

# MINUTES

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## Georges River Local Planning Panel

Thursday, 15 February 2024

4:00 PM

Blended Meeting

Online and Council Chambers, Civic Centre,  
Hurstville

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**PANEL MEMBERS:**

Ms Sue Francis	(Chairperson)
Ms Deborah Laidlaw	(Expert Panel Member)
Mr Paul Vergotis	(Expert Panel Member)
Mr Cameron Jones	(Community Representative)

**1. ON SITE INSPECTIONS**

Prior to this meeting the Panel carried out an inspection of the sites and nearby localities.

**2. OPENING**

The meeting commenced at 4.00pm

**3. ACKNOWLEDGEMENT OF COUNTRY**

The Georges River Local Planning Panel acknowledges the Bidjigal people of the Eora Nation, who are the Traditional Custodians of all lands, waters and sky in the Georges River area. I pay my respect to Elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples who live, work and meet on these lands.

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

There were no apologies received

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Cameron Jones declared an interest in item LPP001-24 and took no part in the discussions or deliberations of this application.

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**5. NOTICE OF WEBCASTING****6. DISCLOSURES OF INTEREST****7. CONSIDERATION OF ITEM(S) AND VERBAL SUBMISSIONS**

Registered speakers were invited to address the panel by the Chair.

The public speakers concluded at 4.35pm and the LPP Panel proceeded into Closed Session to deliberate the items listed below.

## 8 CLOSED SESSION – DELIBERATION OF REPORTS

### LPP001-24 46A Russell Street Oatley (Report by Student Development Assessment Planner)

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

Cameron Jones left the meeting at 4.05pm

#### Speakers

- Alana Singleton (submitter)
- Stuart Palmer (applicant)
- Jane Palmer (supporting applicant)
- Mark Phillips (architect)

#### Voting of the Panel Members

Cameron Jones excluded himself from all discussions and voting on this matter.

The decision of the following Panel Members was unanimous:

Sue Francis  
Deborah Laidlaw  
Paul Vergotis

That Georges River Local Planning Panel support the request for variation under Clause 4.6 of Georges River Local Environmental Plan 2021, in relation to the Height of Buildings (Clause 4.3), Foreshore Area and Coastal Hazards and Risk (Clause 6.4) and Landscaped areas in certain residential and conservation zones (Clause 6.12) development standards, as the variations sought satisfy the objectives of the standard and sufficient environmental planning grounds have been provided in the written request for variation justifying that compliance would be unnecessary and unreasonable in the circumstances of the case. The proposal is also in the public interest and it satisfies the objectives of the zone resulting in no adverse environmental impacts.

Pursuant to Section 4.16 (1)(a) of the Environmental Planning and Assessment Act 1979 (as amended), Development Application DA2023/0115 for alteration to the ground floor of an existing dwelling and construction of a first-floor addition at Lot 3 DP1096084 known as 46A Russell Street Oatley, is granted Development Consent subject to:

The Conditions recommended in the report to the Georges River Local Planning Panel meeting of 15 February 2024, subject to the amendments as follows:

Amend condition 12 to read as follows:

12. In order to provide a more balanced elevation, opening W10 shall be amended so that the frame surrounding the opening to its southern side shall align with the frame of the opening on the ground floor of the dwelling servicing the dining room.

Include additional condition 19A to read as follows:

**19A Construction vehicle and pedestrian plan of management (Single residential and medium density developments)** - Prior to the issuing of a Construction Certificate, a Construction Vehicle and Pedestrian Plan of Management (CVPPM) shall be submitted to Council for the approval of Council's Senior Traffic and Parking Assessment Officer. The CVPPM shall detail, but not be limited to, details of the following:

- (a) The routes to be taken by trucks in the Georges River Council area when travelling to and from the site.
- (b) The maximum truck size proposed during the various stages of development.
- (c) The approved hours of construction.
- (d) The location and length of any proposed Works Zones.  
**NOTE:** The installation of Works Zones and any associated changes to existing parking control signs and Council infrastructure to implement the zones requires the prior approval of the Georges River Council Traffic Committee.
- (e) Any changes to on street parking at and near the site during the various stages of development including during and outside the approved hours of construction.
- (f) Any changes proposed to the movements of pedestrians and/or cyclists past the site both during and outside the approved hours of construction.
- (g) The parking of construction vehicles and the storage of materials outside of the right-of-way.

A copy of the approved CVPPM must be kept at the site and made available to the Principal Certifying Authority or Council on request:

#### Statement of Reasons

The reasons for this decision are:

- The proposed development complies with the requirements of the relevant environmental planning instruments except in respect to the height, foreshore building line and landscape. Clause 4.6 variation to development standards have been submitted in support of the application which is considered well founded as demonstrated in this report.
- The proposed development complies with the objectives of the relevant environmental planning instruments.
- The proposal aims to provide a development that will establish a positive urban design outcome given the context of the locality.

**LPP002-24     31 Ocean Street, Penshurst**  
(Report by Development Assessment Planner)

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

Cameron Jones returned to the meeting at 4.22pm

**Speakers**

- Dave Moody (applicant)

**Voting of the Panel Members**

The decision of the Panel was unanimous.

Pursuant to Section 4.16 (1)(a) of the Environmental Planning and Assessment Act 1979 (as amended), Development Application DA2023/0186 for alterations and additions to an existing residential flat building involving balcony and opening refurbishment/replacement at CP SP 8698 known as 31 Ocean Street, Penshurst, is granted Development Consent subject to:

The Conditions recommended in the report submitted to the Georges River Local Planning Panel meeting of 15 February 2024.

**Statement of Reasons**

The reasons for this decision are:

- The proposed development generally complies with the requirements of the relevant environmental planning instruments and development control plan.
- The proposed refurbishment of an existing residential flat buildings balconies and glass sliding doors accessing the balconies remains consistent with the objectives of the zone and the character of the locality and improve the amenity of the units for the current residents.
- The proposal maintains to be a residential building that responds to community needs and demands.

**LPP003-24      2-12 Lime Kiln Road LUGARNO**  
(Report by Consultant Planner)

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

**Speakers**

There were no speakers for this item.

**Voting of the Panel Members**

The decision of the Panel was unanimous.

Pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979, as amended, Modification Application MOD2023/0005 for modifications to DA2017/0217 in accordance with the conditions of consent originally imposed at Lot 1, 2 and 3 in DP 533797, known as 2-12 Lime Kiln Road, Lugaro, is determined by granting approval to modify the original development consent subject to the conditions recommended in the report submitted to the Local Planning Panel meeting of 15 February 2024.

The Conditions recommended in the report submitted to the Georges River Local Planning Panel meeting of 15 February 2024.

**Statement of Reasons**

The reasons for this decision are:

- The proposed development is substantially the same as that originally approved. It complies with the requirements of the relevant environmental planning instruments and development control plan;
- The proposal has been designed to generally satisfy the key provisions of the Apartment Design Guide in terms of meeting the provision of landscaped area and communal open space.
- The proposed modifications to the approved plans are minor in nature and do not result in any adverse impact on the natural and built environment.
- The proposal aims to provide a high-quality building that will establish a positive urban design outcome, setting the architectural and planning precedent in the area.

**LPP004-24 198-200 Princes Highway Kogarah Bay**  
(Report by Senior Development Assessment Planner)

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

**Speakers**

There were no speakers for this item.

**Voting of the Panel Members**

The decision of the Panel was unanimous.

Pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979, as amended, the Georges River Local Planning Panel, refuses Modification Application MOD2022/0148 for the demolition of existing structures, construction of six storey residential flat building comprising twenty-two (22) residential units and two (2) levels of basement car park. The proposed modifications include increase in height, reduction in basement footprint, reduction in number of car spaces, decrease in basement side setbacks, reconfiguration of all levels of the development, façade changes and landscaping amendments at Lot 4 and 5 in DP1963, known as 198-200 Princes Highway, Kogarah Bay, for the following reasons:

1. The proposed modifications fails to comply with the following design principles outlined under the State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development:
  - a. Principle 2 - Built form and scale
  - b. Principle 4 - Sustainability
  - c. Principle 5 - Landscape
  - d. Principle 6 – Amenity
  - e. Principle 9 – Aesthetics
2. The proposed modifications fails to comply with the following design guidelines outlined under the Apartment Design Guideline:
  - a. 3C – Public Domain Interface
  - b. 3F – Visual Privacy
  - c. 3G – Pedestrian Access and Entries
  - d. 4A – Solar Access
  - e. 4B – Natural Ventilation
  - f. 4F – Common Circulation & Spaces
  - g. 4M – Facades
3. The proposed modifications fail to comply with the following clauses under the Georges River Local Environmental Plan 2021:
  - a. Clause 1.2 – Aims of Plan
  - b. Clause 6.10 – Design Excellence
4. The proposed modifications fail to comply with the following controls under the Georges River Development Control Plan 2021:
  - a. Control 6.3.4 – Basement Setbacks
  - b. Control 6.3.5 – Façade Treatment and street corners
  - c. Control 6.3.6 – Landscaped Treatment and private open space
  - d. Control 6.3.7 – Communal Open Space
  - e. Control 6.3.8 – Solar Access

5. The proposal is unsatisfactory having regard to Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979 as the development will cause adverse impacts upon the following aspects of the environment:
  - a. Built Environment: An adverse impact would result from the proposed development on the amenity of adjoining premises relating to privacy and overlooking upon adjoining neighbours.

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**LPP005-24 2-10 Palmerston Street, Kogarah**  
(Report by Development Assessment Planner)

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

**Speakers**

There were no speakers for this item.

OR

- Jillian Sneyd (town planner on behalf of applicant)
- Andrew Nicolle (consultant on behalf of applicant)

**Voting of the Panel Members**

The decision of the Panel was unanimous.

Pursuant to Section 4.56 of the Environmental Planning and Assessment Act 1979, as amended, Modification Application MOD2023/0076 to modify conditions 79 and 82F in relation to car parking numbers and allocation at Lot 1 DP1276253, known as 2-10 Palmerston Street, Kogarah, is determined by granting approval to modify the original development consent subject to the conditions recommended in the report submitted to the Local Planning Panel meeting of 15 February 2024.

The Conditions recommended in the report to the Georges River Local Planning Panel meeting of 15 February 2024, subject to the amendments as follows:

Amend condition 82F to read as follows:

**82F. Car Parking Allocation**

~~Each residential unit must be allocated with at least one car space.~~

~~Each tandem/stacked carspace in Basement 3 shall be allocated to the same unit/strata title.~~

Each two-bedroom and each three-bedroom unit must be allocated with at least one (1) car parking space within the basement.

Each tandem/stacked car space in Basement 3 shall be allocated to the same unit/strata title.

**(CONDITION MODIFIED BY MOD2023/0076)**

Statement of Reasons

The reasons for this decision are:

- The proposed modification to amend a condition in relation to car parking allocation is considered to represent substantially the same development as originally approved.
- The modification remains consistent with the objectives of the zone and the character of the locality by providing housing that meets the needs of the community.

- The proposed modification of conditions of consent in relation to car parking allocation and carparking numbers do not result in any unreasonable impacts upon the streetscape character or the amenity of any immediately adjoining properties in terms of unreasonable overlooking, overshadowing or view loss and satisfied the objectives of the height of building development standard.
- The proposed modifications of the conditions of consent are not incompatible with surrounding development and surrounding land uses. The development as modified remains consistent with the desired and future character of the Kogarah North Precinct by providing a high-density development consistent with adjoining and approved development.

**9 CONFIRMATION OF MINUTES**

**GEORGES RIVER LOCAL PLANNING PANEL MEETING-15 FEBRUARY 2024**

**RECOMMENDATION**

That the Minutes of the Georges River Local Planning Panel Meeting held on 15 February 2024, be confirmed.

The meeting concluded at 5.20pm.



Sue Francis  
**Chairperson**



Deborah Laidlaw  
**Expert Panel Member**




Paul Vergotis  
**Expert Panel Member**




Cameron Jones  
**Community Representative**

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## Declaration of Interest Georges River Local Planning Panel

<b>Panel Member Name:</b>	Sue Francis
<b>Meeting Date:</b>	15 February 2024
<b>Item Numbers:</b>	<ul style="list-style-type: none"> <li>• LPP001-24 – 46A Russell Street Oatley</li> <li>• LPP002-24 – 31 Ocean Street Penshurst</li> <li>• LPP003-24 – 2-12 Lime Kiln Road Lugarno</li> <li>• LPP004-24 – 198-200 Princes Highway Kogarah Bay</li> <li>• LPP005-24 – 2-10 Palmerston Street Kogarah</li> </ul>
<b>In relation to the matters on this agenda, I declare that I have:</b>	<input checked="" type="checkbox"/> No known conflict of interest
<b>In relation to item number I have an actual<sup>1</sup> conflict of interest</b>	<input type="checkbox"/> Conflict Details
<b>In relation to item number I have a potential<sup>2</sup> conflict of interest</b>	<input type="checkbox"/> Conflict Details
<b>In relation to item number I have a reasonably perceived<sup>3</sup> conflict of interest</b>	<input type="checkbox"/> Conflict Details
<b>Name of Panel Member</b>	
<b>Signature:</b>	
<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 Local Planning Panel


<b>Panel Member Name:</b>	Deborah Laidlaw
<b>Meeting Date:</b>	15 February 2024
<b>Item Numbers:</b>	<ul style="list-style-type: none"> <li>• LPP001-24 – 46A Russell Street Oatley</li> <li>• LPP002-24 – 31 Ocean Street Penshurst</li> <li>• LPP003-24 – 2-12 Lime Kiln Road Lugarno</li> <li>• LPP004-24 – 198-200 Princes Highway Kogarah Bay</li> <li>• LPP005-24 – 2-10 Palmerston Street Kogarah</li> </ul>
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<b>Panel Member Name:</b>	Paul Vergotis
<b>Meeting Date:</b>	15 February 2024
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## Declaration of Interest Georges River Local Planning Panel

<b>Panel Member Name:</b>	Cameron Jones
<b>Meeting Date:</b>	15 February 2024
<b>Item Numbers:</b>	<ul style="list-style-type: none"> <li>• LPP001-24 – 46A Russell Street Oatley</li> <li>• LPP002-24 – 31 Ocean Street Penshurst</li> <li>• LPP003-24 – 2-12 Lime Kiln Road Lugarno</li> <li>• LPP004-24 – 198-200 Princes Highway Kogarah Bay</li> <li>• LPP005-24 – 2-10 Palmerston Street Kogarah</li> </ul>
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<b>In relation to item number I have an actual<sup>1</sup> conflict of interest</b>	<input checked="" type="checkbox"/> Conflict Details I have a Conflict in Item 1. 46a Russell St, Oatley. I worked with MJP Design on a recent project and know the owner socially.
<b>In relation to item number I have a potential<sup>2</sup> conflict of interest</b>	<input type="checkbox"/> Conflict Details
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