

# MINUTES

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## Georges River Local Planning Panel

Thursday, 24 October 2024

4:00 PM

Blended Meeting

Online and Council Chambers, Civic Centre,  
Hurstville

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## **PANEL MEMBERS:**

Mr Stuart McDonald	(Chairperson)
Mr Nicholas Skelton	(Expert Panel Member)
Ms Helen Deegan	(Expert Panel Member)
Ms Jenny Simpson	(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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There were no declarations of Pecuniary Interest

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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 5.03pm and the LPP Panel proceeded into Closed Session to deliberate on the items listed below.

## 8 CLOSED SESSION – DELIBERATION OF REPORTS

### LPP044-24 88-92 Botany Road Carlton (Report by Principal Planner)

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

#### Speakers

- Roslyn Magro (resident)
- Nat Iyer (resident)

#### 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 DA2024/0056 for the external lighting design and erection at the existing Place of Public Worship (PoPW) at Lots 21-24 DP 87691 known as 88-92 Botany Street, Carlton, is granted Development Consent subject to:

The Conditions recommended in the report to the Georges River Local Planning Panel meeting of 24 October 2024, subject to the amendments as follows:

Include additional conditions 1A and 1B to read as follows:

- 1A. This approval is to run concurrently with DA2019/0644, Place of Public Worship consent and is to operate in accordance with the same 18 month trial period.
- 1B. The Plan of Management titled "Place of Worship Plan of Management" Version 16 dated 8 July 2022 prepared by Elton Consulting as referenced in DA2019/0644 is to be amended to include the lighting conditions relevant to this lighting approval and hours of illumination. This Plan of Management shall form part of this approval and the operation of the Place of Public Worship.

#### Statement of Reasons

The reasons for this decision is:

- The lighting sub category classifications are suitable for the locality.
- The light pole structure height, design and colours comply with the conditions of consent DA2019/0644.
- The lighting design has been suitably assessed under Australian Standards 1158.3.1 (lighting classification) and 4282:2023 (obtrusive lighting effects) and achieves the relevant criteria.
- The proposed lights will not impact the amenity or security of surrounding properties and will be switched off in accordance with the current consent.
- The lighting will ensure safe use of the car park area for cars and pedestrians.

**LPP045-24 25A Queens Road Connells Point**  
(Report by Senior Development Assessment Planner)

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

**Speakers**

- Bianca and Ivan Prpic (residents)
- Melinda Mahrs (resident)

**Voting of the Panel Members**

Not applicable in this instance.

The Panel notes that this application **LPP045-24 - DA2023/0586 - 25A Queens Road Connells Point** has been referred to the Panel for determination by Council's officers under the General Managers Instrument of Delegation with an endorsement dated of 3 February 2020.

The Panel acknowledges the current Local Planning Panels Ministerial Direction under section 9.1 of the *Environmental Planning and Assessment Act 1979* dated 6 March 2024.

Given the Ministerial Direction under which the Panel operates, the Georges River Local Planning Panel does not have responsibility to consider and determine the development application.

Note: The development application assessment report and related material appeared on the Panel's public meeting agenda, including on the Council's website and in addition both the applicant and objectors were notified of the Panel public meeting. Some representatives registered to speak at the public meeting.

The Panel proceeded to hear from those people registered to speak on the day as well as inspect the site. The operations of the Panel and the public representations made, may assist the Council in their determination of the application.

**LPP046-24 42 Townson Street, Blakehurst NSW 2221**  
(Report by Development Assessment Planner)

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

**Speakers**

- Atef Ghaly (resident)
- Robert Bruce Smith (resident)
- George Yile (consultant)
- Kim Burrell (consultant)

**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 DA2023/0585 for Demolition works, construction of a dwelling house and swimming pool at Lot A DP 955170 known as 42 Townson Street, Blakehurst, 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 Part 2.2 of State Environmental Planning Policy (Resilience and Hazards) 2021 as the built form and associated site works will result in an excessive built form when viewed along the foreshore and that is not compatible with the Coastal Use Area and the wider context of the locality.
- 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 extent of earthworks and resultant built form placed on the sloping and narrow site fails to adequately demonstrate a high standard of urban design and built form.
  - b) Clause 4.6 – Exceptions to development standards. The submitted Clause 4.6 variation request concerning *Clause 6.4 Foreshore area and coastal hazards and risk* fails to adequately demonstrate, that compliance with the development standard is unreasonable or unnecessary, and that, there are sufficient environmental planning grounds to justify the contravention of the Foreshore Building Line development standard.
  - c) Clause 6.2 – Earthworks. The extent and form of the proposed earthworks is unjustified in the context of the landform of the site and inconsistent with the provisions of the Clause.
  - d) Clause 6.4 – Foreshore area and coastal hazards and risk. The proposed dwelling house is located forward of the footprint of the existing building into the Foreshore Building Line without adequate justification.

- e) Clause 6.6 – Foreshore Scenic Protection Area. The proposal demonstrates excessive built form and level changes forward of the Foreshore Building Line and fails to appropriately accommodate the fall in the land.

**3. Refusal Reason – Development Control Plan** - Pursuant to Section 4.15 (1)(a)(iii) 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 proposal is inconsistent with the requirements to maintain natural ground level within 900mm of a side boundary and avoid earthwork deeper than 1.0m, without adequate justification.
- b) Section 6.1.2.2 - Building Scale and Height. The proposal does not respond adequately to the desired future scale of buildings within the neighbourhood due to unjustified non-compliance with the Foreshore Building Line development standard.
- c) Section 6.1.2.3 – Setbacks. The proposed 1.3m western side setback, which does not comply with the required minimum of 1.5m setback from the side boundary for properties within the Foreshore Scenic Protection Area, is unjustified in the context of the site and the relationship to adjoining properties.
- d) Section 6.1.2.4 – Private Open Space. The proposed private open space, including the swimming pool and surrounds at the rear of the site is terraced and elevated as a result of the proposed earthwork. The elevated portion of the private open space, in the form proposed, is likely to result in unacceptable privacy impacts into adjoining properties.
- e) Section 6.1.2.6 – Excavation (cut and fill). The proposal incorporates earthworks beyond the building footprint without adequate justification. Furthermore, the proposal fails to minimise earthwork outside of the parking area and associated accessway.
- f) Section 6.1.2.7 – Vehicular Access, Parking and Circulation. The proposed internal driveway has a non-compliant and unjustified excessive width of 4.7m at the street boundary.
- g) Section 6.1.2.10 – Solar Access. The submitted solar diagrams are inaccurate and fail to provide adequate information in order to properly determine the overshadowing impacts on 40 Townson Street.
- h) Section 6.5.1 – Foreshore Scenic Protection Area. The proposal fails to minimise the extent of earthwork and introduces non-compliant retaining walls within 40m of the Mean High Water Mark, with a resultant unacceptable visual impact on the foreshore.

**LPP047-24      280-298 Railway Parade Carlton**  
(Report by Development Assessment Planner - Fast Track)

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**

Not applicable in this instance.

The Panel notes that this application **LPP047-24 - DA2024/0076 – 280-298 Railway Parade Carlton** has been referred to the Panel by Council's officers for determination under the General Managers Instrument of Delegation with an endorsement dated of 3 February 2020.

The Panel acknowledges the current Local Planning Panels Ministerial Direction under section 9.1 of the *Environmental Planning and Assessment Act 1979* dated 6 March 2024.

Given the Ministerial Direction under which the Panel operates, the Georges River Local Planning Panel does not have responsibility to consider and determine the application.

Note: The development application assessment report and related material appeared on the Panel's public meeting agenda, including on the Council's website and both the applicant and objectors were notified of the Panel public meeting.

The Panel proceeded to inspect the site in the company of Council officers and this may assist the Council in their determination of the application.

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**LPP048-24     58 Walter Street, Mortdale**  
(Report by Principal Planner)

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

**Speakers**

- Alex Dounis (applicant)
- Melissa Arakelian (owner)

**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. DA2023/0559 for the construction of a dual occupancy with torrens title subdivision at Lot 821 DP 1282698 known as 58 Walter Street Mortdale, is deferred and the applicant is invited to submit further information addressing the matters below. The Panel requests the information be submitted to Council within 14 days. The application is to be subject to future consideration by the Georges River Local Planning Panel with an updated assessment report at an electronic meeting as soon as possible following expiration for the 14 days:

1. An updated Clause 4.6 written submission by the applicant addressing Clause 4.1B of Georges River Local Environmental Plan 2021 consistent with the Council's interpretation of this Clause as detailed in the assessment report presented to the Panel.
2. New driveway designs that enable the retention of the existing adjacent street trees in the road reserve along Walter Street and Breakwell Street frontages of the site, to the Council's satisfaction.
3. Addressing the Council's concerns, as expressed in the assessment report presented to the Panel, regarding the design of the rear terrace of the house fronting Breakwell Street.

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**LPP049-24 3 Cross Street, Hurstville NSW 2220**  
(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**

Not applicable in this instance.

The Panel notes that this application **LPP24-24 – DA2024/0178 - 3 Cross Street Hurstville** has been referred to the Panel by Council's officers for determination under the General Managers Instrument of Delegation with an endorsement dated of 3 February 2020.

The Panel acknowledges the current Local Planning Panels Ministerial Direction under section 9.1 of the Environmental Planning and Assessment Act 1979 dated 6 March 2024.

Given the Ministerial Direction under which the Panel operates, the Georges River Local Planning Panel does not have responsibility to consider and determine the application.

Note: The development application assessment report and related material appeared on the Panel's public meeting agenda, including on the Council's website and both the applicant and objectors were notified of the Panel public meeting.

The Panel proceeded to inspect the site in the company of Council officers and this may assist the Council in their determination of the application.

**9 CONFIRMATION OF MINUTES**

**GEORGES RIVER LOCAL PLANNING PANEL MEETING-24 OCTOBER 2024**

**RECOMMENDATION**

That the Minutes of the Georges River Local Planning Panel Meeting held on 24 October 2024, be confirmed.

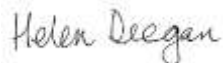
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The meeting concluded at 6.52 pm.



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Stuart McDonald  
**Chairperson**



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Helen Deegan  
**Expert Panel Member**



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Nicholas Skelton  
**Expert Panel Member**



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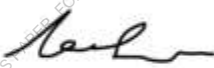
Jenny Simpson  
**Community Representative**

## Declaration of Interest Georges River Local Planning Panel

<b>Panel Member Name:</b>	Stuart McDonald
<b>Meeting Date:</b>	24 October 2024
<b>Item Numbers:</b>	<ul style="list-style-type: none"> <li>• LPP044-24 – 88-92 Botany Road Carlton</li> <li>• LPP045-24 – 25A Queens Road Connells Point</li> <li>• LPP046-24 – 42 Townson Street Blakehurst</li> <li>• LPP047-24 – 280-298 Railway Parade Carlton</li> <li>• LPP048-24 – 58 Walter Street Mortdale</li> <li>• LPP049-24 – 3 Cross Street Hurstville</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>	

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## Declaration of Interest Georges River Local Planning Panel

<b>Panel Member Name:</b>	Nicholas Skelton
<b>Meeting Date:</b>	24 October 2024
<b>Item Numbers:</b>	<ul style="list-style-type: none"> <li>• LPP044-24 – 88-92 Botany Road Carlton</li> <li>• LPP045-24 – 25A Queens Road Connells Point</li> <li>• LPP046-24 – 42 Townson Street Blakehurst</li> <li>• LPP047-24 – 280-298 Railway Parade Carlton</li> <li>• LPP048-24 – 58 Walter Street Mortdale</li> <li>• LPP049-24 – 3 Cross Street Hurstville</li> </ul>
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<b>Name of Panel Member</b>	
<b>Signature:</b>	
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## Declaration of Interest Georges River Local Planning Panel

<b>Panel Member Name:</b>	Helen Deegan
<b>Meeting Date:</b>	24 October 2024
<b>Item Numbers:</b>	<ul style="list-style-type: none"> <li>• LPP044-24 – 88-92 Botany Road Carlton</li> <li>• LPP045-24 – 25A Queens Road Connells Point</li> <li>• LPP046-24 – 42 Townson Street Blakehurst</li> <li>• LPP047-24 – 280-298 Railway Parade Carlton</li> <li>• LPP048-24 – 58 Walter Street Mortdale</li> <li>• LPP049-24 – 3 Cross Street Hurstville</li> </ul>
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<b>Name of Panel Member</b>	
<b>Signature:</b>	<i>Helen Deegan</i>
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