

MINUTES

Georges River Local Planning Panel

Thursday, 21 March 2024

4:00 PM

Blended Meeting

Online and Council Chambers, Civic Centre,
Hurstville

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PANEL MEMBERS:

Mr Stephen Davies	(Chairperson)
Ms Julie Walsh	(Expert Panel Member)
Mr Nicholas Skelton	(Expert Panel Member)
Ms Fiona Prodromou	(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

There were no declarations of Pecuniary Interest

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 4.26pm and the LPP Panel proceeded into Closed Session to deliberate the items listed below.

8 CLOSED SESSION – DELIBERATION OF REPORTS

LPP006-24 58A Algernon Street OATLEY (Report by Consultant Planner)

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

Speakers

- Cameron Jones (architect)
- Yiannis Socratous (applicant)

Voting of the Panel Members

The decision of the Panel was unanimous.

Pursuant to Section 2.20 (8) of the Environmental Planning and Assessment Act 1979 (EPAA), determination of Development Application No. DA2023/0117 for the demolition of existing structures and construction of a part two storey part three storey dwelling with swimming pool and associated landscaping at Lot 1 DP 56766, known as 58A Algernon Street, Oatley, is deferred and the applicant is invited to submit further information addressing the matters below in order to satisfy Clause 6.6, Clause 6.10 and Clause 6.12 of the Georges River Local Environmental Plan 2021.

1. A detailed landscape plan must be prepared by a suitably qualified Landscape Consultant in accordance with Part 4.3 of the Georges River Council Development Application Guide. The plan must include but not be limited to:
 - mature height and spread of selected species,
 - soil depths,
 - proposed finished levels,
 - soft and hard landscape details,
 - materials / finishes of retaining walls, balustrades and fencing,
 - soil depths,
 - irrigation mechanisms, and
 - sections through landscaped areas demonstrating soil depth and cut and fill.
2. Modification of the plans to enable the full retention of the floating rock formation and rock cap adjacent to the southern boundary (this will require;
 - a. the removal of the proposed turf area, and associated edging and balustrade to the south of the pool;
 - b. reduction of the pool area projection to the south.
3. The proposed pool fencing shall be of a palisade design of a dark recessive colour.
4. Details of the treatment of the southern, eastern and western external walls of the pool area including colours, finishes and materials shall be provided. Landscaping shall be provided along the aforementioned walls to visually obscure the extent of such walls. Consideration to the ability for deep soil planting.

The Panel requests the information be submitted to Council within 60 days. The application is to be subject to future consideration by the Georges River Local Planning Panel as constituted at this meeting. The meeting can be an electronic or a public meeting at the discretion of the Chair:

LPP007-24 206 Railway Parade KOGARAH
(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.

That Georges River Local Planning Panel support the proposal as it is generally compliant with relevant planning policies, provides a suitable development that responds to the site, and satisfies the zone objectives. Approval of the development is unlikely to result adverse environmental or social impacts on the locality. The design proposed is considered to be acceptable for the site.

Pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979, as amended, Modification Application MOD2022/0100 for modification of development consent DA2020/0236 for demolition works, lot consolidation, site preparation and construction of a twelve (12) storey mixed use development containing ground floor and first floor commercial floor space and 49 residential apartments above three (3) levels of basement containing 75 car spaces, level one (1) and roof top communal open space, landscaping and site works at Lot 23 DP 2013, Lot 24 DP 2013 and Lot 25 DP 2013 and known as 206 – 214 Railway Parade, 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 21 March 2024.

The Conditions recommended in the report submitted to the Georges River Local Planning Panel meeting of 21 March 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 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.
- The proposal is substantially the same as that originally approved.

LPP008-24 37 Endeavour Street SANS SOUCI NSW 2219 - Lot 1 DP562671
(Report by Development Assessment Planner)

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

Speakers

- Mark Raymundo (town planner)

Voting of the Panel Members

The decision of the Panel was unanimous.

That Georges River Local Planning Panel support the request for variations under Clause 4.6 of Georges River Local Environmental Plan 2021, in relation to the Exceptions to floor space ratio — certain residential accommodation (Clause 4.4A) development standard and Foreshore Area and Coastal Hazards and Risk (Clause 6.4) in relation to the breach of the foreshore building line and Landscaped areas in certain residential and conservation zones (6.12) as the variations sought satisfies the objectives of the standards 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.

Pursuant to Section 4.16 (1)(a) of the Environmental Planning and Assessment Act 1979 (as amended), Development Application DA2023/0346 for the reinstatement of the pitched tiled roof, external facade and fenestration which has been removed without consent at Lot 1 DP562671, known as 37 Endeavour Street Sans Souci, is granted Development Consent subject to:

The Conditions recommended in the report submitted to the Georges River Local Planning Panel meeting of 21 March 2024.

Statement of Reasons

The reasons for this decision are:

- The clause 4.6 Variations to the development standards are considered worthy of support as the justifications are well founded and they have been prepared having regard to the Clause 4.6 criterion, the objectives of the zone and the objectives of each clause which is being breached.
- The proposal when complete will result in the dwelling's envelope being consistent with the dwelling prior to the unauthorised demolition works being undertaken.
- The proposed development will not have unreasonable impacts on the natural, social and built environment.

LPP009-24 34 Montgomery 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.

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 MOD2023/0086 for the Modification of Consent No: DA2018/0139 for Demolition of existing structures and construction of a twelve / thirteen (12/13) storey mixed use development, basement car parking and landscaping. The modification includes glazing (fixed and openable) to the lift core and corridors for weather protection at Lot 1 DP1257082, known as 34 Montgomery 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 21 March 2024.

The Conditions recommended in the report submitted to the Georges River Local Planning Panel meeting of 21 March 2024.

Statement of Reasons

The reasons for this decision are:

- The proposed modification to add fixed open louvres and a full height glazing to enclose the rooftop lift lobby is considered to represent substantially the same development as originally approved.
- The proposal is still a shop top housing development that responds to community needs and demands.
- The modifications will not unreasonably affect the amenity of any immediately adjoining properties in terms of unreasonable overlooking, overshadowing or view loss.
- The proposed development is sensitively designed so that it will not result in any unreasonable impacts on the natural and built environment.
- The modification remains consistent with the objectives of the zone and the character of the locality.
- The modifications have been sought to satisfy the lift installers criterion to provide weather protection.

LPP010-24 219 Terry Street Connells Point
(Report by Development Assessment Planner)

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

Speakers

- Stephanie Kiorvski (applicant)

Voting of the Panel Members

The decision of the Panel was unanimous.

Pursuant to Section 4.16(1)(b) of the Environmental Planning and Assessment Act, 1979, as amended, the Georges River Local Planning Panel, refuses Development Application DA2023/0156 for demolition, alterations and additions to a single storey heritage listed dwelling house and construction of a carport forward of the garage at Lot B, DP323295 known as 219 Terry Street, Connells Point, for the following reasons:

- 1. Refusal Reason - Environmental Planning Instrument** - Pursuant to Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development does not comply with the following sections of State Environmental Planning Policy (Biodiversity and Conservation) 2021. In particular:
 - a) There are conflicting opinions between the 2 arborist reports from the applicant. The submitted Arborist Reports contain insufficient information on the impact of the development to make an effective assessment and determination relating to tree impacts.
 - b) The impacts of the proposed stormwater works have not been sufficiently assessed or mitigated as they are not consistent with Council's Tree Management Policy.
 - c) The impacts from the proposed dwelling additions on tree number 1 have not been sufficiently assessed or substantiated.
 - d) The removal of tree number 1 that could be retained through an alternate design is not supported, as it is not consistent with Councils Tree Management Policy.
- 2. Refusal Reason - Environmental Planning Instrument** - Pursuant to Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development does not comply with the following sections of Georges River Local Environmental Plan 2021:
 - a) Clause 2.3 - Zone Objectives. The proposal is inconsistent with the zone objectives as the proposal fails to provide for housing within a landscaped setting that enhances the existing environmental character of the Georges River Local Government Area.
- 3. Refusal Reason - Environmental Planning Instrument** - Pursuant to Section 4.15 (1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development does not comply with the following sections of Georges River Development Control Plan 2021:
 - a) Section 3.5.1 – Earthworks. The trees on the subject site will be impacted by the proposed development (including stormwater works) as the works fall within the Tree Protection Zones. An amended arborist report has not been submitted detailing the methods of retention and protection of impacted trees and root systems.

- b) Part 5. Resident Locality Statement. The proposal is not consistent with the future desired character of the precinct as the proposal has failed to adequately address the trees proposed to be retained on the subject site and Council land.
4. **Refusal Reason – Impact on the Environment** – Pursuant to Section 4.15 (1)(b) of the Environmental Planning and Assessment Act 1979, the proposed development is likely to have an adverse impact on the following aspects of the environment:
- a) Natural Environment. The development is located within an established residential area and is considered to result in an unreasonable impact on the natural environment. Due to the insufficient information regarding the retention of trees on the subject and adjoining site, a full and complete assessment of the impact of the proposed development on the natural environment cannot be ascertained, resulting in non-support of the application.
5. **Refusal Reason – Heritage** – The site is a listed heritage item for its dwelling and landscape setting. Pursuant to Clause 5.10 of the Georges River Local Environmental Plan 2021, inadequate information has been provided to demonstrate that the impacts on the landscape setting are acceptable.
6. **Refusal Reason – The Public Interest** – Pursuant to Section 4.15 (1)(e) of the Environmental Planning and Assessment Act 1979, the proposed development is not considered to be in the public interest and is likely to set an undesirable precedent.

9 CONFIRMATION OF MINUTES

GEORGES RIVER LOCAL PLANNING PANEL MEETING-21 MARCH 2024

RECOMMENDATION

That the Minutes of the Georges River Local Planning Panel Meeting held on 21 March 2024, be confirmed.

The meeting concluded at 6.11pm.



Stephen Davies
Chairperson



Nicholas Skelton
Expert Panel Member




Julie Walsh
Expert Panel Member




Fiona Prodromou
Community Representative

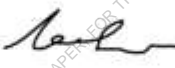
Declaration of Interest Georges River Local Planning Panel

Panel Member Name:	Stephen Davies
Meeting Date:	21 March 2024
Item Numbers:	<ul style="list-style-type: none"> • LPP006-24 – 58A Algernon Street Oatley • LPP007-24 – 206 Railway Parade Kogarah • LPP008-24 – 37 Endeavour Street Sans Souci • LPP009-24 – 34 Montgomery Street Kogarah • LPP010-24 – 219 Terry Street Connells Point
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 actual¹ conflict of interest	<input type="checkbox"/> Conflict Details
In relation to item number I have a potential² conflict of interest	<input type="checkbox"/> Conflict Details
In relation to item number I have a reasonably perceived³ conflict of interest	<input type="checkbox"/> Conflict Details
Name of Panel Member	
Signature:	
<p>Key of Terms:</p> <p>¹ 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>² 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>³ 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


Panel Member Name:	Julie Walsh
Meeting Date:	21 March 2024
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In relation to item number I have a reasonably perceived³ conflict of interest	<input type="checkbox"/> Conflict Details
Name of Panel Member	JULIE WALSH
Signature:	
	14 MARCH 2024
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Panel Member Name:	Nicholas Skelton
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Declaration of Interest Georges River Local Planning Panel

Panel Member Name:	Fiona Prodromou
Meeting Date:	21 March 2024
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