers (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 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 5.05pm and the LPP Panel proceeded into Closed Session to deliberate the items listed below.

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

**LPP053-21      26 Bowden Crescent Connells Point**  
(Report by Senior Building Surveyor)

**Speakers**

- Mark Sader (submitter)
- Sandra Sader (submitter)
- Carlos Haofuri (applicant/architect)
- Bernard Moroz (planner)

**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. DA2020/0430 for the demolition works and construction of a dwelling house (existing boathouse and swimming pool to be retained) at 26 Bowden 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 7 October 2021 except;

1. Replace Condition 10 5) with the following:
  - 5) Details, including an elevation and materials detail are to be provided to the satisfaction of the Principal Certifying Authority. These details are to show a transparent or open fence compliant with pool fencing requirements of a height not greater than 1.2m for its length in the position shown on the Landscape Plan Drawing No. SB\_26BC\_10 Issue B on the plan titled “Lower Ground Floor Plan”.
2. Amend Condition 10 to include additional point 9)
  - 9) The first floor bathroom window notated F14 on the architectural plans is to be fitted with obscure glass.

#### Statement of Reasons

- The proposed development complies with the requirements of the relevant environmental planning instruments.
- The proposed development satisfies the objectives of the R2 Low Density Residential zone of Kogarah Local Environmental Plan and standards in the Kogarah Development Control Plan providing suitable housing needs whilst not compromising the amenity of the surrounding area.
- The proposed development is considered to be compatible with surrounding development and surrounding land uses.
- The proposed works will not unreasonably affect the amenity of any immediately adjoining properties in terms of unreasonable overlooking, overshadowing or view loss.
- The proposal is not inconsistent with the provisions of the Draft Georges River Local Environmental Plan 2020.

#### **LPP054-21     31 Seymour Street Hurstville Grove** (Report by Principal Planner)

#### **Speakers**

- Anton Reisch (traffic engineer)
- Jason Salvo (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. DA2021/0165 for the demolition of existing detached garage, change of use from a dwelling and neighbourhood shop to a food and drink premises (café) including signage and provision of four (4) on site car parking spaces at 31 Seymour Street, Hurstville Grove, is determined by **granting consent** to the application subject to the conditions recommended in the report submitted to the LPP meeting of 7 October 2021 except;

1. Add the following Condition 37A

- 37A. Signage a maximum size of 500mm wide and 300mm high is to be installed to the existing fence/boundary brick wall fronting Waitara Parade adjacent to the vehicle entry point identifying that the four (4) on site car spaces are available for the use of visitors, prior to the issue of the Occupation Certificate.

2. Condition 61 be amended as follows:

- 61 **Visitors Parking** - All allocated car parking spaces shall be freely available for the visitors of the proposed development. The four (4) on-site spaces are to be made available for the use of the visitors. One space shall be accessible. Appropriate signage is to be provided making visitors aware of the available on-site parking.

Statement of Reasons

- The proposed development complies with the requirements of the relevant environmental planning instruments.
- The proposed development satisfies the objectives of the B1 – Neighbourhood Centre of the Kogarah Local Environmental Plan 2012 which emphasises the need to provide a range of small scaled uses that serve the needs of people who live or work in the surrounding neighbourhood.
- The proposed development is located within the Hurstville Grove precinct of the commercial locality areas of KDCP 2013 and is consistent with the future character of the precinct by providing a café that will service the needs of the local community.
- The building will not unreasonably impact the amenity of any immediately adjoining properties in terms of noise, odour or pollution.
- The proposal is consistent with the provisions of the Draft Georges River Local Environmental Plan 2020.

**LPP055-21      10-12 Hearne Street Mortdale**  
(Report by Principal Planner)

**Speakers**

- Beau Curtis (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. DA2021/0085 for the fit out and use of Unit 11 as an artisan brewery, providing areas for brewing, retail purchase and tastings and onsite consumption at 10-12 Hearne Street, Mortdale, is determined by **granting consent** to the application subject to the conditions recommended in the report submitted to the LPP meeting of 7 October 2021.

Statement of Reasons

- The proposed development complies with the requirements of the relevant environmental planning instruments.

- The proposed development satisfies the objectives of the IN2 Light Industrial zone of Hurstville Local Environmental Plan 2012 which emphasises the need to provide a range of light industrial, warehouse and related land uses.
- The proposed development, as amended by the conditions of consent, is considered to be compatible with surrounding development and surrounding land uses and is capable of existing harmoniously within its surroundings.
- The building will not unreasonably affect the amenity of any immediately adjoining properties in terms of noise, odour or pollution.
- The proposal is consistent with the provisions of the Draft Georges River Local Environmental Plan 2020.

**LPP056-21      68 Morshead Drive Connells Point**  
(Report by Senior Development Assessment)

**Speakers**

- William Home (on behalf of applicant)
- Viktor Zlovic (on behalf of applicant)
- Gerard Turrisi (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. DA2020/0192 for the demolition of existing structures, construction of a dual occupancy with basement parking, associated swimming pools, driveways, retaining walls, drainage, landscaping and tree removal, and subdivision at 68 Morshead Drive, Connells Point, is determined by **refusal** for the following reasons:

1. The proposed development is inconsistent and has not demonstrated compliance with the Kogarah Local Environmental Plan 2012, pursuant to Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979:
  - a) Clause 1.2 – Aims of the Plan; and
  - b) Clause 6.2 – Earthworks.
2. The proposed development is inconsistent and has not demonstrated compliance with the following provisions of Kogarah Development Control Plan 2013, pursuant to Section 4.15 (1)(a)(iii) of the Environmental Planning and Assessment Act 1979:
  - a) Part C1 – Low Density Housing (1.1 Streetscape Character, 1.4 Vehicular access parking and circulation, and 2.1 Dual Occupancies).
3. 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.

4. 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.
5. The public submissions 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.

#### Statement of Reasons

- The Panel acknowledges the information provided by Mr Turissi of GAT and Associates dated 5 October 2021, following the publishing of the report outlining the amendments that the applicant was prepared to make to the proposal to address the reasons for refusal. However, the Panel at the time of considering the application could not be certain the amendments referenced in this correspondence would not result in the need for considerable amendments to the overall design of the proposal, which may require renotification of the application. The applicant and the consultant team are encouraged to consult with Council's Development Advisory Service to address the reasons for refusal.

#### **LPP057-21      36-38 Chapel Street Kogarah - St Patricks Catholic School** (Report by Senior Development Assessment Planner)

#### **Speakers**

No speakers registered for this item

#### **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. DA2021/0148 for the Upgrade the existing playground by constructing a concrete platform including a new shade structure, seating, landscaping and associated site works at 36-38 Chapel Street, Kogarah, is determined by **granting consent** to the application subject to the conditions recommended in the report submitted to the LPP meeting of 7 October 2021.

##### Statement of Reasons

- The development complies with the key planning objectives and controls within the Kogarah Local Environmental Plan 2012 and the Kogarah Development Control Plan 2013.
- The proposal is small scale and seeks to improve the amenity of the playground space and make it more useable and functional.
- The works also aim to improve the visual quality of the space.
- The proposed alterations will not adversely or detrimentally affect adjoining and neighbouring properties especially by retaining the historical integrity and significance of the St Patrick Church, a local heritage item that adjoins the site.
- The proposal will retain the significance and integrity of the Heritage Item on site and will not adversely affect the character of the locality.

- The development is in the public interest and will not establish an undesirable precedent for the area.

#### 4. CONFIRMATION OF MINUTES

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The meeting concluded at 6.00pm.



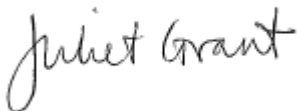
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Stephen Davies  
**Chairperson**



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Ian Armstrong  
**Expert Panel Member**



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Juliet Grant  
**Expert Panel Member**




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Erin Sellers  
**Community Representative**




## Declaration of Interest Georges River Council Local Planning Panel

Panel Member Name:	Stephen Davies
Meeting Date:	7 October 2021
Item Numbers:	<ul style="list-style-type: none"> <li>• 26 Bowden Crescent Connells Point</li> <li>• 31 Seymour Street Hurstville Grove</li> <li>• 10-12 Hearne Street Mortdale</li> <li>• 68 Morshead Drive Connells Point</li> <li>• 36-38 Chapel Street Kogarah</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	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:	
<p>Key of Terms:</p> <p><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.</p> <p><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.</p> <p><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.</p>	

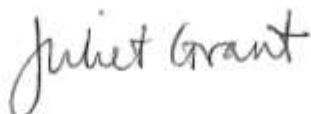


## Declaration of Interest Georges River Council Local Planning Panel

Panel Member Name:	Ian Armstrong
Meeting Date:	7 October 2021
Item Numbers:	<ul style="list-style-type: none"> <li>• 26 Bowden Crescent Connells Point</li> <li>• 31 Seymour Street Hurstville Grove</li> <li>• 10-12 Hearne Street Mortdale</li> <li>• 68 Morshead Drive Connells Point</li> <li>• 36-38 Chapel Street Kogarah</li> </ul>
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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	Ian Armstrong
Signature:	
<p><b>Key of Terms:</b></p> <p><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.</p> <p><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.</p> <p><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.</p>	



## Declaration of Interest Georges River Council Local Planning Panel

Panel Member Name:	Juliet Grant
Meeting Date:	7 October 2021
Item Numbers:	<ul style="list-style-type: none"> <li>• 26 Bowden Crescent Connells Point</li> <li>• 31 Seymour Street Hurstville Grove</li> <li>• 10-12 Hearne Street Mortdale</li> <li>• 68 Morshead Drive Connells Point</li> <li>• 36-38 Chapel Street Kogarah</li> </ul>
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In relation to item number I have a reasonably perceived <sup>3</sup> conflict of interest	<input type="checkbox"/> <del>Conflict Details</del>
Name of Panel Member	Juliet Grant
Signature:	
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## Declaration of Interest Georges River Council Local Planning Panel

Panel Member Name:	Erin Sellers
Meeting Date:	7 October 2021
Item Numbers:	<ul style="list-style-type: none"> <li>• 26 Bowden Crescent Connells Point</li> <li>• 31 Seymour Street Hurstville Grove</li> <li>• 10-12 Hearne Street Mortdale</li> <li>• 68 Morshead Drive Connells Point</li> <li>• 36-38 Chapel Street Kogarah</li> </ul>
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In relation to item number I have an actual <sup>1</sup> conflict of interest	<ul style="list-style-type: none"> <li>• Conflict Details</li> </ul>
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Name of Panel Member	Erin Sellers
Signature:	
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