

# AGENDA

---

## Georges River Local Planning Panel

Thursday, 02 April 2026

4:00 PM

Blended Meeting

Online and Council Chambers, Civic Centre,  
Hurstville

### Participants:

**Donna Rygate (Chairperson)**

**Wayne Carter (Expert Panel Member)**

**Stephen Davies (Expert Panel Member)**

**Lisa Pemberton (Community Representative)**

**GEORGES RIVER LOCAL PLANNING PANEL MEETING**

**ORDER OF BUSINESS**

**1. ON SITE INSPECTIONS**

**2. OPENING**

**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. We pay our respects 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 / LEAVE OF ABSENCE**

**5. NOTICE OF WEBCASTING**

**6. DISCLOSURES OF INTEREST**

**7. CONSIDERATION OF ITEM(S) AND VERBAL SUBMISSIONS**

**8. CLOSED SESSION – DELIBERATION OF REPORTS**

<b>LPP014-26</b>	<b>Unit 1/ 47-49 Planthurst Road, Carlton – DA2025/0247</b> (Report by Coordinator Development Assessment) .....	3
<b>LPP015-26</b>	<b>58A Algernon Street, Oatley – DA2025/0451</b> (Report by Development Assessment Planner) .....	63
<b>LPP016-26</b>	<b>9 Stuart Crescent Blakehurst – DA2025/0456</b> (Report by Development Assessment Planner) .....	139

**9. CONFIRMATION OF MINUTES**

**Georges River Local Planning Panel Meeting - 02 April 2026**

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

**REPORTS AND LPP DELIBERATIONS**

**REPORT TO GEORGES RIVER LOCAL PLANNING PANEL MEETING OF THURSDAY, 02 APRIL 2026**

**LPP014-26 UNIT 1/ 47-49 PLANTHURST ROAD, CARLTON**

<b>LPP Report No</b>	<b>LPP014-26</b>	<b>Development Application No</b>	<b>DA2025/0247</b>
<b>Site Address &amp; Ward Locality</b>	Unit 1/ 47-49 Planthurst Road, Carlton Kogarah Bay Ward		
<b>Proposed Development</b>	Initial use of Unit 1 as Place of Public Worship		
<b>Owners</b>	UAAR Holding Pty Ltd		
<b>Applicant</b>	Nasser Hussein		
<b>Planner/Architect</b>	GAT & Associates/Create		
<b>Date Of Lodgement</b>	30/05/2025		
<b>Submissions</b>	1st Notification – 53 submissions, 2nd notification – 80 submissions.		
<b>Cost of Works</b>	\$150,000.00		
<b>Local Planning Panel Criteria</b>	A development application must be referred to (and determined by) the Local Planning Panel if it is considered contentious, which includes where: 10 or more unique submissions by way of objection have been received during the public exhibition period.		
<b>List of all relevant s.4.15 matters (formerly s79C(1)(a))</b>	State Environmental Planning Policy (Resilience and Hazards) 2021, State Environmental Planning Policy (Transport and infrastructure) 2021, Georges River Local Environmental Plan 2021 (GRLEP 2021) and Georges River Development Control Plan 2021 (GRDCP 2021).		
<b>List all documents submitted with this report for the Panel's consideration</b>	Architectural Plans, Statement of Environmental Effects, Plan of Management, Access Report, BCA Report, Acoustic Report. Traffic Impact Statemen		
<b>Report prepared by</b>	Development and Building		

<b>RECOMMENDATION</b>	Approval
-----------------------	----------

**EXECUTIVE SUMMARY**

This matter is reported to Georges River Council's Local Planning Panel (the Panel) in accordance with Schedule 1, Part 2 of the Local Planning Panels Direction – Development Applications and Applications to Modify Development Consents, issued by the Minister for Planning and Public Spaces under section 9.1 of the Environmental Planning and Assessment Act 1979.

LPP014-26

THIS COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PLAN FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

The development application is required to be referred to the Panel for determination as it received 10 or more unique submissions by way of objection during the public exhibition period.

## PROPOSAL

The application seeks consent to use Unit 1 as a small-scale place of public worship, with internal fit-out works, a maximum of 65 patrons and 34 dedicated on-site parking spaces. The use is fully contained within an existing industrial building and supported by a comprehensive Plan of Management detailing attendance, behaviour management, traffic circulation and noise controls.

Specifically, the place of public worship is a small-scale mosque, serving as a space for prayer, religious study and community gatherings for persons of the Islamic faith.

### Ground Floor

- Floor space to enable 65 worshipper prayer mats
- Fit out and minor internal renovations including
  - Infill of existing loading dock opening
  - Increased bathroom size
  - Storage space for shoes

### Mezzanine Level

- Fit out and minor internal renovations including
  - Rooms for counselling
  - Rooms for social and community events
  - Installation of glazed curtain wall to mezzanine

### Parking

- A total of 34 parking spaces are proposed.
- 15 spaces are already allocated to Unit 1 under existing strata arrangements (14 in the eastern basement and 1 at ground level).
- The 7 CDC-approved storage units are proposed to be converted to provide an additional 19 spaces for the place of public worship.
- 6 of these spaces will function as long-term parking for staff, community leaders and committee members consistent with the Plan of Management.

### Hours of Operation

#### **Summer**

- Daily hours: 4:30am–10pm
- Friday prayers:
  - Session 1: 1:00pm–1:30pm
  - Session 2: 2:15pm–2:45pm
- Ramadan Tarawih: 8pm–10pm

#### **Winter**

- Daily hours: 4:30pm–8:00pm
- Friday prayers:
  - Session 1: 12:00pm–12:30pm
  - Session 2: 1:15pm–1:45pm
- Ramadan Tarawih: 6:30pm–8:45pm

### **Additional details**

- Prayer start times are set strictly in accordance with Islamic jurisprudence and cannot be altered.
- Up to 10 special prayer events may occur each year, each generally under 1 hour and potentially involving visiting scholars or topic-specific sessions.
- Ramadan Tarawih commences in the evening:
  - Approximately 1.5 hours after sunset on non-daylight-saving days
  - With a 1-hour delay after sunset during daylight saving to meet Islamic requirements
- No Eid celebrations, events of gatherings are to occur on the site.
- No weddings are to occur on site.

### **Operational Capacity**

- Prayer: Maximum of 65 attendees.
- Counselling: Maximum of 4 participants.
- Youth programs: Maximum of 30 participants including staff, held 4pm–6pm and scheduled outside prayer times.
- Training: Maximum of 5 participants, conducted 10am–2pm and outside prayer times.
- Community affairs: Maximum of 4 participants, occurring at any time the place of public worship is open.

### **NOTIFICATION**

The DA was publicly notified/advertised for 28 days from 5 June to 23 July 2025 in accordance with the Georges River Community Engagement Strategy, resulting in 52 submissions. The application was then re-notified/re-advertised for a second exhibition period from 19 December 2025 to 13 February 2026, during which 82 submissions were received, comprising 68 objections and 14 submissions of support, with some submitters having also commented in the first round.

Key issues raised across both exhibitions related to traffic and parking, noise and amenity, hours of operation, suitability within the industrial context, adequacy of consultation, compliance with planning controls, safety, BCA matters, lighting, signage, patron numbers and broader public interest considerations. A detailed assessment of all submissions is provided in the main Assessment Report.

### **ASSESSMENT**

Development Application DA2025/0247 has been assessed having regard to the matters for consideration contained in section 4.15(1) of the *Environmental Planning and Assessment Act 1979*, requiring an assessment against the provisions contained within:

- State Environmental Planning Policy (SEPP) (Resilience and Hazards) 2021
- State Environmental Planning Policy (SEPP) (Transport and Infrastructure) 2021
- Georges River Local Environmental Plan 2021 (GRLEP 2021)
- Georges River Development Control Plan 2021 (GRDCP 2021)

The subject building was approved under CDC2023/0468 for the construction of an industrial development comprising twelve industrial units and seven storage units. This application seeks consent for the use of Unit 1 as a place of public worship and the use of the existing storage units as additional parking. No changes are proposed to the building's height, external form or floor space ratio, and the development remains consistent with the standards applying to the site under the GRLEP 2021.

Relevant matters arising during assessment including parking allocation, traffic impacts, operational detail and acoustic management have been addressed. These documents have been reviewed by Council's specialist officers and are supported subject to conditions.

On the basis of the information submitted and subject to strict conditions of consent, the proposal is considered satisfactory. A detailed assessment and compliance commentary is contained within the main Assessment Report.

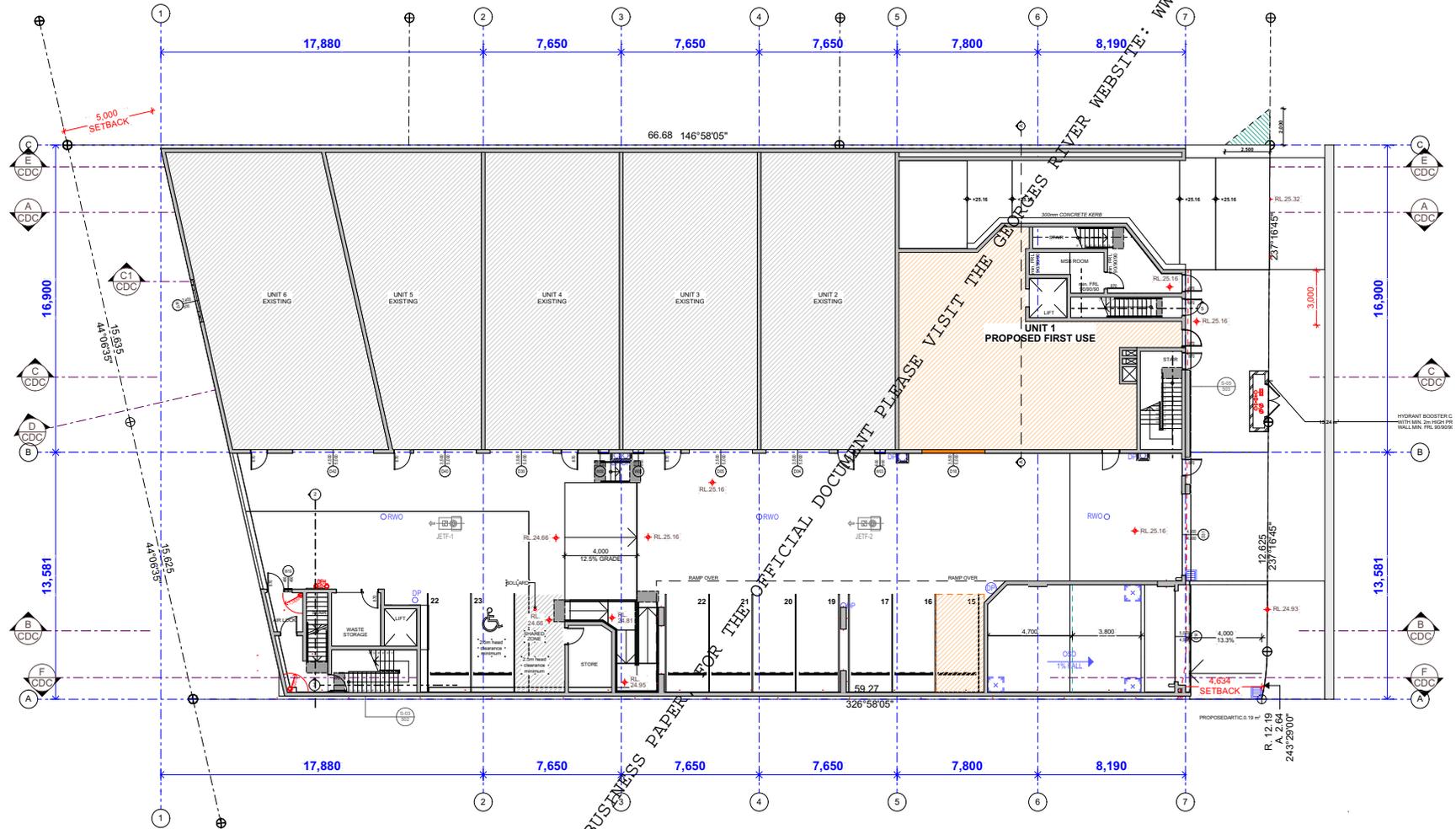
## RECOMMENDATION

In accordance with Section 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979*, Development Application DA2025/0247 for the use of Unit 1, 49 Planthurst Road, Carlton as a place of public worship, including associated internal works and the allocation of parking within existing storage units, is recommended for approval subject to the recommended conditions contained in Council's assessment report. The reasons for this recommendation are:

- The proposed development is permissible within the E4 General Industrial zone.
- The development has been assessed against all relevant State Environmental Planning Policies, the Georges River Local Environmental Plan 2021 and complies with applicable provisions, with any identified matters capable of being managed through conditions of consent.
- The proposal is consistent with the objectives and controls of the Georges River Development Control Plan 2021, including traffic, parking, noise, amenity, safety and operational management requirements.
- Acoustic impacts, traffic, parking and operational matters have been satisfactorily addressed through the Acoustic Report, Traffic Impact Statement and the endorsed Plan of Management.
- Subject to conditions (particularly those regulating hours of operation, patron numbers, acoustic controls, parking management and implementation of the endorsed Plan of Management) the development will not result in unreasonable environmental or amenity impacts on the surrounding area.

## ATTACHMENTS

- Attachment 1 Plans for Unit 1 27-49 Planthurst Road Carlton - DA2025 0247
- Attachment 2 DA Assessment Report 23 March FINAL - Unit 1 47-49 Planthurst Road Carlton - DA2025-0247

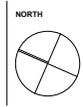


**SITE PLAN**  
1:200

DATE	DESCRIPTION	ISSUE	ADDRESS
21/02/25	ISSUE FOR CONSULTANT DISCUSSION	A	1, 801-807/49 Dandenong Road, Carlton, 2218
05/03/25	ISSUE FOR CONSULTANT DISCUSSION	B	
10/04/25	ISSUE FOR CONSULTANT DISCUSSION	C	
19/11/25	ISSUE FOR COUNCIL RFI NOVEMBER 2025	D	

PROJECT	STAGE	CLIENT	DESIGNED BY	DRAWN BY	CHECKED BY
PROPOSED FIRST USE	DEVELOPMENT APPLICATION	CREARTE	CREARTE	NH/PT	



**DRAWING TITLE**  
SITE PLAN

**DRAWING NO**  
DA01

**NOTES**  
DO NOT SCALE FROM DRAWINGS. USE MARKED DIMENSIONS ONLY. ALL DIMENSIONS TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT.

**SCALE**  
1:200  
@ A3

**NOMINATED ARCHITECT**  
Nasser Hussain  
12749

**Australian Institute of Architects**

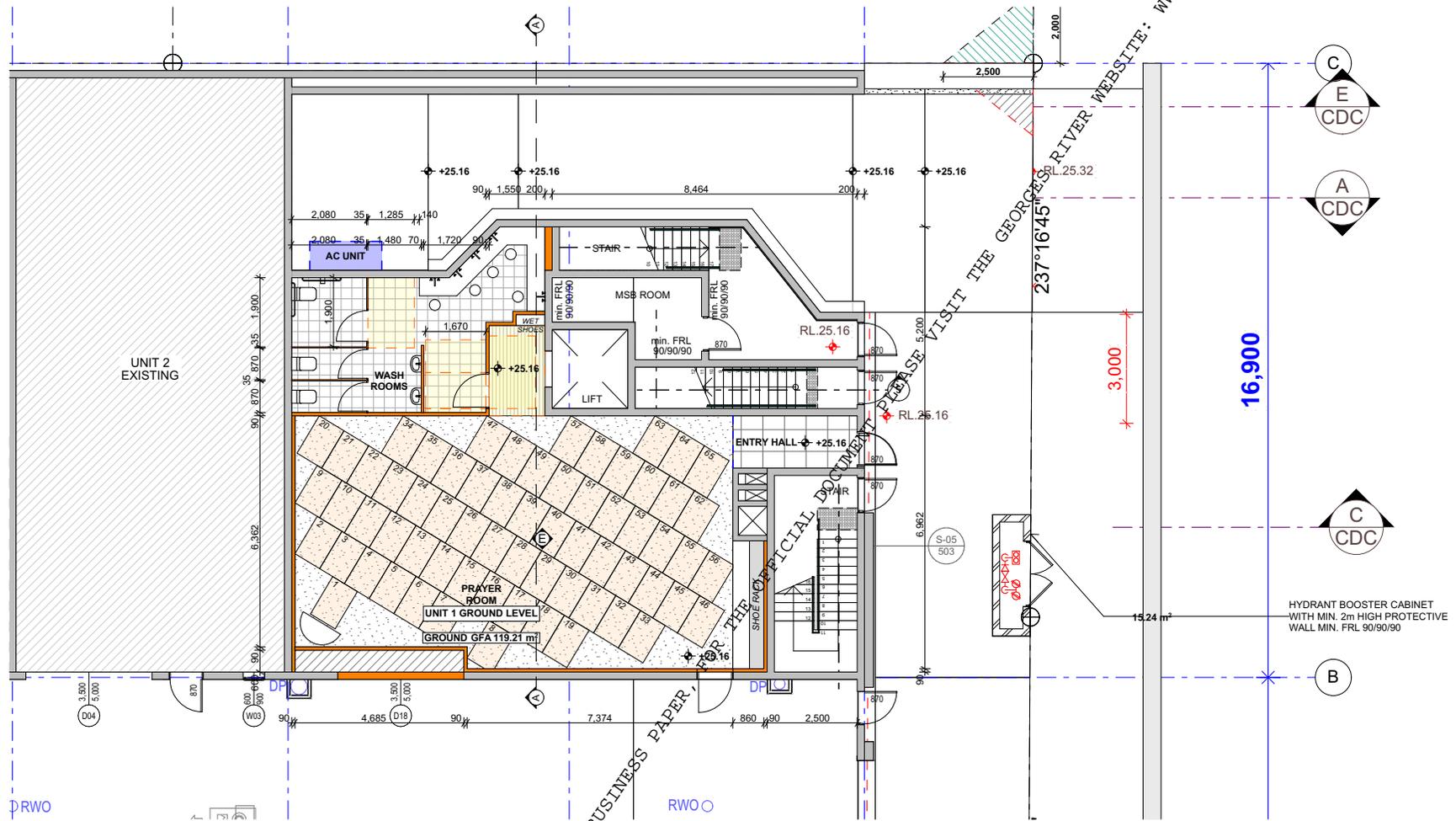
**CREARTE**

0424 432 744 (02) 4605 8887 info@crearte.com.au www.crearte.com.au

FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

PANEL BUSINESS PAPER



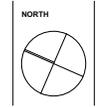


UNIT 1 GROUND FLOOR PLAN  
1:100



DATE	DESCRIPTION	ISSUE
21/02/25	ISSUE FOR CONSULTANT DISCUSSION	A
05/03/25	ISSUE FOR CONSULTANT DISCUSSION	B
10/04/25	ISSUE FOR CONSULTANT DISCUSSION	C
19/11/25	ISSUE FOR COUNCIL RFI NOVEMBER 2025	D

ADDRESS	1, 801-807/49
PROJECT	PROPOSED FLOOR USE
LEA	GEORGES RIVER COUNCIL
STAGE	DEVELOPMENT APPLICATION
CLIENT	CREARTE
DESIGNED BY	CREARTE
DRAWN BY	NH
CHECKED BY	NH



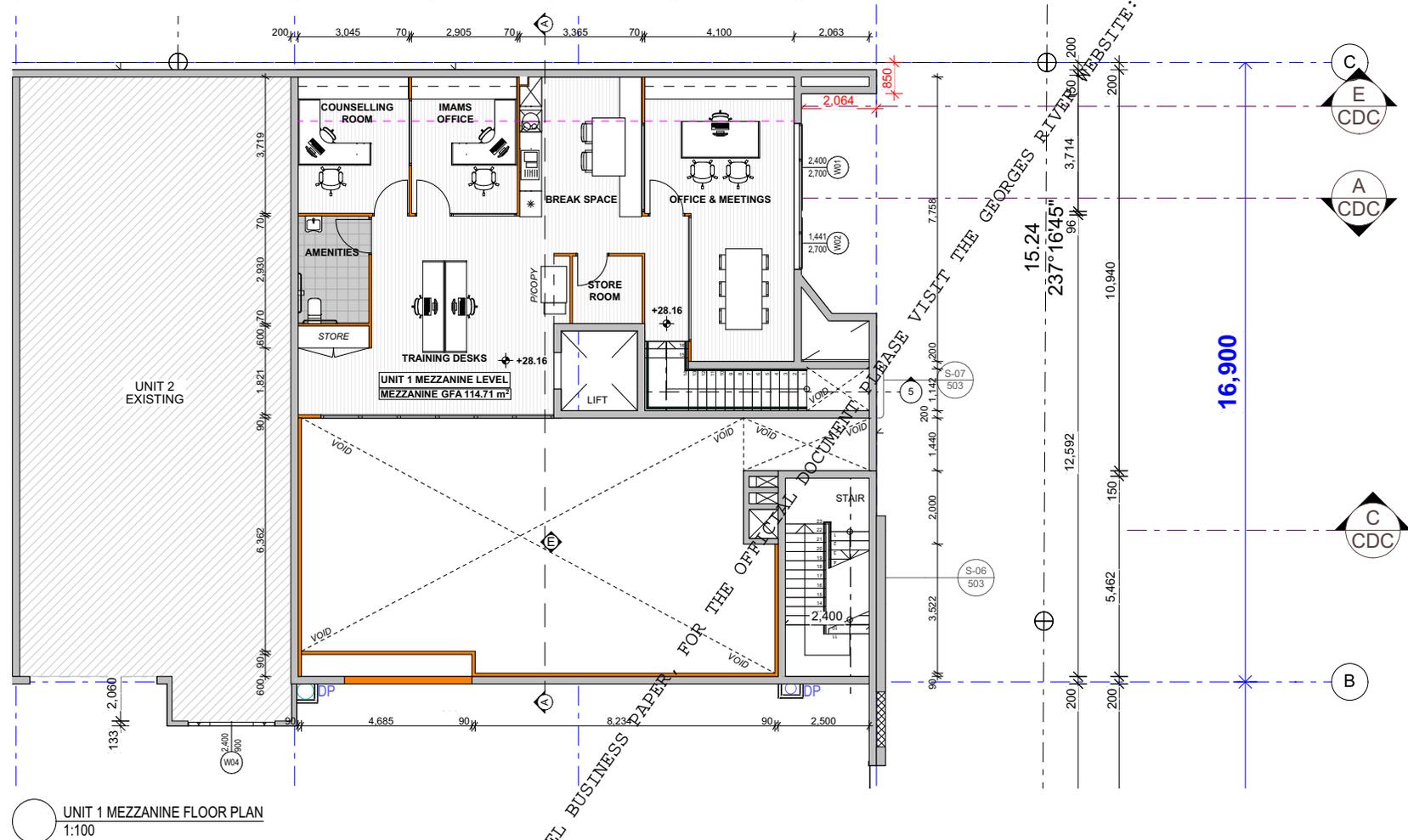
DRAWING TITLE	UNIT 1 GROUND FLOOR PLAN
DRAWING NO	DA03

NOTES  
DO NOT SCALE FROM DRAWINGS, USE MARKED DIMENSIONS ONLY. ALL DIMENSIONS TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT.  
SCALE  
1:100  
@ A3

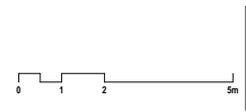
NOMINATED ARCHITECT  
Nasser Hussein  
12749  
Australian Institute of Architects

**CREARTE**  
0424 432 744 (02) 4605 8887 info@crearte.com.au www.crearte.com.au

FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

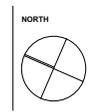


UNIT 1 MEZZANINE FLOOR PLAN  
1:100



DATE	DESCRIPTION
21/02/25	ISSUE FOR CONSULTANT DISCUSSION
05/03/25	ISSUE FOR CONSULTANT DISCUSSION
10/04/25	ISSUE FOR CONSULTANT DISCUSSION
19/11/25	ISSUE FOR COUNCIL RFI NOVEMBER 2025

ISSUE	ADDRESS
A	1, B01-B07/49 Penrith Road, Carlton, 2218
B	PROPOSED FLOOR USE
C	LSA
D	DEVELOPMENT APPLICATION
	CREATED BY
	CLIENT
	DESIGNED BY
	DRAWN BY
	CHECKED BY



DRAWING TITLE  
UNIT 1 MEZZANINE FLOOR PLAN

DRAWING NO  
DA04

NOTES  
DO NOT SCALE FROM DRAWINGS, USE MARKED DIMENSIONS ONLY. ALL DIMENSIONS TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT.

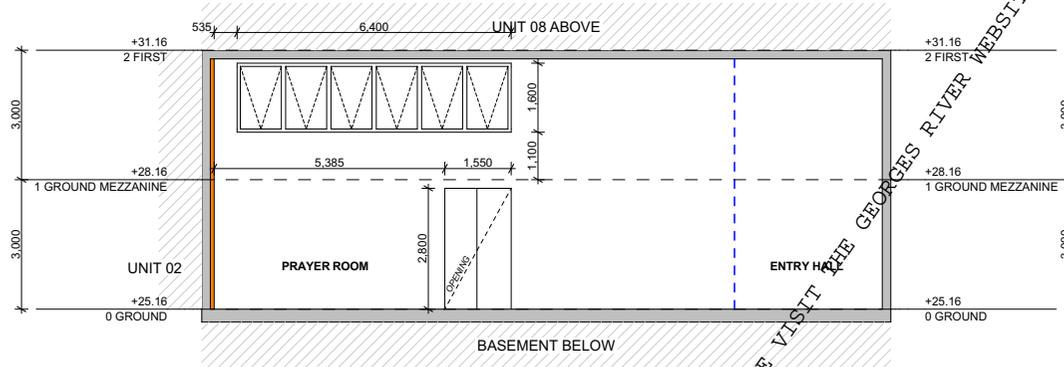
SCALE  
1:100  
@ A3

NOMINATED ARCHITECT  
Nasser Hussain  
12749

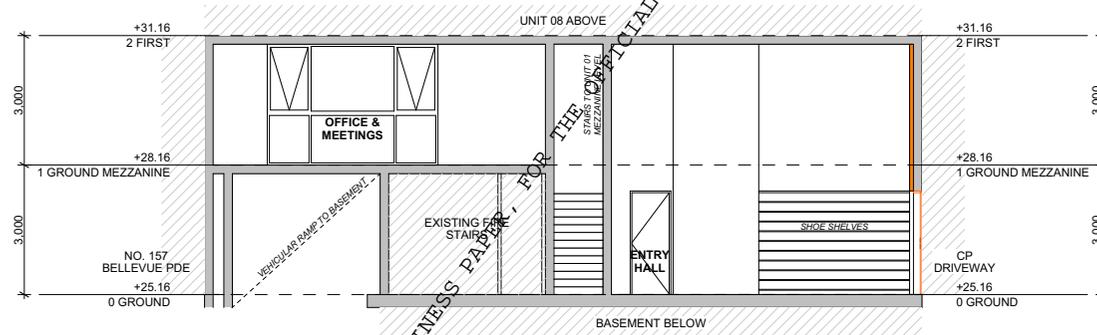
Australian Institute of Architects

**CREARTE**

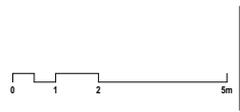
0424 432 744 (02) 4605 8887 info@crearte.com.au www.crearte.com.au



**E** INTERNAL ELEVATION 01  
1:100



**E** INTERNAL ELEVATION 02  
1:100



DATE	DESCRIPTION	ISSUE	ADDRESS
21/02/25	ISSUE FOR CONSULTANT DISCUSSION	A	1, B01-807/49 Pleasure Road, Carlton, 2218
05/03/25	ISSUE FOR CONSULTANT DISCUSSION	B	PROPOSED FLOOR USE
10/04/25	ISSUE FOR CONSULTANT DISCUSSION	C	LEA GEORGES RIVER COUNCIL
19/11/25	ISSUE FOR COUNCIL RFI NOVEMBER 2025	D	DEVELOPMENT APPLICATION

DRAWING TITLE	NOTES
INTERNAL ELEVATIONS	DO NOT SCALE FROM DRAWINGS, USE MARKED DIMENSIONS ONLY. ALL DIMENSIONS TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT.
DRAWING NO DA05	

SCALE	NOMINATED ARCHITECT
1:100 @ A3	Nasser Hussain 12749

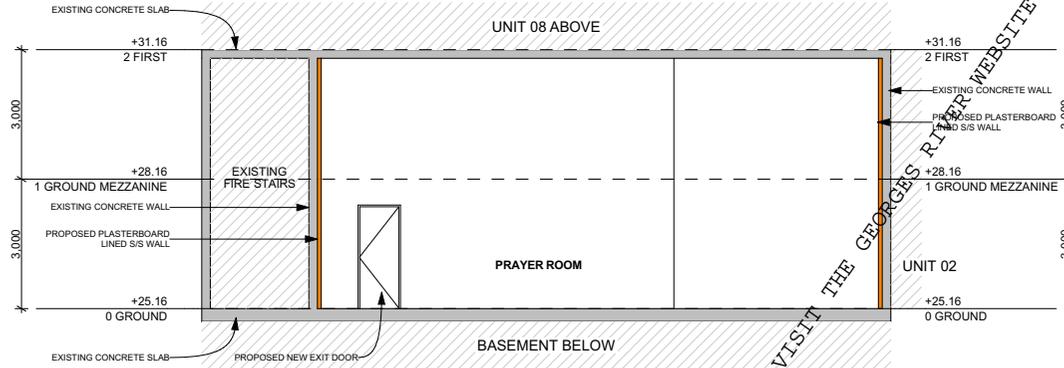
© THIS DRAWING IS COPYRIGHT AND THE INTELLECTUAL PROPERTY OF THE ARCHITECTS. IT MUST NOT BE REPRODUCED OR USED WITHOUT THE AUTHORITY OF CREATE BUILDING DESIGN & CONSULTING PTY LTD.

**CREATE**  
Australian Institute of Architects

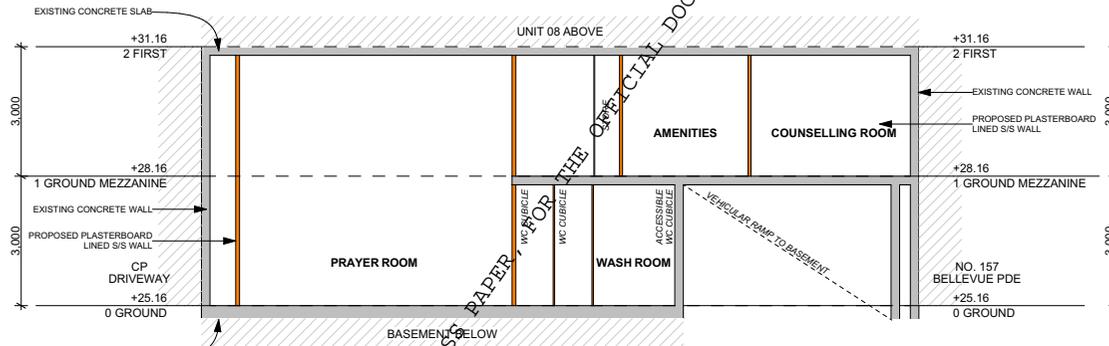
0424 432 744 (02) 4605 8887 info@create.com.au www.create.com.au

FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

LPP014-26 PANEL BUSINESS PAPER 1



**E** INTERNAL ELEVATION 03  
1:100



**E** INTERNAL ELEVATION 04  
1:100



DATE	DESCRIPTION	ISSUE	ADDRESS
21/02/25	ISSUE FOR CONSULTANT DISCUSSION	A	1, B01-807/49 Pleasure Road, Carlton, 2218
05/03/25	ISSUE FOR CONSULTANT DISCUSSION	B	PROPOSED FENCE
10/04/25	ISSUE FOR CONSULTANT DISCUSSION	C	GEORGES RIVER COUNCIL, DEVELOPMENT APPLICATION
19/11/25	ISSUE FOR COUNCIL RFI NOVEMBER 2025	D	CREARTE CLIENT

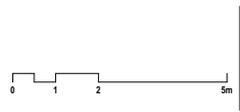
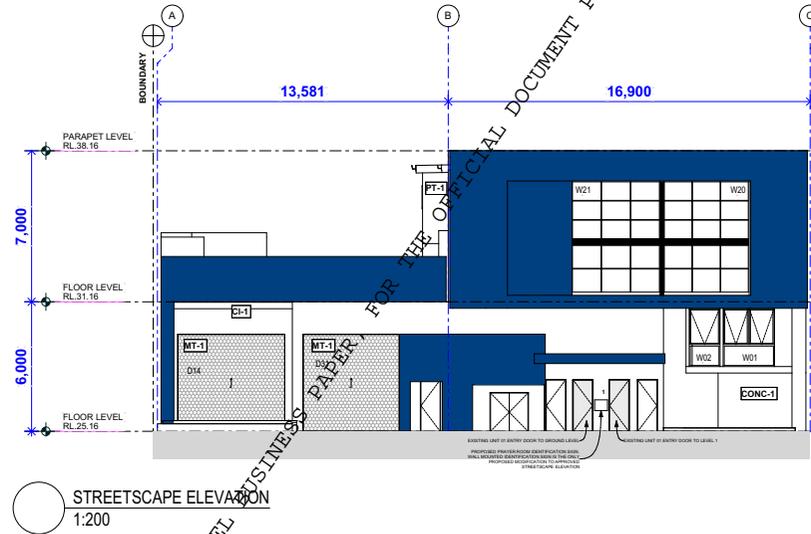
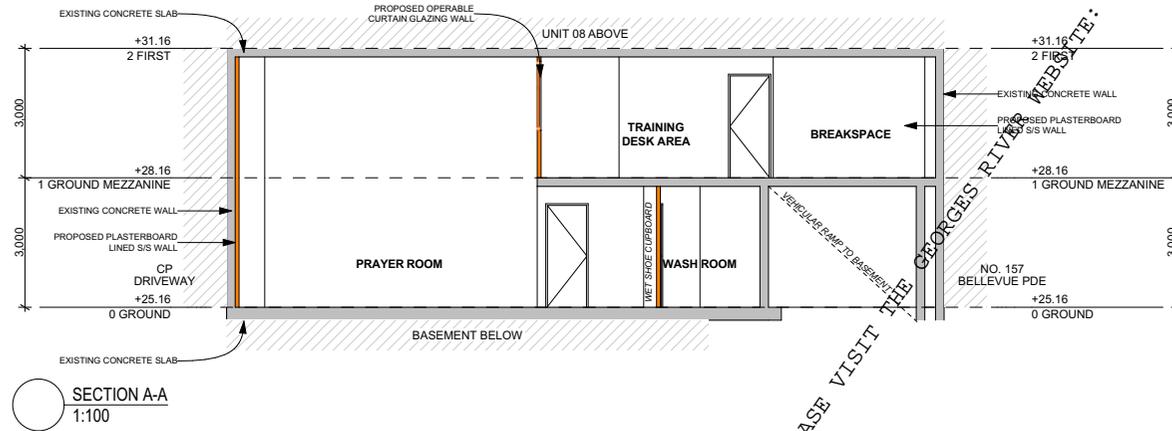
DRAWING TITLE	DRAWING NO
INTERNAL ELEVATIONS	DA05

NOTES	SCALE
DO NOT SCALE FROM DRAWINGS, USE MARKED DIMENSIONS ONLY. ALL DIMENSIONS TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT.	1:100
THIS DRAWING IS COPYRIGHT AND THE INTELLECTUAL PROPERTY OF THE ARCHITECTS. IT MUST NOT BE REPRODUCED OR USED WITHOUT THE AUTHORITY OF CREARTE BUILDING DESIGN & CONSULTING PTY LTD.	A3

NOMINATED ARCHITECT
Nasser Hussain 12749 Australian Institute of Architects

**CREARTE**  
Australian Institute of Architects  
0424 432 744 (02) 4605 8887 info@create.com.au www.create.com.au

VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU  
 PANEL BUSINESS PAPER, FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



DATE	DESCRIPTION
21/02/25	ISSUE FOR CONSULTANT DISCUSSION
05/03/25	ISSUE FOR CONSULTANT DISCUSSION
10/04/25	ISSUE FOR CONSULTANT DISCUSSION
19/11/25	ISSUE FOR COUNCIL RFI NOVEMBER 2025

ISSUE	ADDRESS
A	1, B01-807/49 Pleasure Road, Carlton, 2218
B	PROPOSED FLOOR USE
C	LEA
D	DEVELOPMENT APPLICATION

PROJECT	CLIENT	DESIGNED BY	DRAWN BY	CHECKED BY
GEORGES RIVER COUNCIL	CREARTE	CREARTE	N.H.K.	N.H.K.

DRAWING TITLE	DRAWING NO
SECTION A-A & STREETSCAPE ELEVATION	DA07

NOTES
DO NOT SCALE FROM DRAWINGS. USE MARKED DIMENSIONS ONLY. ALL DIMENSIONS TO BE BROUGHT TO THE ATTENTION OF THE ARCHITECT.

SCALE
1:100
1:200
@ A3

THIS DRAWING IS COPYRIGHT AND THE INTELLECTUAL PROPERTY OF THE ARCHITECTS. IT MUST NOT BE REPRODUCED, COPIED OR USED WITHOUT THE AUTHORITY OF CREARTE BUILDING DESIGN & CONSULTING PTY LTD.

NOMINATED ARCHITECT
Nasser Hussein 12749

**CREARTE**  
Australian Institute of Architects  
0424 432 744 (02) 4605 8887 info@crearte.com.au www.crearte.com.au

FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



WWW.GEORGESRIVER.NSW.GOV.AU

# Assessment Report

DA2025/0247

Lot 1 DP 1294553 & Lot 1 SP  
109464

49 Planthurst Road, CARLTON

### Acknowledgment of Country

Georges River Council acknowledges the Bidjigal people of the Eora Nation, who are the Traditional Custodians of all lands, waters and sky in the Georges River area. Council recognises Aboriginal and Torres Strait Islander peoples as an integral part of the Georges River community and values their social and cultural contributions. We pay our respect to their Elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples who live work and meet on these lands.

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



**Report Summary ..... 3**

**Proposal..... 3**

**Site and Locality..... 4**

    Aerial Image of Land Zoning..... 5

    Aerial Image of Site ..... 5

**Background ..... 5**

    History ..... 5

    Processing..... 6

    Site Inspection ..... 6

**Assessment - Section 4.15 Evaluation ..... 7**

    The provisions of any environmental planning instrument (EPI)..... 7

        The Provisions of any applicable Act..... 7

        The Provision of any Applicable State Environmental Planning Policy (SEPPs)..... 7

    The Provisions of any Local Environmental Plan ..... 8

        Georges River Local Environmental Plan 2021..... 8

    Provisions of any Proposed Instrument..... 10

    Provisions of any Development Control Plan ..... 11

        Georges River Development Control Plan 2021 ..... 11

    Any Planning Agreement Under Section 74..... 22

    The Regulations ..... 23

    The Likely Impacts of the Development ..... 23

    Site Suitability ..... 23

    Submissions ..... 24

    The Public Interest..... 33

**Referrals..... 34**

**Contributions..... 34**

**Conclusion..... 34**

**Statement of Reasons..... 35**

**Recommendation..... 35**

**Appendix 1 - Conditions ..... 35**

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



## Report Summary

The development has been assessed having regards to the Matters for Consideration under Section 4.15(1) of the Environmental Planning and Assessment Act 1979.

The assessment recommends that Georges River Local Planning Panel as the Consent Authority pursuant to Section 4.16 (1)(a) Environmental Planning & Assessment Act 1979 grant consent to the before mentioned Development Application, subject to the imposed conditions of consent.

## Proposal

The application seeks consent for the use of Unit 1, 49 Planthurst Road Carlton as a place of public worship, together with associated internal works to facilitate the proposed use. The place of public worship will operate as a small-scale mosque providing a space for daily prayer, religious study and community gatherings for members of the Islamic faith.

**Ground floor:** provision of floor space to accommodate 65 worshipper prayer mats; fit out works and minor internal alterations including infill of the existing loading dock opening, enlargement of the existing bathroom and creation of dedicated shoe storage space.

**Mezzanine level:** fit out works and minor internal alterations including rooms for counselling, rooms for social and community activities and installation of a glazed curtain wall to the mezzanine.

### Parking provision

A total of 34 parking spaces will be dedicated to the proposed place of public worship, comprising:

- 14 parking spaces in the basement and 1 space at ground level allocated to Unit 1 under existing strata title
- 19 additional parking spaces created through the conversion of 7 storage units approved under a Complying Development Certificate

### Hours of operation

Summer (1 December - 28/29 February):

Monday to Sunday 4:30am – 10pm; Friday prayers session 1: 1pm – 1:30pm, session 2: 2:15pm – 2:45pm; Ramadan Tarawih prayers 8pm – 10pm.

Winter (1 June - 31 August):

Monday to Sunday 4:30pm – 8pm; Friday prayers session 1: 12pm – 12:30pm, session 2: 1:15pm – 1:45pm; Ramadan Tarawih prayers 6:30pm – 8:45pm.

### Operational notes

Prayer start times are determined by Islamic jurisprudence and cannot be varied. Ten special prayer events may occur within any calendar year. These are exceptional prayer sessions such as visiting Scholars, date-specific or issue-specific events or replacement of a standard prayer period. They have a maximum capacity of 65 people, a maximum duration of 60 minutes and occur between 12pm and 10pm.





**Ramadan:** Tarawih prayers commence approximately 1.5 hours after sunset on non-daylight saving days and, during daylight saving time, require a one-hour delay after sunset before evening prayers can commence.

**Eid:** No Eid celebrations, events or gatherings are permitted on the premises.

**Operational capacity**

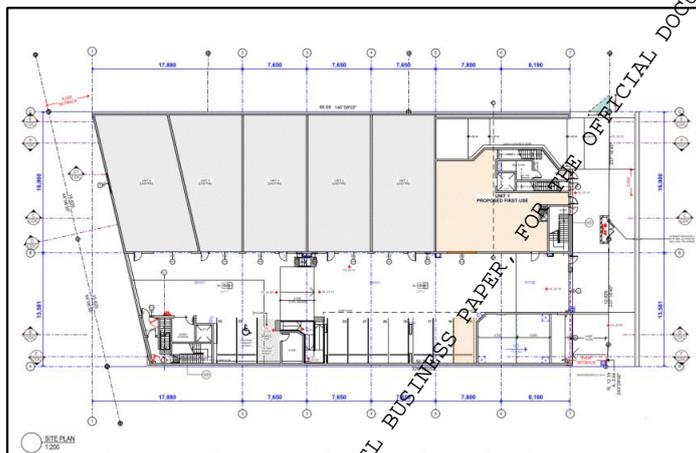
Prayer: maximum of 65 people at any time.

Counselling: maximum of 4 people at any time.

Youth programs: maximum of 30 people including staff, operating between 4pm and 6pm outside prayer periods.

Training: maximum of 5 people at any time, operating between 10am and 2pm outside prayer periods.

Community affairs: maximum of 4 people at any time, permitted at any time the place of public worship is open. A site plan is provided below:



**Figure 1 – Site plan (Source: Architectural Plans)**

## Site and Locality

The site is known as 49 Planthurst, Carlton and legally referred to as Lot 1 DP 1294553 & Lot 1 SP 109464. The site is located on the northern side of Planthurst Road, within an established E4 General Industrial area. To the north of the subject site are R2 Low Density Residential and R3 Medium Density Residential housing. Currently on the site is a recently completed industrial building consisting of twelve (12) industrial warehouses and seven (7) storage units, with associated parking and landscaping. The building is part two and three storeys. Unit 1 (the subject of this proposal) is located to the front of the building, adjacent to Planthurst Road.

Adjoining and surrounding development consists of:

- One (1) x two storey industrial building to the east at 157 Bellevue Parade, Carlton
- Two (2) x single storey industrial buildings at 155 and 153 Bellevue Parade, Carlton
- A mix of two-storey and single storey industrial buildings to the west, and to the south (on the opposite side of the road)
- Two storey multi dwelling residential development to the north



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

### Aerial Image of Land Zoning

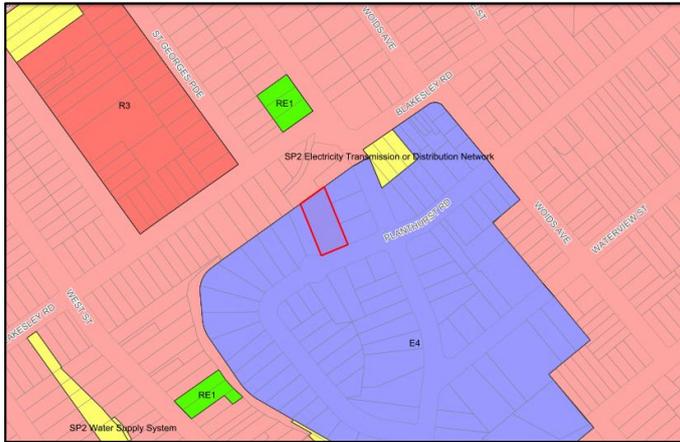


Figure 2 –Aerial view of development site outlined in red (Source: IntraMaps)

### Aerial Image of Site



Figure 3 –Aerial view of development site outlined in red (Source: IntraMaps)

## Background

### History

The following applications are relevant to the proposed works.

DA/CDC Number	Proposed Works	Determination	Date	Relevance
Private CDC2023/0329	Demolition	Approved	7 July 2023	



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL MEETING. PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



Private CDC2023/0468	construction of industrial building with 12 units and 7 storage units	Approved	28 September 2023	
Private CDC2023/0533	19 lot strata subdivision	Approved	25 October 2023	
Private MODCDC2023/0546	changes in cost of works for industrial building with 12 units and 7 storage units	Approved	1 November 2023	
DA2025/0213	first use of unit 1	Returned	14 May 2025	Returned for Plan of Management
Private SC2025/0061	strata subdivision of 19 lots	Approved	8 May 2025	

**Processing**

Application History		
Lodgement Date	30 May 2025	
Site Inspection Conducted	29 July 2025	
Request for Additional Information letter sent	10 November 2025	Items raised in Letter: <ul style="list-style-type: none"> <li>• Description of application</li> <li>• Strata Plan</li> <li>• Plan of Management</li> <li>• Traffic and Parking</li> </ul>
Meeting held at Council with Applicant, Owner, Town Planner and Council Development Assessment Staff	13 November 2025	
Additional information received	1 December 2025	Additional information received include: <ul style="list-style-type: none"> <li>• Updated Description and strata plan</li> <li>• Revised POM</li> <li>• Revised Traffic impact Statement</li> </ul>

**Site Inspection**

Image from the site inspection are available below:

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER, FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU





**Figure 4-** Street view of development site (Source: Assessing Officer)

## Assessment - Section 4.15 Evaluation

The following is an assessment of the application with regard to Section 4.15(1) Evaluation of the Environmental Planning and Assessment Act 1979.

Section 4.15 (1) *Matters for consideration in general*

*In determining an application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:*

### The provisions of any environmental planning instrument (EPI)

Section 4.15 (1) (a) (i) *The provisions of any environmental planning instrument (EPI)*

### The Provisions of any applicable Act

### The Provision of any Applicable State Environmental Planning Policy (SEPPs)

#### Site Affections Relevant Under SEPPs

SEPPs Affection	SEPP Name	Applicable	
		Yes	No
Water Catchment	SEPP (Biodiversity Conservation) 2021	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Land Contamination	SEPP (Resilience and Hazards) 2021	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Coastal Zone	SEPP (Resilience and Hazards) 2021	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Adjoins Classified Road	SEPP (Transport and Infrastructure) 2021	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Adjoins Rail Corridor	SEPP (Transport and Infrastructure) 2021	<input type="checkbox"/>	<input checked="" type="checkbox"/>



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



Gas Pipeline Buffer	SEPP (Transport and Infrastructure) 2021	<input checked="" type="checkbox"/>	<input type="checkbox"/>
---------------------	--	-------------------------------------	--------------------------

SEPPs Name of SEPP	Applicable	
	Yes	No
SEPP (Biodiversity Conservation) 2021	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SEPP (Housing) 2021	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SEPP (Industry and Employment) 2021	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SEPP (Resilience and Hazards) 2021	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SEPP (Resource and Energy) 2021	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SEPP (Sustainable Buildings) 2022	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SEPP (Transport and Infrastructure) 2021	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Compliance with the identified applicable State Environmental Planning Policies (SEPP) is detailed below.

**State Environmental Planning Policy (Resilience and Hazards) 2021**

Chapter 4 – Remediation of Land

Clause 4.6 of State Environmental Planning Policy (Resilience and Hazards) 2021 is applicable to the development. The clause is in relation to remediation of contaminated land.

As part of the assessment process, a site inspection was conducted, and Council’s Contamination Records and aerial imaging (inc. historic imaging) were reviewed. The site has historically been used for industrial purposes and there is no evidence that any use under Table 1 of the contaminated land planning guidelines has occurred on site. Given this, there is no evidence that the site is contaminated and the site is considered suitable for the proposed development.

**The Provisions of any Local Environmental Plan**

**Georges River Local Environmental Plan 2021**

The extent to which the proposed development complies with the relevant provisions of the Georges River Local Environmental Plan 2021 (GRLEP 2021) is detailed and discussed below:

**Site Affections**

Site Affections Relevant Under GRLEP 2021		Applicable	
Clause No.	Clause Name/Affection	Yes	No
5.7	Development Below Mean High Water Mark	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.10	Heritage Conservation Area and/or Heritage Item	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.21	Flood Liable Land	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6.1	Acid Sulfate Soils	<input type="checkbox"/>	<input checked="" type="checkbox"/>



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL'S PAPER FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

6.4	Foreshore Building Line	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6.4	Coastal Hazard and Risk	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6.5	Riparian Lands & Waterways	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6.6	Foreshore Scenic Protection Area – also consider Design Excellence	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6.8	Impacted by airspace operations (NOTE: Applies to 67-89 Croydon Road, 1-7 Somerset (odd only), 2-8 Bristol (even), 1-5 Bristol (odd) in Hurstville)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6.10	Design Excellence – FSPA or R4 land	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Other Affectations</b>			
	Bushfire Prone Land	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Council Owned Land	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Crown Land	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Easements Within Lot Boundaries	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Narrow lot housing precinct	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Other (if yes describe)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

GRLEP 2021 Part 2 – Permitted or prohibited development		
Clause 2.1 Land use zones		
Standard	Proposal	Compliance
E4 General Industrial – Place of Public Worship Definition under GRLEP 2021 – <u>place of public worship means a building or place used for the purpose of religious worship by a congregation or religious group, whether or not the building or place is also used for counselling, social events, instruction or religious training.</u>	A place of public worship is a permissible use within the E4 General Industrial Zone	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Clause 2.3 – Zone objectives and Land Use Table		
Standard	Proposal	Compliance
The subject site is zoned E4 General Industrial. The objectives of the zone are: • To provide a range of industrial, warehouse, logistics and related land uses.	The proposal is consistent with the zone objectives and is satisfactory as it enables non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU





<ul style="list-style-type: none"> <li>To ensure the efficient and viable use of land for industrial uses.</li> <li>To minimise any adverse effect of industry on other land uses.</li> <li>To encourage employment opportunities.</li> <li>To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.</li> <li>To encourage a range of uses that support the repair, reuse, recycling, remanufacturing and reprocessing of waste.</li> </ul>		
---	--	--

GRLEP 2021 Part 6 – Additional Local Provisions		
Clause 6.9 Essential Services		
Standard	Proposal	Compliance
<p>Development consent must not be granted to development unless Council is satisfied that any of the following services that are essential for the development are available, or that adequate arrangements have been made to make them available when required</p> <ul style="list-style-type: none"> <li>a) the supply of water,</li> <li>b) the supply of electricity,</li> <li>c) the supply of telecommunications facilities,</li> <li>d) the disposal and management of sewage and</li> <li>e) stormwater drainage or on-site conservation,</li> <li>f) suitable vehicular access.</li> </ul>	<p>The development complies with essential services requirements as it utilises an existing, lawfully approved building that is already serviced by adequate stormwater disposal infrastructure and has suitable vehicular access in place, with no additional physical works or intensification proposed that would alter these arrangements.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>

**Provisions of any Proposed Instrument**

Section 4.15 (1) (a) (i) - Provisions of any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved).

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



There is no proposed instrument that is or has been the subject of public consultation under this Act which is relevant to the proposal.

### Provisions of any Development Control Plan

Section 4.15 (1) (a) (iii) The provisions of any development control plan

The proposed development is subject to the provisions of the Georges River Development Control Plan 2021. The following comments are made with respect to the proposal considering the objectives and controls contained within the DCP.

### Georges River Development Control Plan 2021

The following GRDCP 2021 controls are applicable to the development and the following clauses apply:

Part 3 General Planning Consideration		
3.12 Waste Management		
Control	Proposal	Compliance
1. Development must comply with Council's Waste Management requirements regarding construction waste and ongoing management of waste materials (per Appendix 4 of the GRDCP).	The development includes a waste storage area located within the industrial complex area. The storage area can accommodate the expected waste generation and is screened from the street to minimise potential impacts on the streetscape and surrounding sites.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Part 3 General Planning Consideration		
3.13 Parking Access and Transport		
Control	Proposal	Compliance
<b>Place of Public Worship</b> • 1 space per 10 seats or 1 space per 10m2 GFA (whichever is greater). <i>Note:</i> • Some places of public worship operate with no seating arrangement and as such the use of the word "seat" relates to patronage level (e.g. prayer mats) • Transport and Parking Assessment Study required	Total number of car parking required = 23 spaces.  Total number of car parking spaces proposed = 34.  Parking demand has been calculated as follows:  <i>Prayer mats</i> 1 space per 10 prayer mats 65 prayer mats total $65 \div 10 = 6.5$ spaces (rounded to 7)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PLAN FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU





	<p><b>GFA</b>                  1 space per 10sqm                  234sqm GFA                  234sqm ÷ 10 = 23.4 spaces</p> <p>The higher requirement applies: 23.4 spaces.</p> <p>The parking provision is as follows:</p> <ul style="list-style-type: none"> <li>• 14 spaces (including 1 accessible space) within the upper/split-level basement</li> <li>• 19 spaces within garages previously approved as storage units</li> <li>• 1 staff-only space at ground floor level</li> </ul>	
--	---	--

Part 3 General Planning Consideration		
3.17 Universal / Accessible Design		
Control	Proposal	Compliance
3. Accessways for pedestrians and vehicles to be separated	The accessway for pedestrians and vehicles is separated.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Part 3 General Planning Consideration		
3.18 Advertising and Signage		
Control	Proposal	Compliance
1. Signs should be designed and located to: Relate to the use of the premises. Be consistent with best practice guidelines. Be integrated with the architecture of the supporting building, not obscure significant architectural features and maintain the dominance of the architecture. Be limited in number to avoid cluttering, distraction and unnecessary repetition.	A single wall-mounted identification sign adjacent to the Unit 1 entry door. The sign is small-scale, flush with the wall, does not project over the footpath or roadway, and is the only sign proposed for the premises. It is identification-only and integrated with the façade without obstructing architectural features.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PLAN. PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



<p>Not cover mechanical ventilation inlets or outlets.                  Not comprise a roof sign.                  Not comprise an above awning sign.                  Not comprise a flag pole sign.                  Not compromise road or pedestrian safety including cyclists.                  Be a minimum of 2.6 metres above any footpath where the sign is not flush with the wall.                  Be at least 600mm from a kerb or roadway edge where the sign is over a public road.</p>		
<p>2. Signs must be securely fastened to the structure or building to which they are attached and must comply with the applicable requirements of the BCA and relevant Australian Standards.</p>	<p>The identification sign is wall-mounted and will be fixed to the external façade to meet structural/BCA requirements. No projection or moving parts.</p>	
<p>3. In addition to the above, illumination of signage should: i. ii. iii. Be integrated with the design of the sign. Not cause light spillage into nearby residential properties. Not use complex displays, moving signs, flashing lights or the like that hold driver's attention beyond 'glance appreciation', and iv. Be fitted with an automatic timing device, controlling the illumination hours.</p>	<p>The proposed sign is non-illuminated. No lighting devices or illumination features form part of the proposal. Condition of consent to be imposed to ensure compliance.</p>	
<p>4. In residential zones, signage should not be illuminated.</p>	<p>Site is zoned E4 General Industrial. The sign is non-illuminated, consistent with this control.</p>	
<p>5. All commercial advertising should comply with SEPP No.64-Advertising and Signage.</p>	<p>The identification sign meets the intent of SEPP 64 (now known as State Environmental Planning Policy (Industry and Employment) 2021 - Chapter 3 Advertising and signage as it is:</p> <ul style="list-style-type: none"> <li>- Identification signage only,</li> <li>- Low-scale,</li> <li>- Not promotional or commercial in nature,</li> <li>- Compatible with the building and neighbourhood context.</li> </ul>	

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU





<p><u>Flush wall</u> Must comply with all of the following controls, otherwise prohibited: a. Only one sign per building elevation; b. Must not have an area greater than: i. 10% of the elevation, if the elevation is &gt;200m2 ii. 20m2 if the elevation is greater than 100m2 but</p>	<ul style="list-style-type: none"> <li>- One (1) sign only on the Unit 1 elevation.</li> <li>- Sign is very small relative to the elevation and well below the 10% threshold.</li> <li>- Sign is flush-mounted with no projection.</li> </ul>	
---	---	--

**Part 3 General Planning Consideration**

**3.20 -Noise and Vibration**

**3.20.3 – Noise Generating Development**

Control	Proposal	Compliance
<p>Development should be sited and designed so that noise is kept to a minimum and does not create offensive noise as defined by the Protection of the Environment Operations Act 1997</p>	<p>An acoustic report accompanies this application. Council's Environmental Health Officer has reviewed the report and raises no objection to the proposal subject to conditions of consent. Conditions to be imposed to ensure that the proposed development does not generate "offensive noise" as defined under the Protection of the Environment Operations Act 1997.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Noise generating developments should be accompanied by an acoustic report that demonstrates the development is sited and designed to:</p> <ul style="list-style-type: none"> <li>i. Minimise the effect of noise and vibration on surrounding sensitive landuses; and</li> <li>ii. Comply with relevant State Government and Council guidelines.</li> </ul>	<p>Acoustic Report prepared by Koikas Acoustics Pty Ltd, dated 20 November 2025 was prepared in accordance with Australian Standards and NSW EPA Noise Policy for Industry. Council's Environmental Health Officer has reviewed the report and agreed with the recommendations that subject to limitations, the place of public worship can be operated to maintain adequate levels of acoustic amenity to the surrounding sites.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>The location and design of noise generating activities, such as loading and unloading areas, garbage collection areas, driveways, parking areas, active recreation areas, air conditioning or mechanical plants, should be sited away from adjacent sensitive landuses</p>	<p>The proposed place of public worship does not include loading or unloading areas, active recreation areas, or external mechanical plant that would generate significant noise. Car parking and access are contained within the existing building and basement areas. Potential noise sources such as waste collection,</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL MEETING PAPER. FOR THE EFFECTIVE DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU





<p>and/or screened by walls or other acoustic treatments.</p>	<p>air-conditioning or mechanical equipment will be managed through the implementation of appropriate conditions of consent for the operation of the site. With these measures in place, noise-generating activities will be adequately separated from nearby sensitive land uses and managed to prevent adverse amenity impacts.</p>	
<p>In addition to physical noise mitigation measures, noise impact management measures should be used to further limit potential noise impacts on sensitive landuses such as:</p> <ul style="list-style-type: none"> <li>i. Scheduled times to undertake noise generating activities and/or use of noise generating machinery; and</li> <li>ii. Reasonable hours of operation including delivery hours.</li> </ul> <p>Note: Noise generating development may include, but is not limited to the following: childcare centres, schools, places of public worship, industrial uses, commercial developments, hotels, backpackers' accommodation, and some active recreational facilities.</p>	<p>The proposed place of public worship does not involve the use of machinery on site or activities such as loading and unloading that would generate excessive noise. A Plan of Management has been submitted which includes measures to manage potential noise impacts associated with the use, particularly through clearly defined hours of operation and orderly management of arrivals and departures. These operational controls ensure that noise-generating activities are managed to ensure that there will be no unreasonable adverse impacts on adjoining properties and the locality more broadly.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>

Part 4.3 Places of Public Worship		
4.3.1 Locational and Site Requirements		
Control	Proposal	Compliance
<p>1. Places of public worship must be located on sites of sufficient size to accommodate all proposed buildings, parking areas, outdoor areas etc.</p>	<p>The unit operates within a new industrial complex with dedicated and additional allocated parking; no overspill areas required.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>2. The proposed development must maintain the general amenity of the area.</p>	<p>The proposed development is supported by a Plan of Management and Acoustic report, which demonstrates that the use can operate without adverse impacts on the surrounding properties. The report put in place specific measures to ensure that noise and patron management will be controlled to acceptable levels to ensure</p>	

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL'S BUSINESS PLAN. FOR THE PROPERTY OWNERS VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

	that no unreasonable adverse impacts result from the proposal and that the general amenity of the area is maintained.	
3. The proposed development must optimise the use of surrounding and potential infrastructure, with a particular emphasis on public transport.	The proposed development seeks to use the surrounding infrastructure in particular public transport. The use leverages existing road network and public transport in Carlton; PoM staggers activities at peak times.	
4. Large scale places of public worship must be located a minimum of 250 metres away from any other existing or approved large-scale place of public worship.	The proposal complies with the separation distance requirement, as it is located approximately 350 metres from the nearest existing place of public worship, being the Carlton Methodist Church located at 17 Planthurst Road, Carlton.	
5. Places of public worship must not be located on lots with a frontage to a road with a carriageway width less than 10 metres.	The proposed place of public worship is located on a site with a frontage of 30.481 metres to Planthurst Road.	
6. Places of public worship must not be located on lots where access is via a cul-de-sac.	The subject site is not accessed via a cul-de-sac.	
7. The minimum allotment size for a new place of public worship is 800m <sup>2</sup> .	The total site area is 1,923.8sqm.	
8. The minimum allotment width for a new place of public worship is 20 metres (measured at the front building line) and 15 metres for a corner allotment.	The site has a frontage width of 30.481 metres, measured at the front building line.	

**Part 4.3 Places of Public Worship**

**4.3.6 Traffic Access and Parking**

Control	Proposal	Compliance
1. Development must not result in a street in the vicinity of the development site exceeding the environmental capacity maximum. If the environmental capacity maximum is	The submitted POM includes specific measures to manage patron numbers, including the appointment of a committee member to monitor attendance using a handheld counter. Once maximum	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU





<p>already exceeded, the development must maintain the existing level of absolute delay of that street.</p>	<p>capacity of 65 worshippers is reached, entry to the premises will be closed and signage will be placed at the entrance advising that the site has reached its maximum capacity.</p> <p>A condition will be imposed to cap patron numbers and require an on-site marshal and parking management during Friday and Ramadan peak periods to ensure the development continues to operate within the assessed traffic and parking capacity. Events will also be staggered to minimise the potential for overlapping arrival and departure movements, thereby reducing concentrated peak traffic impacts.</p>	
<p>2. Development must not result in a street intersection in the vicinity of the development site to have a level of service (LOS) below Level B. If the existing level of service is below Level B, the development must maintain the existing level of absolute delay of that street intersection.</p>	<p>The proposed development does not result in the street intersection to have a level of service (LOS) below Level B.</p>	
<p>3. Worship services shall not commence until thirty minutes have elapsed following the completion of any preceding service. This requirement will be imposed as a condition of development consent.</p>	<p>The applicant can comply with this requirement through operational controls set out in the plan of management and supported by a condition of consent to schedule worship services to ensure a minimum 30 minute gap between the end of one service and the commencement of the next.</p>	
<p>4. All vehicles must be able to enter and leave the site in a forward direction.</p>	<p>Vehicles are to adhere to the submitted plan of management, in particular, there will be no two way traffic flow during the arrival period and vehicles must enter and leave in a forward direction.</p>	
<p>5. A clear distinction must be made between vehicle traffic and pedestrian movements, both on site and off site. Measures should be implemented to</p>	<p>The accessway for pedestrians and vehicles is separated.</p>	

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER, FOR THE OFFICIAL DOCUMENTS. VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU





separate these two movements and reduce potential conflict through design and management practices.		
6. The car park, manoeuvring areas and the set-down and pick-up areas must be located separately behind the front building line.	All spaces are internal/basement or within the complex behind the building line.	
7. All Commercial, Place of Public Worship, Residential flat building and Shop-top housing development is to provide on-site bicycle parking as outlined in Table 2 – Bicycle Parking Requirements.  1 space per 5 car parking spaces	With 34 on site car parking spaces proposed, bicycle parking required and proposed is as follows:  Number of bicycle parking spaces required: 6.8(7)  Number of bicycle parking spaces proposed: 4  Additional 3 bicycles to be provided in the basement located on the walls adjacent to the lift core. Condition imposed to ensure 7 bicycle parking spaces are provided in the basement.	

Part 4.3 Places of Public Worship		
4.3.7 Amenity Impacts		
Control	Proposal	Compliance
1. The location and design of places of public worship must consider the projection of noise from various activities to avoid any adverse impacts on the residential amenity of adjoining land.	An acoustic report accompanies this application. Council's Environmental Health Officer has reviewed the report and agreed with the recommendations that subject to compliance with conditions of consent, the place of public worship can be operated to maintain adequate levels of acoustic amenity and not result in any unreasonable adverse impacts on the adjoining residential properties.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. The design of the proposed place of public worship should minimise the projection of noise from the various activities anticipated to occur within the site. Adjoining and nearby residents should not be exposed to unreasonable levels of noise arising from the proposed use.		
3. The noise impact statement must measure the noise readings over a 15-minute period and must provide details of all modelling assumptions including:	Acoustic Report prepared by Koikas Acoustics Pty Ltd, dated 20 November 2025 was prepared in accordance with Australian Standards and NSW EPA	

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE FULL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



<p>source noise data, noise monitoring positions, receiver heights and locations, prevailing meteorological conditions during the monitoring, confirmation of the methodology adopted and modelling input and data.</p>	<p>Noise Policy for Industry. Council's Environmental Health Officer has reviewed the report and agreed with the recommendations that subject to limitations, the place of public worship can be operated to maintain adequate levels of acoustic amenity to the surrounding sites.</p>	
<p>4. The maximum height for any noise attenuation walls and fences along the side and rear property boundary is 2 metres.</p>	<p>The acoustic report does not recommend the construction of any external fences to manage noise impacts. Instead, the report identifies that noise impacts can be satisfactorily address through internal acoustic treatments, including treatment to all common walls adjoining neighbouring tenancies and appropriate treatment to ceiling areas.</p>	
<p>5. Noise from all plant and equipment (including air conditioning and mechanical ventilation) or any other continuous noise source must comply with the EPA Industrial Noise Policy.</p>	<p>AC condensers to be located as per acoustic report or equivalent performance certified by mechanical/acoustic engineer. Condition to be imposed to ensure air conditioning and mechanical ventilation adheres to POEO Act and Regulations.</p>	
<p>6. The location of windows, doors or balconies within a place of public worship must be located to avoid overlooking the private open space of adjoining residential uses.</p>	<p>The use is within an existing industrial unit; no sensitive overlooking to residential private open space identified; doors to remain closed during operations per acoustic conditions. The unit is located closer to the main street frontage, away from residential properties the rear.</p>	
<p>7. Landscaping must be used to reduce the impact of overlooking where it cannot be avoided.</p>	<p>As no new windows, doors or balconies are proposed and the existing layout does not allow for patrons to look into the private outdoor areas of nearby homes, the development meets the requirement to protect residential privacy.</p>	

**Part 4.3 Places of Public Worship**  
**4.3.9 Site Facilities, Services and Signage**

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PLAN DOCUMENT. THE OFFICIAL COPY IS AVAILABLE ON THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

Control	Proposal	Compliance
1. Development must ensure the following facilities are not visible from the street, neighbouring properties and any nearby public open space areas: i. Waste storage area. ii. Storage of goods and materials. iii. Any clothes drying area	Waste Storage Area is existing and located at the rear of the site not visible from the street.  Conditions to be imposed to ensure goods and materials are not stored external to the building.  Clothes drying area not proposed in the application.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. The design, location and screening of waste and recyclable receptacle areas must be to the satisfaction of Council.	Waste and Receptacle areas are existing and not visible from the street.	
3. The design, construction and operation of an area within the place of public worship used for food preparation must comply with or be consistent with the Food Act 2003 and Regulation 2010 and relevant Australian Standards.	Food premises not proposed as part of the development application. Conditions to be imposed to ensure that preparation of food is not undertaken at the subject site.	
4. All signage relating to the proposed place of public worship is to comply with Section 3.18 - Advertising and Signage of this DCP.	Signage proposed is a plaque and complies with the provisions of Section 3.18 – Advertising and Signage of the DCP. The proposed signage does not detract from the visual amenity of the area..	
5. Signage is to be provided in a prominent location which is readily seen which details: i. The maximum capacity of the assembly area (as conditioned in any development consent). ii. Requirement that all attendees leave quietly and respect neighbouring properties.	A small identification plaque is the only sign proposed as part of this development application. The sign relates to the use of the premises and will have text including the name of the premises and social etiquette text such as “No Loitering” and maximum number of patrons.	

Part 4.3 Places of Public Worship		
4.3.10 Safety and Security		
Control	Proposal	Compliance
1. The front door of the place of public worship building should be clearly visible from the street, with a direct external entry path to the foyer of the	The proposal satisfies this control. Unit 1 fronts Planthurst Road, providing a clear and legible entry point that is readily visible from the street. The design	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No



THIS IS THE PRINTED COPY FOR THE PLANNING PANEL. BUSINESS PURPOSES ONLY. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



<p>building to avoid potential hiding places.</p>	<p>maintains clear sightlines and incorporates glazing at the main entry, ensuring a direct and unobstructed external path to the foyer and avoiding the creation of potential hiding places.</p>	
<p>2. Windows on the upper floors of a building should, where possible, overlook the street</p>		
<p>4. A security alarm system is to be installed in the place of public worship.</p>	<p>Conditions to be imposed to ensure alarm systems are installed in the place of public worship. The upper mezzanine level has existing windows fronting Planthurst Road that will not be modified.</p>	
<p>5. All windows and doors on the ground floor should ordinarily be made of toughened glass to reduce the opportunities for 'smash and grab' and 'break and enter' offences, with the exception of special features such as stained-glass windows. Where possible, such special features should be above ground floor level.</p>		
<p>6. Access to a basement car park must only be available to the public during operating hours and via a security door or gate with an intercom, code, or card lock system.</p>	<p>The proposal satisfies this control. Access to the basement car park will be restricted to operating hours only and secured by a security door or gate fitted with a keypad or card-access system. Any at-grade parking areas will also be secured outside operating hours through the provision of a lockable gate, ensuring unauthorised public access is prevented.</p>	
<p>7. Unless impractical, access to an outdoor car park should be closed to the public outside of operating hours via a lockable gate.</p>		
<p>8. Lighting must be provided to the following areas of a building to promote safety and security at night: i. External entry path, foyer, driveway and car park to a building, ii. Main building entrance (this may be in the form of motion sensitive lighting or timer lighting).</p>	<p>Condition applied to application to ensure any proposed external lighting does not result in adverse amenity impacts.</p>	
<p>9. A pedestrian entry path and driveway to a car park that are intended for night use must be well lit using a vandal resistant, high mounted light fixture.</p>		
<p>10. The lighting in a car park must conform to Australian Standards 1158.1, 1680, and 2890.1.</p>		





11. Any security camera must be directed only to the place of public worship and not neighbouring sites.	Conditions to be imposed to ensure security cameras only directed to the place of public worship and not neighbouring sites.	
--	--	--

**Part 4.3 Places of Public Worship**

**4.3.11 Management of Operations**

Control	Proposal	Compliance
1. An application for places of public worship must be accompanied by a Plan of Management which provides all details relevant to the operation of the premises. Further details are outlined in Council's Development Application Guide.	A Plan of Management (PoM) prepared by GAT & Associates (18 December 2025) has been submitted. The PoM addresses occupancy, hours of operation, programming, behaviour management and all operational details required by Council's Development Application Guide. The premises will operate strictly in accordance with the endorsed PoM.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. The hours of operation of places of public worship, public access to places of public worship, and the size and frequency of special occasions or events may be limited where there would be unacceptable impacts on neighbouring residential properties.	Hours of operation are as proposed in the PoM, including seasonal prayer times and Ramadan Tarawih. A condition will restrict any operations outside the approved hours. Occupancy will be limited to a maximum of 65 persons in the main prayer hall, with caps for all other rooms consistent with the PoM. Special events will be limited to ten per calendar year, each not exceeding one hour, with a minimum separation of 30 minutes between consecutive sessions and with on site parking management in place to mitigate impacts on surrounding residential properties.	

**Any Planning Agreement Under Section 7.4**

Section 4.15 (1) (a) (iia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4

There are no planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter under section 7.4 applicable to the proposal.

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PLAN FOR THE EFFECTIVE PERIOD 1/1/2025 VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU





## The Regulations

*Section 4.15 (1) (a) (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)*

There are no regulations (to the extent that they prescribe matters for the purposes of this paragraph) applicable to the proposal.

## The Likely Impacts of the Development

*Section 4.15 (1) (b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*

Likely Impacts of the Development	
Natural Environment	The development is located within an established industrial area and is unlikely to result in an unreasonable adverse impact on the natural environment.
Built Environment	The development maintains the existing built form preserving the established character and scale of the surrounding industrial land use.
Social Impact	The place of public worship provides a valuable community service that supports social cohesion, learning, and local engagement. The site's reuse activates a currently vacant unit. While the development will generate additional activity, assessments confirm that noise and traffic impacts remain within acceptable limits, ensuring that the social amenity of the locality is preserved.
Economic Impact	The proposal is unlikely to result in unreasonable economic impacts

## Site Suitability

*Section 4.15 (c) the suitability of the site for the development*

The site is zoned E4 General Industrial. The proposal is considered a suitable outcome for the subject site for the following reasons:

- The proposed development represents a well-considered and contextually appropriate use of the site. Through the adaptive reuse of existing structures, the proposal minimises environmental impact, respects the established industrial character, and delivers a valuable place of public worship that enables non-industrial land use that provide facilities and services to meet the needs of businesses and workers.
- Sufficient on-site parking (34 spaces) and appropriate internal vehicle circulation ensure the development can operate safely and efficiently.
- The location of Unit 1 at the front of the complex increase's separation from nearby residential properties, and the acoustic assessment confirms compliance with noise criteria subject to conditions.
- The proposal is supported by a comprehensive Plan of Management, ensuring controlled operation and minimal amenity impact. All essential services are available, and there are no environmental constraints affecting the site's capacity to support the proposed use.



THIS IS THE PRINTED COPY OF THE OFFICIAL DOCUMENT. PLEASE VISIT THE GEORGES RIVER LOCAL PLANNING PANEL WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



## Submissions

Section 4.15 (d) any submissions made in accordance with this Act or the regulations

The application was notified/advertised for twenty-eight (28) days from 5 June 2025 to 23 July 2025. During this first notification period 52 submissions were received.

The application was re-notified/advertised for an additional twenty-eight (28) days from 19 December 2025 to 13 February 2026. During the second notification period 82 submissions were received. Of these 82 submissions 68 submissions objected to the proposed development and 14 were in support. It is noted that several submissions received in the second notification period were from submitters who had also lodged submissions during the first round.

The concerns raised in the submissions are summarised below:

Concerns raised in submissions	Comment
<p><b>Traffic and Parking</b> - Increased traffic volumes, congestion during prayer times, insufficient parking, overflow into surrounding streets, access conflicts, and pedestrian safety.</p>	<p>The proposal has been supported by a Traffic and Parking Assessment and reviewed by Council's Traffic Engineer. The use requires 23 spaces under GRDCP 2021; 34 spaces are provided on-site and allocated to Unit 1, exceeding the DCP requirement. The Plan of Management (PoM) outlines measures such as on-site parking management, limiting peak patron numbers, staggered times and closing access to the car park once capacity is reached. Conditions require that all vehicles enter/exit in a forward direction and that pedestrian/vehicle movements are clearly separated. The Traffic Engineer raised no objection, subject to implementation of the PoM and standard conditions. Within the limits of the conditions of consent, including capped numbers and strict operational controls. The development will operate in accordance with an approved Plan of Management, which includes limits on patron numbers, regulated hours of operation, managed arrival and departure procedures, and on-site supervision during peak periods. As the use is contained within an existing industrial building with no external works proposed, and with appropriate controls imposed to manage noise, traffic and behaviour, the development is considered capable of operating in a manner that maintains the amenity of nearby properties.</p>



<p><b>Noise and Amenity Impacts</b> - Potential for noise from prayer gatherings, increased activity, car park movement, patron arrival/departure, and extended operating hours.</p>	<p>A detailed Acoustic Report by Koikas Acoustics (2 May 2025) was submitted and reviewed by Council's Environmental Health Officer. With the recommended acoustic treatments and operational controls, the development complies with the NSW Noise Policy for Industry. Conditions of consent require:</p> <ul style="list-style-type: none"> <li>• All external doors/roller shutters to remain closed during operation</li> <li>• AC condensers located as per the acoustic report</li> <li>• Maximum capacity limits</li> <li>• Patron behaviour management and no loitering</li> <li>• Adherence to the PoM at all times</li> </ul> <p>Furthermore, the most sensitive receptor is identified as 149 Bellevue Parade with the projected noise criteria at night to be 38dB(A). The acoustic assessment reports that at the receiver location the noise levels will be under 38dB(A). Provided the recommendations in the report and plan of management are adhered to.</p>
<p><b>Hours of Operation</b> - Early morning and evening prayers, particularly during Ramadan, will have an impact on residential amenity.</p>	<p>Concerns regarding early morning and evening prayers, particularly during Ramadan, have been considered. Within the limits of the conditions of consent, including capped numbers and strict operational controls, the proposal is not expected to result in unreasonable adverse impacts on residential amenity. The use will operate in accordance with an approved Plan of Management, which limits patron numbers, controls hours of operation, and includes measures to manage arrivals and departures in an orderly and quiet manner. Any potential noise impacts associated with prayer activities have been assessed in the submitted Acoustic Report, which confirms that noise can be appropriately managed within acceptable levels. In addition, the premises is located within an industrial building with a separation distance to nearby residential properties, and no external amplification is proposed. Subject to compliance with the recommended conditions, including restrictions on hours and adherence to the Plan of Management,</p>

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER, FOR THE COUNCIL DOCUMENT PRESENTATION. PLEASE VISIT THE GEORGES RIVER LOCAL PLANNING PANEL WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU





	<p>the development is considered capable of operating without undue impact on the amenity of surrounding residential properties.</p>
<p><b>Out-of-Character and Suitability for Industrial Area</b> - The place of public worship is inappropriate within an industrial precinct and may undermine the purpose of the industrial zone.</p>	<p>Under GRLEP 2021, a place of public worship is a permissible use within the E4 General Industrial zone. The zone objectives allow <i>limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.</i></p> <p>The scale of the use is modest and operates entirely within an existing approved industrial unit without altering built form or industrial functions of the precinct. The proposal satisfies the locational and site requirements under Section 4.3 of the GRDCP 2021, including minimum lot size, frontage, separation, and accessibility.</p> <p>The development provides a substantial surplus of on-site car parking, well in excess of the minimum required by Council's Development Control Plan (23 required and 34 provided).</p> <p>Given its contained operation, lack of physical works, and surplus parking provision, the proposal is considered to be a suitable and compatible use within the industrial precinct and does not detract from the purpose of the zone.</p>
<p><b>Lack of Community Consultation / Neighbour Notification</b> - Consultation was inadequate and affected properties within the vicinity of the site were not specifically notified</p>	<p>The application was advertised in the local newspaper, and adjoining residents were notified by letter notification to a radius of 50m and given twenty-eight (28) days in which to view the plans and submit any comments on the proposal. The notification period was from 5 June 2025 to 23 July 2025.</p> <p>The applicant lodged revised plans on Monday, 1 December 2025. In accordance with the requirements of Georges River Community Engagement Strategy these plans were publicly exhibited again from 19 December 2025 to 13 February 2026. Notification was undertaken in accordance with Councils Community Engagement Strategy 2023-2033.</p>
<p><b>Permissibility, Planning Controls, and Compliance</b> - The development is prohibited,</p>	<p>A place of public worship is expressly permissible within the E4 zone with development consent.</p>

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU





<p>non-compliant with industrial zoning, and/or inconsistent with SEPP, LEP or DCP provisions.</p>	<p>The proposal has been assessed against all relevant statutory planning instruments, including the applicable State Environmental Planning Policies (SEPPs), LEP provisions, and Georges River Development Control Plan (DCP) controls. As demonstrated throughout this assessment, the development satisfies the relevant planning objectives and controls, including those relating to land use compatibility, parking provision, traffic impacts, noise management and amenity.</p>
<p><b>Impact on Property Values</b> - The proposed use will lower nearby property prices.</p>	<p>Property value decline does not form part of the assessment criterion within Section 4.15(1) of the Environmental Planning and Assessment Act 1979 No.203.</p>
<p><b>Adjoining Industrial Land Use Conflicts</b> - The proposed worship use may conflict with existing industrial operations or result in neighbour complaints against industrial businesses.</p>	<p>The use is compatible with the industrial setting and is permissible under the E4 zone provisions. The POM requires worship activities to be contained within the unit with controlled hours, behavioural guidelines, and acoustic treatment. The site's established industrial character is acknowledged, and the place of public worship accepts the ambient industrial environment. Conditions require doors to remain closed during operation and reinforce noise management practices to avoid reverse-sensitivity issues.</p>
<p><b>Safety, Security, and Crime Prevention</b> - After-hours movements, congregation in the car park, and security issues.</p>	<p>The development includes safety measures consistent with Section 4.3.10 – Safety and Security of the GRDCP 2021. Conditions require:</p> <ul style="list-style-type: none"> <li>• Lighting to AS1158 and AS2890 standards</li> <li>• CCTV directed internally within the site only</li> <li>• Security gates for basement/outdoor car park after hours</li> <li>• Alarm systems and secure glazing</li> </ul> <p>These measures ensure the premises operates safely and does not create CPTED risks.</p>
<p><b>BCA Compliance / Insufficient Information</b> - Non-compliances relating to building code compliance, emergency egress, mechanical ventilation, and insufficient and inadequate documentation submitted</p>	<p>Building Code of Australia (BCA) compliance matters will be addressed at the Construction Certificate (if relevant) and Occupation Certificate stages. The proposal does not involve structural works and relies largely on internal fit-out.</p>

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE FULL DOCUMENT PLEASE VISIT THE GEORGES RIVER LOCAL PLANNING PANEL WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU





	<p>Information submitted—including plans, Acoustic Report, and PoM—was sufficient for assessment.</p>
<p><b>Insufficient and Inaccurate Information</b> - The application contains errors, omissions, or insufficient detail to allow proper assessment.</p>	<p>A full review of the submitted material including architectural plans, acoustic assessment, traffic and parking assessment, and the Plan of Management confirms that adequate and accurate information has been provided to enable a complete and detailed assessment of the proposal. The material satisfies Council’s lodgement requirements under the Development Application Guide and relevant provisions of GRLEP 2021 and GRDCP 2021. No further information is required for determination, and the application has been assessed on its merits using the information provided.</p>
<p><b>Lighting Impacts</b> - Night-time use may result in light spill, glare, or general light pollution affecting nearby residential properties.</p>	<p>While the use operates within an enclosed industrial unit, conditions of consent have been imposed requiring that any external or general lighting associated with the development comply with AS 4282–1997: Control of the Obtrusive Effects of Outdoor Lighting. The lighting conditions ensure any night-time illumination is appropriately controlled to prevent light spill onto neighbouring properties and maintain compliance with amenity standards.</p>
<p><b>Public Interest</b> - The proposal is not in the public interest and will negatively impact the community.</p>	<p>The proposal is considered to be in the public interest. The use is permissible within the E4 General Industrial zone, operates within a suitable industrial building, and satisfies the objectives of the GRLEP 2021 and GRDCP 2021.</p> <p>The development provides a small-scale place of public worship that is appropriately managed through the Plan of Management and enforceable conditions ensuring that amenity, traffic, parking, noise and operational impacts are minimised. Given compliance with statutory planning provisions and adequate mitigation of potential impacts, the proposal is considered to be consistent with the broader public interest.</p>
<p><b>Signage</b> - Signage may be excessive, illuminated, visually intrusive, or inconsistent with the industrial character of the area.</p>	<p>The application proposes one small, non-illuminated, flush-mounted identification sign adjacent to the Unit 1 entry door. The sign is low-scale, does not project over the footpath, and does not obstruct architectural features.</p>



	<p>Council's assessment confirms the signage fully complies with Section 3.18 – Advertising and Signage and Section 4.3.9 – Site Facilities, Services and Signage of the GRDCP 2021. No illuminated signage is proposed. Conditions of consent require additional internal signage only (maximum occupancy and quiet-departure reminders) and ensure no external illumination or additional signage may be installed without further approval.</p> <p>The proposed sign is appropriate to the use, integrated with the building façade, and does not result in unreasonable adverse amenity impacts on the surrounding locality.</p>
<p><b>Number of Patrons</b> - The number of patrons (65 worshippers plus ancillary uses) may be excessive, create congestion, increase noise, and intensify traffic and parking demands during peak prayer times.</p>	<p>The proposed maximum occupancy of 65 patrons is supported by both the Acoustic Report and the submitted Plan of Management. The assessment confirms that this occupancy level is appropriate for the size and layout of the unit and can be accommodated on site with 34 dedicated parking spaces, which is higher than the minimum car parking requirement (of 23 spaces) under the Georges River Development Control Plan.</p> <p>The Acoustic Report demonstrates that the proposed patron numbers will comply with applicable noise criteria when the recommended acoustic treatments and operational controls are implemented. The Plan of Management further outlines behaviour expectations, staggered arrival and departure procedures, and on-site parking management to reduce peak-period impacts, particularly during Friday prayers and Ramadan.</p> <p>Conditions of consent will cap occupancy at 65 patrons and require ongoing compliance with the Plan of Management to ensure that the use operates without adverse impacts on the surrounding area. The proposed patron number is therefore considered acceptable and manageable within the context of the site.</p>
<p><b>Additional Foot Traffic</b> The proposed place of public worship will generate increased pedestrian activity within the locality, potentially affecting residential amenity, safety, and the quiet character of surrounding streets.</p>	<p>The anticipated increase in pedestrian movement is expected to be modest and primarily limited to prayer session times. The site is located within an industrial precinct, with the pedestrian network designed to accommodate worker and visitor</p>

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU





	<p>movement associated with surrounding industrial operations. The proposal does not involve external gathering areas, outdoor congregation spaces, or activities that would cause prolonged waiting or off-site pedestrian clustering. The Plan of Management includes measures requiring patrons to enter and leave quietly, avoid congregating outside the building, and proceed directly to and from their vehicles. Internal circulation and on-site parking arrangements ensure that the majority of movements occur within the site rather than on the street frontage. Given the scale of the use, the enclosed nature of the building, and management controls imposed by conditions of consent, any additional foot traffic is expected to be minimal and will not result in unacceptable impacts on the surrounding area.</p>
<p><b>Conflict with Heavy Vehicle Operations</b></p> <ul style="list-style-type: none"> <li>- Higher collision risk (trucks reversing, limited sight lines);</li> <li>- Greater insurance liability and potential Work Health &amp; Safety (WHS) breaches; and</li> <li>- Reduced operational flexibility, especially during peak dispatch or batching hours.</li> </ul>	<p>As vehicles enter the site, an employee stationed in the basement will guide vehicles to fill up the basement car park from the rear, firstly by directing traffic to B01 to B07 car spaces, and afterwards to fill up the remaining 14 car spaces. There will be no two-way traffic flow during the arrival period – All vehicles will be travelling inbound only and no vehicles will be permitted to leave the site during this period. Furthermore, the management of vehicle arrivals will ensure that there is no possibility of queuing back onto the street, or create conflict with heavy vehicle operations.</p> <p>The approved Plan of Management further reduces risk by controlling arrival and departure times, capping patron numbers, and providing onsite supervision during peak periods. These measures ensure that the proposal does not materially increase collision risk beyond that already anticipated within an industrial environment.</p>
<p><b>Reverse Amenity Pressure on Existing Businesses</b> - If sensitive land uses like places of worship are approved in proximity, there is a real risk that complaints may arise over noise, smell, or traffic</p>	<p>If the adjoining industrial use is lawful, there are conditions put in place to ensure that the industrial activity do not given rise to offensive noise, and offensive odour as a result of the operation of the industrial activity.</p>

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. PLEASE VISIT THE GEORGES RIVER LOCAL PLANNING PANEL WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU





<p><b>Fire Safety Compliance</b> As a neighbouring stakeholder, we are also concerned about the lack of clarity over fire safety compliance, as the use changes from a Class 5/7b (warehouse) to a Class 9b (assembly).</p>	<p>Conditions have been imposed to comply with Environmental Planning and Assessment (Development and Fire Safety) Regulation 2021.</p>
<p><b>Insufficient Supporting documents - This application appears to have been lodged without key supporting reports, including:</b></p> <ul style="list-style-type: none"> <li>- A Traffic and Parking Impact Study;</li> <li>- An Acoustic Impact Assessment;</li> <li>- A WHS Management Plan for pedestrian movement in an industrial zone.</li> </ul>	<p>The following reports were submitted with the application.</p> <ul style="list-style-type: none"> <li>• Plan of Management No. P445 dated 18 December 2025, prepared by GAT &amp; Associates</li> <li>• Transport Impact Statement report no 24.13Or01003, dated 28 November 2025 prepared by PDC Consulting</li> <li>• Acoustical Report, report no, 6590 dated 20 November 2025, prepared by Koikas Acoustics PTY LTD</li> <li>• All relevant information required to enable a comprehensive assessment of the development application has been submitted and reviewed, and the application has been determined having regard to this information.</li> </ul>
<p><b>Noise and Amenity Impacts</b> - Potential for noise from prayer gatherings, increased activity, car park movement, patron arrival/departure, and extended operating hours.</p>	<p>A detailed Acoustic Report by Koikas Acoustics (20 November 2025) was submitted and reviewed by Council's Environmental Health Officer and supported the proposal subject to conditions. Given the industrial context along Planthurst Road and separation from residential properties, noise impacts are manageable and acceptable. Conditions of consent will be imposed to ensure the place of public worship does not generate offensive noise under the <i>Protection of the Environment Operations Act 1997</i>.</p>
<p>Too many places of public worship in the area</p>	<p>The number of existing places of public worship in an area is not, on its own, a valid planning reason to refuse the application. The application is assessed on its merits and its compliance with zoning objectives and statutory requirements and its ability to meet the community needs on a day to day basis.</p>



<p><b>Traffic statement assumptions</b> - The whole Transport Statement is based on the premise that only 27 cars (the amount of available car spaces at the site for worshippers) will be coming and going during the times of scheduled worship and that these movements will have minimal impact on traffic congestion.</p>	<p>The proposal has been supported by a Traffic and Parking Assessment and reviewed by Council's Traffic Engineer. The use requires 23 spaces under GRDCP 2021; 34 spaces are provided on-site and allocated to Unit 1, exceeding the DCP requirement. The Plan of Management (PoM) outlines measures such as on-site parking management, limiting peak patron numbers, staggered times and closing access to the car park once capacity is reached. Conditions require that all vehicles enter/exit in a forward direction and that pedestrian/vehicle movements are clearly separated. The Traffic Engineer raised no objection, subject to implementation of the PoM and standard conditions.</p>
<p><b>Number of worshippers</b> - The other presumption is that there will only be 65 worshippers turning up, as per the stated maximum capacity. While the submitted management plan states that the doors will be closed when the site reaches full capacity, how will the worshippers know when this occurs? Unless the operators of the site have some sort of pre-booking arrangement for those who wish to worship there, this figure of 65 could easily become 100, if not more. Many could turn up intending to worship only to be disappointed and turned away and if they were driving that would equate to more unnecessary car trips.</p>	<p>A member of the committee will monitor and record the number of attendees (using a hand operated counter). Once capacity at 65 worshippers is reached, a committee member will close the door and place a sign to advise that the premises is at maximum capacity. The POM states that All place of public worship doors shall be closed for the duration of all prayer sessions and community sessions, and shall be reopened once prayer sessions and community sessions have been completed.</p> <p>Furthermore, a condition of consent will require the operator to provide a minimum of seven (7) days' written notice to nearby residential properties prior to any Special Prayer Event, detailing the date, times, expected attendance and a contact person. All such events must be conducted strictly in accordance with the approved Plan of Management, including maximum patron numbers and traffic, parking and noise controls, with records retained on site and made available to Council upon request.</p> <p>If the numbers exceed 65 worshippers on site then a member of the public is able to raise the concern directly with the committee of the place of public worship through the complaints handling register system which is required to be maintained as part of the consent. Furthermore, any instances of alleged non-compliance, including exceedance of</p>

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL PUBLIC HEARING DOCUMENTS. VISIT THE WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU





	<p>the approved patron limit may be reported directly to Council for investigation and enforcement action. Further assurance is provided by the fact that a condition is imposed for a 2 year trial period only. If, during this period, the use fails to comply with the consent conditions or results in unreasonable impacts, then Council would not support the continued use of the place of public worship beyond the trial period.</p>
<p>This development is too large for the size of land and a multi-storey building will totally block all sunlight from the surrounding homes on Mona Street. The impact on our homes will be devastating.</p>	<p>Mona Street is not located in close proximity to the proposed development.</p>

Below is a list of submissions that support the proposed development.

- Community leaders emphasise an urgent need for a mosque in the St George area and trust Council will make the correct decision.
- The proposal meets a demonstrated need for a local place of worship for the growing Muslim community, with a modest scale appropriate to the locality and without unreasonable amenity impacts.
- Supporters note the development fills a gap in religious and community facilities, contributing positively to social infrastructure and wellbeing.
- The site's location within an established urban area and walking distance of homes supports accessibility and reduces reliance on private vehicles, minimising traffic and parking impacts.
- The mosque will enable youth, educational and charitable programs and strengthen engagement between the Muslim and wider St George community.
- Residents value the opportunity for local connection and community building, including youth participation and family involvement close to home.
- The development provides equitable access to religious, social and cultural facilities consistent with multicultural values and supports families with long-standing ties to the suburb.
- Supporters consider the proposal an opportunity to strengthen community ties and promote inclusive growth, noting the importance of collaboration between council, community leaders and residents to deliver this needed facility.

**Comment**

Council acknowledges the submissions received in support of the proposed development. These views have been considered as part of the overall assessment of the application.

**The Public Interest**

Section 4.15 (e) *the public interest.*

As outlined in the report, the development offers positive environmental, social, and economic outcomes. It reactivates a vacant unit through adaptive reuse, supports local families and contributes to community cohesion and safety. The proposal responds appropriately to adjoining developments



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PLAN. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



and maintains the character of the area. In this context and having regard to the submissions received and the planning framework, approval of the development is in the public interest.

## Referrals

Internal Referrals		
Specialist	Comment	Outcome
Environmental Health Officer	No objections raised to the proposal and conditions recommended.	Conditions imposed as recommended.
Traffic Engineering	No objections raised to the proposal and conditions recommended	Conditions imposed as recommended.

## Contributions

The development is subject to Section 7.12 Contributions. In accordance with the Georges River Local Development Contributions Plan 2021, a condition of consent requiring payment of the contribution and identifying it is subject to indexation in accordance with the plan has been imposed.

## Conclusion

The proposal has been assessed with regard to the matters for consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979.

Overall, the assessment demonstrates that DA2025/0247 has been evaluated against all relevant statutory planning frameworks and development controls and is capable of being satisfactorily regulated through appropriate conditions of consent. The proposal represents a considered and orderly form of development that makes efficient use of an existing, lawfully approved industrial building, and delivers a social benefit to the community.

The concerns raised by objectors have been considered, with particular regard to traffic, parking, noise and amenity impacts. These matters have been addressed through detailed technical studies, an enforceable Plan of Management, capped patron numbers and operational controls, all of which provide confidence that the development can operate without unacceptable impacts on surrounding properties or the broader road network. The provision of surplus on-site parking further strengthens the proposal and mitigates potential off-site impacts.

Importantly, the proposal is permissible, consistent with the objectives of the applicable planning controls, and compatible with the established and emerging character of the area, having regard to its industrial setting and separation from nearby residential uses. On balance, the development represents a well-managed and reasonable planning outcome, demonstrates suitability for the site,



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. PLEASE VISIT THE OFFICIAL DOCUMENT WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



and is considered to be in the public interest. Approval is therefore supported, subject to the recommended conditions of consent.

## Statement of Reasons

- The proposed development is permissible within the E4 General Industrial zone under the Georges River Local Environmental Plan (GRLEP) 2021 and satisfies the relevant zone objectives, including enabling non-industrial uses that support community needs.
- The proposal demonstrates compliance with the applicable provisions of GRLEP 2021, and all relevant local provisions. The development does not alter the existing built form and does not see
- The application satisfies the planning objectives of the Georges River Development Control Plan (GRDCP) 2021, including locational suitability, amenity protection, safety and security, parking, access, waste management, and signage. Any areas requiring management are addressed through enforceable conditions of consent.
- Operational impacts have been adequately assessed and appropriately mitigated. The submitted Acoustic Report confirms compliance with the NSW Noise Policy for Industry subject to recommended treatments, and the Plan of Management provides a structured framework for controlling noise, capacity, hours, patron behaviour, and parking operations.
- The scale and nature of the use are compatible with the site context, being located within a industrial complex with adequate parking, internal circulation, and physical separation from nearby residential land. The site layout effectively manages potential amenity conflicts.
- The development will not result in unreasonable adverse impacts on the natural or built environment. No physical works of significance are proposed, and the use operates within an established industrial building without altering its external form apart from signage.

## Recommendation

Pursuant to Section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979 (as amended), the delegated officer recommends that Georges River Local Planning Panel that DA2025/0247 for use of Unit 1/49 Planthurst Road, Carlton, as Place of Public Worship be approved subject to the conditions referenced in Appendix 1:

## Appendix 1- Conditions

### CONDITIONS

#### Development Details

1. **Approved Plans** - The development must be implemented in accordance with the approved plans and supporting documentation listed below which have been endorsed by Council's approved stamp, except where marked up on the plans and/or amended by conditions of this consent:

Description	Reference No.	Date	Revision	Prepared by
Site Plan	DA01	19 November 2025	D	Create



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PLAN - FOR THE OFFICIAL DOCUMENTS PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

Basement Floor Plan	DA02	19 November 2025	D	Create
Unit 1 Ground Floor Plan	DA03	19 November 2025	D	Create
Unit 1 Mezzanine Floor Plan	DA04	19 November 2025	D	Create
Internal Elevations	DA05	19 November 2025	D	Create
Internal Elevations	DA06	19 November 2025	D	Create
Section A-A & Streetscape Elevation	DA07	19 November 2025	D	Create

Documents relied upon:

Description	Reference No.	Date	Revision	Prepared by
Plan of Management	P4459	18 December 2025	1.2	GAT & Associates
Statement of Environmental Effects	P4459	December 2025	2.0	GAT & Associates
Transport Impact Statement	24.13Or01v03	28 November 2025	03	PDC Consulting
Acoustical Report	6590	20 November 2025	-	Koikas Acoustics PTY LTD
Access Capability Report	-	28 April 2025	1	Stacc
BCA Capability Report	-	28 April 2025	-	Stacc

**Prior to the Issue of a Construction Certificate**

2. **Section 138 Roads Act 1993 and Section 68 Local Government Act 1993 -**

Unless otherwise specified by a condition of this consent, this Development Consent does not give any approval to undertake works on public infrastructure.

Separate approval is required under Section 138 of the Roads Act 1993 and/or Section 68 of the Local Government Act 1993 for any of the following activities carried out in, on or over a public road (including the footpath) listed below.

An application is required to be lodged and approved prior to the commencement of any of the following works or activities;

- (a) Placing or storing materials or equipment;
- (b) Placing or storing waste containers or skip bins;
- (c) Erecting a structure or carrying out work
- (d) Swinging or hoisting goods over any part of a public road by means of a lift, crane or the like;
- (e) Pumping concrete from a public road;
- (f) Pumping water from the site into the public road;
- (g) Constructing a vehicular crossing or footpath;
- (h) Establishing a "works zone";

- (i) Digging up or disturbing the surface of a public road (e.g. Opening the road for the purpose of connections to utility providers);
- (j) Stormwater & ancillary works in the road reserve; and
- (k) Stormwater & ancillary to public infrastructure on private land
- (l) If any excavation is to be supported by the use of below ground (cable) anchors that are constructed under Council's roadways/footways.

These separate activity approvals must be obtained and evidence of the approval provided to the Certifying Authority prior to the issue of the Construction Certificate.

The relevant Application Forms for these activities can be downloaded from Council's website [www.georgesriver.nsw.gov.au](http://www.georgesriver.nsw.gov.au). For further information, please contact Council's Customer Service Centre on (02) 9330 6400.

3. **Fire Safety Measures** - Prior to the issue of a construction certificate a list of the essential fire safety measures that are to be provided in relation to the land and any building on the land as a consequence of the building work must accompany an application for a construction certificate, which is required to be submitted to either Council or a PCA. Such list must also specify the minimum standard of performance for each essential fire safety measure included in the list. The Council or PCA will then issue a Fire Safety Schedule for the building.
4. **Engineer's Certificate** - A certificate from a professional Engineer specialising in structural engineering certifying the structural adequacy of the existing structure, to support all proposed additional superimposed loads shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate.
5. **Structural details** - Engineer's details prepared by a practising Structural Engineer being used to construct all reinforced concrete work, structural beams, columns and other structural members. The details are to be submitted to the Principal Certifying Authority for approval prior to construction of the specified works. A copy shall be forwarded to Council where Council is not the PCA.
6. **Access for Persons with a Disability** - [Access and/or sanitary facilities] for persons with disabilities must be provided to the premises/building in accordance with the requirements of the Premises Standards, the Building Code of Australia, and AS 1428.1. Details must be submitted with the Construction Certificate Application for approval.
7. **Commonwealth Disability (Access to Premises) Standard** - The Commonwealth Disability (Access to Premises - Buildings) Standards 2010 (the Premises Standards) applies to all applications (i.e. Construction Certificate). This requires any new building, part of a building and the affected part of the existing building to comply with the Premises Standards, the Building Code of Australia and AS 1428.
8. **Fees to be paid** - The fees listed in the table below must be paid in accordance with the conditions of this consent and Council's adopted Fees and Charges applicable at the time of payment (available at [www.georgesriver.nsw.gov.au](http://www.georgesriver.nsw.gov.au)).

Payments must be made prior to the issue of the Construction Certificate or prior to the commencement of work (if there is no associated Construction Certificate).

Council will only accept Bank Cheque or Electronic Funds Transfer (EFT) for transaction values of \$500,000 or over. Council must be contacted prior to payment to determine correct total amount to be paid and bank account details (if applicable).

A summary of the fees to be paid are listed below:



Fee Type	Fee
<b>GENERAL FEES</b>	
Long Service Levy (to Long Service Corporation) Or, provide evidence of Payment direct to the Long Service Corporation. See <a href="https://portal.longservice.nsw.gov.au/bci/levy">https://portal.longservice.nsw.gov.au/bci/levy</a>	
Builders Damage Deposit	\$2,060.00
Inspection Fee for Refund of Damage Deposit	\$220.00
Georges River 7.12 Development Contribution Plan 2021	\$750.00

**General Fees**

The fees and charges above are subject to change and are as set out in the version of Council's Schedule of Fees and Charges or as required by other Government Authorities, applicable at the time of payment.

Timing of Payment

The contribution must be paid and receipted by Council prior to the release of the Construction Certificate.

Further Information

A copy of the *all current Development Contributions Plans* may be inspected or a copy purchased at Council's offices (Georges River Civic Centre, MacMahon Street, Hurstville and Kogarah Library and Service Centre, Kogarah Town Square, Belgrave Street, Kogarah) or viewed on Council's website [www.georgesriver.nsw.gov.au](http://www.georgesriver.nsw.gov.au).

9. **Damage Deposit - Minor Works** - In order to insure against damage to Council property the following is required:
  - a) Pay Council, before the issue of the Construction Certificate, a damage deposit for the cost of making good any damage caused to any Council property as a result of the development: \$2,060.00
  - b) Pay Council, before the issue of the Construction Certificate, a non-refundable inspection fee to enable assessment of any damage and repairs where required: \$220.00
  - c) Submit to Council, before the commencement of work, a photographic record of the condition of the Council nature strip, footpath and driveway crossing, or any area likely to be affected by the proposal.
  
10. **Site Management Plan** - A Site Management Plan detailing all weather access control points, sedimentation controls, fencing, builder's site sheds office, amenities, materials storage and unloading arrangements must be submitted with the application for the Construction Certificate.
 

The site management measures are to be implemented prior to the commencement of any works including demolition and excavation. The site management measures are to be maintained throughout the works, to maintain reasonable levels of public health, safety and amenity. A copy of the Site Management Plan must be kept on site and is to be made available upon request.
  
11. **Waste Management Plan** - A Waste Management Plan incorporating all requirements in respect of the provision of waste storage facilities, removal of all materials from the site that are the result of site clearing, extraction, and, or demolition works and the designated Waste Management Facility shall be submitted to the Certifying Authority prior to the issue of any Construction Certificate.
  
12. **Compliance with submitted Acoustic Report**- The Report submitted to Council as referenced in the Application must demonstrate compliance with the Acoustic Report referenced in this

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PLAN



consent.

Certification provided by a suitably qualified and experienced acoustic consultant, referencing the Construction Certificate Plans and confirming that the requirements of the Acoustic Report are met must be provided to the satisfaction of the Certifying Authority prior to the release of the Construction Certificate.

The Acoustic Report Compliance Certificate must be incorporated into the Construction Certificate documentation.

**Reason:** To ensure the design of the development incorporates the measures outlined in the Acoustic Report. To provide appropriate acoustic levels to maintain the surrounding amenity.

13. **Bicycle parking – additional provision** - provision shall be made within the basement for the secure parking of not less than seven (7) bicycles. Details of the bicycle storage facility shall be submitted to the Certifying Authority for approval prior to the issue of the Construction Certificate and bicycle facilities installed prior to the issue of the Occupation Certificate.
14. **Staff tandem parking spaces** - the six (6) staff parking spaces in parking units BO5 to BO7 inclusive shall be fitted with signage and pavement markings that clearly indicates the spaces are to be used for staff only parking and not visitor parking. Details of the signage and pavement markings shall be submitted to the Certifying Authority for approval prior to the release of the Construction Certificate and the signs and markings installed prior to the release of the Occupation Certificate.
15. **Vehicle turn areas- pavement markings and signage** - The areas hatched in yellow for vehicle turning/manoeuvring at the end of both access aisles shown on Drawing No. DA02 prepared by Create – Issue “D” dated 19/11/2025 shall have suitable pavement markings and signage in order for the hatched areas to be clear of parked vehicles at all times. Details of the required pavement markings and signage to prevent the parking of vehicles in the turn areas shall be submitted to the Certifying Authority for approval prior to the issue of the Construction Certificate and the pavement markings and signage installed prior to the issue of the Occupation Certificate.
16. **Accessible parking space 14** - basement parking space 14 shall be allocated as an accessible space and marked to comply with the requirements AS/NZS 2890.6: 2020 Parking Facilities, Part 6 – off street parking for people with disabilities.

#### **Prior to the Commencement of Work (Including Demolition & Excavation)**

17. **Utility Arrangements** - Arrangements are to be made with utility authorities in respect to the services supplied by those authorities to the development. The cost associated with the provision or adjustment of services within the road and footway areas is to be at the applicant's expense.
18. **Demolition & Asbestos** - The demolition work shall comply with the provisions of Australian Standard AS2601:2001 – Demolition of Structures, NSW [Work Health & Safety Act 2011](#) and the NSW [Work Health & Safety Regulation 2011](#). The work plans required by AS2601:2001 shall be accompanied by a written statement by a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the safety statement shall be submitted to the PCA prior to the commencement of works.

For demolition work which involves the removal of asbestos, the asbestos removal work must be carried out by a licensed asbestos removalist who is licensed to carry out the work in



accordance with the NSW [Work Health & Safety Act 2011](#) and the NSW [Work Health & Safety Regulation 2011](#) unless specified in the Act and/or Regulation that a license is not required.

All demolition work including the removal of asbestos, shall be undertaken in accordance with the [Demolition Code of Practice](#) (NSW Work Cover July 2015)

**Note:** Copies of the Act, Regulation and Code of Practice can be downloaded free of charge from the SafeWork NSW website: [www.SafeWork.nsw.gov.au](http://www.SafeWork.nsw.gov.au).

19. **Demolition Work involving asbestos removal** - Work involving bonded asbestos removal work (of an area of more than 10 square metres) or friable asbestos removal work must be undertaken by a person who carries on a business of such removal work in accordance with a licence under clause 458 of the [Work Health and Safety Regulation 2011](#).

#### During Construction

20. **Site Maintenance** - The premises shall be maintained in a manner that will not adversely impact upon public health and safety until such time as an occupation certificate is issued. The premises shall be maintained during construction in accordance with the following:
- There must be no burning of any material.
  - All putrescible waste must be disposed of in a suitable manner within 24 hours of generation.
  - All grass and vegetation must be maintained within the development site so the grass and vegetation (excluding trees, shrubs and any other protected vegetation) does not exceed a height of 100 mm above ground level, until such a time that all approved landscaping works have been completed in accordance with the approved landscaping plan.
  - Any accumulated or ponded water must be removed within 5 days (weather permitting). The removal of any water must comply with the *Protection of the Environment Operations Act 1997* (NSW) so as to not cause a pollution incident.
  - Fencing must be provided and installed within the boundary of the premises. Fencing must be maintained so as to eliminate access to the public.
  - All Activity associated with the development including storage or depositing of any goods or maintenance of any machinery and equipment must be conducted wholly within the site boundaries.
21. **Hours of construction for demolition and building work** - Unless authorised by Council:
- Building construction and delivery of material hours are restricted to: 7.00 am to 5.00 pm (inclusive) Monday to Saturday and no work on Sundays and Public Holidays.
  - Demolition and excavation works are restricted to: 8.00 am to 5.00 pm (inclusive) Monday to Friday only. Excavation work includes the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders and the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site.
22. **Cost of work to be borne by the applicant** - The applicant shall bear the cost of all works associated with the construction of the development that occurs on Council property. Care must be taken to protect Council's roads, including the made footway, kerbs, etc., and, where plant and vehicles enter the site, the footway shall be protected against damage by deep-sectioned timber members laid crosswise, held together by hoop iron straps and chamfered at their ends. This construction shall be maintained in a state of good repair and condition throughout the course of construction.



23. **Obstruction of Road or Footpath** - The use of the road or footpath for the storage of any building materials, waste materials, temporary toilets, waste or skip bins, or any other matter is not permitted unless separately approved by Council under Section 138 of the [Roads Act 1993](#) and/or under Section 68 of the [Local Government Act 1993](#). Penalty infringement Notices may be issued for any offences and severe penalties apply.
24. **Damage within Road Reserve and Council Assets**- The owner shall bear the cost of restoring any footpath, roadway and any other Council assets damaged due to works at, near or associated with the site. This may include works by Public Utility Authorities in the course of providing services to the site.

#### Prior to the issue of the Occupation Certificate

25. **Fire Safety Certificate before Occupation or Use** - In accordance with clause 41 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 on completion of building works and prior to the issue of an Occupation Certificate, the owner must cause the issue of a Final Fire Safety Certificate in accordance with Clause 83 of the aforesaid Regulation. The Fire Safety Certificate must be in the form or to the effect of clause 41 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021. In addition, in relation to each essential fire or other safety measure implemented in the building or on the land on which the building is situated, such a Certificate as required pursuant to clause 86 of the aforesaid regulation is to:

- state That the measure has been assessed by a person (chosen by the owner of the building) who is properly qualified to do so and the certificate be in the approved form
- That as at the date of the assessment the measure was found to be capable of functioning at a standard not less than that required by the attached Schedule.

In accordance with clause 85 Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 A copy of the certificate is to be given by the applicant to the Commissioner of Fire & Rescue NSW and a further copy is to be displayed in a frame and fixed to a wall inside the building's main entrance.

26. **Acoustic Certification**  
Prior to the issue of any Occupation Certificate, or use of the premises, a report prepared by a suitably qualified acoustic consultant or engineer must be submitted to the Certifying Authority, certifying that the construction has incorporated the recommendations in the Acoustic Report as referenced in this consent.

The Acoustic Certification must be incorporated into the Occupation Certificate documentation and provided to Council.

**Reason:** To ensure appropriate acoustic level to surrounding amenities.

27. **Acoustic Compliance – General Operation of Premises**  
A suitably qualified acoustic consultant or engineer must certify that the operation of the plant and equipment complies with the NSW Environment Protection Authority's "[Noise Policy for Industry \(2017\)](#)" (as amended). The Acoustic Certification must be submitted to the Certifying Authority prior to the issue of any Occupation Certificate or use of the premises. The Acoustic Certification must be incorporated into the Occupation Certificate documentation and provided to Council.

**Reason:** To ensure appropriate acoustic level to surrounding amenities.



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUILDING PERMITS DOCUMENT. VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



28. **Signage** - Clear and noticeable signs written in plain English to be installed inside the internal hallway leading to the worship area. The signs are to notify users and visitors with respect to the conditions of use (hours, capacity and maintaining noise attenuation measures) of the premises.
29. **Bicycle facilities – certification** - facilities for the parking of bicycles shall comply with the requirements of *AS2890.3: 2015 Parking Facilities, Part 3: Bicycle parking*. Prior to the issue of an Occupation Certificate, documentation from a suitably qualified and experienced Traffic Engineering professional shall be submitted to the Certifying Authority certifying the bicycle parking facilities have been constructed in accordance with the approved plans and the above Australian Standard.
30. **Marking of parking spaces and certification** - prior to the issue of an Occupation Certificate, all parking spaces shall be clearly designated and linemarked to comply with *AS1742, Manual of uniform Traffic Control Devices*. Documentation from a suitably qualified and experienced Traffic Engineering professional shall be submitted to the Certifying Authority certifying the carparking spaces have been marked in accordance with the approved plans and the above Australian Standard.
31. **CCTV surveillance cameras –** Before the issue of an occupation certificate, the principal certifier is to ensure that on-site CCTV surveillance cameras have been strategically installed and that they will operate and be maintained throughout the development with particular coverage to:
  - a. Principal entrance/s and exists;
  - b. All areas within the premise occupied by the public (excluding toilets);
  - c. The area within a 10m radius external to the public entrance(s) to the premise.

Installation of the surveillance system is to ensure suitable and clearly visible signage is displayed at the principal entrance(s) to the premise and in a prominent position in lettering not less than 50mm in height with the words: "Closed Circuit Television in use on these premises". CCTV recording device shall be secured within the premises and views are not to be obstructed by temporary or permanent structures, signage or other impediments.

**Operational Conditions (On-Going)**

32. **Maximum number of persons** - Pursuant to section 73 (2) Environmental Planning and Assessment Regulation 2021, a sign must be displayed in a prominent position in the building stating that the maximum number of persons that are permitted in the building. The sign must not exceed the following capacity as specified in the schedule below:

Building/Premises	Approved Capacity/Patronage
Prayer	65 persons (members and staff)
Counselling	4 persons
Youth Programs	30 people including staff
Training	5 persons
Community Affairs	4 persons

The manager on duty shall ensure that the approved capacity as scheduled above is not exceeded. On request by an authorised officer such as the Council, Police or Fire Brigade, the duty manager shall provide record evidence history of the number of person's occupying each scheduled area.



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL MEETING PAPER FOR THE OPEN FOR PUBLIC COMMENT PERIOD. VISIT THE WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

33. **Hours of Operation – General** - The use and hours of operation of the premises are restricted to those set out in conditions of this consent and the approved Plan of Management, including daily prayers, Friday prayers, Ramadan/Tarawih prayers, and Special Prayer Events.

34. **Two-Year Trial Period (s.4.17(1)(d) EP&A Act)** - This consent is granted on a **2-year trial basis**, imposed under section 4.17(1)(d) of the Environmental Planning and Assessment Act 1979 for the purpose of enabling the consent authority to monitor the impacts of the development.

The 2-year trial period shall commence on the date the use first operates. The operator must provide Council with written notice of the commencement date not less than seven (7) days prior to commencement. In the case where the operator fails to provide Council with such notice, the commencement date for the purpose of the trial period shall be deemed to be the date on which this consent was issued.

35. **Requirement for Renewal Application Before Trial Expiry** - A minimum of **six (6) months prior** to the expiry of the 2-year trial period, the operator must lodge either:

- a) a modification application under section 4.55,
  - b) a new development application,
- seeking approval for the ongoing operation of the premises beyond the trial period.

The application must include:

- a) a revised Plan of Management,
- b) proposed long-term operating hours and patron numbers, and
- c) evidence of compliance with all conditions of this consent during the trial period.

If no application is lodged within the required timeframe, or if the application is refused, the approved use must cease at the end of the 2-year trial period and a new application will be required for any future use of the premises.

36. **Special Prayer Events (Maximum 10 Per Year)**

- a) A maximum of 10 Special Prayer Events may occur in any calendar year.
- b) Special Prayer Events must be conducted strictly in accordance with the approved Plan of Management, including:
  - i. maximum patron numbers,
  - ii. traffic and parking arrangements,
  - iii. arrival and departure management,
  - iv. noise controls.
- c) The operator must provide at least seven (7) days' written notice to nearby residential properties prior to any Special Prayer Event. The notice must include:
  - i. the date of the event,
  - ii. start and finish times,
  - iii. expected attendance numbers,
  - iv. contact details for a responsible person.
- d) Accurate written records of all Special Prayer Events, including dates, times and attendance numbers, must be retained on site and made available to Council or police upon request.

37. **Prohibited Events** - Eid events, general celebrations and weddings **must not** be held at this place of public worship.



38. **Use of Structure** - The place of public worship, is not to be used for habitable purposes or for any commercial or industrial purpose.
39. **Prohibition of live bands, amplified music or speakers** - There shall be no live bands, amplified music or speaker systems permitted to operate from the premises at any time.
40. **Offensive Noise** - The use of the premises must not give rise to the transmission of Offensive Noise to any place of different occupancy. Offensive Noise is defined in the [Protection of the Environment Operations Act 1997](https://legislation.nsw.gov.au/view/html/inforce/current/act-1997-156) <<https://legislation.nsw.gov.au/view/html/inforce/current/act-1997-156>> (NSW) (as amended).
41. **Compliance with Noise Control Legislation** – The applicant must ensure that all activities within the premises comply with the relevant sections of the *Protection of the Environment Operations Act 1997* and Regulations and the Noise Policy for Industry (NSW EPA, 2017).
42. **Control of Noise Upon Exiting** – A clearly visible sign must be permanently erected immediately adjacent to the entry/exit doors indicating that patrons are to leave in an orderly fashion and must leave the vicinity of the premises in a manner that does not disturb the quiet and good order of the neighbourhood.
43. **Monitoring of Patrons Leaving the Site** – The Committee member of the place of public worship shall monitor and advise visitors of their obligation to the surrounding locality to leave the premises in a quiet and orderly manner and not obstruct traffic in the surrounding area.
44. **Lighting - General Nuisance** - Any lighting on the site shall be designed so as not to cause a nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill or glare. Flashing, moving or intermittent lights or signs are prohibited.
45. **Activities and storage of goods outside buildings** - Any work or activity associated with the use of this development consent including storage, or depositing of any goods or maintenance of any machinery shall be conducted within the building. External storage shall be limited to waste receptacles.
46. **Annual Fire Safety Statement** - The owner of the building premises must ensure the Council is given an annual fire safety statement in relation to each essential fire safety measure implemented in the building. The annual fire safety statement must be given:
- Within 12 months after the date on which the fire safety certificate was received.
  - Subsequent annual fire safety statements are to be given within 12 months after the last such statement was given.
  - An annual fire safety statement is to be given in or to the effect of part 12 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021
  - A copy of the statement is to be given to the Commissioner of Fire & Rescue NSW, and a further copy is to be prominently displayed in the building.
47. **General amenity of the neighbourhood** - The implementation of the development must not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of due to the emission or discharge of noise, fumes, vapour, odour, steam, soot, dust, wastewater, waste products, grit, oil or other



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL MEETING. PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

harmful products.

48. **Plan of Management** - The plan of management, prepared by Gat & Associates, dated 18 December 2025 (Revision 1.2) must be adhered to during the lifetime of this development. Amendments to the plan are permitted only with the written consent of Council.
49. **Outdoor areas - Prohibition of live bands, amplified music or speakers**- Live bands, amplified music or loud speakers are not permitted in the outdoor areas at any time.
50. **Functions, festivals, events or commercial activities** - No functions (including, without limitation, functions such as weddings, funerals, and the like), festivals, events or commercial activities may be conducted on site or within the Place of Public Worship at any time.
51. **Acoustic Report – Commercial/Industrial - Verification of Noise report** - Within three months from the date of issue of an Occupation Certificate, an acoustic assessment must be carried out by an appropriately qualified acoustic consultant, in accordance with the NSW Environment Protection Authority's "[Noise Policy for Industry \(2017\)](#)" (Policy) submitted to Council for consideration.
- The report should include but not be limited to, details verifying that the noise control measures as recommended in the approved acoustic report referenced in this consent have been achieved and if not, carryout works required to achieve the required outcome/s within 28 days.
- Reason:** To ensure the premises complies with the Acoustic Report and reduces adverse impacts upon the environment and surrounding neighborhood.
- Note:** Where rectification works require further development consent or owners' consent these must be sought prior to such works being carried out.
52. **Acoustic mitigation infrastructure – Maintenance** - Noise mitigation measures must be maintained at all times to ensure their acoustic performance does not diminish.
- Reason** To provide appropriate acoustic levels to maintain the surrounding amenity.
53. **Vehicular entry/exit** - the movement of all vehicles into and out of the basement car park shall be carried out in a forward direction along the Planhurst Road street frontage.
54. **Delivery of goods** - All loading and unloading operations associated with servicing the site must be carried out within the confines of the site, at all times and must not obstruct other properties/units or the public way.
- At all times the service vehicle docks, car parking spaces and access driveways must be kept clear of goods and must not be used for storage purposes, including garbage storage.
55. **No mobile Food Vending Vehicles or Temporary Food Premises** – No mobile food vending vehicles or temporary food premises are permitted to operate at the premises without prior development consent from Council.
56. **Waste containers** – No waste storage containers are to be located or placed outside the approved waste storage area at any time except for collection purposes.
57. **Waste generated on site** – All waste generated on the site is to be stored, handled and disposed of in such a manner as to not create offensive odour, offensive noise or pollution of



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER FOR THE OFFICIAL DOCUMENT. VISIT US AT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

land/or water as defined under the *Protection of the Environment Operations Act 1979*. All waste generated shall be removed and disposed of by an authorized waste removal contractor. A copy of the waste removal agreement and receipts shall be made available to Council on request.

58. **Car Parking not to be used for storage** – The approved car parking spaces, driveways and manoeuvring areas to be used for employees and visitors' vehicles only and not for the storage of materials or supplies.

#### Operational Requirements Under the Environmental Planning & Assessment Act 1979

59. **Requirement for a Construction Certificate** – Division 2 [Environmental Planning and Assessment \(Development and Fire Safety\) Regulation 2021](#) - The erection of a building must not commence until a Construction Certificate has been issued.
60. **Appointment of a Principal Certifier (PC)**- The erection of a building must not commence until the applicant has:
- appointed a PC for the building work; and
  - if relevant, advised the PC that the work will be undertaken as an Owner -Builder.

In accordance with Clause 57 of the [Environmental Planning and Assessment \(Development and Fire Safety\) Regulation 2021](#)

If the work is not going to be undertaken by an Owner - Builder, the applicant must:

- appoint a Principal Contractor to undertake the building work. If residential building work (within the meaning of the [Home Building Act 1989](#)) is to be undertaken, the Principal Contractor must be a holder of a contractor licence; and
  - notify the PC of the details of any such appointment; and notify the Principal Contractor of any critical stage inspections or other inspections that are required to be carried out in respect of the building work.
61. **Notification Requirements of PC** – Clause 57 of [Environmental Planning and Assessment \(Development and Fire Safety\) Regulation 2021](#) - No later than two days before the building work commences, the PC must notify:
- the consent authority and the Council (if not the consent authority) of his or her appointment; and
  - the applicant of the critical stage inspections and other inspections that are to be carried out with respect to the building work.
62. **Notice of Commencement** – Clause 59 of [Environmental Planning and Assessment \(Development and Fire Safety\) Regulation 2021](#) the applicant must give at least two days notice to the Council and the PC of their intention to commence the erection of a building. A Notice of Commencement Form is attached for your convenience.
63. **Critical Stage Inspections** - The last critical stage inspection must be undertaken by the PC. The critical stage inspections required to be carried out vary according to Building Class under the Building Code of Australia and are listed in Clause 68 of the [Environmental Planning and Assessment \(Development and Fire Safety\) Regulation 2021](#).
64. **Notice to be given prior to critical stage inspections** - The principal contractor for a building site, or the owner-builder, must notify the PC at least 48 hours before each required inspection needs to be carried out in accordance with Clause 58 of the [Environmental Planning and Assessment \(Development and Fire Safety\) Regulation 2021](#).





[Assessment \(Development and Fire Safety\) Regulation 2021.](#)

Where Georges River Council has been appointed as the PC, 48 hours notice in writing, or alternatively 24 hours notice by facsimile or telephone, must be given when specified work requiring inspection has been completed.

- 65. **Occupation Certificate** – Part 5 [Environmental Planning and Assessment \(Development and Fire Safety\) Regulation 2021](#) - A person must not commence occupation or use of the whole or any part of a new building unless an Occupation Certificate has been issued in relation to the building or part.  
Only the PC appointed for the building work can issue the Occupation Certificate.

**Prescribed Conditions**

- 66. **Clause 67 - Building Code of Australia & Home Building Act 1989** - Requires all building work to be carried out in accordance with the Building Code of Australia. In the case of residential building work to which the Home Building Act 1989 relates, there is a requirement for a contract of insurance to be in force before any work commences.
- 67. **Clause 75 - Erection of Signs** - Requires the erection of signs on site and outlines the details which are to be included on the sign. The sign must be displayed in a prominent position on site and include the name and contact details of the PC and the Principal Contractor.
- 68. **Protection & support of adjoining premises** - If the development involves excavation that extends below the level of the base of the footings of a building on adjoining land, this prescribed condition requires the person who benefits from the development consent to protect and support the adjoining premises and where necessary underpin the adjoining premises to prevent any damage.
- 69. **Clause 61 - Site Excavation** - Excavation of the site is to extend only to that area required for building works depicted upon the approved plans. All excess excavated material shall be removed from the site.  
All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

If the soil conditions require it, retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil shall be provided and adequate provision shall be made for drainage.

**END CONDITIONS**

**NOTES/ADVICES**

- 1. **Review of Determination** - Section 8.2 of the Environmental Planning and Assessment Act confers on an applicant who is dissatisfied with the determination of the application the right to lodge an application with Council for a review of such determination. Any such review must however be completed within 6 months from its determination. Should a review be contemplated sufficient time should be allowed for Council to undertake public notification and other processes involved in the review of the determination.  
Note: Review provisions do not apply to Complying Development, Designated Development, State Significant Development, Integrated Development or any application determined by the Sydney South Planning Panel or the Land & Environment Court.



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL MEETING. FOR THE OFFICIAL DOCUMENT, PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

2. **Appeal Rights** - Part 8 (Reviews and appeals) of the Environmental Planning and Assessment Act 1979 confers on an applicant who is dissatisfied with the determination of the application a right of appeal to the Land and Environment Court of New South Wales.
3. **Lapsing of Consent** - This consent will lapse unless the development is physically commenced within 5 years from the Date of Operation of this consent, in accordance with Section 4.53 of the Environmental Planning and Assessment Act 1979 as amended.
4. **Long Service Levy** - The Long Service Corporation administers a scheme which provides a portable long service benefit for eligible workers in the building and construction industry in NSW. All benefits and requirements are determined by the Building and Construction Industry Long Service Payments Act 1986. More information about the scheme and the levy amount you are required to pay to satisfy a condition of your consent can be found at <http://www.longservice.nsw.gov.au>.

The required Long Service Levy payment can be direct to the Long Service Corporation via their web site <https://online.longservice.nsw.gov.au/bci/levy>. Payments can only be processed on-line for the full levy owing and where the value of work is between \$25,000 and \$6,000,000. Payments will be accepted for amounts up to \$21,000, using either MasterCard or Visa.

5. **Security deposit administration & compliance fee** - Under Section 97 (5) of the [Local Government Act 1993](#), a security deposit (or part) if repaid to the person who provided it is to be repaid with any interest accrued on the deposit (or part) as a consequence of its investment.

Council must cover administration and other costs incurred in the investment of these monies. The current charge is \$50.00 plus 2% of the bond amount per annum.

The interest rate applied to bonds is set at Council's business banking facility rate as at 1 July each year. Council will accept a bank guarantee in lieu of a deposit.

All interest earned on security deposits will be used to offset the Security Deposit Administration and Compliance fee. Where interest earned on a deposit is not sufficient to meet the fee, it will be accepted in full satisfaction of the fee.

6. **Stormwater & Ancillary Works - Applications under Section 138 Roads Act and/or Section 68 Local Government Act 1993** - To apply for approval under Section 138 of the Roads Act 1993 and/or Section 68 Local Government Act 1993:

- (a) Complete the Stormwater Drainage Application Form which can be downloaded from Georges River Council's website at [www.georgesriver.nsw.gov.au](http://www.georgesriver.nsw.gov.au).
- (b) In the Application Form, quote the Development Consent No. (eg. DA2018/0\*\*\*) and reference this condition number (e.g. Condition 23)
- (c) Lodge the application form, together with the associated fees at Council's Customer Service Centre, during business hours. Refer to Council's adopted Fees and Charges for the administrative and inspection charges associated with stormwater applications.

The developer must meet all costs of the extension, relocation or reconstruction of any part of Council's drainage system (including design drawings and easements) required to carry out the approved development.



The preparation of all engineering drawings (site layout plans, cross sections, longitudinal sections, elevation views together with a hydraulic grade analysis) and specifications for the new stormwater drainage system to be arranged by the applicant. The design plans must be lodged and approved by Council prior to the issue of a Construction Certificate.

NOTE: A minimum of four weeks should be allowed for assessment.

7. **Council as PCA - Deemed to Satisfy Provisions of BCA** - Should the Council be appointed as the PCA in determining the Construction Certificate, the building must comply with all the applicable deemed to satisfy provision of the BCA. However, if an alternative fire solution is proposed it must comply with the performance requirements of the BCA, in which case, the alternative solution, prepared by an appropriately qualified fire consultant, accredited and having specialist qualifications in fire engineering, must justify the non-compliance with a detailed report, suitable evidence and expert judgement. Council will also require if deemed necessary, for the alternative solution to undergo an independent peer review by either the CSIRO or other accredited organisation. In these circumstances, the applicant must pay all costs for the independent review.
8. **Site Safety Fencing** - Site fencing must be erected in accordance with SafeWork Guidelines, to exclude public access to the site throughout the demolition and/or construction work, except in the case of alterations to an occupied dwelling. The fencing must be erected before the commencement of any work and maintained throughout any demolition and construction work.

A demolition licence and/or a high risk work licence may be required from SafeWork NSW (see [www.SafeWork.nsw.gov.au](http://www.SafeWork.nsw.gov.au)).

## ATTACHMENTS

Nil

Attachment 1 - Report DA2025/0247 – Unit 1/47-49 Planthurst Road, Carlton

Attachment 2 - Architectural Plans – Unit 1/47 – 49 Planthurst Road, Carlton

Attachment to LPP report, Acoustical Report, prepared by Koikas Acoustics Pty Ltd – project number 6590, dated 20 November 2025,

Transport Impact Statement prepared by PDC Consultants, reference no 24.130r01v03, dated 28 November 2025,

Plan of Management, prepared by GAT & Associates, Revision 1.1, dated 28 November 2025



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER, FOR THE OFFICIAL DOCUMENT. PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

**REPORT TO GEORGES RIVER LOCAL PLANNING PANEL MEETING OF THURSDAY, 02 APRIL 2026**

**LPP015-26 58A ALGERNON STREET, OATLEY**

<b>LPP Report No</b>	<b>LPP015-26</b>	<b>Development Application No</b>	<b>DA2025/0451</b>
<b>Site Address &amp; Ward Locality</b>	58A Algernon Street, Oatley Blakehurst Ward		
<b>Proposed Development</b>	Alterations and additions to dwelling house		
<b>Owners</b>	Rasha Mohsen Zaklama and Shady Fahim Hanna Farag		
<b>Applicant</b>	Elie Sleiman		
<b>Planner/Architect</b>	ES Design		
<b>Date Of Lodgement</b>	7/10/2025		
<b>Submissions</b>	2		
<b>Cost of Works</b>	\$550,000		
<b>Local Planning Panel Criteria</b>	This application is referred to Georges River Local Planning Panel for determination as the proposed variation exceeds 10% of the applicable development standard.		
<b>Report prepared by</b>	Development Assessment Planner		

<b>RECOMMENDATION</b>	Approval subject to conditions
-----------------------	--------------------------------

**EXECUTIVE SUMMARY**

This matter is reported to Georges River Council's Local Planning Panel (the Panel) in accordance with Schedule 1, Part 3 of the Local Planning Panels Direction – Development Applications and Applications to Modify Development Consents, issued by the Minister for Planning and Public Spaces under section 9.1 of the Environmental Planning and Assessment Act 1979 on 6 March 2024.

The application seeks consent for a development which seeks a variation of Clause 4.3 Height of Buildings of the Georges River Local Environmental Plan 2021 by greater than 10%.

**PROPOSAL**

Development Application No. DA2025/0451 proposes alterations and additions to a dwelling house. The particulars of the proposal are as follows:

Demolition

- Internal and external walls;
- Roof;
- Elevated front entry stairway; and
- Existing footpath to the rear portion of the site.

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR A DIGITAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

LPP015-26

Lower Ground Floor Level

- Internal reconfiguration to provide:
  - Rumpus room;
  - Game room;
  - Study room;
  - Laundry;
  - Store rooms;
  - Bathroom; and
  - Alfresco.

Ground Floor Level

- Enclosure of existing sunroom, extension of level towards the rear boundary and internal reconfiguration to provide:
  - Changes to existing window schedule;
  - Three bedrooms with walk-in-robe and ensuite bathrooms; and
  - Single car garage.

First Floor Level

- Partial enclosure of existing front balcony, enclosure of existing rear balcony, addition of new rear balcony and internal reconfiguration to provide:
  - Changes to existing window schedule;
  - Open living/kitchen area with butler's pantry;
  - One bedroom with ensuite bathroom; and
  - Powder room.

External Works

- Swimming pool with spa and sunken lounge;
- Landscaping;
- External stairs;
- Retaining walls; and
- New façade and building materials and finishes.

**ASSESSMENT**

Development Application No. DA2025/0451 has been assessed having regard to the matters for consideration contained in Section 4.15(1) of the Environmental Planning and Assessment Act 1979, requiring an assessment against the provisions contained within:

- State Environmental Planning Policy (SEPP) (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (SEPP) (Resilience and Hazards) 2021
- State Environmental Planning Policy (SEPP) (Sustainable Buildings) 2022
- State Environmental Planning Policy (SEPP) (Transport and Infrastructure) 2021
- Georges River Local Environmental Plan 2021 (GRLEP 2021)
- Georges River Development Control Plan 2021 (GRDCP 2021).

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE ORIGINAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

The assessment revealed that the proposal generally complies with the relevant planning controls, with only minor variations identified under both the GRLEP 2021 and GRDCP 2024. This includes a 13.33% variation to the maximum building height under Clause 4.3 of the GRLEP 2021. The exceedance is confined to a small portion of the roof form, arises directly from the steep topography of the site and is not visibly noticeable from either the street or the waterway. The variation results in no adverse visual, privacy or overshadowing impacts, and the amended roof form reduces overall bulk through a more recessive profile. The Clause 4.6 request supporting the variation has been assessed as satisfactory.

Minor DCP variations have also been identified in relation to number of storeys, private open space, earthworks, balcony width and swimming pool controls. Each of these variations are considered acceptable on merit, taking into account the site's significant topographical constraints, the existing built form and the absence of any unreasonable amenity or environmental impacts. Further detailed analysis of all variations, including the Clause 4.6 submission and justification for each DCP departure, is provided in the attached assessment report.

## NOTIFICATION

The application was notified in accordance with Council's Community Engagement Policy between 15 October 2025 and 6 November 2025. Two (2) submissions were received during the neighbour notification period. Details of the submissions are outlined in Council's assessment report.

## RECOMMENDATION

In accordance with Section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979, Development Application No. DA2025/0451 for alterations and additions to dwelling house at 58A Algernon Street, Oatley is recommended for approval subject to the recommended conditions held in Council's assessment report. The reasons for this recommendation are:

- The proposed development is permissible with the subject zone;
- The proposed development complies with the requirements of the relevant environmental planning instruments, or any variations are adequately justified;
- The proposed development is consistent with requirements of the Georges River Development Control Plan 2021; and
- The proposal, subject to conditions, will not result in unreasonable environmental and amenity impacts.

## ATTACHMENTS

Attachment 1 Assessment Report - 58A Algernon Street, Oatley NSW 2223 - DA2025-0451

Attachment 2 Architectural Plans (Masterview)

Attachment 3 Clause 4.6 Written Request



WWW.GEORGESRIVER.NSW.GOV.AU

# Assessment Report

DA2025/0451

Lot 1 DP 506766

58A Algernon Street, Oatley NSW 2223

## Acknowledgment of Country

Georges River Council acknowledges the Bidjigal people of the Eora Nation, who are the Traditional Custodians of all lands, waters and sky in the Georges River area. Council recognises Aboriginal and Torres Strait Islander peoples as an integral part of the Georges River community and values their social and cultural contributions. We pay our respect to their Elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples who live work and meet on these lands.

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER, FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



**Report Summary ..... 3**

**Proposal..... 3**

**Site and Locality..... 4**

    Site Description ..... 4

    Locality ..... 5

**Background ..... 6**

    History ..... 6

    Processing..... 6

    Site Inspection ..... 7

**Assessment - Section 4.15 Evaluation ..... 7**

    The provisions of any environmental planning instrument (EPI)..... 7

    The Provisions of any applicable Act..... 7

    The Provision of any Applicable State Environmental Planning Policy (SEPPs)..... 8

    The Provisions of any Local Environmental Plan ..... 10

    Georges River Local Environmental Plan 2021 ..... 10

**GRLEP 2021 Clause 4.6 Variation ..... 17**

    Provisions of any Proposed Instrument..... 21

    Provisions of any Development Control Plan..... 21

    Georges River Development Control Plan 2021 ..... 21

    Any Planning Agreement Under Section 7.4 ..... 37

    The Regulations ..... 37

    The Likely Impacts of the Development ..... 37

    Site Suitability ..... 37

    Submissions ..... 38

    The Public Interest..... 38

**Contributions..... 39**

**Conclusion..... 39**

**Recommendation ..... 39**

**Appendix 1 – Conditions ..... 40**

**Requirements Of Concurrence, Integrated & Other Government Authorities .. 41**

**Separate Approvals Required Under Other Legislation ..... 42**

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



## Report Summary

---

The development has been assessed having regards to the Matters for Consideration under Section 4.15(1) of the Environmental Planning and Assessment Act 1979.

### Approval

The assessment recommends that Georges River Council's Local Planning Panel as the Determining Authority pursuant to Section 4.16 (1)(a) Environmental Planning & Assessment Act 1979, grant consent to the Development Application, subject to the recommended conditions of consent.

## Proposal

---

Development Application No. DA2025/0451 proposes alterations and additions to a dwelling house. The particulars of the proposal are as follows:

### Demolition

- Internal and external walls;
- Roof;
- Elevated front entry stairway; and
- Existing footpath to the rear portion of the site.

### Lower Ground Floor Level

- Internal reconfiguration to provide:
  - Rumpus room;
  - Game room;
  - Study room;
  - Laundry;
  - Store rooms;
  - Bathroom; and
  - Alfresco.

### Ground Floor Level

- Enclosure of existing sunroom, extension of level towards the rear boundary and internal reconfiguration to provide:
  - Changes to existing window schedule;
  - Three bedrooms with walk-in-robe and ensuite bathrooms; and
  - Single car garage.





**First Floor Level**

- Partial enclosure of existing front balcony, enclosure of existing rear balcony, addition of new rear balcony and internal reconfiguration to provide:
  - Changes to existing window schedule;
  - Open living/kitchen area with butler’s pantry;
  - One bedroom with ensuite bathroom; and
  - Powder room.

**External Works**

- Swimming pool with spa and sunken lounge;
- Landscaping;
- External stairs;
- Retaining walls; and
- New façade and building materials and finishes.

An extract of the proposed site plan is provided at **Figure 1:**



**Figure 1 – Site plan (Source: Architectural Plans)**

**Site and Locality**

**Site Description**

The subject identified as Lot 1 DP 506776 known as 58A Algernon Street, Oatley is an irregularly shaped allotment with a site area of 671.8m<sup>2</sup> with a frontage of 16.105m to Algernon Street. The site contains a three-storey dwelling house with a single garage orientated north-south which is accessed via Algernon Street.

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



The site falls steeply to the rear from Algernon Street towards the Georges River at a gradient of 34% and contains a number of natural rock outcrops and mature landscaping which is consistent of the area, particularly properties on the southern side of Algernon Street.

### Locality

The subject site is zoned R2 Low Density Residential pursuant to the Georges River Local Environmental Plan 2021 (GRLEP 2021) (refer to **Figure 2**). Existing development in the locality consists primarily of 2-3 storey dwelling houses and dual occupancies consistent with the R2 Low Density Residential zone (refer to **Figure 3**).



**Figure 2** –Aerial view of development site outlined in red (Source: IntraMaps)



Figure 3—Aerial view of development site outlined in red (Source: IntraMaps)

## Background

### History

The following applications are relevant to the proposed works.

DA/CDC Number	Proposed Works	Determination	Date
DA2023/0117	Dwelling house and pool	Approval by LPP	30 July 2024
DA2021/0248	Alterations and additions	Approval	15 November 2021

### Processing

Application History	
Action	Date
Submission Date	1 October 2025
Lodgement Date	8 October 2025
Site Inspection Conducted	5 December 2025
Request for Additional Information Sent	19 December 2025
Revised Documentation Received	9 February 2026



THIS IS THE PRINTED COPY OF THE OFFICIAL DOCUMENT. PLEASE VISIT THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER FOR THE OFFICIAL DOCUMENT. WWW.GEORGESRIVER.NSW.GOV.AU



**Site Inspection**

An image from the site inspection undertaken on 5 December 2025 is held at **Photo 1**:



**Photo 1:** Street view of development site (image taken facing South (Source: Assessing Officer))

**Assessment - Section 4.15 Evaluation**

The following is an assessment of the application with regard to Section 4.15(1) of the Environmental Planning and Assessment Act 1979.

*Section 4.15 (1) Matters for consideration – general*

*In determining an application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:*

**The provisions of any environmental planning instrument (EPI)**

Section 4.15 (1) (a) *The provisions of any environmental planning instrument (EPI)*

**The Provisions of any applicable Act**

The Coastal Management Act 2016 has been considered in the context of the requirements of Chapter 2 Coastal Management of SEPP (Resilience and Hazards) 2021.



**The Provision of any Applicable State Environmental Planning Policy (SEPPs)**

SEPPs Name of SEPP	Applicable	
	Yes	No
SEPP (Biodiversity Conservation) 2021	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SEPP (Resilience and Hazards) 2021	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SEPP (Sustainable Buildings) 2022	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SEPP (Transport and Infrastructure) 2021	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Compliance with the identified applicable SEPPs is detailed below.

**SEPP (Biodiversity and Conservation) 2021**

SEPP (Biodiversity and Conservation) 2021 is applicable to the development as the subject site is located within the Georges River Catchment and has the potential to effect multiple trees near the proposed development.

Council’s landscape officer reviewed the application and raised no objection to the proposal, subject to conditions.

The proposal will not result in unreasonable environmental and ecological impacts to the Georges River Catchment.

The proposal complies with SEPP (Biodiversity and Conservation) 2021, subject to tree protection and sediment control conditions.

**SEPP (Sustainable Buildings) 2022**

The SEPP (Sustainable Buildings) 2022 applies to proposed development.

A BASIX Certificate accompanies the development application addressing the sustainability requirements for the proposed building. The proposal achieves the minimum performance levels and targets associated with water, energy and thermal efficiency.

The details of the provided BASIX Certificate are provided below:

BASIX Certificate Details	
Author:	Noura Al Hazzouri
Certificate Number:	A1812442
Certificate Date:	10 September 2025

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



## SEPP (Resilience and Hazards) 2021

Chapter 2 and Chapter 4 of SEPP (Resilience and Hazards) 2021 are relevant to the proposal.

### Chapter 2 – Coastal Management

The subject site is located within the Coastal Zone and the proposed development is identified on land within the following areas:

- Coastal environment area
- Coastal use area

#### *Clause 2.10 - Development on land within the coastal environment area*

The factors prescribed in Clause 2.10(1) of SEPP (Resilience and Hazards) 2021 have been considered in the assessment of this application and Council is satisfied that proposed development is designed, sited and will be managed to avoid an adverse impact. The proposed alterations and additions respond to the coastal environment area by retaining significant rock outcrops and vegetation and minimising additional flows of water into the Georges River. Appropriate conditions the development has been recommended to ensure the ongoing integrity and resilience of the biophysical, hydrological and ecological environment.

#### *Cause 2.11 - Development on land within the coastal use area*

The factors prescribed in Clause 2.11(a) of SEPP (Resilience and Hazards) 2021 have been considered in the assessment of this application and Council is satisfied that proposed development is unlikely to result in unreasonable adverse impacts.

Further Council has considered the bulk, scale and size of the proposed development and its impact on the surrounding coastal and built environment and is satisfied with the proposal. The proposal is compliant with Clause 4.4 and Clause 4.4A of the GRLEP 2021 and the GRDCP 2021 controls for dwellings in the foreshore area.

### Chapter 4 – Remediation of Land

Clause 4.6 of SEPP (Resilience and Hazards) 2021 relates to contamination and remediation and applies to the proposed development. As part of the assessment process, a site inspection was conducted, and Council's Contamination Records and aerial imaging (inc. historic imaging) were reviewed. The site has historically been used for residential purposes and there is no evidence that any use under Table 1 of the contaminated land planning guidelines has occurred on site. Given this, there is no evidence that the site is contaminated and the site is considered suitable for the proposed development.

## SEPP (Transport and Infrastructure) 2021

SEPP (Transport and Infrastructure) 2021 is applicable to the development and the following clauses apply:





Chapter 2, Division 5 – Electricity transmission or distribution

Pursuant to Clause 2.48, this application was referred to Ausgrid for comments as the development is located within 5m of an overhead electricity power line.

Ausgrid raised no objection to the proposal.

**The Provisions of any Local Environmental Plan**

**Georges River Local Environmental Plan 2021**

The extent to which the proposed development complies with the relevant provisions of the GRLEP 2021 is detailed and discussed below:

GRLEP 2021 Part 2 – Permitted or prohibited development			
Clause 2.3 – Zone objectives and Land Use Table			
Standard	Proposal	Compliance	
The subject site is zoned R2 Low Density Residential.  The objectives of the zone are: <ul style="list-style-type: none"> <li>To provide for the housing needs of the community;</li> <li>To enable other land uses that provide facilities or services to meet the day to day needs of residents;</li> <li>To promote a high standard of urban design and built form that enhances the local character of the suburb and achieves a high level of residential amenity,</li> <li>To provide for housing within a landscaped setting that enhances the existing environmental character of the Georges River Local Government Area.</li> </ul>	The proposal is consistent with the zone objectives.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Clause 2.7 - Demolition requires development consent			
Standard	Proposal	Compliance	
The demolition of a building or work may be carried out only with development consent.	Demolition works proposed.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
GRLEP 2021 Numeric Controls			
Standard	Required	Proposed	Compliance
Cl. 4.3 Height of Buildings	Maximum 9m	10.2m 1.2m (13.33%) variation.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

THIS IS THE PRINTED COPY OF THE OFFICIAL DOCUMENT. PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU





		The proposed non-compliance is supported by a Clause 4.6 Written Request which is discussed below.	
<b>Cl. 4.4A</b> Exceptions to floor space ratio—certain residential accommodation	Site area: 670.3sqm  Maximum 0.54:1 (363.59m <sup>2</sup> )	LG/F: 100.4sqm G/F: 132.6sqm 1/F: 121.5sqm  Total: 354.5sqm	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Cl 6.4</b> Foreshore Area	30m	No works proposed beyond the Foreshore Building Line.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>Cl 6.12</b> Landscaped Area	Site area: 579.3sqm (excluding access handle to foreshore)  Minimum 25% (144.838m <sup>2</sup> )	26.3% (152.3m <sup>2</sup> )	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

**GRLEP 2021 Part 6 – Additional Local Provisions**

**Clause 6.1 – Acid sulfate soils**

Standard	Proposal	Compliance
<p>(2) Development consent is required for the carrying out of works described in the table to this subclause on land shown on the <a href="#">Acid Sulfate Soils Map</a> as being of the class specified for those works.</p> <p>The site is identified as containing Class 5 Acid Sulfate Soils.</p> <p>Works within 500 metres of adjacent Class 1, 2, 3 or 4 land that is below 5 metres Australian Height Datum and by which the water table is likely to be lowered below 1 metre Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.</p>	<p>The site identified as containing Class 5 acid sulfate soils, and is located on land within 500m of land of a lower class, however is not below 5m Australian Height Datum. Minor excavation of up to 920mm to facilitate the external stairs and this is not expected to lower the water table.</p> <p>An Acid Sulfate Soils Management Plan is therefore not required and compliance with Clause 6.1 of the GRLEP 2021 has been demonstrated.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

**Clause 6.2 - Earthworks**

Standard	Proposal	Compliance
<p>Council must consider the following prior to granting consent for any earthworks:</p> <p>(a) the likely disruption of, or any detrimental effect on, drainage</p>	<p>The proposed minor earthworks that will support the proposed development are satisfactory with regards to the matters identified.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

THIS IS THE PRINTED COPY OF THE PROVISIONS RELAYED BY THE LOCAL PLANNING PANEL. FOR THE OFFICIAL DOCUMENT, PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



<p>patterns and soil stability in the locality of the development,</p> <p>(b) the effect of the development on the likely future use or redevelopment of the land,</p> <p>(c) the quality of the fill or the soil to be excavated, or both,</p> <p>(d) the effect of the development on the existing and likely amenity of adjoining properties,</p> <p>(e) measures to minimise the need for cut and fill, particularly on sites with a slope of 15% or greater, by stepping the development to accommodate the fall in the land,</p> <p>(f) the source of any fill material and the destination of any excavated material,</p> <p>(g) the likelihood of disturbing relics,</p> <p>(h) the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,</p> <p>(i) appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p>		
---	--	--

**Clause 6.3 – Stormwater Management**

Standard	Proposal	Compliance
<p>(2) In deciding whether to grant development consent for development, the consent authority must be satisfied that the development—</p> <p>(a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics, affecting on-site infiltration of water, and</p> <p>(b) includes, if practicable, on-site stormwater detention or retention to minimise stormwater runoff volumes and reduce the development's reliance on mains water, groundwater or river water, and</p> <p>(c) avoids significant adverse impacts of stormwater runoff on adjoining properties, native bushland, receiving</p>	<p>Council's Development Engineer has reviewed the proposal and provided conditions of consent.</p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU





<p>waters and the downstream stormwater system or, if the impact cannot be reasonably avoided, minimises and mitigates the impact, and</p> <p>(d) is designed to minimise the impact on public drainage systems.</p>		
<p><b>Clause 6.4 – Foreshore area and coastal hazards and risk</b></p>		
<p><b>Standard</b></p>	<p><b>Proposal</b></p>	<p><b>Compliance</b></p>
<p>(3) Development consent must not be granted for development on land to which this clause applies except for the following purposes—</p> <p>(a) the alteration, or demolition and rebuilding, of an existing building if the footprint of the building will not extend further forward than the footprint of the existing building into—</p> <p>the foreshore building line, or</p> <p>the land identified on the Coastal Hazard and Risk Map,</p> <p>(b) the erection of a building if the levels, depth or other exceptional features of the site make it appropriate to do so,</p> <p>(c) boat sheds, cycling paths, fences, sea walls, swimming pools, water recreation structures or walking tracks.</p> <p>(f) appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p>	<p>No work is proposed below the Foreshore Building Line, and therefore no further consideration with this Clause is required.</p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>
<p><b>Clause 6.5 – Riparian land and waterways</b></p>		
<p><b>Standard</b></p>	<p><b>Proposal</b></p>	<p><b>Compliance</b></p>
<p>(3) In deciding whether to grant development consent for development on land to which this clause applies, Council must consider the following—</p> <p>(a) whether the development is likely to have an adverse impact on the following—</p> <p>i. the water quality and flows within the waterway,</p>	<p>The proposed development is unlikely to have an adverse impact on water quality, water flows, stability of the waterway or the biophysical, hydrological or ecological integrity of any coastal wetlands given the continued residential use of the site. Given the setback from the Georges River, it is unlikely there will be any impact on future rehabilitation of the waterway or riparian land.</p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL'S PAPER, FOR THE OFFICIAL DOCUMENT PAPER. VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU





<p>ii. the stability of the bed, shore and banks of the waterway,</p> <p>iii. the future rehabilitation of the waterway and riparian areas,</p> <p>iv. the biophysical, hydrological or ecological integrity of adjacent coastal wetlands, including the aquatic and riparian species, habitats and ecosystems of the waterway,</p> <p>v. indigenous trees and other vegetation,</p> <p>vi. opportunities for additional planting of local native riparian vegetation,</p> <p>(b) whether the development is likely to increase water extraction from the waterway,</p> <p>(c) whether the development will cause environmental harm by pollution or siltation of the waterway,</p> <p>(d) appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p> <p>(4) Development consent must not be granted to development on land to which this clause applies unless Council is satisfied that—</p> <p>(a) the development is designed, sited and will be managed to avoid significant adverse environmental impact, or</p> <p>(b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</p> <p>(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</p>	<p>The proposal will avoid significant environmental impacts and satisfies the relevant requirements of Clause 6.5 of GRLEP 2021.</p>	
---	---	--

<p><b>Clause 6.6 Foreshore scenic protection area</b></p>		
<p><b>Standard</b></p>	<p><b>Proposal</b></p>	<p><b>Compliance</b></p>
<p>(3) In deciding whether to grant development consent for development on land to which this clause applies, the consent authority must be satisfied that</p>	<p>The proposal recognises, protects, and enhances the natural, visual, environmental and heritage qualities of the scenic areas of the Georges</p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>

THIS IS THE PRINTED COPY OF THE OFFICIAL DOCUMENT. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU





<p>the development would facilitate the following—</p> <p>(a) the protection of the natural environment, including topography, rock formations, canopy vegetation or other significant vegetation,</p> <p>(b) the avoidance or minimisation of the disturbance and adverse impacts on remnant vegetation communities, habitat and threatened species and populations,</p> <p>(c) the maintenance and enhancement of native vegetation and habitat in parcels of a size, condition and configuration that will facilitate biodiversity protection and native flora and fauna movement through biodiversity corridors,</p> <p>(d) the achievement of no net loss of significant vegetation or habitat,</p> <p>(e) the avoidance of clearing steep slopes and facilitation of the stability of the land,</p> <p>(f) the minimisation of the impact on the views and visual environment, including views to and from the Georges River, foreshore reserves, residential areas and public places,</p> <p>(g) the minimisation of the height and bulk of the development by stepping the development to accommodate the fall in the land.</p>	<p>River, particularly by retaining existing rock outcrops and mature landscaping. The proposal will maintain the landscaped setting of the site and maintains the scenic qualities of the Foreshore Scenic Protection Area.</p>	
---	--	--

<p><b>Clause 6.9 Essential Services</b></p>		
<p><b>Standard</b></p>	<p><b>Proposal</b></p>	<p><b>Compliance</b></p>
<p>Development consent must not be granted to development unless Council is satisfied that any of the following services that are essential for the development are available, or that adequate arrangements have been made to make them available when required</p> <p>a) the supply of water, b) the supply of electricity,</p>	<p>The existing development on the site is adequately serviced and the proposed alterations and additions will not impact on the provision of these essential services.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>

THIS IS THE PRINTED COPY OF THE OFFICIAL PLANNING PAPER, FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU





<p>c) the supply of telecommunications facilities,                  d) the disposal and management of sewage                  e) stormwater drainage or on-site conservation,                  f) suitable vehicular access.</p>		
<p><b>Clause 6.10 Design Excellence</b></p>		
<p><b>Standard</b></p>	<p><b>Proposal</b></p>	<p><b>Compliance</b></p>
<p>(5) <i>In considering whether the development exhibits design excellence, Council must have regard to the following matters—</i></p> <p>(a) <i>whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,</i>                  (b) <i>whether the form and external appearance of the development will improve the quality and amenity of the public domain,</i>                  (c) <i>whether the development detrimentally impacts on view corridors,</i>                  (d) <i>how the development addresses the following matters—</i>                  i. <i>the suitability of the land for development,</i>                  ii. <i>existing and proposed uses and use mix,</i>                  iii. <i>heritage issues and streetscape constraints,</i>                  iv. <i>the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,</i>                  v. <i>bulk, massing and modulation of buildings,</i>                  vi. <i>street frontage heights,</i>                  vii. <i>environmental impacts such as sustainable design, overshadowing and solar access, visual and</i></p>	<p>The proposal is located within the Foreshore Scenic Protection Area and is for alterations and additions considered to be substantial. Clause 6.10 applies to the development and the consent authority must consider if the proposal demonstrates design excellence.</p> <p>The proposal demonstrates design excellence by providing a high quality architectural design that responds to the context of the site. The external finishes and façade design are enhanced to provide a contemporary dwelling house that does not detract from the landscaped setting of the site.</p> <p>The surrounding development is older housing stock that is likely to undergo change in the short to medium term and the proposed development is consistent with the desired future character of the area.</p> <p>The proposed setbacks are acceptable for the scale of the development, with front and side setbacks generally consistent with the existing dwelling house. The bulk, massing and modulation of the dwelling house.</p> <p>Environmental impacts of the proposal are acceptable and the design of landscaping integrates with</p>	<p><input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No</p>

THIS IS THE PRINTED COPY OF THE PROPOSED LOCAL GOVERNMENT & REGIONAL PLANNING PANEL BUSINESS PLAN. PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU





<p><i>acoustic privacy, noise, wind and reflectivity,</i></p> <p><i>viii. pedestrian, cycle, vehicular and service access and circulation requirements, including the permeability of pedestrian networks,</i></p> <p><i>ix. the impact on, and proposed improvements to, the public domain,</i></p> <p><i>x. achieving appropriate interfaces at ground level between the building and the public domain,</i></p> <p><i>xi. excellence and integration of landscape design,</i></p> <p><i>xii. the provision of communal spaces and meeting places,</i></p> <p><i>xiii. the provision of public art in the public domain,</i></p> <p><i>xiv. the provision of on-site integrated waste and recycling infrastructure,</i></p> <p><i>xv. the promotion of safety through the application of the principles of crime prevention through environmental design.</i></p>	<p>the existing significant rock outcrops found on the site.</p>	
---	--	--

**GRLEP 2021 Clause 4.6 Variation**

As identified in assessment above, a Clause 4.6 Written Request has been submitted by the applicant, seeking a departure from the height of buildings development standard.

Name of Clause	Proposed Variation
4.3 - Height	13.8% or 1.245m

Pursuant to Clause 4.6 of the GRLEP 2021, development consent may be granted even though the development would contravene a development standard if the relevant matters in Clause 4.6(3) are satisfied.

Clause 4.6(3) states:

*Development consent must not be granted to development that contravenes a development standard unless the consent authority is satisfied the applicant has demonstrated that—*

- (a) compliance with the development standard is unreasonable or unnecessary in the circumstances,*
- and*



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU





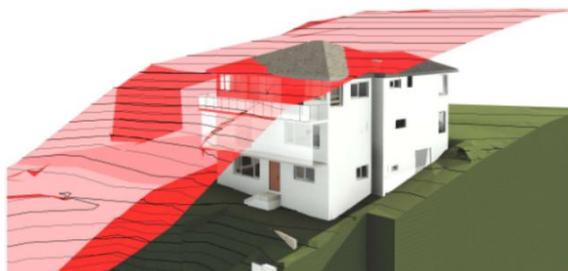
The first Wehbe test is considered of relevance to the proposed development.

First Test: The objectives of the standard are achieved notwithstanding non-compliance with the standard:

The applicant stated the following in the Clause 4.6 Written Request:

Objective	Assessment
<p>(a) to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality,</p>	<ul style="list-style-type: none"> <li>• The proposal is consistent with the desired future character of the locality, providing a contemporary two-storey dwelling form to the street that sits comfortably below the 9m height standard.</li> <li>• From the waterway, the dwelling will present as three storeys due to the natural topography, however the built form has been carefully designed with high-quality architectural detailing that significantly improves on the presentation of the existing dwelling. This ensures the development integrates positively with the locality while enhancing visual amenity.</li> <li>• The minor exceedance of the height standard is negligible, occurring only over portions of the dwelling already above 9m.</li> <li>• Importantly, the variation will not be perceptible to the casual observer and does not generate any additional visual, amenity or overshadowing impacts</li> <li>• Replacing the existing pitched roof with a flat roof reduces visual bulk, resulting in a more recessive built form that better complements adjoining development</li> </ul>
<p>(b) to minimise the impact of overshadowing, visual impact, disruption of views and loss of privacy on adjoining properties and open space areas.</p>	<ul style="list-style-type: none"> <li>• The new roof and height non-compliance will not have any privacy or overshadowing impacts on the neighbouring properties.</li> </ul>
<p>(c) to ensure an appropriate height transition between new buildings and—                      (i) adjoining land uses, or                      (ii) heritage items, heritage conservation areas or Aboriginal places of heritage significance.</p>	<ul style="list-style-type: none"> <li>• Not applicable.</li> </ul>

In addition to the above, the development proposes a compliant FSR, the principal development standard for controlling bulk and scale. **Figure 5** provides a comparison of the existing and proposed non-compliance:



EXISTING 3D HEIGHT COMPLIANCE



PROPOSED 3D HEIGHT COMPLIANCE

Figure 5: Height Comparison Diagram (Source: Architectural Plans)

Conclusion

As discussed above, the applicant's justification satisfactorily demonstrates that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case.

**Clause 4.6(3)(b) there are sufficient environmental planning grounds to justify the contravention of the development standard.**

The applicant has stated in the Clause 4.6 Written Request that:

- The site already breaches this control with the greatest variation at the rear elevation to the first-floor roof.
- The proposed variation is a maximum of 1.245m when measured to the edge of the highest point of the proposed roof.
- The non-compliances with the building height are limited to a relatively minor area of the roof of the proposed dwelling as a result of the sites sudden and steep topography.
- The non-compliance does not take any floor space ratio or cause any adverse impacts.
- The proposal also promotes to retain and improve the existing dwelling rather than a new build, which can often be more costly and generate more waste during construction.

In addition to this, the subject site slopes steeply to the rear at a gradient of over 34% which makes compliance with the standard difficult in the circumstances. Further, the applicant has set the floor to ceiling heights of the two lower floor levels at 2.4m while adopting a roof pitch that is generally consistent with the slope of the land in an effort to minimise the non-compliance.



THIS IS THE PRINTED COPY

THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER

FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



In the absence of any unreasonable impacts, and with design changes having been made to minimise the non-compliance, it is considered there are suitable environmental planning grounds to warrant the contravention of the Development Standard in this instance.

**Provisions of any Proposed Instrument**

*Section 4.15 (1) (a) (i) - Provisions of any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved).*

Council are currently undertaking public consultation on PP-2025-1286 Biodiversity, Character and Foreshore Scenic Protection Area Planning Proposal between 23 February 2026 and 30 March 2026. This Planning Proposal is seeking changes to the GRLEP 2021 following studies completed by Council, directions from the NSW Government, and a Gateway Determination that requires further consultation with the community.

These changes relate to:

- Biodiversity protection;
- Foreshore scenic character areas; and
- Lot size, floor space and landscaped area requirements in selected parts of the LGA.

The proposed development has considered the effect of this Planning Proposal and is generally consistent with the intended outcomes.

**Provisions of any Development Control Plan**

*Section 4.15 (1) (a) (iii) The provisions of any development control plan*

The proposed development is subject to the provisions of the Georges River Development Control Plan 2021 (GRDCP 2021). The following comments are made with respect to the proposal considering the objectives and controls contained within the DCP.

**Georges River Development Control Plan 2021**

The following GRDCP 2021 controls are applicable to the development and the following clauses apply:

View Impacts		
3.8 View Impacts		
Control	Proposal	Compliance
1. The development shall provide for the reasonable sharing of views.	The proposal allows for the reasonable sharing of views given the building envelope remains generally consistent with the existing dwelling house.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



Streetscape Character and Built Form		
6.1.2.1 Streetscape Character and Built Form		
Control	Proposal	Compliance
1. New buildings and additions are to consider the Desired Future Character statement in Part 5 of this DCP.	The proposal is designed with a well articulated façade, promotes passive surveillance, and is compatible with the streetscape.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. New buildings and additions are to be designed with an articulated front façade		
3. Developments on sites with two (2) or more frontages are to address all frontages.		
4. Dwelling houses are to have windows presenting to the street from a habitable room to encourage passive surveillance		
5. Development must be sensitively designed so as to minimise adverse impacts on the amenity and view corridors of neighbouring public and private property while maintaining reasonable amenity for the proposed development and is to balance this requirement with the amenity afforded to the new development.		
6. The maximum size of voids at the first floor level should be a cumulative total of 15m <sup>2</sup> (excluding voids associated with internal stairs).		

Building Scale and Height		
6.1.2.2 Building Scale and Height		
Control	Proposal	Compliance
1. New buildings are to consider and respond to the predominant and desired future scale of buildings within the neighbourhood, and consider the topography and form of the site.	Storeys proposed: 3  The non-compliance is considered acceptable on merit – see Comment 1 below for further details.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, however acceptable on merit.
2. On sites with a gradient or cross fall greater than 1:10, dwellings are to adopt a split-level approach to minimise excavation and fill. The overall design of	The proposal considers and responds to the predominant and desired future scale	

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



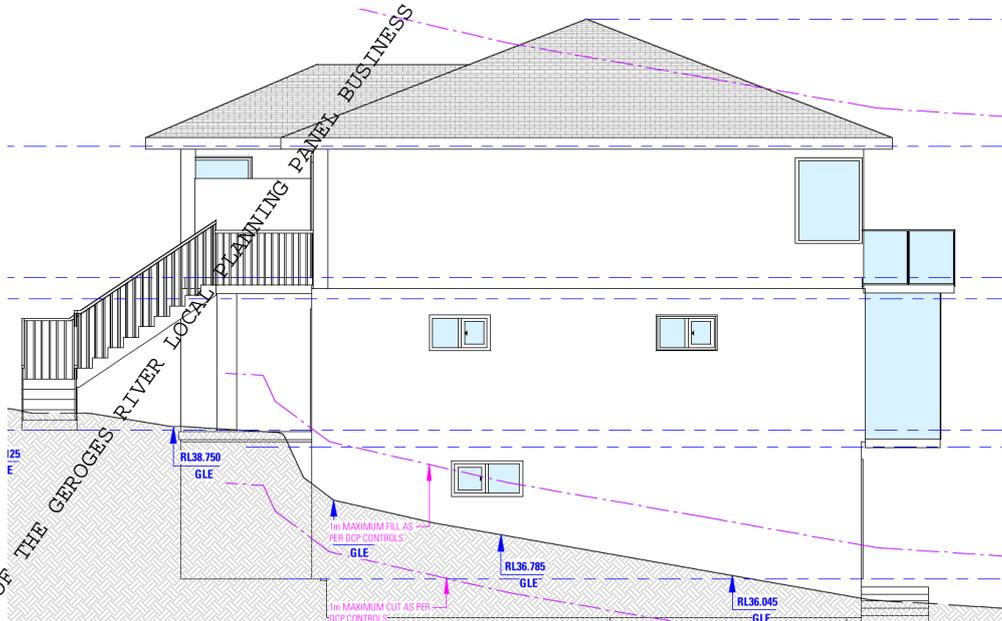
<p>the dwelling should respond to the topography of the site.</p>	<p>of buildings within the neighbourhood and has had regard to the topography and form of the site.</p>	
<p>3. A maximum of two (2) storeys plus basement is permissible at any point above ground level (existing). Basements are to protrude no more than 1m above existing ground level.</p>		

**Comment 1 – Storey Limit**

Control 3 of Part 6.1.2.2 of the GRDCP 2021 requires a dwelling house to have a maximum of two storeys. The proposal will result in a three-storey dwelling house in contravention to the provision.

The proposed variation in this instance is considered acceptable for the following reasons outlined below:

1. Site Context – The subject site is slopes steeply from the street to the rear. Immediately behind the existing dwelling is a steep and rocky slope that is not conducive to development. The terrain does not permit the building bulk to spread across a wider area to achieve the two-storey maximum built form.
2. Design Merit – The proposal will not cause significant changes to the established built form in the locality. The dwelling house, as it currently exists, is a three-storey structure. The proposal involves only a modest addition which does not substantially alter the existing built form (see **Figure 6** and **Figure 7**).



**Figure 6: Existing west elevation (Source: Assessing Officer)**

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

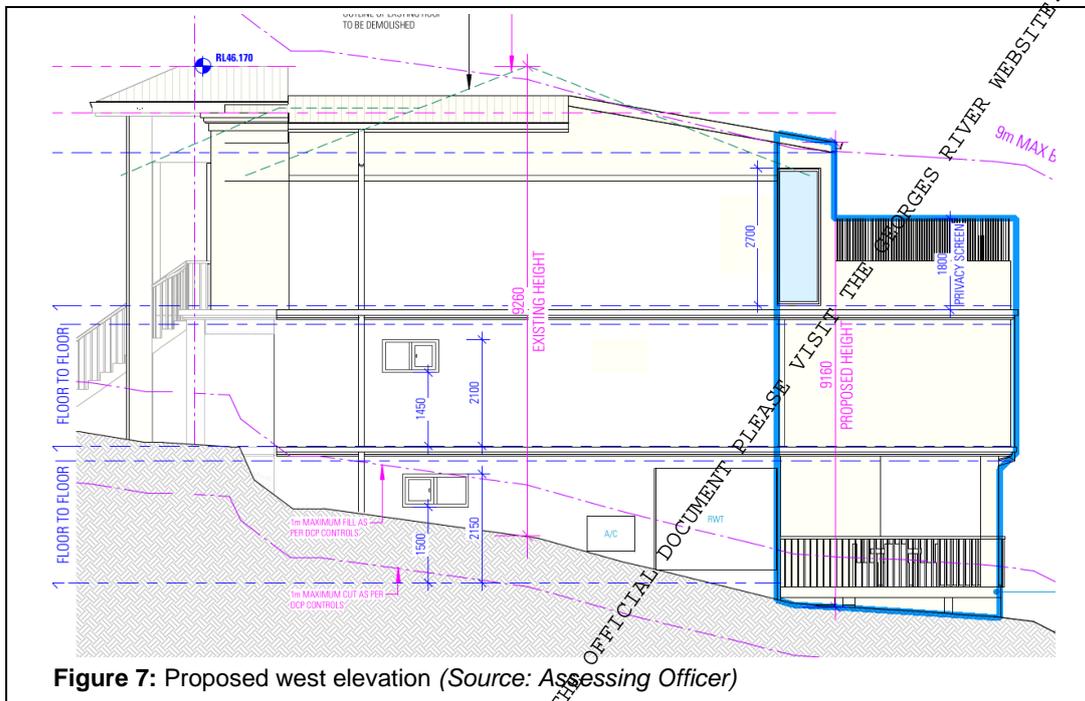


Figure 7: Proposed west elevation (Source: Assessing Officer)

Setbacks		
6.1.2.3 Setbacks		
Control	Proposal	Compliance
<p><u>Front Setbacks</u></p> <p>1. The minimum setback from the primary street boundary is:</p> <p>iii. Where the prevailing street setback is greater than the minimum, the average setback of dwellings on adjoining lots is to be applied.</p> <p>2. Balconies cannot encroach into the front setback space.</p>	<p>Front setback: 3.8m (retained)                      Side setback 1.4m (retained)                      Rear setback: 17.3m from the boundary with 58 Algernon Street.</p> <p>No balcony proposed within the front setback area.</p>	<p><input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No</p>
<p><u>Side and Rear Setbacks</u></p> <p>4. Buildings are to have a minimum rear setback of 15% of the average site length, or 6m, whichever is the greater</p> <p>Required rear setback: 12.3m</p>	<p>The proposed reduced side setback is acceptable as it remains in keeping with the existing side setback and does not adversely affect compliance with the solar access and landscaped area controls or adversely impact upon the visual and acoustic amenity of neighbouring dwellings.</p>	
<p>5. The minimum side setbacks for ground and first floor are:</p> <p>ii. 1.5m for all lots within the Foreshore Scenic Protection Area measured at</p>		

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



the front building line for the length of the development.		
--	--	--

**Private Open Space**

**6.1.2.4 - Private Open Space**

Control	Proposal	Compliance
1. Private open space is to be located at the rear of the property and/or behind the building line and is to have a minimum area of 60m <sup>2</sup> with minimum dimensions of 6m and located on the same level (not terraced or over rock outcrops).	34sqm of private open space provided on the lower level alfresco with no direct solar access.  The proposed private open space is considered acceptable. See comment below for further details.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, however acceptable on merit
3. Private open space is to be located so as to maximise solar access.		
4. Private open space is to be designed to minimise adverse impacts upon the privacy of the occupants of adjacent buildings.		

**Comment 2 – Private Open Space**

Controls 1,3 and 4 of Part 6.1.2.4 of the GRDCP requires a private open space to have the following qualities:

- Minimum area of 60sqm,
- Minimum dimension of 6m,
- On the same level, and
- Designed to maximise solar access.

The proposed private open space has a size of 34sqm, a minimum dimension of 4.3m, and overshadowed from 09:00 to 15:00.

A variation in this instance is considered acceptable in this instance for the following reasons outlined below:

1. Site Context – The subject site is highly constrained by its terrain and orientation. Immediately behind the existing dwelling is a steep and rocky slope that is not conducive to development. The terrain does not permit a flat private open space that is fully compliant on dimensions to be established. Strict compliance will likely require substantial destruction of the existing rock outcrop which is not compatible with the desired form within the Foreshore Scenic Protection Area.

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU





Further, the proposed alfresco area will enjoy expansive views of the Georges River to the south which is considered to provide an increased level of amenity which offsets the lack of compliant Private Open Space.

2. Design Merit – The proposal still provides for a reasonable degree of amenity by way of introducing alternative open spaces on the first floor living room balcony and the sunken lounge adjacent to the pool. Those generously sized alternative open spaces are capable of accommodating a wide range of recreational activities, compensating for the deficiencies of the primary private open space.

**Landscaping**

**6.1.2.5 Landscaping**

Control	Proposal	Compliance
2. Soft soil landscaping is to be provided in all landscaped areas as required by the GRLEP 2021 and must have a minimum dimension of 1.2m in all directions. Existing natural rock outcrops can be counted towards the calculation of soft soil landscaping.	100% of the landscaped area has a minimum dimension of 1.2m.  Existing front setback impervious area to be retained.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. Provide a landscape setting within the primary and secondary street frontages, where impervious areas are minimised. Impervious areas include hard paving, gravel, concrete, artificial turf, rock gardens (excluding natural rock outcrops) and other material that does not permit soft soil landscaping.	The proposed landscaped complies with Clause 6.12 of the GRLEP 2021. The proposal provides a landscape setting within the street frontage(s), where impervious areas are minimised.	
5. The front setback area must accommodate at least one (1) tree capable of achieving a minimum mature height of 6-8m with a spreading canopy.	The proposal demonstrates an area within the front yard that one (1) tree capable of achieving a minimum mature height of 6-8m with a spreading canopy can be accommodated.	

**Earthworks**

**3.5.1 Earthworks**

Control	Proposal	Compliance
1. Natural ground level should be maintained within 900mm of a side or rear boundary.	Refer to Comment 3 below.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, however acceptable on merit
3. Habitable Rooms (not including bathrooms, laundries and storerooms) are to be located above existing ground level.		

THIS IS THE PRINTED COPY

FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



4. Rock outcrops, overhangs, boulders, sandstone platforms or sandstone retaining walls are not to be removed or covered.		
5. Development is to be located so that the clearing of vegetation is avoided.		
7. Soil depth around buildings should be capable of sustaining trees as well as shrubs and smaller scale gardens.		
8. Earthworks are not to increase or concentrate overland stormwater flow or aggravating existing flood conditions on adjacent land.		

**3.5.2 Construction Management/Erosion and Sediment Control**

Control	Proposal	Compliance
1. Development must minimise any soil loss from the site to reduce impacts of sedimentation on waterways through the use of the following: <ul style="list-style-type: none"> <li>• Sediment fencing;</li> <li>• Water diversion;</li> <li>• Single entry/exit points</li> <li>• Filtration materials such as straw bales and turf strips.</li> </ul>	<p>The proposal includes a sediment control plan indicating implementation of these measures. A suitable condition will be included in the consent which ensures compliance with the control.</p> <p>The proposal minimises cut and fill and site disturbance. The proposal is not considered to have a high potential risk to groundwater.</p> <p>The proposal is accompanied by adequate documentation that ensures no adverse impacts result to groundwater, significant trees, or Councils public domain.</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

**6.1.2.6 Excavation (Cut and Fill)**

Control	Proposal	Compliance
1. Any excavation must not extend beyond the building footprint, including for any basement car park.	Maximum cut depth: Less than 1.0m Maximum fill depth: 3.57m (pool deck).	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. The depth of cut or fill must not exceed 1.0m from existing ground level, except where the excavation is for a basement car park.		

**Comment 3 – Earthworks**

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU





Part 3.5.1 and Part 6.5.1 of the GRDCP requires no damage and covering of existing rock outcrop and sandstone retaining walls. The proposed alfresco, swimming pool, outdoor lounge area, and external stair access will require covering existing rock outcrop and disturb the existing sandstone retaining walls.

Variation in this instance is considered acceptable in this instance for the following reasons outlined below:

1. Site Context – The subject site is highly constrained by its steep terrain and existing structures. The optimal location for a building extension in this instance would be over the existing rock outcrop behind the existing dwelling house, which will inevitably result in disturbance within the building footprint.

It is further noted that a previous Development Consent DA2023/0117 provides approval for a larger building footprint above the rock outcrop on the provision that the structures are supported on posts and disturbance to the natural ground level is minimised.

2. Design Merit – The proposal demonstrates measures to minimise disturbance of rock outcrops and retaining walls, and design solutions to mitigate visual impacts.

The proposal minimises disturbance of the rock outcrops and retaining walls by resting structures on posts and limit the extend of earthworks to a small area along the eastern boundary. While the site features are covered, they are mostly retained and have the potential to be integrated into landscaping in the future should the proposed structures be demolished.

The proposal also retains visibility to the key natural features on site, which consist of a large boulder and exposed sandstone rock wall (see **Figure 8** and **Figure 9** below). No works are proposed on those key natural features, and the outdoor lounge is designed such that the structure sits lower than the boulder and does not obscure the rock wall when observed from the waterway. The proposed design is effective in maintaining the existing visual amenity of the Foreshore Scenic Protection Area which is supported by various exposed rock features.

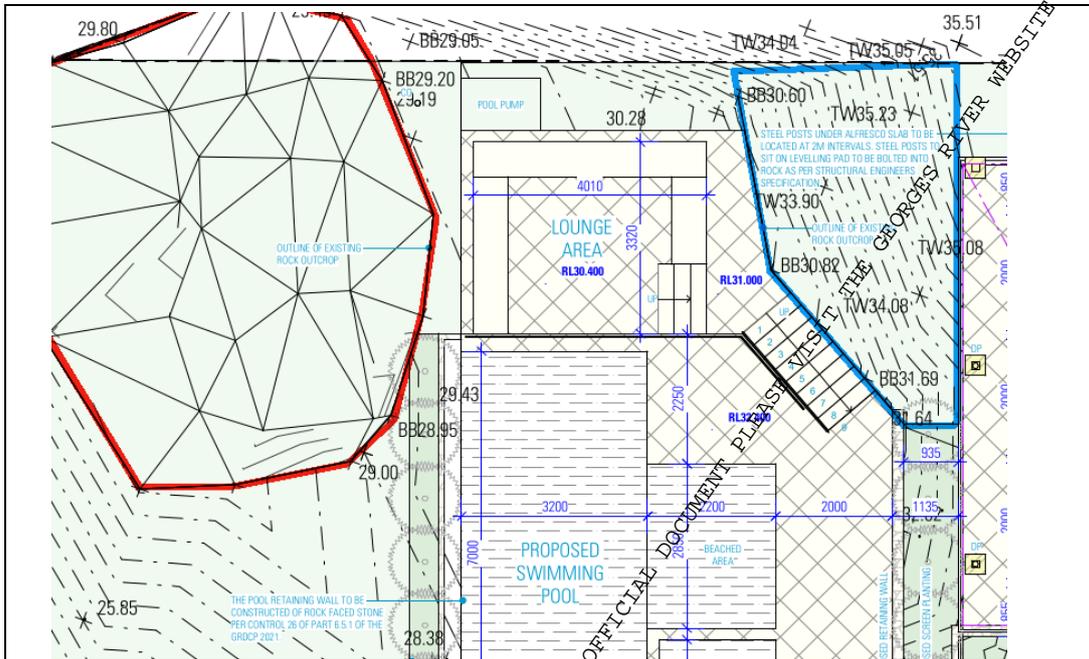


Figure 8: Main natural features on site: large boulder (in red) and exposed sandstone rock wall (in blue) (Source: Architectural Plans)



Figure 9: Exposed sandstone rock wall behind the proposed outdoor lounge.



Vehicular Access, Parking and Circulation		
3.13 Parking Access and Transport		
Control	Proposal	Compliance
<p>Parking required:</p> <p>The development has 3 or more bedrooms therefore 2 spaces are required.</p>	<p>The proposal provides 2 car parking spaces.</p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>

Visual Privacy		
6.1.2.8 - Visual Privacy		
Control	Proposal	Compliance
<p>1. Windows from active rooms are to be offset with windows in adjacent dwellings, or appropriately treated so as to avoid direct overlooking onto neighbouring windows.</p>	<p>first floor level balcony has a width of 3.43m</p> <p>The variation is considered to be acceptable – See comment below for further details.</p> <p>The proposed living room and active room windows are designed to allow opaque views into the adjoining properties only.</p>	<p><input type="checkbox"/> Yes</p> <p><input checked="" type="checkbox"/> No, however it is acceptable on merit.</p>
<p>2. For active rooms or balconies on an upper level, the design should incorporate placement of room windows or screening devices to only allow oblique views to adjoining properties.</p>		
<p>3. Upper level balconies should not project more than 1500mm beyond the main rear wall alignment so as to minimise adverse visual privacy impacts to adjoining properties.</p>		
<p>4. Windows for primary living rooms must be designed so that they reasonably maintain the privacy of adjoining main living rooms and private open space areas.</p>		
<p>6. Roof top terraces are not permitted on top of dwelling houses, secondary dwellings and ancillary structures, such as boat sheds and garages.</p>		
<p><b>Comment 4 – Variation to Balcony Width</b></p> <p>Control 3 of Part 6.1.2.8 of the GRDCP requires a dwelling house to have a maximum balcony width of 1.5m. The proposal demonstrates a balcony width of 3.43m at the first floor, measured from the rear wall.</p> <p>Variation is considered acceptable in this instance for the following reasons outlined below:</p>		

THIS IS THE PRINTED COPY OF THE USER'S LOCAL PLANNING PANEL BEARING PAPER OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU





1. Site context – The subject site is not able to accommodate a fully compliant private open space due to terrain. The non-compliant first floor balcony provides an alternative open space that is easily accessible from the primary living area and provides an outlook to the Georges River.
2. Privacy Impact – The proposed balcony provides 1.8m screening on both sides. Furthermore, the subject site does not overlook into the private open space of the property to the south of the subject site.

**Noise and Machinery**

**6.1.2.9 Noise**

Control	Proposal	Compliance
1. Noise generators such as plant and machinery including air conditioning units and pool pumps are located away from windows or other openings in habitable rooms; they are to be screened to reduce noise or acoustically treated.	The following noise generators are identified: <ul style="list-style-type: none"> <li>• Pool pump</li> </ul> The noise generators are placed away from sensitive areas of adjoining properties and are acoustically treated. Standard conditions are recommended to limit noise generation.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

**6.4.2 Air Conditioning**

Control	Proposal	Compliance
1. Air conditioning units should be sited so that they are not visible from the street.	The proposal complies with Part 6.4.2 of the DCP and a suitable condition of consent has been recommended to limit noise generation.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. The noise level from air conditioning condensers/systems is not to exceed the LAeq 15 minute by 5dBA measured at the property boundary		

**Solar Access**

**6.1.2.10 Solar Access**

Control	Proposal	Compliance
1. New buildings and additions are sited and designed to facilitate a minimum of 3 hours direct sunlight between 9am and 3pm on 21 June onto living room windows and at least 50% of the minimum amount of private open space.	The proposal enables at least 3 hours of direct solar access onto the living room and 0% of the private open space between 9am and 3pm on 21 June.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. To facilitate sunlight penetration to adjoining development, building bulk	Per Control 4, the solar access non-compliance to private open spaces is worthy of support as the site is on a south-facing steep slope.	

THIS IS THE PRINTED COPY OF THE OFFICIAL DOCUMENT. PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



<p>may be required to be articulated to achieve the required sunlight access.</p>	<p>The proposal enables at least 3 hours of direct solar access onto adjoining north-facing windows and does not result in unacceptable overshadowing of the adjoining private open space between 9am and 3pm on 21 June. The proposal enables adequate solar exposure to adjoining PV panels.</p>	
<p>3. Direct sunlight to north-facing windows of habitable rooms and 50% of the principal private open space area of adjacent dwellings should not be reduced to less than 3 hours between 9.00am and 3.00pm on 21 June.</p>		
<p>6. Consider and minimise overshadowing impacts on the solar photovoltaic panels of neighbouring buildings where a variation to the building setbacks or number of storeys is sought</p>		

Materials, Colour Schemes and Details		
6.1.2.11 Materials, Colour Schemes and Details		
Control	Proposal	Compliance
<p>1. Large expansive surfaces of predominantly white, light or primary colours which would dominate the streetscape or other vistas should not be used.</p>	<p>The proposal incorporates a material and colour scheme that is sympathetic to the existing streetscape and the desired future character of the locality.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>2. New development should incorporate colour schemes that have a hue and tonal relationship with the predominant colour schemes found in the street.</p>		
<p>3. Matching buildings in a row should be finished in the same colour or have a tonal relationship.</p>		
<p>4. All materials and finishes utilised should have low reflectivity.</p>		

Swimming Pools and Spas		
6.4.4 Swimming Pools and Spas		
Control	Proposal	Compliance
<p>1. Swimming pools/spas are to be located to the rear of properties.</p>	<p>The swimming pool proposes the following setbacks and elevation:  Setback from pool frame: 1.6m Setback from water line: 1.9m</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, however acceptable on merit.</p>
<p>3. Swimming pools/spas must be positioned a minimum of 900mm from the property boundary with the water line being a minimum of 1500mm from the property boundary.</p>		

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR AN OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU





<p>4. In-ground swimming pools shall be built so that the top of the swimming pool coping is as close to the existing ground level as possible. On sloping sites this will often require excavation of the site on the high side to obtain the minimum out of ground exposure of the swimming pool consistent with the low side.</p>	<p>Pool elevation from existing ground level: 3.26m Deck elevation from existing ground level: 1.84m</p> <p>The non-compliance is considered acceptable. See comments below.</p>	
<p>5. Swimming pools/spas are to be no more than 500mm above existing ground level.</p>	<p>The proposed swimming pool incorporates an acoustically separated pool pump and a pool fence.</p>	
<p>6. On steeply sloping sites, Council may consider allowing the top of the swimming pool at one point or along one side to extend up to 1m above existing ground level, provided that the exposed face of the swimming pool wall is treated to minimise impact. The materials and design of the retaining wall should be integrated with and complement the style of the swimming pool.</p>		
<p>7. Decking around a swimming pool must not be more than 600mm above existing ground level.</p>		
<p>8. Filling is not permitted between the swimming pool and the property boundary. The position of the swimming pool, in relation to neighbours and other residents, must be considered to minimise noise associated with activities carried out in the swimming pool or from the swimming pool equipment, such as cleaning equipment.</p>		
<p><b>Comment 5 – Variation to swimming pool controls</b></p> <p>Control 6 of Part 6.4.4 of the GRDCP requires a swimming pool to be elevated no greater than 1.0m above the existing ground level on steep sites; and Part 6.5.1 requires minimisation of retaining wall and water-facing retaining wall to have a height of no greater than 0.6m. The proposed swimming pool is elevated above the existing ground level by 3.26m at the pool, and 1.84m at the deck. The proposed swimming pool features a solid retaining wall facing the water.</p> <p>Variation is considered acceptable in this instance for the following reasons outlined below:</p> <ol style="list-style-type: none"> <li>1. Site context and scale of works – The swimming pool is located on a steep degree slope. Strict compliance of Control 6 will require substantial cut into the existing ground which may damage key existing rock outcrops, which would be a poor outcome.</li> </ol>		

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL MEETING PAPER, FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU





Given the nature of the proposed development being an alteration and addition to an existing dwelling house, there are limited options with respect to the location of the swimming pool. The proposed pool location is considered optimal from a visual impact and privacy perspective.

2. Design merit – The proposed swimming pool is not visually obtrusive and achieves protection of visual privacy. When observed from the waterway, the proposed swimming pool is readily screened by dwellings on the waterfront and natural features, and the use of stone-faced finishes on the retaining wall in addition to screen planting ameliorate the visual bulk of the structure.

**Foreshore Locality**

Foreshore Scenic Protection Area		
6.5.1 – Foreshore Scenic Protection Area		
Control	Proposal	Compliance
2. Removal of existing native vegetation minimised to that which is reasonably required to site and construct a building.	The proposal minimises the removal of native vegetation and maintains the integrity of the edge of bushland closest to the Georges River. The proposal retains ridgeline vegetation to provide a backdrop to the waterway.  Adequate complementary planting is provided to lessen the bulk and scale impact of the proposed development.	
3. The integrity of the existing edge of bushland closest to the Georges River is retained.		
4. Vegetation along ridgelines and on hillsides is retained and supplemented to provide a backdrop to the waterway.		
5. New, complementary planting and landscaping is encouraged.		
6. Where on a steep site vegetation is used to screen the impact of support structures such as piers.		
10. The visual impact of buildings is minimised having regard to building size, height, bulk, siting, external materials and colours and cut and fill.		
11. Buildings should be sited on the block to retain existing ridgeline vegetation, where possible. Siting buildings on existing building footprints or reducing building footprints to retain vegetation is highly recommended.	The proposal retains existing topographic features and minimises vegetation removal.	

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUILDINGS PAPER. FOR THE FULL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU





<p>12. Where on a steep site, buildings are sited to sit discretely within the landscape using hillsides as a backdrop and below the tree canopy. The building footprint is to result in the following:</p> <ul style="list-style-type: none"> <li>i. The preservation of topographic features of the site, including rock shelves and cliff faces;</li> <li>ii. The retention of significant trees and vegetation, particularly in areas where the loss of this vegetation would result in the visual scarring of the landscape, when viewed from the water, and</li> <li>iii. Minimised site disturbance through cutting and/or filling of the site.</li> </ul>		
<p>13. Facades and rooflines of dwellings facing the water are to be broken up into smaller elements with a balance of solid walls to glazed areas. Rectangular or boxy shaped dwellings with large expanses of glazing and reflective materials are not acceptable. In this regard, the maximum amount of glazed area to solid area for façades facing the foreshore is to be 50%-50%.</p>	<p>30.1% of the water-facing elevation consists of glazing.</p> <p>The proposal features acceptable finishes and glazing that is compatible to the background landscape and the existing dwelling.</p> <p>The proposal has a compatible presence when viewed from the waterway and incorporates a variety of design elements that are in keeping with themes within the locality.</p>	
<p>14. Colours that harmonise with and recede into the background landscape are to be used. In this regard, dark and earthy tones are recommended and white and light coloured roofs and walls are not permitted. To ensure that colours are appropriate, a schedule of proposed colours is to be submitted with the Development Application and will be enforced as a condition of consent.</p>	<p>Blank wall associated with the swimming pool is proposed facing the waterfront, however it is screened by additional vegetation and dwellings near the waterfront.</p> <p>Adequate screening is provided for the undercroft area.</p>	
<p>15. Buildings fronting the waterway must have a compatible presence when viewed from the waterway and incorporate design elements (such as roof forms, textures, materials, the</p>		

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUILDING BY-LAW. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU





<p>arrangement of windows, modulation, spatial separation, landscaping etc) that are compatible with any design themes for the locality.</p>		
<p>16. Blank walls facing the waterfront shall not be permitted. In this regard, walls are to be articulated and should incorporate design features, such as:</p> <ul style="list-style-type: none"> <li>i. Awnings or other features over windows;</li> <li>ii. Recessing or projecting architectural elements; or</li> <li>iii. Open, deep verandas.</li> </ul>		
<p>17. Adequate landscaping shall be provided to screen undercroft areas and reduce their impact when viewed from the water.</p>		
<p>23. The natural landform is to be retained and the use of retaining walls and terracing is discouraged.</p>	<p>The proposal minimises the use of retaining wall and respects the natural landform. Where retaining wall is used, the wall is constructed with a stone face façade.</p>	
<p>24. Retaining walls are not to be located:</p> <ul style="list-style-type: none"> <li>• Between the FBL and MHWM</li> <li>• Within 40m of MHWM</li> </ul>		
<p>26. Where retaining walls are constructed in other areas, materials and colours that blend with the character and landscape of the area are used. Where retaining walls face the foreshore they are to be constructed of coarse, rock faced stone or a stone facing and are to be no higher than 600mm above natural or existing ground level. Under no circumstances will Council permit a masonry faced retaining wall facing the foreshore.</p>		
<p>27. Development provides opportunities to create view corridors from the public domain to the Georges River.</p>	<p>The development will not diminish the opportunities to create view corridors</p>	



	from the public domain to the Georges River.	
--	--	--

**Any Planning Agreement Under Section 7.4**

*Section 4.15 (1) (a) (iia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4*

There are no planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter under section 7.4 applicable to the proposal.

**The Regulations**

*Section 4.15 (1) (a) (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)*

There are no regulations (to the extent that they prescribe matters for the purposes of this paragraph) applicable to the proposal.

**The Likely Impacts of the Development**

*Section 4.15 (1) (b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*

Likely Impacts of the Development	
Natural Environment	The development is located within an established residential area and is not considered to result in unreasonable impact on the natural environment.
Built Environment	The built form and supporting infrastructure is appropriate with its setting and is consistent with the desired future character of the site.
Social Impact	The proposal will have an acceptable social impact on the locality.
Economic Impact	The proposal will not result in unreasonable economic impact

**Site Suitability**

*Section 4.15 (c) the suitability of the site for the development*

The site is zoned R2 Low Density Residential. The proposal is considered a suitable outcome for the subject site for the following reasons:

- The proposed use is permissible in the subject zone.
- The proposed development will not result in unreasonable impacts to the natural and built environment.
- The proposed development will not result in unreasonable amenity impacts to the adjoining neighbours.



THIS IS THE PRINTED COPY OF THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



## Submissions

*Section 4.15 (d) any submissions made in accordance with this Act or the regulations*

The application was notified and adjoining residents were notified by letter and given fourteen (14) days in which to view the plans and submit any comments on the proposal. One submission were received during the neighbour notification period.

The matters relevant to this application raised in the submissions are considered below:

Issue	Comment
<b>Privacy Impact</b>	The proposed development has been assessed against the visual privacy provisions contained within the Georges River Development Control Plan 2021 and is worthy of support. There is no nexus to require additional screen planting along the property boundaries.
<b>Water runoff</b>	The proposed development is supported by a Stormwater Management Plan that has been assessed by Council's Development Engineers and deemed to comply with the Georges River Stormwater Management Policy.  A Geotechnical Report was not considered to be necessary for the proposed development.
<b>Environmental Impact</b>	The proposed development has been reviewed by Council's Landscape Consultant and deemed to be worthy of support. Further, the proposed development complies with the relevant landscape and environmental controls of the Georges River Local Environmental Plan 2021 and the Georges River Development Control Plan 2021.

The applicant lodged revised plans on Monday, 9 February 2026

In accordance with the requirements of Georges River Community Engagement Strategy these plans were not publicly exhibited as, in the opinion of Council, the changes being sought did not intensify or change the external impact of the development to the extent that neighbours ought to be given the opportunity to comment.

## The Public Interest

*Section 4.15 (e) the public interest.*

The proposal is considered to be in the public interest for the following reasons:

- The proposed use is permissible in the subject zone.



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

- The proposed development will not result in unreasonable impacts to the natural and built environment.
- The proposed development will not result in unreasonable amenity impacts to the adjoining neighbours.

## Contributions

The development is subject to Section 7.12 Contributions. In accordance with the Georges River Local Development Contributions Plan 2021, a condition of consent requiring payment of the contribution and identifying it is subject to indexation in accordance with the plan has been imposed.

## Conclusion

The proposal has been assessed against the matters of consideration held within Section 4.15 of the Environmental Planning and Assessment Act 1979 and is worthy of support. The proposal is recommended for approval subject to conditions.

Council considers the request for variation under Clause 4.6 of Georges River Local Environmental Plan 2021, in relation to the Clause 4.3 Height of Buildings development standard is worthy of support, as compliance with the Development standard is unreasonable and unnecessary and sufficient environmental planning grounds have been provided in the written request for variation. The proposal is also in the public interest and it satisfies the objectives of the zone resulting in acceptable environmental impacts.

## Recommendation

### Approval of Application

The assessment recommends that Georges River Council's Local Planning Panel as the Determining Authority pursuant to Section 4.16 (1)(a) Environmental Planning & Assessment Act 1979, grant consent to the Development Application, subject to the recommended conditions of consent referenced in Appendix 1.

### Signed



**Kevin Suen**  
**Development Assessment Planner**  
**Date 19 March 2026**



**Aidan Harrington**  
**Coordinator Development Assessment**  
**Date: 23 March 2026**



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER, FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

## Appendix 1 – Conditions

### Development Details

- Approved Plans** - The development must be implemented in accordance with the approved plans and supporting documentation listed below which have been endorsed by Council's approved stamp, except where marked up on the plans and/or amended by conditions of this consent:

Description	Reference No.	Date	Revision	Prepared by
Proposed Site Plan	25175-011	06.02.2026	D	ES Design
Proposed Lower Level Floor Plan	25175-120	06.02.2026	D	ES Design
Proposed Ground Floor Plan	25175-121	06.02.2026	D	ES Design
Proposed First Floor Plan	25175-122	06.02.2026	D	ES Design
Proposed Roof Plan	25175-123	06.02.2026	D	ES Design
Cut and Fill Plan	25175-200	06.02.2026	D	ES Design
Proposed Elevation Sheet 1	25175-300	06.02.2026	D	ES Design
Proposed Elevation Sheet 2	25175-301	06.02.2026	D	ES Design
Proposed Elevation Sheet 3	25175-302	06.02.2026	D	ES Design
Longitudinal West Elevation	25175-303	06.02.2026	D	ES Design
Longitudinal East Elevation	25175-304	06.02.2026	D	ES Design
Section View	25175-310	06.02.2026	D	ES Design
Schedule External Materials, Colours and Finishes - Rear	25175-321	06.02.2026	D	ES Design
Swimming Pool Details	25175-610	06.02.2026	D	ES Design
Swimming Pool Plan	25175-611	06.02.2026	D	ES Design

Documents relied upon

Description	Reference No.	Date	Revision	Prepared by
Variation to a Development Standard	25175	February 2026	3	ES Planning



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



Statement of Environmental Effects	25175	September 2025	3	ES Planning
Response letter of assessment	-	-	-	ES Design
Landscape Plan	20250822	11 September 2025	B	Ground Ink
Arboricultural Impact Assessment	-	16 January 2026	-	Sam Knight Tree Consultancy Pty Ltd
Stormwater Plan	SW25357	11 September 2025	B	Capital Engineering Consultants
Waste Management Plan	-	25 August 2025	-	ES Engineering

Requirements Of Concurrence, Integrated & Other Government Authorities

- Sydney Water - Tap in™** - The approved plans must be submitted to a Sydney Water Tap in™ to determine whether the development application will affect Sydney Water’s sewer and water mains, stormwater drains and/or easements, and if further requirements need to be met. The approved plans will be appropriately endorsed. For details please refer to ‘Plumbing, building and developing’ section of Sydney Water’s web site at [www.sydneywater.com.au](http://www.sydneywater.com.au) then see ‘Building’, or telephone 13000 TAP IN (1300 082 746). The Certifying Authority must ensure that a Tap in™ agent has appropriately stamped the plans prior to the issue of the Construction Certificate.
- Ausgrid Overhead Powerlines are in the vicinity of the development** – The developer should refer to SafeWork NSW Document - Work Near Overhead Powerlines: Code of Practice. This document outlines the minimum separation requirements between electrical mains (overhead wires) and structures within the development site throughout the construction process. It is a statutory requirement that these distances be maintained throughout the construction phase.

Consideration should be given to the positioning and operating of cranes, scaffolding, and sufficient clearances from all types of vehicles that are expected be entering and leaving the site. The “as constructed” minimum clearances to the mains must also be maintained. These distances are outlined in the Ausgrid Network Standard, NS220 Overhead Design Manual. This document can be sourced from Ausgrid’s website at [www.ausgrid.com.au](http://www.ausgrid.com.au) <http://www.ausgrid.com.au>. It is the responsibility of the developer to verify and maintain minimum clearances onsite. In the event where minimum safe clearances are not able to be met due to the design of the development, the Ausgrid mains may need to be relocated in this instance. Any Ausgrid asset relocation works will be at the developer’s cost. Additional information can be found in the Ausgrid Quick Reference Guide for Safety Clearances “Working Near Ausgrid Assets - Clearances”. This document can be found by visiting the



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PLAN

PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

following Ausgrid website: [www.ausgrid.com.au/Your-safety/Working-Safe/Clearance-enquiries](http://www.ausgrid.com.au/Your-safety/Working-Safe/Clearance-enquiries)

4. **New driveways – Proximity to Existing Poles** – Proposed driveway shall be located to maintain a minimum clearance of 1.5m from the nearest face of the pole to any part of the driveway, including the layback, this is to allow room for future pole replacements. Ausgrid should be further consulted for any deviation to this distance.

#### Separate Approvals Required Under Other Legislation

5. **Section 138 Roads Act 1993 and Section 68 Local Government Act 1993** - Unless otherwise specified by a condition of this consent, this Development Consent does not give any approval to undertake works on public infrastructure.

Separate approval is required under Section 138 of the [Roads Act 1993](#) and/or Section 68 of the [Local Government Act 1993](#) for any of the following activities carried out in, on or over a public road (including the footpath) listed below.

An application is required to be lodged and approved prior to the commencement of any of the following works or activities;

- (a) Placing or storing materials or equipment;
- (b) Placing or storing waste containers or skip bins;
- (c) Erecting a structure or carrying out work
- (d) Swinging or hoisting goods over any part of a public road by means of a lift, crane or the like;
- (e) Pumping concrete from a public road;
- (f) Pumping water from the site into the public road;
- (g) Constructing a vehicular crossing or footpath;
- (h) Establishing a “works zone”;
- (i) Digging up or disturbing the surface of a public road (eg Opening the road for the purpose of connections to utility providers);
- (j) Stormwater and ancillary works in the road reserve;
- (k) Stormwater and ancillary to public infrastructure on private land; and
- (l) If any excavation is to be supported by the use of below ground (cable) anchors that are constructed under Council's roadways/footways.

These separate activity approvals must be obtained and evidence of the approval provided to the Certifying Authority prior to the issue of the Construction Certificate.

The relevant Application Forms for these activities can be downloaded from Council's website [www.georgesriver.nsw.gov.au](http://www.georgesriver.nsw.gov.au). For further information, please contact Council's Customer Service Centre on (02) 9330 6400.



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PLAN FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



- 6. **Driveway Crossing - Minor Development** - Constructing a driveway crossing and/or footpath requires a separate approval under Section 138 of the Roads Act 1993 prior to the commencement of those works.

To apply for approval, complete the “Application for Driveway Crossing and Associated Works on Council Road Reserve” issued under Section 138 Roads Act.” which can be downloaded from Georges River Council’s Website at [www.georgesriver.nsw.gov.au](http://www.georgesriver.nsw.gov.au). Lodge the application form, together with the associated fees at Council’s Customer Service Centre, during business hours. Refer to Section P1 and P2, in Council’s adopted *Fees and Charges* for the administrative and inspection charges associated with Driveway Crossing applications.

An approval for a new or modified driveway crossing will contain the approved access and/or alignment levels which will be required to construct the crossing and/or footpath. Once approved, all work shall be carried out in accordance with Council’s specifications applicable at the time, prior to the issue of an Occupation Certificate.

The design boundary level is to be received from Council prior to construction of the internal driveway

- 7. **Road Opening Permit** - A Road Opening Permit must be obtained from Council, in the case of local or regional roads, or from the RMS, in the case of State roads, for every opening of a public road reserve to access services including sewer, stormwater drains, water mains, gas mains, and telecommunications before the commencement of work in the road.

**Prior to the Issue of a Construction Certificate**

- 8. **Fees to be paid** - The fees listed in the table below must be paid in accordance with the conditions of this consent and Council’s adopted Fees and Charges applicable at the time of payment (available at [www.georgesriver.nsw.gov.au](http://www.georgesriver.nsw.gov.au)).

Payments must be made prior to the issue of the Construction Certificate or prior to the commencement of work (if there is no associated Construction Certificate).

Council will only accept Bank Cheque or Electronic Funds Transfer (EFT) for transaction values of \$500,000 or over. Council must be contacted prior to payment to determine correct total amount to be paid and bank account details (if applicable).

A summary of the fees to be paid are listed below:

Fee Type	Fee
<b>GENERAL FEES</b>	
Long Service Levy (to Long Service Corporation) Or, provide evidence of Payment direct to the Long Service Corporation. See <a href="https://portal.longservice.nsw.gov.au/bci/levy/">https://portal.longservice.nsw.gov.au/bci/levy/</a>	
Builders Damage Deposit	\$1,900.00
Inspection Fee for Refund of Damage Deposit	\$160.00
<b>DEVELOPMENT CONTRIBUTIONS</b>	
Georges River Council Local Infrastructure Contributions Plan 2021 (S7.11 and S7.12)	\$5,500.00



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

### General Fees

The fees and charges above are subject to change and are as set out in the version of Council's Schedule of Fees and Charges or as required by other Government Authorities, applicable at the time of payment.

### Development Contributions

The above contributions will be adjusted at the time of payment to reflect changes in the cost of delivering public amenities and public services, in accordance with the indices provided by the relevant Contribution Plan.

A Section 7.12 contribution has been levied on the subject development pursuant to the Georges River Council Local Infrastructure Contributions Plan 2021 (S7.11 and S7.12).

### Timing of Payment

The contribution must be paid and received by Council

- Prior to the release of the Construction Certificate.

### Further Information

A copy of the *current Development Contributions Plans* may be inspected or a copy purchased at Council's offices (Civic Centre, MacMahon Street, Hurstville) or viewed on Council's website [www.georgesriver.nsw.gov.au](http://www.georgesriver.nsw.gov.au).

9. **Site Management Plan - Minor Development** - A Site Management Plan detailing all weather access control points, sedimentation controls, fencing, builder's site sheds office, amenities, materials storage and unloading arrangements must be submitted with the application for the Construction Certificate.

The site management measures are to be implemented prior to the commencement of any works including demolition and excavation and bushfire management in accordance the bushfire related conditions in this consent. The site management measures are to be maintained throughout the works, to maintain reasonable levels of public health, safety and amenity. A copy of the Site Management Plan must be kept on site and is to be made available upon request.

10. **BASIX Commitments** - All energy efficiency measures as detailed in the BASIX Certificate Nos. A1612442 must be implemented on the plans lodged with the application for the Construction Certificate.

11. **Erosion & Sedimentation Control** - Erosion and sediment controls must be provided to ensure:

- Compliance with the approved Erosion & Sediment Control Plan
- Removal or disturbance of vegetation and top soil is confined to within 3m of the approved building area (no trees to be removed without approval)
- All clean water runoff is diverted around cleared or exposed areas



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PLAN FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

- (d) Silt fences, stabilised entry/exit points or other devices are installed to prevent sediment from entering drainage systems or waterways
- (e) All erosion and sediment controls are fully maintained for the duration of demolition, excavation and/or development works
- (f) Controls are put into place to prevent tracking of sediment by vehicles onto adjoining roadway
- (g) All disturbed areas are rendered erosion-resistant by turfing, mulching, paving or similar
- (h) Compliance with [Managing Urban Stormwater - Soils and Construction \(Blue Book\) produced by Landcom 2004](#).

These measures are to be implemented prior to the commencement of work (including demolition and excavation) and must remain until works are completed and all exposed surfaces are landscaped/sealed.

- 12. Stormwater System** – The submitted stormwater plan has been assessed as a concept plan only and it does not address all the stormwater issues. Final detailed plans of the drainage system, shall be submitted for approval with the Construction Certificate.

- (a) The PCA shall ensure that the location and condition of the existing stormwater discharge pipe to the bay is confirmed prior to the issue of a Construction Certificate.
- (b) An amended stormwater plan shall be prepared to collect and drain surface runoff from the proposed new stairs along the eastern side boundary of the property, ensuring that runoff is managed appropriately and does not cause nuisance to the downstream property.
- (c) The PCA shall ensure that all new stormwater downpipes shall connect to the existing drainage system on site then to the bay as shown on the stormwater plan dwg No.SW010, Revision (B), dated 11/9/2025, prepared by Capital Engineering Consultants (cec), in accordance with the Council's stormwater management policy, and in accordance with the Australian Standard AS3500.3:2015 (as amended).
- (d) A licensed plumber shall ensure the existing stormwater system pipe is in good condition and functioning to drain by gravity to the bay.
- (e) There shall be no conflict between the drainage plan and the landscape plan, particularly in relation to the existing rock outcrops.
- (f) The stormwater drainage plans including pipe sizes, type, grade, length, invert levels, dimensions and types of drainage pits prepared by a professional engineer who specialises in Hydraulic Engineering in accordance with the Australian Institute of Engineers Australian Rainfall and Runoff (1987) and Council's Stormwater Drainage Guidelines, shall accompany the application for the Construction Certificate.

- 13. Structural details** - Engineer's details prepared by a practising Structural Engineer being used to construct all reinforced concrete work, structural beams, columns and other structural members. The details are to be submitted to the Principal Certifying Authority for approval prior to construction of the specified works.

A copy shall be forwarded to Council where Council is not the PCA.

- 14. Compliance with the Swimming Pool Act 1992** – The alterations and additions to the dwelling house and/or the construction of the new dwelling house subject of this consent must not generate any non-compliances with the Swimming Pools Act 1992, Swimming Pool Regulation 2018, Building Code of Australia and/or AS1926.1-2012 – Swimming Pool Safety.



Details of compliance to be illustrated on the plans lodged with the application for the Construction Certificate.

- 15. Engineer's Certificate** – A certificate from a professional Engineer specialising in structural engineering certifying the structural adequacy of the existing structure, to support all proposed additional superimposed loads shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate.
- 16. Swimming Pools – Use and Maintenance** - The following apply to the construction, use and maintenance of swimming pools and spas:
- no ground level may be raised or filled except where shown specifically on the approved plans;
  - all pool/spa waste water is to be discharged to the sewer according to the requirements of Sydney Water;
  - the swimming pool must not be used for commercial or professional purposes;
  - drain paved areas to the landscaped areas or a suitable lawful drainage system; and
  - arrange any external pool/spa lighting to minimise glare nuisance to adjoining owners.
- 17. Waste Management Plan** - A Waste Management Plan incorporating all requirements in respect of the provision of waste storage facilities, removal of all materials from the site that are the result of site clearing, extraction, and/or demolition works and the designated Waste Management Facility shall be submitted to the Certifying Authority prior to the issue of any Construction Certificate.
- 18. Landscape Plan** – A detailed landscape plan, drawn to scale and coloured, by a qualified Landscape Architect or an AQF Level 5 Landscape Designer, must be provided. The landscape plan must be lodged for approval by the PCA prior to the issue of a construction certificate. The plan must include:
- Name of landscape designer, qualifications, contact information, date and plan number
  - North point
  - Scale
  - Location of existing structures to be retained, proposed structures, easements and underground services
  - Location, height, spread of canopy, condition and species name (botanical and common) of all existing trees on the site and street trees. Indicate existing and proposed RL's at the base of all trees and clearly identify trees for retention, removal, transplanting or pruning.
  - Details of proposed design, including hard and soft landscaped areas, contours, ground modelling, spot heights, finished levels and areas of cut and fill.
  - Details of species selection, showing consideration of adjoining development and location of significant trees or proposed structures. Species selection should favour locally endemic and native species, consider the Georges River Council Tree Management Policy 2019 and note Council's 2:1 replacement policy for trees removed.
  - A plant schedule showing the plant symbol, botanical name, common name, quantity, pot size and mature height x width
  - Proposed driveways, car parking, fences and retaining walls (indicate height and material) and basic drainage details
  - Location of lighting, letterboxes, garbage receptacle and drying areas
  - Deep soil area calculations as a percentage of the total site area
  - Maintenance specification for 12 months

### Prior to the Commencement of Work (Including Demolition & Excavation)

- 19. Demolition & Asbestos** - The demolition work shall comply with the provisions of Australian Standard AS2601:2001 - Demolition of Structures, NSW [Work Health & Safety Act 2011](#) and the NSW [Work Health & Safety Regulation 2011](#). The work plans required by AS2601:2001 shall be accompanied by a written statement by a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the safety statement shall be submitted to the PCA prior to the commencement of works.

For demolition work which involves the removal of asbestos, the asbestos removal work must be carried out by a licensed asbestos removalist who is licensed to carry out the work in accordance with the [NSW Work Health & Safety Act 2011](#) and the NSW [Work Health & Safety Regulation 2011](#) unless specified in the Act and/or Regulation that a license is not required. All demolition work including the removal of asbestos, shall be undertaken in accordance with the [Demolition Code of Practice](#) (NSW Work Cover July 2015).

Note: Copies of the Act, Regulation and Code of Practice can be downloaded free of charge from the SafeWork NSW website: [www.SafeWork.nsw.gov.au](http://www.SafeWork.nsw.gov.au).

- 20. Demolition Notification Requirements** - The following notification requirements apply to this consent:
- The developer /builder must notify adjoining residents five (5) working days prior to demolition. Such notification is to be a clearly written note giving the date demolition will commence, contact details of the developer/builder, licensed asbestos demolisher and the appropriate regulatory authority. Notification is to be placed in the letterbox of every premises (including every residential flat or unit, if any) either side and immediately at the rear of the demolition site.
  - Five (5) working days prior to demolition, the developer/builder is to provide written notification to Council advising of the demolition date, details of the SafeWork licensed asbestos demolisher and the list of residents advised of the demolition.
  - On demolition sites where buildings to be demolished contain asbestos, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position (from street frontage) on the site. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos material has been removed from the site to an approved waste facility.
- 21. Demolition work involving asbestos removal** - Work involving bonded asbestos removal work (of an area of more than 10 square metres) or friable asbestos removal work must be undertaken by a person who carries on a business of such removal work in accordance with a licence under clause 458 of the [Work Health and Safety Regulation 2011](#).



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL'S RESOLUTIONS. VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU FOR THE OFFICIAL DOCUMENTS.

- 22. Before You Dig Australia** - The applicant shall contact "Before You Dig Australia" to obtain a Service Diagram prior to the issuing of the Construction Certificate. The sequence number obtained from "Before You Dig Australia" shall be forwarded to the Principal Certifying Authority (PCA) for their records.
- 23. Registered Surveyors Report - During Development Work** - A report must be submitted to the PCA at each of the following applicable stages of construction:
- Set out before commencing excavation.
  - Floor slabs or foundation wall, before formwork or commencing brickwork.
  - Completion of Foundation Walls - Before any construction of flooring, detailing the location of the structure relative to adjacent boundaries and floor levels relative to the datum shown on the approved plans.
  - Completion of Floor Slab Formwork - Before pouring of concrete/walls construction, detailing the location of the structure relative to adjacent boundaries and floor levels relative to the datum shown on the approved plans. In multi-storey buildings a further survey must be provided at each subsequent storey.
  - Completion of any Roof Framing - Before roof covered detailing eaves/gutter setback from boundaries.
  - Completion of all Work - Detailing the location of the structure (including eaves/gutters) relative to adjacent boundaries and its height relative to the datum shown on the approved plans. A final Check Survey must indicate the reduced level of the main ridge.

Work must not proceed beyond each stage until the PCA is satisfied that the height and location of the building is proceeding in accordance with the approved plans.

- 24. Utility Arrangements** - Arrangements are to be made with utility authorities in respect to the services supplied by those authorities to the development. The cost associated with the provision or adjustment of services within the road and footway areas is to be at the applicant's expense.

#### During Construction

- 25. Site sign - Soil & Erosion Control Measures** - Prior to the commencement of works (including demolition and excavation), a durable site sign, issued by Council in conjunction with this consent, must be erected in a prominent location on site. The site sign warns of the penalties which apply to pollution, storing materials on road or footpath and breaches of the conditions relating to erosion and sediment controls. The sign must remain in a prominent location on site up until the completion of all site and building works.
- 26. Hours of construction for demolition and building work** - Unless authorised by Council:
- Building construction and delivery of material hours are restricted to: 7.00am to 5.00pm (inclusive) Monday to Saturday and no work on Sundays and Public Holidays.
  - Demolition and excavation works are restricted to: 8.00am to 5.00pm (inclusive) Monday



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER 1. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

to Friday only. Excavation work includes the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders and the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site.

27. **Ground levels and retaining walls** - The ground levels of the site shall not be excavated, raised or filled, or retaining walls constructed on the allotment boundary, except where indicated on approved plans or approved by Council. All site works and retaining walls are to be constructed wholly on the subject site, including footings.
28. **Cost of work to be borne by the applicant** - The applicant shall bear the cost of all works associated with the construction of the development that occurs on Council property. Care must be taken to protect Council's roads, including the made footway, kerbs, etc., and, where plant and vehicles enter the site, the footway shall be protected against damage by deep-sectioned timber members laid crosswise, held together by hoop iron straps and chamfered at their ends. This construction shall be maintained in a state of good repair and condition throughout the course of construction.
29. **Obstruction of Road or Footpath** - The use of the road or footpath for the storage of any building materials, waste materials, temporary toilets, waste or skip bins, or any other matter is not permitted unless separately approved by Council under Section 138 of the [Roads Act 1993](#) and/or under Section 68 of the [Local Government Act 1993](#). Penalty infringement Notices may be issued for any offences and severe penalties apply.
30. **Damage within Road Reserve and Council Assets** - The owner shall bear the cost of restoring any footpath, roadway and any other Council assets damaged due to works at, near or associated with the site. This may include works by Public Utility Authorities in the course of providing services to the site.
31. **Public Utility and Telecommunication Assets** - The owner shall bear the cost of any relocation or modification required to any Public Utility Authority assets including telecommunication lines & cables and restoring any footpath, roadway and any other Council assets damaged due to works at, near or associated with the site.
32. **Waste Management Facility** - All materials removed from the site as a result of demolition, site clearing, site preparation and, or excavation shall be disposed of at a suitable Waste Management Facility. No vegetation, article, building material, waste or the like shall be ignited or burnt.
- Copies of all receipts for the disposal, or processing of all such materials shall be submitted to the PCA and Council, where Council is not the Principal Certifying Authority.
33. **Tree Protection & Compliance with Arborists Report** – The tree protection measures and recommendations outlined in part 10 & 12 of the approved Arboricultural Impact Assessment Report must be implemented throughout the relevant stages of construction in accordance with Section 4 – *Australian Standard AS4970-2025: Protection of trees on development sites.*



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL'S OFFICIAL DOCUMENTS. VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



(a) The following trees are to be retained and protected as part of the proposed works:

Tree ID Number and Species	Location
<i>Ligustrum lucidum</i>	Broad Leaf Privet

(b) Trees specified for retention are to be inspected, monitored and remedial work undertaken as required during and after completion of development works by a qualified AQF Level 5 Project Arborist. Regular inspections and documentation from the Arborist to the PCA and Council's Tree Compliance Officer are required at the following hold points:

Hold Point	Action Required by AQF Level 5 Project Arborist
1. Works within the TPZ areas of tree to be retained	Supervise, direct and photograph all approved works within the TPZ areas of the tree to be retained.
2. a) Prior to issue of Occupation Certificate	Final inspection of tree to be retained and provision of follow up report detailing activities during construction including any damage to the trees and any remedial work required to ensure the ongoing health and structural stability of the trees and/or replacement trees required. Any recommendations for remedial work and/or replacement trees will be required to be approved by Council's Tree Compliance Officer and actioned prior to the issue of an occupation certificate for the development
3. b) Prior to issue of Occupation Certificate	Inspect and certify that all required replacement trees have been planted and are in good health. Any recommendations for remedial work will be required to be approved by Council's Tree Compliance Officer and actioned prior to the issue of an occupation certificate for the development.

**34. Landscape Works** - All landscape works shall be carried out in accordance with the approved landscape plans, specifications and conditions, subject to the following -

- a) The applicant must engage a licensed and reputable nursery grower early within the build phase and order all trees and plant material early to ensure that all tree and plant material, pot/bag sizes and quantities are guaranteed at the time of the landscape and planting phase.

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE FULL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



- b) All trees proposed upon the approved landscape plan shall comply with AS 2303 – 2018, *Tree Stock for Landscape use* and *NATSPEC Specifying Trees: a guide to assessment of tree quality (2003)*.

- 35. Swimming Pool – Filling with Water** – The pool/spa shall not be filled until the safety fences have been completed in accordance with the approved plans and specifications and inspected by the PCA.

#### Prior to the Issue of the Occupation Certificate

- 36. Stormwater drainage works – Works As Executed** - Prior to the issue of the Occupation Certificate, storm water drainage works are to be certified by a professional engineer specialising in hydraulic engineering, with Works-As-Executed drawings supplied to Council detailing:

- a. Compliance with conditions of development consent relating to stormwater.

- 37. BASIX Compliance Certificate** - A Compliance Certificate must be provided to the PCA regarding the implementation of all energy efficiency measures as detailed in the approved BASIX Certificate before any Occupation Certificate is issued.

- 38. Completion of Tree Works** – All tree protection and project arborist work detailed in 10 & 12 of the approved Arboricultural Impact Assessment must be completed prior to the issue of a final occupation certificate for the site. A certificate of compliance prepared by the AQF Level 5 Project Arborist and all required monitoring documentation must be submitted to the PCA for approval prior to the issue of an occupation certificate. Documentation must be made available to Council's Tree Compliance Officer on request.

- 39. Completion of Landscape Works** - All landscape works, the planting of all tree and plant material in accordance with approved landscape plans and specifications and conditions of consent, must be completed prior to the issue of a final occupation certificate for the site.

A certificate of compliance for the planting of all trees and shrubs proposed for the site must be prepared by a qualified Horticulturist, Landscape Designer or AQF Level 5 Arborist and forwarded to the PCA for approval prior to the issue of an occupation certificate. This documentation must also be submitted to Council.

- 40. Vehicular crossing - Minor development** - The vehicular crossing and/or footpath works shall be constructed by a private contractor at the expense of the applicant, in accordance with the Application for Driveway Crossing and Associated Works on Council Road Reserve' approval issued by Council's Assets and Infrastructure Division.

Any existing vehicular crossing and/or laybacks which are redundant must be removed. The kerb and gutter, any other footpath and turf areas shall be restored at the expense of the applicant and in accordance with Council's Specification for Vehicular Crossings and Associated Works.



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE FULL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

**NOTE:** No stencilled or coloured concrete may be used outside the boundary of the property.

The work must be completed before the issue of an Occupation Certificate.

#### Operational Conditions (Ongoing)

##### 41. Ongoing Tree Maintenance Works –

(a) All newly planted trees and plants must be maintained. Maintenance includes watering, weeding, removal of rubbish from tree bases, fertilising, pest and disease control, replacement of dead or dying trees and plants and other operations required to maintain healthy trees.

(b) If any trees are found to be faulty, damaged, dying or dead within twelve (12) months of planting then they must be replaced with the same species and pot/bag size. If the trees are found dead before they reach a height where they are protected by Council's Tree Management Controls, they must be replaced with the same species and pot/bag size.

(c) Mature trees shall be inspected for health and structural integrity by an AQF Level 5 Arborist 12 month post completion of works. A certificate of compliance and/or report with recommendations for remedial work will be required to be approved by Council's Tree Compliance Officer.

42. **Swimming Pools – Resuscitation Notice** – An expired air resuscitation warning notice complying with the Swimming Pools Act 1992 must be affixed in a prominent position adjacent to the pool.

43. **Outdoor Lighting** - To avoid annoyance to the occupants of adjoining premises or glare to motorist on nearby roads, outdoor lighting must comply with AS 4282-1997: Control of the obtrusive effects of outdoor lighting.

44. **Amenity of the neighbourhood** - The implementation of this development shall not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, vapour, odour, steam, soot, dust, waste water, waste products, grit, oil or other harmful products.

Operational Requirements Under the Environmental Planning & Assessment Act 1979

45. **Requirement for a Construction Certificate** - The erection of a building must not commence until a Construction Certificate has been issued.

46. **Appointment of a PCA** - The erection of a building must not commence until the applicant has:

(a) appointed a PCA for the building work; and

- (b) if relevant, advised the PCA that the work will be undertaken as an Owner -Builder.

If the work is not going to be undertaken by an Owner - Builder, the applicant must:

- (a) appoint a Principal Contractor to undertake the building work. If residential building work (within the meaning of the [Home Building Act 1989](#)) is to be undertaken, the Principal Contractor must be a holder of a contractor licence; and
- (b) notify the PCA of the details of any such appointment; and
- (c) notify the Principal Contractor of any critical stage inspections or other inspections that are required to be carried out in respect of the building work.

**47. Notification Requirements of PCA** - No later than two days before the building work commences, the PCA must notify:

- (a) the consent authority and the Council (if not the consent authority) of his or her appointment; and
- (b) the applicant of the critical stage inspections and other inspections that are to be carried out with respect to the building work.

**48. Notice of Commencement** - The applicant must give at least two days notice to the Council and the PCA of their intention to commence the erection of a building.

**49. Critical Stage Inspections** - The last critical stage inspection must be undertaken by the PCA. The critical stage inspections required to be carried out vary according to Building Class under the Building Code of Australia and are listed in Clause 162A of the [Environmental Planning and Assessment Regulation 2009](#).

**50. Notice to be given prior to critical stage inspections** - The principal contractor for a building site, or the owner-builder, must notify the PCA at least 48 hours before each required inspection needs to be carried out.

Where Georges River Council has been appointed as the PCA, 48 hours notice in writing, or alternatively 24 hours notice by facsimile or telephone, must be given when specified work requiring inspection has been completed.

**51. Occupation Certificate** - A person must not commence occupation or use of the whole or any part of a new building unless an Occupation Certificate has been issued in relation to the building or part.

Only the PCA appointed for the building work can issue the Occupation Certificate.

#### Prescribed Conditions

**52. Clause 97A - BASIX Commitments** - This Clause requires the fulfilment of all BASIX Commitments as detailed in the BASIX Certificate to which the development relates.

**53. Clause 98 - Building Code of Australia & Home Building Act 1989** - Requires all building



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR AN OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



work to be carried out in accordance with the Building Code of Australia. In the case of residential building work to which the Home Building Act 1989 relates, there is a requirement for a contract of insurance to be in force before any work commences.

- 54. **Clause 98A - Erection of Signs** - Requires the erection of signs on site and outlines the details which are to be included on the sign. The sign must be displayed in a prominent position on site and include the name and contact details of the PCA and the Principal Contractor.
- 55. **Clause 98B - Home Building Act 1989** - If the development involves residential building work under the [Home Building Act 1989](#), no work is permitted to commence unless certain details are provided in writing to Council. The name and licence/permit number of the Principal Contractor or Owner Builder and the name of the Insurer by which work is insured under Part 6 of the [Home Building Act 1989](#).
- 56. **Clause 98E - Site Excavation** - Excavation of the site is to extend only to that area required for building works depicted upon the approved plans. All excess excavated material shall be removed from the site.

All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

If the soil conditions require it, retaining walls associated with the erection or demolition of a building or other approved methods of preventing movement of the soil shall be provided and adequate provision shall be made for drainage.

**END CONDITIONS**

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER FOR THE OFFICIAL DOCUMENT PLAN OF THE GEORGES RIVER MEETING: WWW.GEORGESRIVER.NSW.GOV.AU



## NOTES/ADVICES

1. **Review of Determination** - Section 8.2 of the Environmental Planning and Assessment Act confers on an applicant who is dissatisfied with the determination of the application the right to lodge an application with Council for a review of such determination. Any such review must however be completed within 6 months from its determination. Should a review be contemplated sufficient time should be allowed for Council to undertake public notification and other processes involved in the review of the determination.

Note: Review provisions do not apply to Complying Development, Designated Development, State Significant Development, Integrated Development or any application determined by the Sydney South Planning Panel or the Land & Environment Court.

2. **Appeal Rights** - Part 8 (Reviews and appeals) of the Environmental Planning and Assessment Act 1979 confers on an applicant who is dissatisfied with the determination of the application a right of appeal to the Land and Environment Court of New South Wales.
3. **Lapsing of Consent** - This consent will lapse unless the development is physically commenced within 5 years from the Date of Operation of this consent, in accordance with Section 4.53 of the Environmental Planning and Assessment Act 1979 as amended.
4. **Long Service Levy** - The Long Service Corporation administers a scheme which provides a portable long service benefit for eligible workers in the building and construction industry in NSW. All benefits and requirements are determined by the Building and Construction Industry Long Service Payments Act 1986. More information about the scheme and the levy amount you are required to pay to satisfy a condition of your consent can be found at <http://www.longservice.nsw.gov.au>.

The required Long Service Levy payment can be direct to the Long Service Corporation via their web site <https://online.longservice.nsw.gov.au/bci/levy>. Payments can only be processed on-line for the full levy owing and where the value of work is between \$25,000 and \$6,000,000. Payments will be accepted for amounts up to \$21,000, using either MasterCard or Visa.

5. **Security deposit administration & compliance fee** - Under Section 97 (5) of the [Local Government Act 1993](#), a security deposit (or part) if repaid to the person who provided it is to be repaid with any interest accrued on the deposit (or part) as a consequence of its investment.

Council must cover administration and other costs incurred in the investment of these monies. The current charge is \$50.00 plus 2% of the bond amount per annum.

The interest rate applied to bonds is set at Council's business banking facility rate as at 1 July each year. Council will accept a bank guarantee in lieu of a deposit.

All interest earned on security deposits will be used to offset the Security Deposit Administration and Compliance fee. Where interest earned on a deposit is not sufficient to meet the fee, it will be accepted in full satisfaction of the fee.



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PLAN PER IFC. THE OFFICIAL DOCUMENT PLEASE HIT OF THE GEORGES RIVER LOCAL PLANNING PANEL WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

6. **Stormwater & Ancillary Works** - Applications under Section 138 Roads Act and/or Section 68 Local Government Act 1993 - To apply for approval under Section 138 of the Roads Act 1993 and/or Section 68 Local Government Act 1993:
- Complete the Stormwater Drainage Application Form which can be downloaded from Georges River Council's website at [www.georgesriver.nsw.gov.au](http://www.georgesriver.nsw.gov.au).
  - In the Application Form, quote the Development Consent No and reference the condition number.
  - Lodge the application form, together with the associated fees at Council's Customer Service Centre, during business hours. Refer to Council's adopted Fees and Charges for the administrative and inspection charges associated with stormwater applications.

The developer must meet all costs of the extension, relocation or reconstruction of any part of Council's drainage system (including design drawings and easements) required to carry out the approved development.

The preparation of all engineering drawings (site layout plans, cross sections, longitudinal sections, elevation views together with a hydraulic grade analysis) and specifications for the new stormwater drainage system to be arranged by the applicant. The design plans must be lodged and approved by Council prior to the issue of a Construction Certificate.

NOTE: A minimum of four weeks should be allowed for assessment.

7. **Council as PCA** - Deemed to Satisfy Provisions of Building Code of Australia - Should the Council be appointed as the PCA in determining the Construction Certificate, the building must comply with all the applicable deemed to satisfy provision of the Building Code of Australia. However, if an alternative fire solution is proposed it must comply with the performance requirements of the Building Code of Australia, in which case, the alternative solution, prepared by an appropriately qualified fire consultant, accredited and having specialist qualifications in fire engineering, must justifying the non-compliances with a detailed report, suitable evidence and expert judgement. Council will also require if deemed necessary, for the alternative solution to undergo an independent peer review by either the CSIRO or other accredited organisation. In these circumstances, the applicant must pay all costs for the independent review.
8. **Site Safety Fencing** - Site fencing must be erected in accordance with SafeWork Guidelines, to exclude public access to the site throughout the demolition and/or construction work, except in the case of alterations to an occupied dwelling. The fencing must be erected before the commencement of any work and maintained throughout any demolition and construction work.

A demolition licence and/or a high risk work license may be required from SafeWork NSW (see [www.SafeWork.nsw.gov.au](http://www.SafeWork.nsw.gov.au)).

9. **Register your Swimming Pool** – All swimming pools in NSW are required to be registered.



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL'S OFFICIAL DOCUMENTS. VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

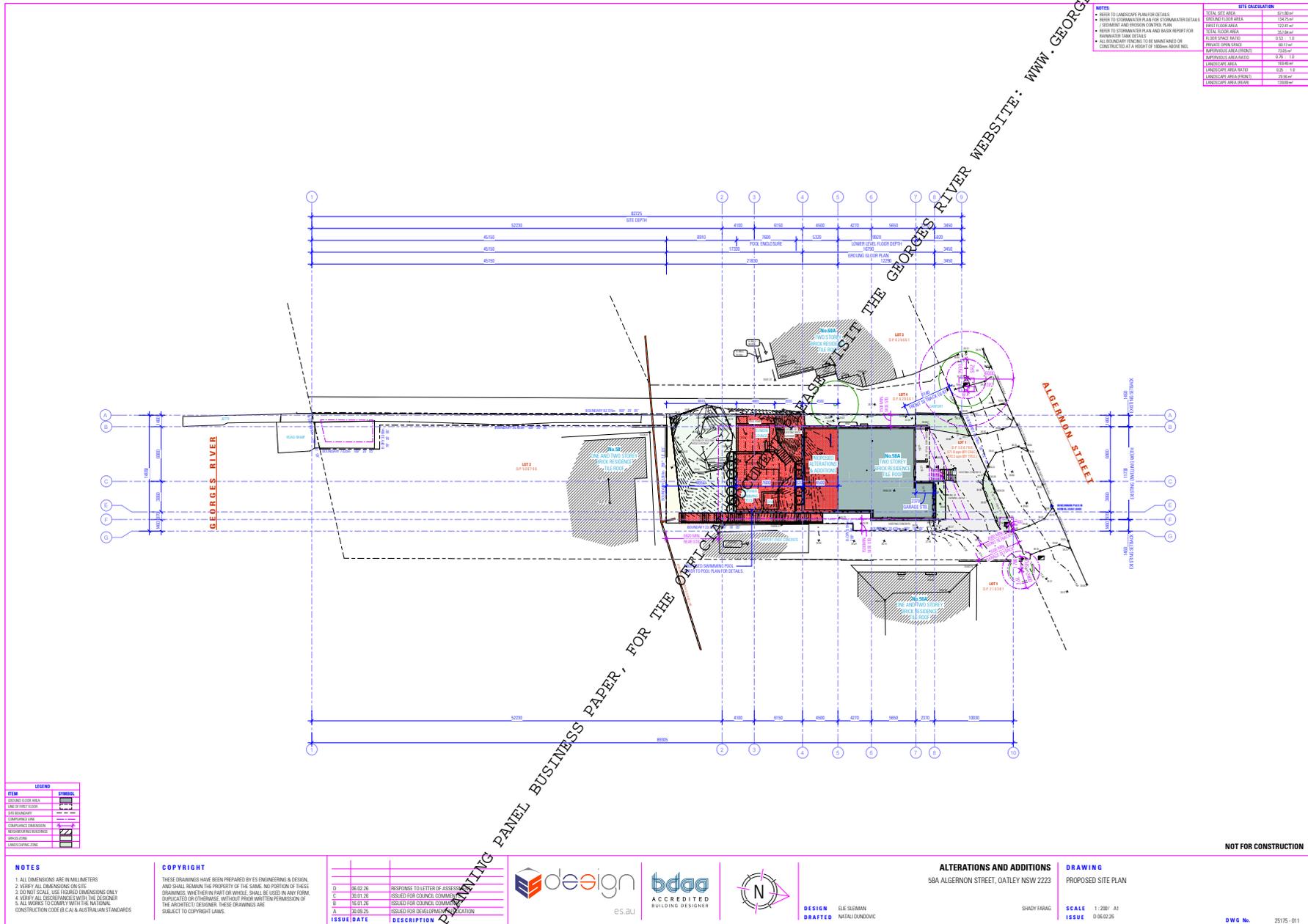


Fines apply for pools that are not registered. To register please visit: [swimming.poolregister.nsw.gov.au](http://swimming.poolregister.nsw.gov.au)

If you need more information, please contact the Development Assessment Planner, below on 9330-6400 between 9.00am -11.00am business days.

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER, FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

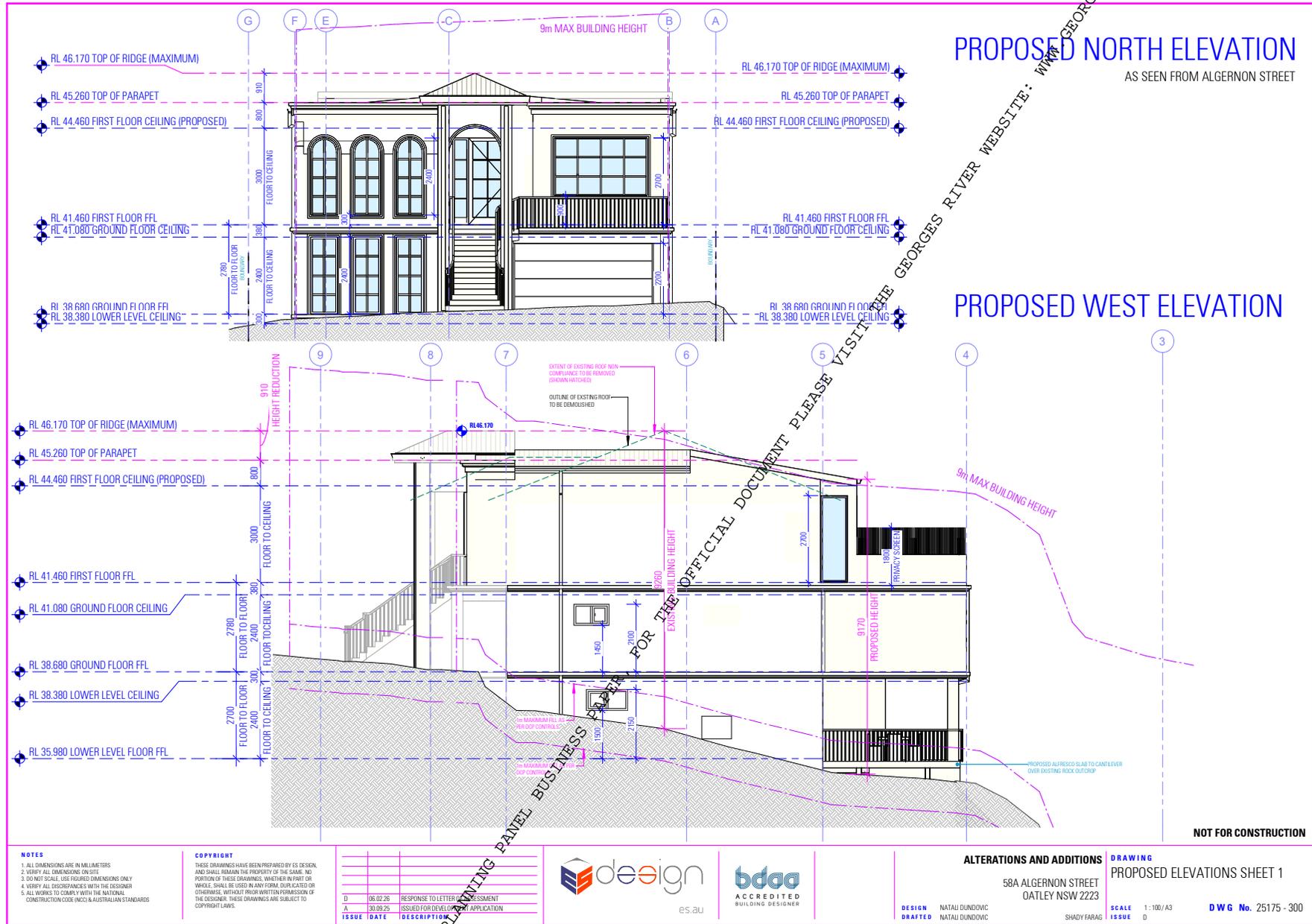


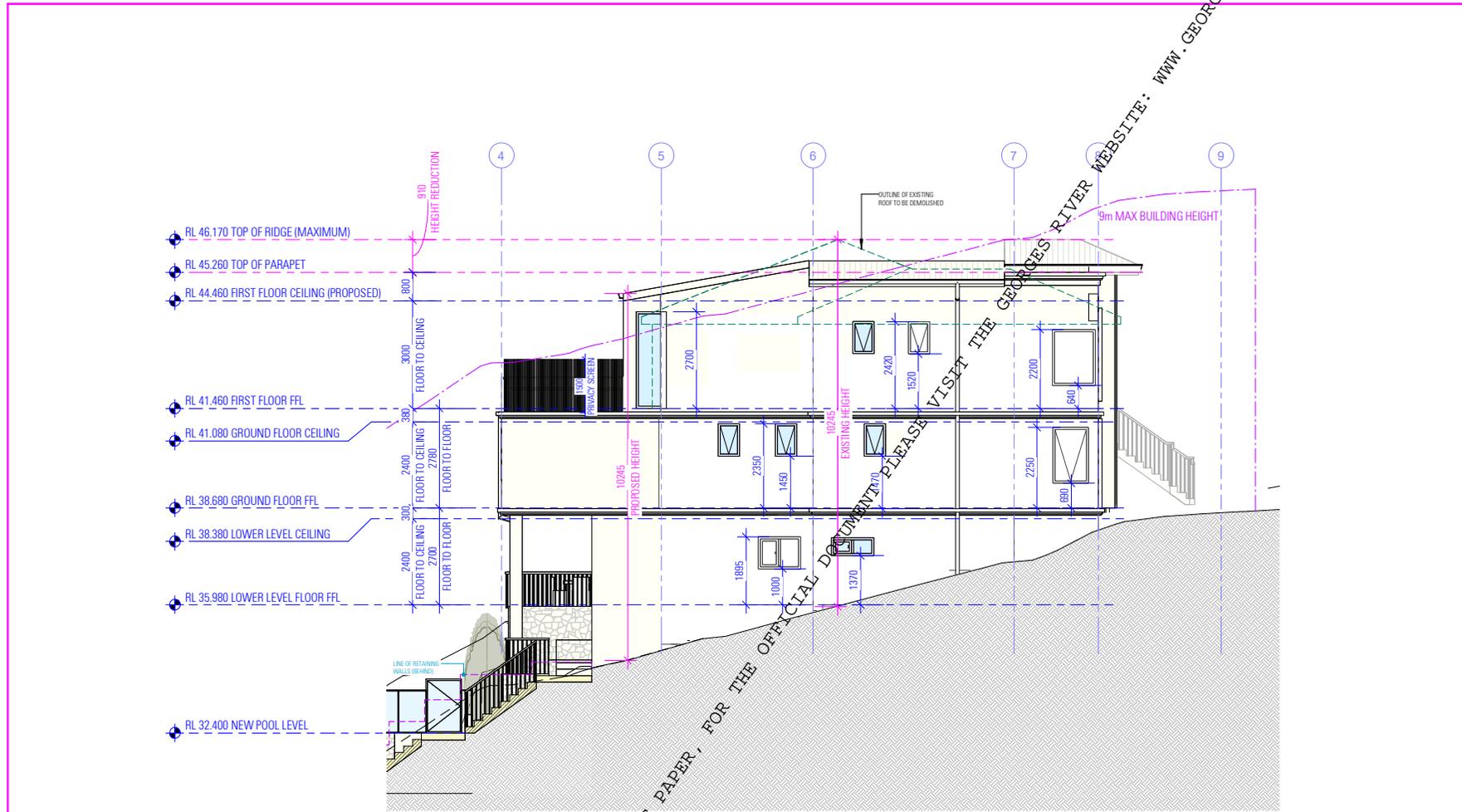


WWW.GEORGESRIVER.NSW.GOV.AU

PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

LOCAL PLANNING PANEL BUSINESS PAPER, FOR THE OFFICIAL





PROPOSED EAST ELEVATION

NOT FOR CONSTRUCTION

- NOTES**
1. ALL DIMENSIONS ARE IN MILLIMETERS
  2. VERIFY ALL DIMENSIONS ON SITE
  3. DO NOT SCALE. USE REQUIRED DIMENSIONS ONLY
  4. VERIFY ALL DISCREPANCIES WITH THE DESIGNER
  5. ALL WORKS TO COMPLY WITH THE NATIONAL CONSTRUCTION CODE (NCC) & AUSTRALIAN STANDARDS

**COPYRIGHT**  
 THESE DRAWINGS HAVE BEEN PREPARED BY ES DESIGN AND SHALL REMAIN THE PROPERTY OF THE SAME. NO PORTION OF THESE DRAWINGS, WHETHER IN PART OR WHOLE, SHALL BE USED IN ANY FORM, REPRODUCED OR OTHERWISE, WITHOUT PRIOR WRITTEN PERMISSION OF THE DESIGNER. THESE DRAWINGS ARE SUBJECT TO COPYRIGHT LAWS.

ISSUE	DATE	DESCRIPTION
D	06.02.25	RESPONSE TO LETTER OF ASSESSMENT
A	30.09.25	ISSUED FOR DEVELOPMENT APPLICATION



**ALTERATIONS AND ADDITIONS**

58A ALGERNON STREET  
 OATLEY NSW 2223

DESIGN NATAL DUNDOVIC  
 DRAFTED NATAL DUNDOVIC

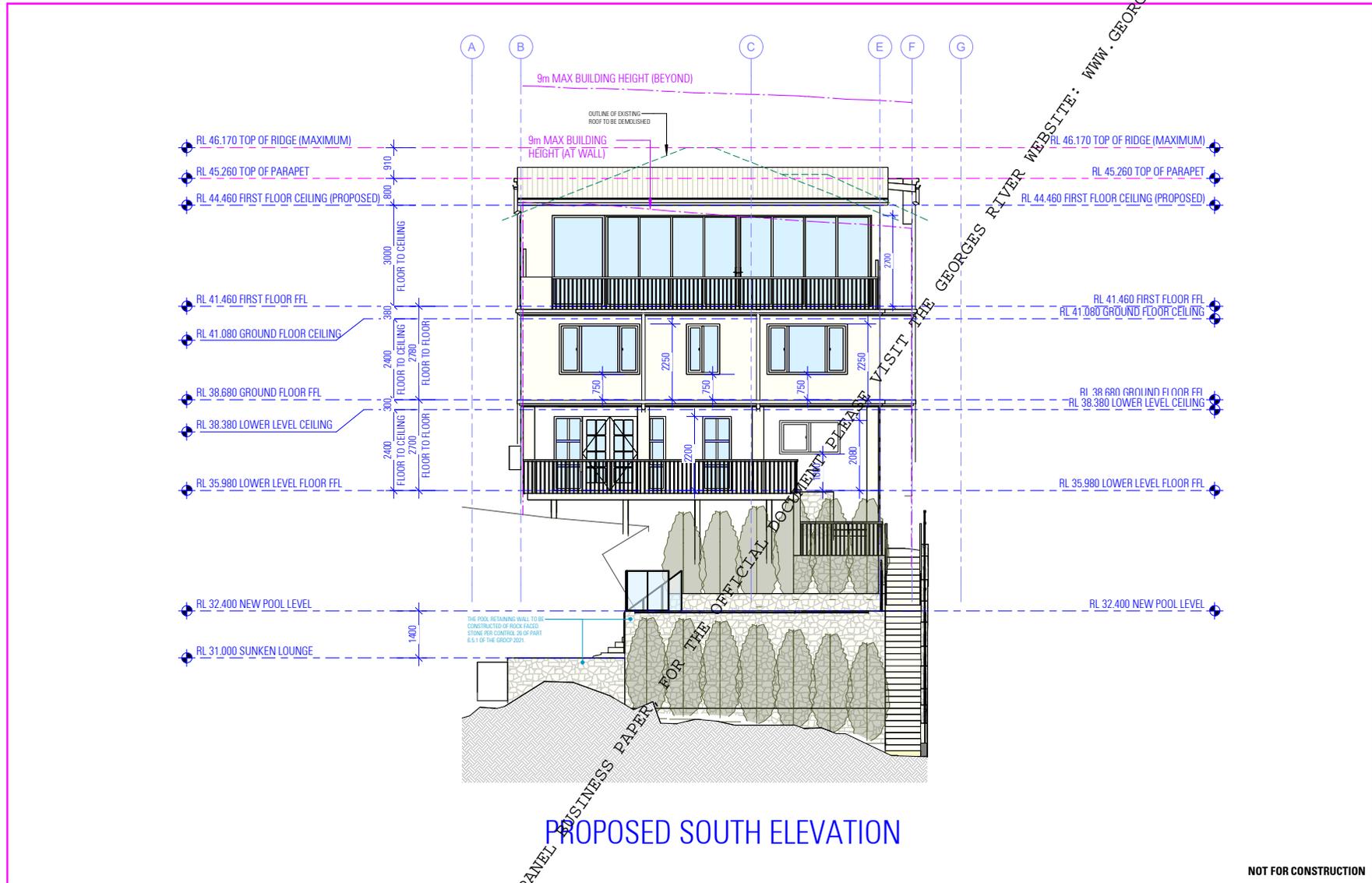
SHADY FARAG

**DRAWING**  
 PROPOSED ELEVATIONS SHEET 2

SCALE 1:100/A3  
 ISSUE D

DWG No. 25175 - 301

VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU  
 GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER, FOR THE OFFICIAL DOCUMENT PLEASE

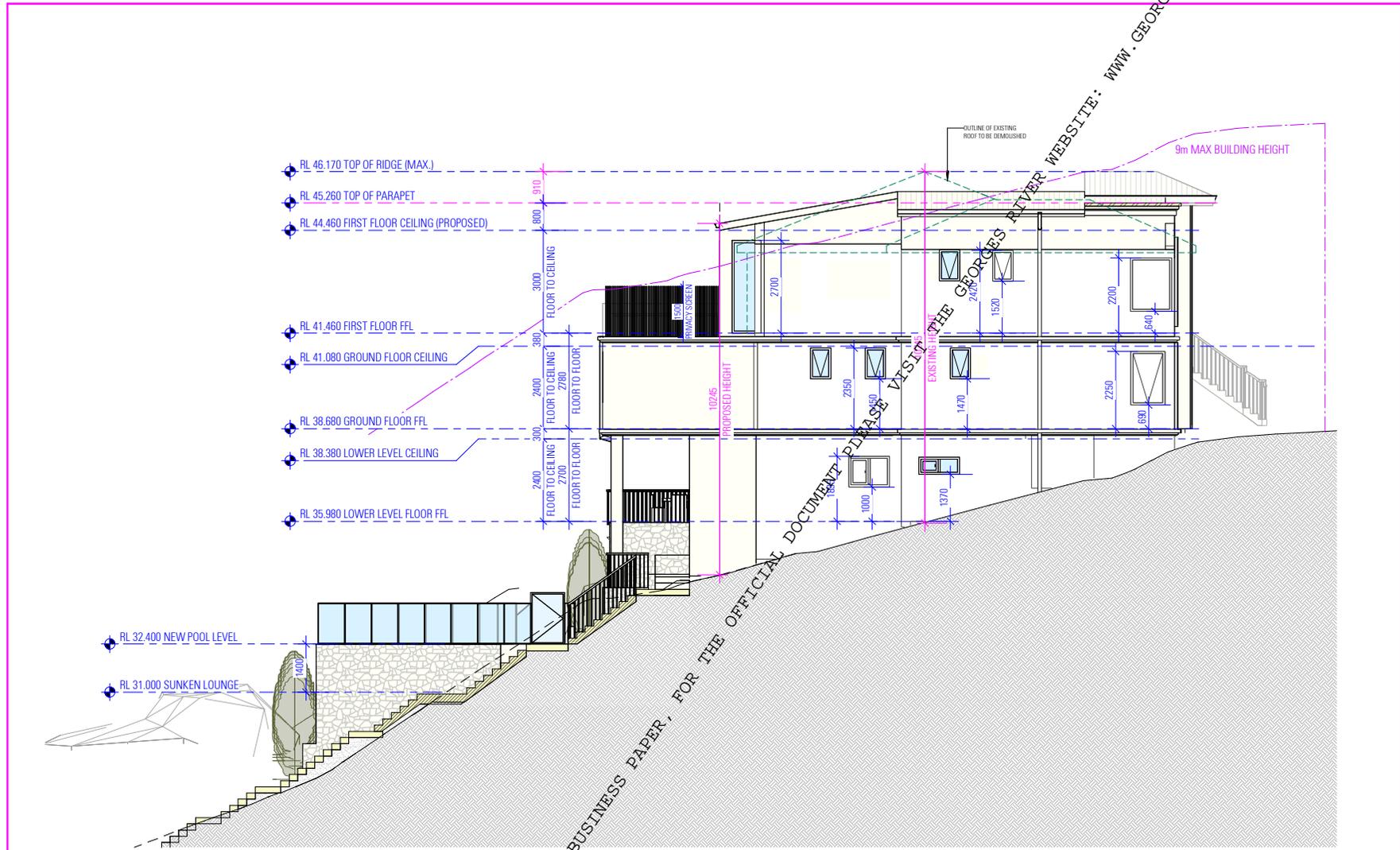


PROPOSED SOUTH ELEVATION

NOT FOR CONSTRUCTION

<p><b>NOTES</b></p> <ol style="list-style-type: none"> <li>1. ALL DIMENSIONS ARE IN MILLIMETERS</li> <li>2. VERIFY ALL DIMENSIONS ON SITE</li> <li>3. DO NOT SCALE. USE FIGURED DIMENSIONS ONLY</li> <li>4. VERIFY ALL DISCREPANCIES WITH THE DESIGNER</li> <li>5. ALL WORKS TO COMPLY WITH THE NATIONAL CONSTRUCTION CODE (NCC) &amp; AUSTRALIAN STANDARDS</li> </ol>	<p><b>COPYRIGHT</b></p> <p>THESE DRAWINGS HAVE BEEN PREPARED BY ES DESIGN AND SHALL REMAIN THE PROPERTY OF THE SAME. NO PORTION OF THESE DRAWINGS, WHETHER IN PART OR WHOLE, SHALL BE USED IN ANY FORM, REPRODUCED OR OTHERWISE, WITHOUT PRIOR WRITTEN PERMISSION OF THE DESIGNER. THESE DRAWINGS ARE SUBJECT TO COPYRIGHT LAWS.</p>	<table border="1"> <thead> <tr> <th>ISSUE</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>D</td> <td>06.02.25</td> <td>RESPONSE TO LETTER OF ASSESSMENT</td> </tr> <tr> <td>A</td> <td>30.09.25</td> <td>ISSUED FOR DEVELOPMENT APPLICATION</td> </tr> </tbody> </table>	ISSUE	DATE	DESCRIPTION	D	06.02.25	RESPONSE TO LETTER OF ASSESSMENT	A	30.09.25	ISSUED FOR DEVELOPMENT APPLICATION	 <p>es.au</p>		<p><b>ALTERATIONS AND ADDITIONS</b></p> <p>58A ALGERNON STREET OATLEY NSW 2223</p> <p>DESIGN NATALIA DUNDOVIC DRAFTED NATALIA DUNDOVIC</p>	<p><b>DRAWING</b></p> <p>PROPOSED ELEVATIONS SHEET 3</p> <p>SCALE 1:100 / A3 ISSUE D</p> <p>DWG No. 25175 - 302</p>
ISSUE	DATE	DESCRIPTION													
D	06.02.25	RESPONSE TO LETTER OF ASSESSMENT													
A	30.09.25	ISSUED FOR DEVELOPMENT APPLICATION													





**NOTES**  
 1. ALL DIMENSIONS ARE IN MILLIMETERS  
 2. VERIFY ALL DIMENSIONS ON SITE  
 3. DO NOT SCALE. USE FIGURED DIMENSIONS ONLY  
 4. VERIFY ALL DISCREPANCIES WITH THE DESIGNER  
 5. ALL WORKS TO COMPLY WITH THE NATIONAL CONSTRUCTION CODE (NCC) & AUSTRALIAN STANDARDS

**COPYRIGHT**  
 THESE DRAWINGS HAVE BEEN PREPARED BY ES DESIGN AND SHALL REMAIN THE PROPERTY OF THE SAME. NO PORTION OF THESE DRAWINGS, WHETHER IN PART OR WHOLE, SHALL BE USED IN ANY FORM, REPRODUCED OR OTHERWISE, WITHOUT PRIOR WRITTEN PERMISSION OF THE DESIGNER. THESE DRAWINGS ARE SUBJECT TO COPYRIGHT LAWS.

ISSUE	DATE	DESCRIPTION
D	06.02.26	RESPONSE TO LETTER OF ASSIGNMENT
C	30.01.26	ISSUED FOR COUNCIL COMMENTS
B	16.07.25	ISSUED FOR COUNCIL COMMENTS
A	30.09.25	ISSUED FOR DEVELOPMENT APPLICATION



**ALTERATIONS AND ADDITIONS**  
 58A ALGERNON STREET  
 OATLEY NSW 2223  
 DESIGN: NATALIA DUNDOVIC  
 DRAFTED: DARKO KUZMANDOVSKI  
 SHADY FARAG

**DRAWING**  
 LONGITUDINAL EAST ELEVATION  
 SCALE: 1:100/A3  
 ISSUE: D  
 DWG No. 25175 - 304

NOT FOR CONSTRUCTION



Application to Vary a Development Standard  
Pursuant to Clause 4.6 of the Standard Instrument

Variation to Clause 4.3 Height of Buildings  
Alterations and additions to existing two storey dwelling house  
with swimming pool

58A Albern Street, Oatley NSW 2223

Client: Shady Farag  
Project No: 25175  
Date: February, 2026  
Prepared By: Nikola Verusheski

Title	Version	Prepared By	Checked by	Date
Variation to a Development Standard	3	NV / JG	EE	February, 2026

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER, FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



**1 APPLICATION DETAILS**

The details of the proposal in summary are:

The proposed development is for alterations and additions to existing two storey dwelling house with swimming pool.

The request relates to vary Clause 4.3 Height of Buildings of the Georges River Local Environmental Plan 2021, the maximum building height for developments in Zone R2 Low Density Residential.

**Note:** This document is prepared pursuant to the amendment to the Standard Instrument LEP Order (Amending Order) the amendment of Environmental Planning and Assessment Regulation 2021 (Regulation Amendment) and amendments to environmental planning instruments through the State Environmental Planning Policy Amendment (Exceptions to Development Standards) 2023 (Amending SEPP) dated 1 November 2023.

**2 PROPOSED VARIATION**

The applicant seeks approval for the following variation to the following development standards contained within the Georges River Local Environmental Plan 2021:

**2.1. OBJECTIVES OF THE PLAN**

Clause 1.2 Aims of the Plan

The particular aims of this Plan are as follows	
(aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,	NOT APPLICABLE
(a) to provide for housing choices to cater for changing demographics and population needs,	COMPLIES
(b) to provide for a range of business uses which promote employment and economic growth and contribute to the viability and vibrancy of centres,	NOT APPLICABLE
(c) to promote and facilitate an ecologically and economically sustainable and vegetated urban environment in which the needs and aspirations of the community are realised,	COMPLIES
(d) to provide for a range of recreational, social, cultural and community service opportunities to meet the needs of the Georges River community,	COMPLIES
(e) to protect and preserve the natural, built, cultural and Aboriginal heritage of Georges River and to build upon and enhance the character of local areas,	COMPLIES
(f) to promote a high standard of urban design and built form,	COMPLIES
(g) to protect, preserve and enhance the natural landform, vegetation and open space, especially foreshores or bushland, in order to maintain landscape amenity and public access and use,	COMPLIES
(h) to protect, maintain and improve waterway health to achieve the environmental values of the community and uses for waterways,	COMPLIES
(i) to facilitate infrastructure to support new development,	COMPLIES
(j) to promote and facilitate transit-oriented development that encourages the use of public transport, cycling and walking.	COMPLIES

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



- Clause 4.3 Height of Buildings

Requirement	Existing	Approved under DA2023/0117	Proposed	Variation	% Variation
Building Height (max. 9m)	10.245m	10.3m	10.245m	YES	43.83%

**3 HEADS OF CONSIDERATION PURSUANT TO CLAUSE 4.6 OF THE STANDARD INSTRUMENT**

- (1) Objectives Of the Clause

**(1A) To provide an appropriate degree of flexibility in applying certain development standards to particular development.**

Response:

The purpose of this aim is to allow for developments with pre-existing constraints preventing full compliance with the Georges River LEP 2021 to still achieve a well-thought out and responsive design. The subject site is located on a steep terrain and has a rear slope by 34.65%. This 4.6 Variation allows the opportunity to support this proposed alterations and additions development and the variation of building height, which already has an existing non-compliance.

**(1B) To achieve better outcomes for and from development by allowing flexibility in particular circumstances.**

Response:

The variation to the building height enables the delivery of a well-designed two to three storey dwelling that responds to the demand for higher quality housing and contributes positively to the built environment. Importantly, the proposed ground floor extension does not create the non-compliance. The minor variation is confined solely to an existing portion of the rear of the dwelling already exceeding 9m in height. As such, the proposal does not introduce new areas of non-compliance but instead rationalises the form through a flat roof design, reducing overall bulk and visual prominence while improving architectural presentation.

- (2) Development consent may subject to this clause, be granted.

**For development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.**

Response:

Noted – the proposed variation is for Clause 4.3 under the GRLEP2021.

- (3) Development consent must not be granted to development that contravenes a development standard unless the consent authority is satisfied the applicant has demonstrated that:

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL MEETING PAPER, FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER LOCAL PLANNING PANEL WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



**(3A) Compliance with the development standard is unreasonable or unnecessary in the circumstances, and**

**Response:**

The NSW Land and Environment Court in *Four2 Five Pty LTD v Ashfield Council* [2015] NSWLEC 90, considered how this question may be answered and referred to the earlier Court decision in *Wehbe v Pittwater Council* [2007] NSWLEC 827. The court provided five tests as follows that can be used as prompts to answer the above question in relation to your application.

**Note:** *These five tests are not exhaustive of the ways in which you might demonstrate that compliance with a development standard is unreasonable or unnecessary; they are merely the most commonly invoked ways. You do not need to establish all of the ways. It may be sufficient to establish only one way, although if more ways are applicable, you can demonstrate that compliance is unreasonable or unnecessary in more than one way.*

**Test 1:**

The objectives of the standard are achieved notwithstanding non-compliance with the standard:

**Height of buildings**

(1) The objectives of this clause are as follows:

- (a) To ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality,**

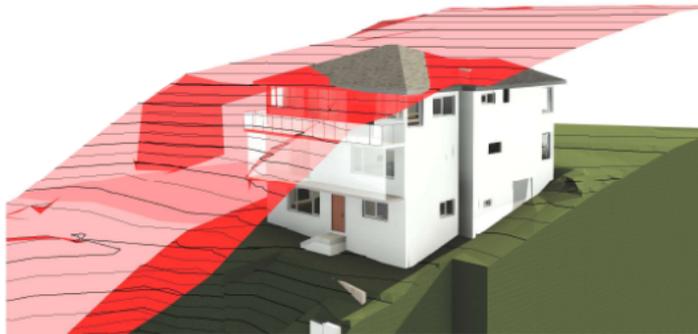
**Response:**

The site is within a low-density residential area characterised by a mix of one- and two-storey dwellings along Algernon Street. The proposal is consistent with the desired future character of the locality, providing a contemporary two-storey dwelling form to the street that sits comfortably below the 9m height standard.

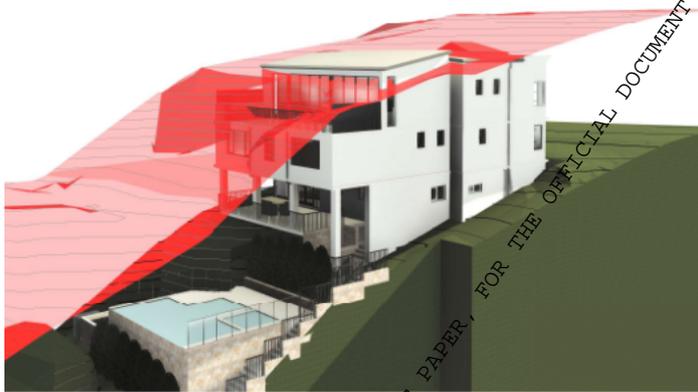
From the waterway, the dwelling will present as three storeys due to the natural topography, however the built form has been carefully designed with high-quality architectural detailing that significantly improves on the presentation of the existing dwelling. This ensures the development integrates positively with the locality while enhancing visual amenity.

The minor exceedance of the height standard (10.245m proposed and existing) is negligible, occurring only over portions of the dwelling already above 9m. Importantly, the variation will not be perceptible to the casual observer and does not generate any additional visual, amenity or overshadowing impacts. On the contrary, replacing the existing pitched roof with a flat roof reduces visual bulk, resulting in a more recessive built form that better complements adjoining development (figure 1).

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PLAN. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



EXISTING 3D HEIGHT COMPLIANCE



PROPOSED 3D HEIGHT COMPLIANCE

Figure 1: Existing and proposed 3D Height Building Plane

It is also noted that the proposed wall height remains below that previously approved under DA2023/0117 (10.3m), which adopted a similar flat parapet roof form. Accordingly, the variation is both minor and justified on planning merit, achieving the objectives of the height standard and the broader planning framework.

**(b) To minimise the impact of overshadowing, visual impact, disruption of views and loss of privacy on adjoining properties and open space areas,**

Response:

The new roof and height non-compliance will not have any privacy or overshadowing impacts on the neighbouring properties.

**Test 2**

The underlying object or purpose of the standard is not relevant to the development and compliance is unnecessary:

Response

The objective of the Clause 4.3 is to maintain the low-density residential character in R2 zone by controlling the building height to maximum 9m. The site has a rear slope of 34.65%, which influences the building design and its compliance with height controls.

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUILDINGS PAPER, FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



Regarding the front elevation, the proposed building height is compliant with the GRLEP2021. The height exceedance will only be visible from the waterfront. The proposed non-compliance is not visible from Algernon Street, given the topography of the land.

For all other elevations, the non-compliance with building height is a result of existing conditions, with no further changes proposed. Given the existing site topography and the constraints of the current built form, achieving full compliance with the height controls is not feasible for the site.

The outcome of the proposal is bringing more design values to the building which break the blankness of the development. It would complement the Georges River waterway and offer better design qualities on this area. As such, having compliant dwelling would not have better outcome than this project. Collectively, the consequence of compliance in this circumstance is unnecessary.

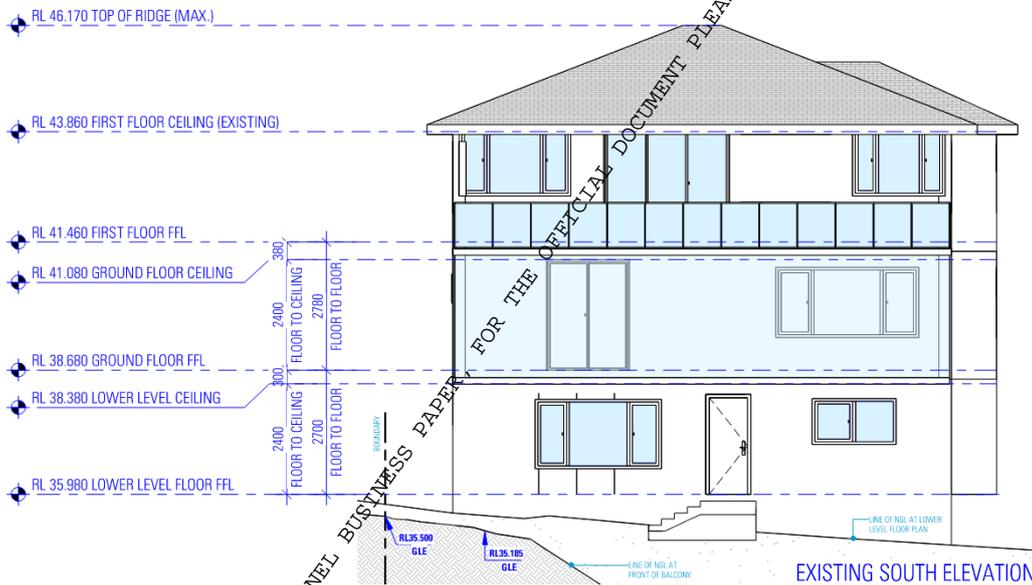


Figure 2: Existing South Elevation

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER FOR THE OFFICIAL DOCUMENT PLEASE GO TO THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



WWW.GEORGESRIVER.NSW.GOV.AU



PROPOSED SOUTH ELEVATION

Figure 3: Proposed South Elevation

**Test 3:**

The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable:

**Response:**

It would be unreasonable to attempt to achieve compliance as the existing ground floor and RLs are proposed to remain. Any attempt to achieve compliance would result in the need for a brand-new build which is not considered within the scope of the project and would also face the challenges with designing around a steep slope.

**Test 4:**

The development standard has been virtually abandoned or destroyed by the council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable:

**Response:**

Not applicable

**Test 5:**

The compliance with development standard is unreasonable or inappropriate due to existing use of land and current environmental character of the particular parcel of land. That is, the particular parcel of land should not have been included in the zone:

**Response:**

Not applicable as zoning is appropriate.

THIS IS THE PRINTED COPY OF THE PROCEEDINGS OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER

FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE



The breach of the development standard happens as a result of the Development Application responding to the unique constraints of the site. We understand that the Georges River Local Environmental Plan 2021 have been made to apply to the whole George River local government area in general. However, every site is unique and the LEP and DCP could not be suitable for every single lot, we believe that council should assess this project based on merits and good urban design outcomes that are achieved.

The strict compliance of building height would be both unreasonable and unnecessary. This is due both to the circumstances that give rise to the variation and the lack of any resultant impacts. This resultant building form of two storey dwelling is clearly within the scale envisaged by the planning controls. It retains a scale in keeping with these controls and the existing and anticipated urban design outcomes in this low-density area.

**(3B) There are sufficient environmental planning grounds to justify the contravention of the development standard.**

Response

The maximum building height is 9m under GRLEP 2021. The site already breaches this control with the greatest variation at the rear elevation to the first-floor roof. The proposed non-compliance variation is a maximum of 1.245m when measured to the edge of the highest point of the proposed roof.

The non-compliances with the building height are limited to a relatively minor area of the roof of the proposed dwelling as a result of the sites sudden and steep topography.

The non-compliance does not take any floor space ratio or cause any adverse impacts.

The proposal also promotes to retain and improve the existing dwelling rather than a new build, which can often be more costly and generate more waste during construction. The proposed alterations and additions will also offer incentive and showcase the benefits of upgrading dwelling stock to the neighbouring sites.

**Note:** The Environmental Planning and Assessment Regulation 2021 requires a development application for development that proposes to contravene a development standard to be accompanied by a document setting out the grounds on which the applicant seeks to demonstrate the matters in paragraphs (a) and (b).

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU





(8) This clause does not allow development consent to be granted for development that would contravene any of the following:

**(a) a development standard for complying development,**

**(b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated, (ba) clause 4.4, to the extent that it applies to land in Zone B4 that has a maximum floor space ratio of 3:1,**

**(c) clause 5.4,**

**(caa) clause 5.5,**

**(ca) clause 6.27.**

Response:

Not applicable to the proposal.

**4 CONCLUSION**

---

For the above reasons, it is considered pursuant to Clause 4.6 of GRLEP 2021 this written request addresses that strict compliance with the maximum building height is unreasonable and unnecessary particular to the circumstance of the case and there are sufficient environmental planning grounds to justify the contravention. Notwithstanding, the development has also demonstrated an outcome that is ideal in consistent with the objectives of Clause 4.6 of the GRLEP 2021.

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

## REPORT TO GEORGES RIVER LOCAL PLANNING PANEL MEETING OF THURSDAY, 02 APRIL 2026

### LPP016-26 9 STUART CRESCENT BLAKEHURST

<b>LPP Report No</b>	<b>LPP016-26</b>	<b>Development Application No</b>	<b>DA2025/0456</b>
<b>Site Address &amp; Ward Locality</b>	9 Stuart Crescent Blakehurst Blakehurst Ward		
<b>Proposed Development</b>	Restorative and rectification works to existing car parking structure		
<b>Owners</b>	George Michael Thomas		
<b>Applicant</b>	Danny Mitrevski		
<b>Planner/Architect</b>	Structability Consulting Engineers		
<b>Date Of Lodgement</b>	13/10/2025		
<b>Submissions</b>	0		
<b>Cost of Works</b>	\$58,520		
<b>Local Planning Panel Criteria</b>	Proposed works on a State Heritage listed item known as 'Thurlow House'		
<b>List of all relevant s.4.15 matters (formerly s79C(1)(a))</b>	State Environmental Planning Policy (Resilience and Hazards) 2021, State Environmental Planning Policy (Transport and Infrastructure) 2021, Georges River Local Environmental Plan 2021 (GRLEP2021), Georges River Development Control Plan (GRDCP2021)		
<b>List all documents submitted with this report for the Panel's consideration</b>	Architectural Plans, assessment report, heritage impact assessment, stormwater drainage concept plan, Statement of Environmental Effects, schedule of external finishes		
<b>Report prepared by</b>	Development Assessment Planner		

<b>RECOMMENDATION</b>	Approval
-----------------------	----------

### EXECUTIVE SUMMARY

This matter is reported to Georges River Council's Local Planning Panel (the Panel) in accordance with Schedule 1, Part 4 of the Local Planning Panels Direction – Development Applications and Applications to Modify Development Consents, issued by the Minister for Planning and Public Spaces under section 9.1 of the Environmental Planning and Assessment Act 1979.

The development application must be referred to the Panel for determination as it involves alterations or additions to an existing heritage item.

## PROPOSAL

The existing car parking structure is linked to the house by a bridge. The house and carport structure are design by Harry Sieler and identified as an item of heritage significance, known as 'Thurlow House'. (Item No.1319), which is listed on Schedule 5 of GRLEP 2021 and the State Heritage Register (SHR) (SHR Item No.01980), administered under the Heritage Act 1977.

The Development Application seeks consent for restorative and rectification works to the existing car parking structure following physical damage caused by a fallen tree. The proposed works are limited to like-for-like replacement and reinstatement of affected building elements and comprise the following:

- Demolition of the damaged portion only of the existing car parking structure
- Removal and replacement of the existing steel roller door
- Removal of the Trimdek roof sheeting to both the car parking structure and the roof over the adjoining pedestrian bridge, and installation of replacement sheeting
- Removal and replacement of the internal ceiling lining within the car parking structure
- Removal and replacement of the highlight window located on the rear elevation of the structure

The works are restorative in nature and do not alter the footprint, height, use or overall built form of the existing structure.



**Figure 1:** Photograph of the subject site March 2026

## ASSESSMENT

Development Application DA2025/0456 has been assessed having regard to the matters for consideration contained in section 4.15(1) of the *Environmental Planning and Assessment Act 1979*, requiring an assessment against the provisions contained within:

- State Environmental Planning Policy (SEPP) (Resilience and Hazards) 2021
- State Environmental Planning Policy (SEPP) (Transport and Infrastructure) 2021

- Georges River Local Environmental Plan 2021 (GRLEP 2021)
- Georges River Development Control Plan 2021 (GRDCP 2021)

The proposal generally complies with the provisions of these planning instruments and is acceptable on both planning and heritage grounds, with the exception of one matter concerning the unauthorised enclosure of the carport. This issue has been resolved through the imposition of an appropriate condition of consent.

The assessment confirmed that the dwelling was originally constructed with an open carport structure connected to the main building via a covered bridge. The installation of a roller door enclosed this area, effectively converting the open carport into a garage. A search of Council's records indicates that no development approval was ever granted for this enclosure. In addition to its unauthorised status, the enclosed form was identified as an unsympathetic alteration that detracts from the original architectural intent of the dwelling. Council's heritage consultant did not support the retention or replacement of the roller door for this reason.

To ensure an appropriate heritage outcome, a condition of consent requires the removal of the roller door and expressly prohibits its reinstatement. With this matter addressed, the remaining works (being restorative in nature) are considered satisfactory and consistent with the GRLEP 2021, GRDCP 2021 and the relevant SEPPs.

An assessment of the information submitted in support of the application and subject to the recommended conditions of consent, the proposal is suitable for approval. A detailed assessment and compliance commentary is provided in the attached Assessment Report.



**Figure 2:** Photograph of the subject site in the 1950s. The garage at that time has no door (Source: Heritage NSW)

## NOTIFICATION

The application was publicly notified for 28 days in accordance with the Georges River Community Engagement Strategy. No submissions were received during the notification period.

## RECOMMENDATION

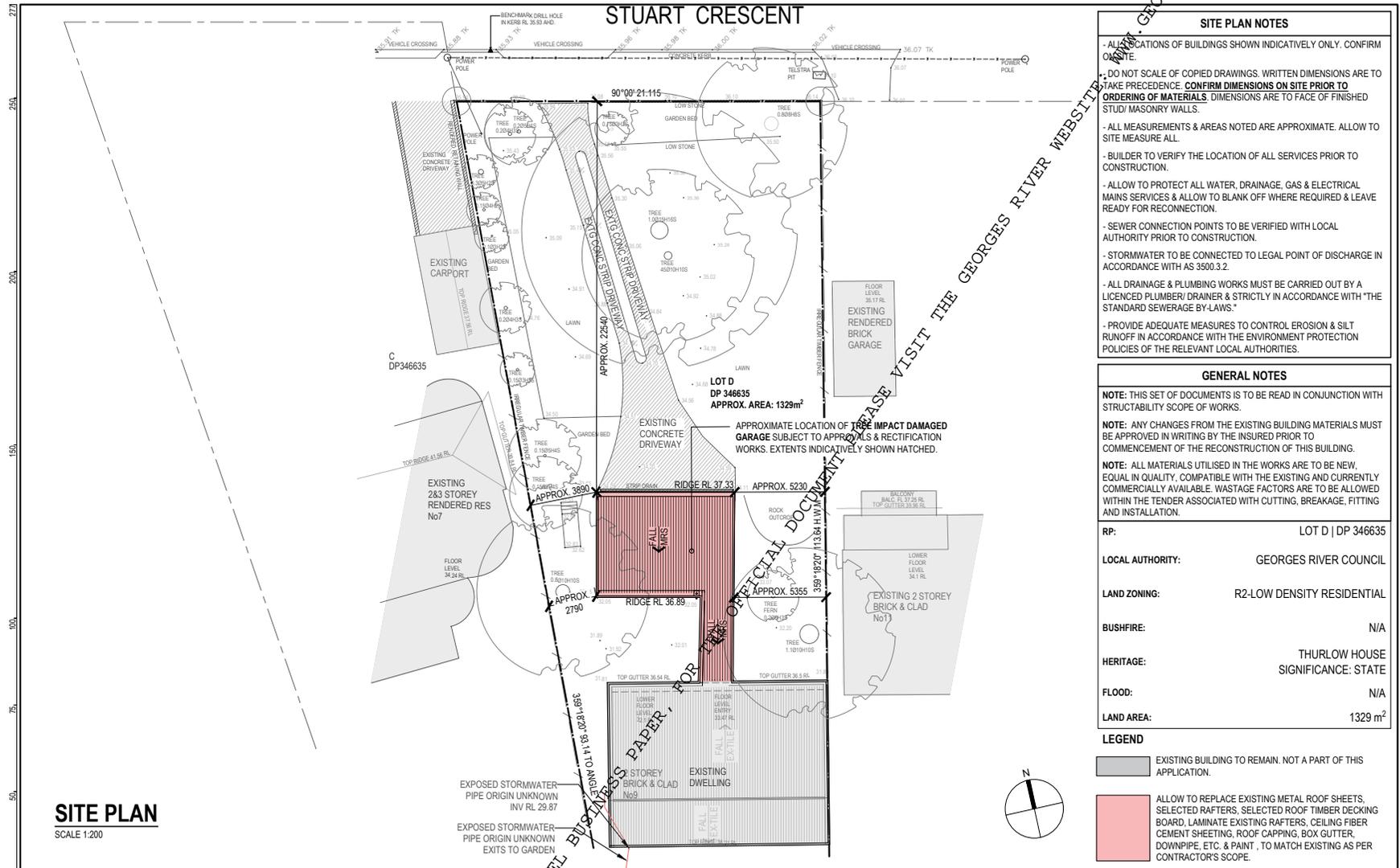
In accordance with Section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979, Development Application DA2025/0456 for alterations and additions to the existing garage structure associated with the heritage-listed dwelling at 9 Stuart Crescent, Blakehurst, is recommended for approval subject to the recommended conditions contained in Council's assessment report.

The reasons for this recommendation are:

- The proposed development is permissible within the R2 Low Density Residential zone under the Georges River Local Environmental Plan 2021.
- The proposal has been assessed against all relevant State Environmental Planning Policies, the Georges River Local Environmental Plan 2021 and the Georges River Development Control Plan 2021 and is generally compliant with applicable provisions.
- The development consists of like-for-like restorative works to repair damage caused by a fallen tree and does not alter the building's height, footprint, bulk, form or landscape setting.
- The only identified issue relates to the unauthorised enclosure of the original open carport structure, which is inconsistent with the heritage significance of the item (Thurlow House). This matter has been appropriately addressed through a condition of consent requiring removal of the roller door and reinstatement of the original open carport form.
- Council's Heritage Advisor supports the proposal subject to conditions, including reinstatement of the carport, heritage-qualified supervision during works and compliance with the Heritage Act 1977 requirements.
- The development will not result in unreasonable environmental, visual, amenity or coastal impacts, with all works confined to the existing structure and footprint.
- No submissions were received during the public notification period.
- Subject to the recommended conditions (including removal of the enclosure, heritage oversight, site protection, and construction management) the proposal will not have adverse impacts on the natural or built environment or on the amenity of adjoining properties.
- Approval of the application is in the public interest, providing for the conservation of a State-listed heritage item while enabling necessary rectification works to damaged fabric.

## ATTACHMENTS

- Attachment [↓1](#) Architectural Plans - 9 Stuart Crescent, Blakehurst NSW 2221 - DA2025-0456
- Attachment [↓2](#) Assessment Report - 9 Stuart Crescent Blakehurst DA2025-0456



**SITE PLAN**  
SCALE 1:200

- SITE PLAN NOTES**
- ALL LOCATIONS OF BUILDINGS SHOWN INDICATIVELY ONLY. CONFIRM ON SITE.
  - DO NOT SCALE OF COPIED DRAWINGS. WRITTEN DIMENSIONS ARE TO TAKE PRECEDENCE. **CONFIRM DIMENSIONS ON SITE PRIOR TO ORDERING OF MATERIALS.** DIMENSIONS ARE TO FACE OF FINISHED STUDY/ MASONRY WALLS.
  - ALL MEASUREMENTS & AREAS NOTED ARE APPROXIMATE. ALLOW TO SITE MEASURE ALL.
  - BUILDER TO VERIFY THE LOCATION OF ALL SERVICES PRIOR TO CONSTRUCTION.
  - ALLOW TO PROTECT ALL WATER, DRAINAGE, GAS & ELECTRICAL MAINS SERVICES & ALLOW TO BLANK OFF WHERE REQUIRED & LEAVE READY FOR RECONNECTION.
  - SEWER CONNECTION POINTS TO BE VERIFIED WITH LOCAL AUTHORITY PRIOR TO CONSTRUCTION.
  - STORMWATER TO BE CONNECTED TO LEGAL POINT OF DISCHARGE IN ACCORDANCE WITH AS 3500.3.2.
  - ALL DRAINAGE & PLUMBING WORKS MUST BE CARRIED OUT BY A LICENCED PLUMBER/ DRAINER & STRICTLY IN ACCORDANCE WITH THE STANDARD SEWERAGE BY LAWS.
  - PROVIDE ADEQUATE MEASURES TO CONTROL EROSION & SILT RUNOFF IN ACCORDANCE WITH THE ENVIRONMENT PROTECTION POLICIES OF THE RELEVANT LOCAL AUTHORITIES.

- GENERAL NOTES**
- NOTE:** THIS SET OF DOCUMENTS IS TO BE READ IN CONJUNCTION WITH STRUCTABILITY SCOPE OF WORKS.
- NOTE:** ANY CHANGES FROM THE EXISTING BUILDING MATERIALS MUST BE APPROVED IN WRITING BY THE INSURED PRIOR TO COMMENCEMENT OF THE RECONSTRUCTION OF THIS BUILDING.
- NOTE:** ALL MATERIALS UTILISED IN THE WORKS ARE TO BE NEW, EQUAL IN QUALITY, COMPATIBLE WITH THE EXISTING AND CURRENTLY COMMERCIALY AVAILABLE. WASTAGE FACTORS ARE TO BE ALLOWED WITHIN THE TENDER ASSOCIATED WITH CUTTING, BREAKAGE, FITTING AND INSTALLATION.
- RP:** LOT D | DP 346635
- LOCAL AUTHORITY:** GEORGES RIVER COUNCIL
- LAND ZONING:** R2-LOW DENSITY RESIDENTIAL
- BUSHFIRE:** N/A
- HERITAGE:** THURLOW HOUSE SIGNIFICANCE: STATE
- FLOOD:** N/A
- LAND AREA:** 1329 m<sup>2</sup>

- LEGEND**
- EXISTING BUILDING TO REMAIN. NOT A PART OF THIS APPLICATION.
  - ALLOW TO REPLACE EXISTING METAL ROOF SHEETS, SELECTED RAFTERS, SELECTED ROOF TIMBER DECKING BOARD, LAMINATE EXISTING RAFTERS, CEILING FIBER CEMENT SHEETING, ROOF CAPPING, BOX GUTTER, DOWNPIPE, ETC. & PAINT, TO MATCH EXISTING AS PER CONTRACTOR'S SCOPE.

**STRUCTABILITY**  
CONSULTING ENGINEERS

www.structability.com.au PO Box 596 KOGARAH, NSW 1485  
02 8958 3531 Level 2, 631 Princess Highway, ROCKDALE, NSW 2216

REV	DATE	DESCRIPTION	BY	CHK
C1	20.08.2025	ISSUED FOR COMPLYING DEVELOPMENT CERTIFICATE	SG	DM
B1	08.09.2025	ISSUED FOR DEVELOPMENT APPLICATION	ZG	DM
B2	04.11.2025	DRAWINGS REVISED PRE-ISSUED	ZG	DM

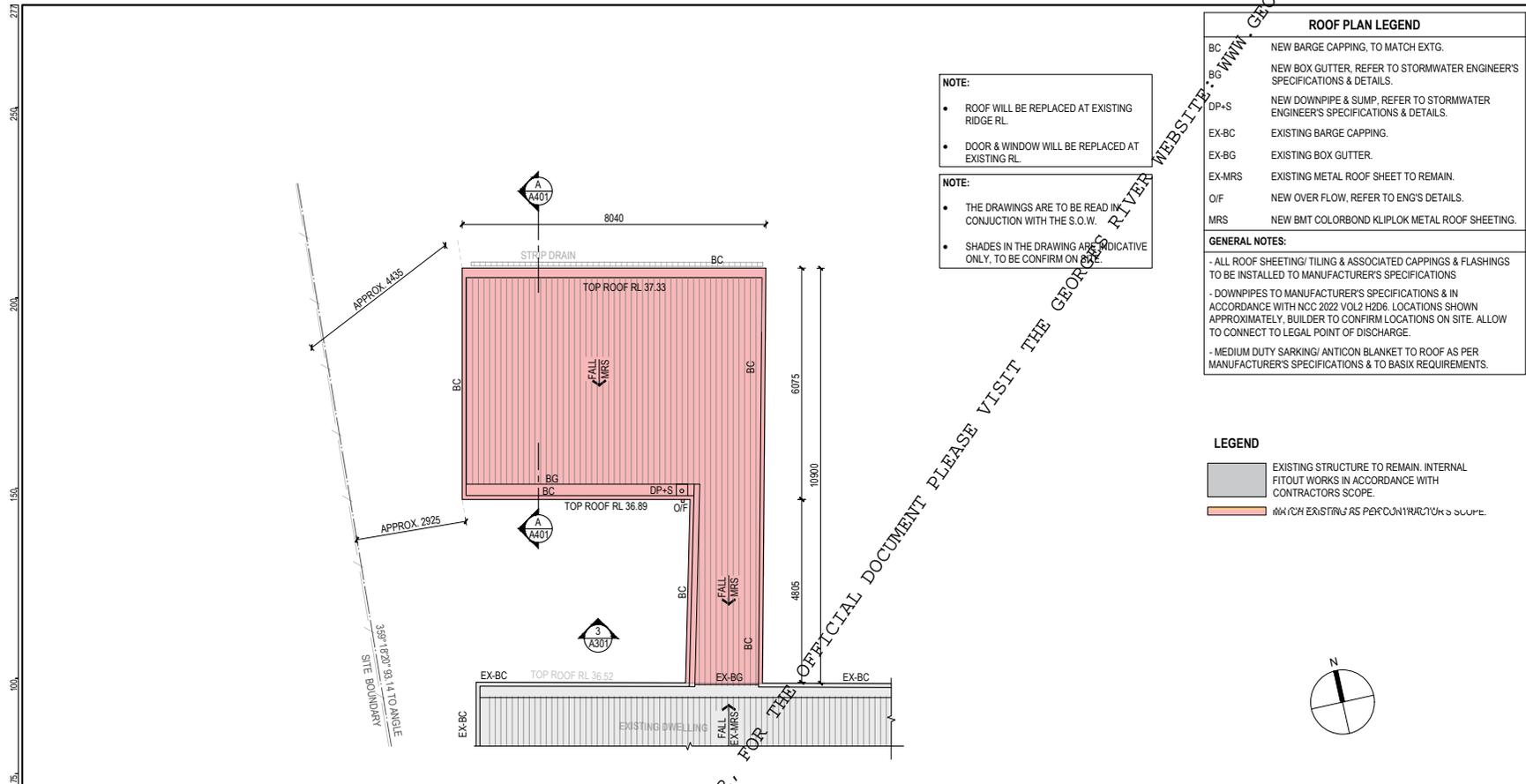
**ENGINEERS AUSTRALIA**  
CHARTERED

**SITE PLAN**

RECTIFICATION WORKS TO TREE IMPACT DAMAGED GARAGE AT 9 STUART CRESCENT, BLAKEHURST NSW 2221 MAGNA #29647

DEVELOPMENT APPLICATION	
SCALE AS NOTED	DATE JUL. 2025
DRAWN SG	CHECKED DM
APPROVED DM	SHEET A3
PROJECT NO. 202507-6050	ISSUE NO. A005
	REV. B2

VISIT THE GEORGES RIVER WEBSITE  
 OFFICIAL DOCUMENT  
 BUSINESS PAPER, FOR THE  
 GEORGES RIVER, NSW, GOV. AU



**NOTE:**

- ROOF WILL BE REPLACED AT EXISTING RIDGE RL.
- DOOR & WINDOW WILL BE REPLACED AT EXISTING RL.

**NOTE:**

- THE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH THE S.O.W.
- SHADES IN THE DRAWING ARE INDICATIVE ONLY, TO BE CONFIRM ON SITE.

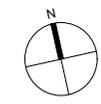
ROOF PLAN LEGEND	
BC	NEW BARGE CAPPING, TO MATCH EXTG.
BG	NEW BOX GUTTER. REFER TO STORMWATER ENGINEER'S SPECIFICATIONS & DETAILS.
DP+S	NEW DOWNPIPE & SUMP. REFER TO STORMWATER ENGINEER'S SPECIFICATIONS & DETAILS.
EX-BC	EXISTING BARGE CAPPING.
EX-BG	EXISTING BOX GUTTER.
EX-MRS	EXISTING METAL ROOF SHEET TO REMAIN.
O/F	NEW OVER FLOW. REFER TO ENG'S DETAILS.
MRS	NEW BMT COLORBOND KLIPLOK METAL ROOF SHEETING.

**GENERAL NOTES:**

- ALL ROOF SHEETING/ TILING & ASSOCIATED CAPPINGS & FLASHINGS TO BE INSTALLED TO MANUFACTURER'S SPECIFICATIONS
- DOWNPIPES TO MANUFACTURER'S SPECIFICATIONS & IN ACCORDANCE WITH NCC 2022 VOL2 H26. LOCATIONS SHOWN APPROXIMATELY. BUILDER TO CONFIRM LOCATIONS ON SITE. ALLOW TO CONNECT TO LEGAL POINT OF DISCHARGE.
- MEDIUM DUTY SARKING/ ANTICON BLANKET TO ROOF AS PER MANUFACTURER'S SPECIFICATIONS & TO BASIX REQUIREMENTS.

**LEGEND**

	EXISTING STRUCTURE TO REMAIN. INTERNAL FITOUT WORKS IN ACCORDANCE WITH CONTRACTORS SCOPE.
	MATCH EXISTING AS PER CONTRACTORS SCOPE.



**ROOF PLAN**  
SCALE 1:100

**STRUCTABILITY**  
CONSULTING ENGINEERS

www.structability.com.au PO Box 596 KOGARAH, NSW 1485  
02 8958 3531 Level 2, 631 Princess Highway, ROCKDALE, NSW 2216

REV	DATE	DESCRIPTION	BY	CHK
C1	20.08.2025	ISSUED FOR COMPLYING DEVELOPMENT CERTIFICATE	SG	DM
B1	08.09.2025	ISSUED FOR DEVELOPMENT APPLICATION	ZG	DM
B2	04.11.2025	DRAWINGS REVISED AND RE-ISSUED	ZG	DM

**ENGINEERS AUSTRALIA**  
CHARTERED

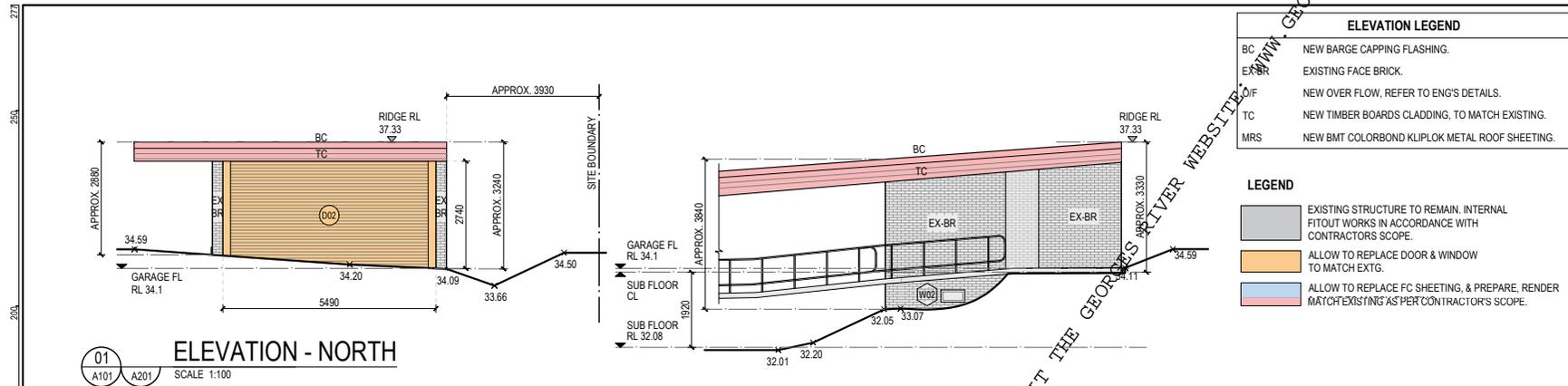
**ROOF PLAN**

PROJECT NO: 202507-6050

DESCRIPTION: RECTIFICATION WORKS TO TREE IMPACT DAMAGED GARAGE AT 9 STUART CRESCENT, BLAKEHURST NSW 2221 MAGNA #29647

DEVELOPMENT APPLICATION	
SCALE: AS NOTED	DATE: JUL. 2025
DRAWN: SG	CHECKED: DM
APPROVED: DM	SHEET: A3
PROJECT NO: 202507-6050	APP NO: A201
	REV: B2

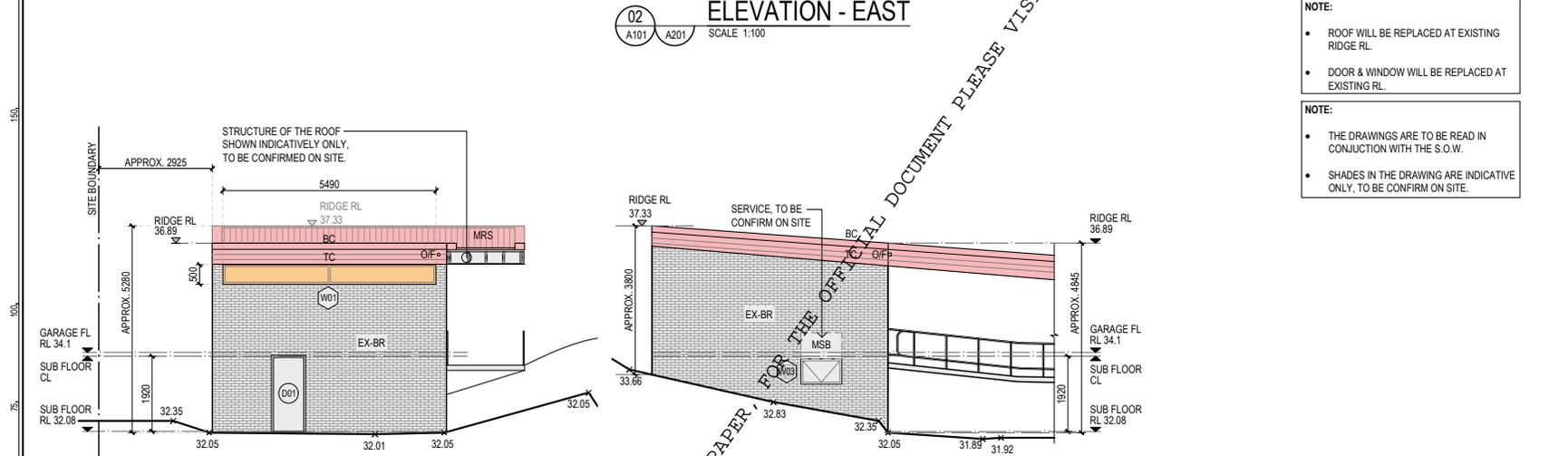
FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



ELEVATION LEGEND	
BC	NEW BARGE CAPPING FLASHING.
EX-BR	EXISTING FACE BRICK.
O/F	NEW OVER FLOW, REFER TO ENG'S DETAILS.
TC	NEW TIMBER BOARDS CLADDING, TO MATCH EXISTING.
MRS	NEW BMT COLORBOND KLIPLOK METAL ROOF SHEETING.

LEGEND	
[Grey Box]	EXISTING STRUCTURE TO REMAIN. INTERNAL FITOUT WORKS IN ACCORDANCE WITH CONTRACTORS SCOPE.
[Orange Box]	ALLOW TO REPLACE DOOR & WINDOW TO MATCH EXTG.
[Blue Box]	ALLOW TO REPLACE FC SHEETING, & PREPARE, RENDER MATCH EXISTING AS PER CONTRACTOR'S SCOPE.

- NOTE:**
- ROOF WILL BE REPLACED AT EXISTING RIDGE RL.
  - DOOR & WINDOW WILL BE REPLACED AT EXISTING RL.
- NOTE:**
- THE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH THE S.O.W.
  - SHADES IN THE DRAWING ARE INDICATIVE ONLY, TO BE CONFIRM ON SITE.



**STRUCTABILITY**  
CONSULTING ENGINEERS

www.structability.com.au PO Box 596 KOGARAH, NSW 1485  
02 8959 3531 Level 2, 631 Princess Highway, ROCKDALE, NSW 2216

AMENDMENTS			
REV	DATE	DESCRIPTION	BY / CHK
C1	20.08.2025	ISSUED FOR COMPLYING DEVELOPMENT CERTIFICATE	SG / DM
B1	08.09.2025	ISSUED FOR DEVELOPMENT APPLICATION	ZG / DM
B2	04.11.2025	DRAWINGS REVISED AND RE-ISSUED	ZG / DM

**ENGINEERS AUSTRALIA**  
CHARTERED

**ELEVATIONS**

PROJECT: RECTIFICATION WORKS TO TREE IMPACT DAMAGED GARAGE AT 9 STUART CRESCENT, BLAKEHURST NSW 2221 MAGNA #29647

DEVELOPMENT APPLICATION			
SCALE	AS NOTED	DATE	JUL. 2025
DRAWN:	SG	CHECKED:	DM
APPROVED:	DM	SHEET:	A3
PROJECT NO:	202507-6050	APP NO:	A301
		REV:	B2



WWW.GEORGESRIVER.NSW.GOV.AU

# Assessment Report

DA2025/0456

LOT D DP 346635

9 Stuart Crescent, Blakehurst NSW 2221

## Acknowledgment of Country

Georges River Council acknowledges the Bidjigal people of the Eora Nation, who are the Traditional Custodians of all lands, waters and sky in the Georges River area. Council recognises Aboriginal and Torres Strait Islander peoples as an integral part of the Georges River community and values their social and cultural contributions. We pay our respect to their Elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples who live work and meet on these lands.

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



**Report Summary ..... 3**

**Proposal..... 3**

**Site and Locality..... 4**

    Site Description ..... 4

    Aerial Image of Land Zoning..... 5

    Aerial Image of Site ..... 5

**Background ..... 5**

    History ..... 5

**Assessment - Section 4.15 Evaluation..... 6**

    The provisions of any environmental planning instrument (EPI)..... 6

    The Provisions of any applicable Act..... 6

    The Provision of any Applicable State Environmental Planning Policy (SEPPs)..... 7

    The Provisions of any Local Environmental Plan ..... 8

        Georges River Local Environmental Plan 2021 ..... 8

    Provisions of any Proposed Instrument..... 12

    Provisions of any Development Control Plan ..... 12

    Georges River Development Control Plan 2020 ..... 12

    Any Planning Agreement Under Section 7.4..... 21

    The Regulations ..... 21

    The Likely Impacts of the Development ..... 21

    Site Suitability ..... 22

    Submissions ..... 22

    The Public Interest..... 22

**Referrals..... 22**

**Contributions..... 23**

**Conclusion..... 23**

**Determination ..... 24**

**Appendix 1 – Conditions ..... 24**

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



## Report Summary

The development has been assessed against the matters for consideration under section 4.15(1) of the *Environmental Planning and Assessment Act 1979*, together with the applicable provisions of SEPP (Resilience and Hazards) 2021, SEPP (Transport and Infrastructure) 2021, GELEP 2021 and GRDCP 2021. The proposed works are restorative, confined to the existing structure and footprint, and appropriately conserve the heritage significance of Thurlow House.

The only element that could not be supported is the unauthorised enclosure of the original open carport. This enclosure is not approvable and is inconsistent with the heritage significance of the item. This issue has been resolved through a condition requiring removal of the roller door, any unapproved walls and windows and reinstatement of the open carport form.

Having regard to the assessment and recommended conditions, the proposal will not result in adverse environmental, amenity, coastal or heritage impacts and is suitable for approval. It is therefore recommended that the Georges River Local Planning Panel, as the determining authority under section 4.16(1)(a) of the Act, grant development consent subject to the conditions outlined in the assessment report.

## Proposal

The Development Application No. 2025/0456 seeks consent for restorative and rectification works to the existing car parking structure following physical damage caused by a fallen tree. The proposed works are limited to like-for-like replacement and reinstatement of affected building elements and comprise the following:

- Demolition of the damaged portion only of the existing car parking structure
- Removal and replacement of the existing steel roller door
- Removal of the Trimdek roof sheeting to both the car parking structure and the roof over the adjoining pedestrian bridge, and installation of replacement sheeting
- Removal and replacement of the internal ceiling lining within the car parking structure
- Removal and replacement of the highlight window located on the rear elevation of the structure

The works are restorative in nature and do not alter the footprint, height, use or overall built form of the existing structure.







Figure 2 –Zoning of subject site outlined in red (Source: IntraMaps)

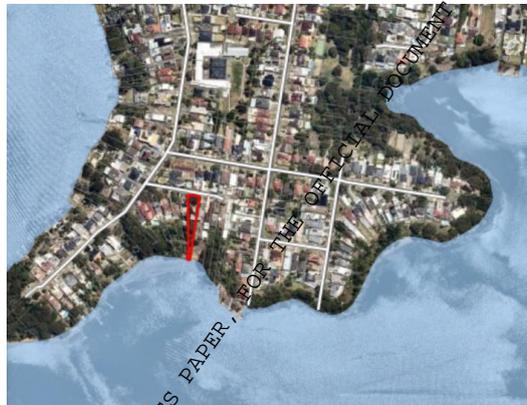


Figure 3–Aerial view of development site outlined in red (Source: IntraMaps)

## Background

### History

A search of the relevant Council records has not identified any recent applications submitted for the subject site.

The assessment confirmed that the dwelling was originally constructed with an open carport structure connected to the main building via a covered bridge. The installation of a roller door enclosed this area, effectively converting the open carport into a garage.

A search of Council's records indicates that no development approval has been granted for the enclosure of the carport to a garage. Figure 4 illustrated original approval as an open carport and figure 5 illustrates the unauthorised installation of the roller door. Figure 5 provides an image from recent site inspection undertaken.



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

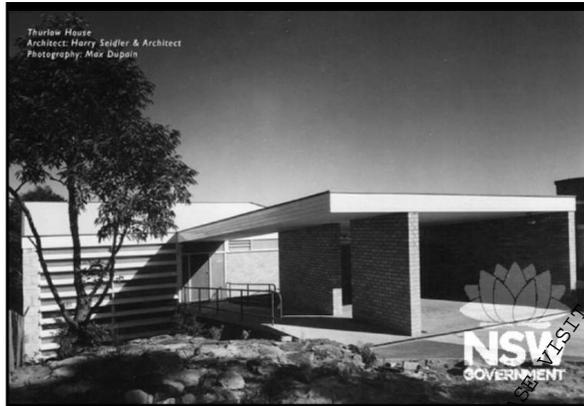


Figure 4: Photograph of the subject site in the 1950s. The garage at that time has no door (Source: Heritage NSW)



Figure 5: Subject garage (image taken facing South (Source: Assessing Officer))

## Assessment - Section 4.15 Evaluation

The following is an assessment of the application with regard to Section 4.15(1) Evaluation of the Environmental Planning and Assessment Act 1979.

### Section 4.15 (1) Matters for consideration – general

In determining an application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:

### The provisions of any environmental planning instrument (EPI)

Section 4.15 (1)(a)(i) The provisions of any environmental planning instrument (EPI)

### The Provisions of any applicable Act

The Coastal Management Act 2016 has been considered in the context of the requirements of Chapter 2 Coastal Management of SEPP (Resilience and Hazards) 2021.



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE FULL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



**The Provision of any Applicable State Environmental Planning Policy (SEPPs)**

SEPPs		Applicable	
Affection	SEPP Name	Yes	No
Water Catchment	SEPP (Biodiversity Conservation) 2021	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Land Contamination	SEPP (Resilience and Hazards) 2021	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Coastal Zone	SEPP (Resilience and Hazards) 2021	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Adjoins Classified Road	SEPP (Transport and Infrastructure) 2021	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Adjoins Rail Corridor	SEPP (Transport and Infrastructure) 2021	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gas Pipeline Buffer	SEPP (Transport and Infrastructure) 2021	<input type="checkbox"/>	<input checked="" type="checkbox"/>

SEPPs	Applicable	
Name of SEPP	Yes	No
SEPP (Biodiversity Conservation) 2021	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SEPP (Housing) 2021	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SEPP (Industry and Employment) 2021	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SEPP (Resilience and Hazards) 2021	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SEPP (Resource and Energy) 2021	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SEPP (Sustainable Buildings) 2022	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SEPP (Transport and Infrastructure) 2021	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Compliance with the identified applicable State Environmental Planning Policies (SEPP) is detailed below.

**State Environmental Planning Policy (Resilience and Hazards) 2021**

Chapter 2 and Chapter 4 of State Environmental Planning Policy (Resilience and Hazards) 2021 are relevant to the proposal.

Chapter 2 – Coastal Management

The site is within the Coastal Environment area and the Coastal Use area. Before consent can be granted, it must be demonstrated that the development will not increase coastal hazard risk to the site or surrounding land.

The assessment concludes the proposal will not increase coastal hazard risk.

Clause 2.10 - Development on land within the coastal environment area

The assessment has considered the integrity and resilience of the biophysical, hydrological and ecological environment, coastal processes and values, water quality within the marine estate,



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

marine and native vegetation and fauna, undeveloped headlands and rock platforms, public open space and safe public access, together with Aboriginal cultural heritage and surf-zone use.

With appropriate conditions, the development is capable of being designed, sited and managed to avoid the adverse impacts identified in Clause 2.10(1).

#### Cause 2.11 - Development on land within the coastal use area

The proposal has been assessed against Clause 2.11. Council is satisfied the development will not adversely affect public access to the foreshore, coastal views, visual amenity, coastal character or Aboriginal cultural heritage, noting that appropriate conditions will manage any potential impacts.

The bulk, scale and form of the works are acceptable and consistent with GRDCP 2021 controls for waterfront structures and with similar structures in the locality. The proposal appropriately addresses the matters in Clause 2.11(1) and is considered satisfactory.

#### Chapter 4 – Remediation of Land

Clause 4.6 of State Environmental Planning Policy (Resilience and Hazards) 2021 is applicable to the development. The clause is in relation to remediation of contaminated land.

As part of the assessment process, a site inspection was conducted, and Council's Contamination Records and aerial imaging (inc. historic imaging) were reviewed. The site has historically been used for residential purposes and there is no evidence that any use under Table 1 of the contaminated land planning guidelines has occurred on site. Given this, there is no evidence that the site is contaminated and the site is considered suitable for the proposed development.

#### **State Environmental Planning Policy (Transport and Infrastructure) 2021**

State Environmental Planning Policy (Transport and Infrastructure) 2021 is applicable to the development and the following clauses apply:

#### Division 5 – Electricity transmission or distribution

Pursuant to Clause 2.48, this application was referred to Ausgrid for comments as the development is located within 5m of an overhead electricity power line or within or immediately adjacent to an easement for electricity purposes.

Ausgrid raised no objection to the proposal.

### **The Provisions of any Local Environmental Plan**

#### **Georges River Local Environmental Plan 2021**

The extent to which the proposed development complies with the relevant provisions of the Georges River Local Environmental Plan 2021 (GRLEP 2021) is detailed and discussed below:





**Site Affectations**

Site Affectations Relevant Under GRLEP 2021		Applicable	
Clause No.	Clause Name/Affectation	Yes	No
5.7	Development Below Mean High Water Mark	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.10	Heritage Conservation Area and/or Heritage Item – I319	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5.21	Flood Liable Land	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6.1	Acid Sulfate Soils – Class 5	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6.4	Foreshore Building Line – 30m(from MHWM)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6.4	Coastal Hazard and Risk	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6.5	Riparian Lands & Waterways	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6.6	Foreshore Scenic Protection Area – also consider Design Excellence	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6.8	Impacted by airspace operations (NOTE: Applies to 67-89 Croydon Road, 1-7 Somerset (odd only), 2-8 Bristol (even), 1-5 Bristol (odd) in Hurstville)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6.10	Design Excellence – FSPA or R4 land	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other Affectations			
	Bushfire Prone Land	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Council Owned Land	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Crown Land	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Easements Within Lot Boundaries	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Narrow lot housing precinct	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Other (if yes describe)	<input type="checkbox"/>	<input checked="" type="checkbox"/>

GRLEP 2021 Part 2 – Permitted or prohibited development		
Clause 2.3 – Zone objectives and Land Use Table		
Standard	Proposal	Compliance
The subject site is zoned R2 Low Density Residential.  The objectives of the zone are: <ul style="list-style-type: none"> <li>To provide for the housing needs of the community;</li> <li>To enable other land uses that provide facilities or services to meet the day to day needs of residents;</li> <li>To promote a high standard of urban design and built form that enhances the local character of the suburb and achieves a high level of residential amenity.</li> </ul>	The proposal is consistent with the zone objectives and is satisfactory.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

<ul style="list-style-type: none"> <li>To provide for housing within a landscaped setting that enhances the existing environmental character of the Georges River Local Government Area.</li> </ul>		
---	--	--

GRLEP 2021 Numeric Controls			
Standard	Required	Proposed	Compliance
Cl. 4.3 Height of Buildings	Maximum 9m	5.28m	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Cl. 4.4 Floor Space Ratio  Or  Cl. 4.4A Exceptions to floor space ratio— certain residential accommodation	Maximum 0.55:1 (782.65m <sup>2</sup> )  Or  Maximum 0.38:1 (547.1m <sup>2</sup> )	This application does not introduce additional floor area. The proposed works are to replace roof, windows and doors.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Cl 6.4 Foreshore Area	30m	No works proposed from MHWM	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Cl 6.12 Landscaped Area	Minimum 25% (355.75m <sup>2</sup> )	33.9% (482.8m <sup>2</sup> ). No change proposed to the existing landscape area.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

GRLEP 2021 Part 5 – Miscellaneous Provisions		
Clause 5.10 – Heritage conservation		
Standard	Proposal	Compliance
Council must, before granting consent under this clause with respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned.	<p>The house and carport structure are designed by Harry Sieler and identified as an item of heritage significance, known as 'Thurlow House'. (Item No.1319) (SHR Item No. 01980), under the Heritage Act 1977.</p> <p>The dwelling was originally constructed with an open carport structure, connected to the dwelling via the covered bridge.</p> <p>The proposed restorative works will not adversely affect the heritage significance of Thurlow House. The only element with an adverse heritage impact is the unauthorised enclosure of the original open carport, which is not supported as it is an unsympathetic alteration that detracts from the architectural intent and heritage significance of the heritage item.</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, conditioned



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL'S PAPER. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



	<p>A condition requiring removal of the unauthorised roller door, walls and windows and reinstatement of the original open carport form resolves this impact. With this addressed, the remaining like-for-like reinstatement works conserve the building's heritage values and are acceptable.</p>	
--	--	--

**GRLEP 2021 Part 6 – Additional Local Provisions**

**Clause 6.10 Design Excellence**

Standard	Proposal	Compliance
<p>(2) This clause applies to development on land within the Foreshore Scenic Protection Area involving—</p> <p>(a) the erection of a new building, or</p> <p>(b) additions or external alterations to an existing building that, in the opinion of the consent authority, are significant.</p> <p>(3) For land identified in on the Foreshore Scenic Protection Area Map:</p> <p>(i) bed and breakfast accommodation,</p> <p>(ii) health services facilities,</p> <p>(iii) marinas,</p> <p>(iv) residential accommodation, except for secondary dwellings,</p> <p>(4) Development consent must not be granted for development to which this clause applies unless Council considers that the development exhibits design excellence.</p> <p>(5) In considering whether the development exhibits design excellence, Council must have regard to the following matters—</p> <p>(a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,</p> <p>(b) whether the form and external appearance of the development will improve the quality and amenity of the public domain,</p> <p>(c) whether the development detrimentally impacts on view corridors,</p> <p>(d) how the development addresses the following matters—</p> <p>the suitability of the land for development, existing and proposed uses and use mix, heritage issues and streetscape constraints,</p> <p>the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,</p>	<p>The proposal is located within the Foreshore Scenic Protection Area for residential accommodations. As such, Clause 6.10 applies.</p> <p>The proposal has been considered with regards the matters identified in Clause (5) and is considered to suitably demonstrate compliance with the Clause.</p>	<p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>



<p>bulk, massing and modulation of buildings, street frontage heights, environmental impacts such as sustainable design, overshadowing and solar access, visual and acoustic privacy, noise, wind and reflectivity, pedestrian, cycle, vehicular and service access and circulation requirements, including the permeability of pedestrian networks, the impact on, and proposed improvements to, the public domain, achieving appropriate interfaces at ground level between the building and the public domain, excellence and integration of landscape design, the provision of communal spaces and meeting places, the provision of public art in the public domain, the provision of on-site integrated waste and recycling infrastructure, the promotion of safety through the application of the principles of crime prevention through environmental design.</p>		
--	--	--

**Provisions of any Proposed Instrument**

Section 4.15 (1) (a) (i) - Provisions of any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved).

There is no proposed instrument that is or has been the subject of public consultation under this Act which is relevant to the proposal.

**Provisions of any Development Control Plan**

Section 4.15 (1) (a) (iii) The provisions of any development control plan

The proposed development is subject to the provisions of the Georges River Development Control Plan 2021. The following comments are made with respect to the proposal considering the objectives and controls contained within the DCP.

**Georges River Development Control Plan 2021**

The following GRDCP 2021 controls are applicable to the development and the following clauses apply:

PART 3 – GENERAL PLANNING CONSIDERATIONS		
3.7 Heritage		
Control	Proposal	Compliance



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PLAN FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



<p>Any application for a property identified in the Georges River LEP 2021 as a heritage item or in the vicinity of a heritage item or heritage conservation area, must be accompanied by a Heritage impact statement. Refer to Council's Development Application Guide for further details. A Conservation Management Plan (CMP) may be required for works relating to State heritage items subject to advice from Council's Heritage Advisory Service.</p>	<p>The subject land contains a State-listed heritage item, Thurlow House, which triggers the requirement under the Georges River DCP that any application involving a heritage item, or land in the vicinity of one, be supported by a Heritage Impact Statement. A Heritage Impact Statement by Andrew Starr and Associates has been provided and addresses the effects of the proposed like-for-like restorative works.</p> <p>A Conservation Management Plan (CMP) may be required for State-listed items where works involve substantive change, however the current proposal involves only restorative repair. On this basis, a CMP is not required, consistent with the DCP and Council's heritage advisory provisions.</p> <p>It is necessary to address a fundamental factual error in both the Statement of Environmental Effects and the Heritage Impact Statement. Each document incorrectly refers to the structure as a garage. Council's heritage referral confirms (consistent with the Heritage Impact Statement and the State Heritage Inventory entry) that the structure was originally designed and approved as an open carport, connected to the dwelling by the pedestrian bridge, and that the subsequent enclosure by a roller door is an unsympathetic and potentially unauthorised alteration. No evidence has been provided to demonstrate that development consent was ever issued for this enclosure.</p> <p>The heritage referral advises that unless lawful approval for the enclosure can be provided, the roller door must be removed and the structure reinstated to its original open configuration. If the applicant instead seeks ongoing approval for an enclosed garage, this would require approval under s60 of the Heritage Act 1977.</p> <p>A Section 60 approval must be obtained before Council can lawfully determine the Development Application because the Heritage Act has primacy for works affecting State Heritage Register items. The correct sequencing is that the applicant must first secure a Section 60 approval from Heritage NSW confirming that the enclosure is acceptable in heritage terms. Only once that approval is issued can Council consider a DA seeking to regularise the enclosure. Without an approved Section 60, Council is unable to support the works and the carport must revert to its original open configuration.</p> <p>Council's heritage advisor notes that although some components of the repair works may qualify as minor works or Standard Exemptions under s57(2) of the Heritage Act 1977, the Standard Exemptions referenced in the applicant's HIS were revoked and replaced in</p>	<p><input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No</p>
--	---	---

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PLAN

GEORGES RIVER LOCAL PLANNING PANEL  
 WWW.GEORGESRIVER.NSW.GOV.AU

LPP016-26 Attachment 2





	<p>November 2025. Most works would still be capable of progressing as exempt works, but the roller door issue prevents exemption and requires resolution through the DA process.</p> <p>Accordingly, the heritage documentation accompanying the proposal addresses the statutory requirement for a heritage assessment, however the descriptive error regarding the outbuilding and the absence of evidence of consent for its enclosure must be resolved before the proposal can achieve consistency with clause 5.10 of the LEP and the relevant DCP provisions.</p> <p>To enable this development application to be determined by way of approval rather than refusal, a condition is required that mandates the removal of the unauthorised roller door, walling and window infill, and reinstatement of the structure to its original open carport form. Once this unauthorised enclosure is removed, the balance of the works (which comprise like-for-like reinstatement following storm damage) appropriately conserve the heritage values of the State-listed item and are acceptable.</p>	
--	--	--

**3.7.2 Non-Aboriginal Heritage**

Objectives	Proposal	Compliance
<p>a) Ensure changes to heritage items are based on an understanding of the heritage significance of the heritage item.</p> <p>b) Allow change to occur to heritage items to meet amenity and contemporary safety, sustainability or technological standards, provided that those changes are sympathetic to and does not detrimentally affect the heritage significance of the heritage item.</p> <p>c) Ensure significance features of heritage items are retained and that development is sympathetic to these features with particular regard to bulk, form, style, character, scale, setbacks and materials.</p> <p>d) Acknowledge changes over time to heritage items, as subsequent layers may also be of significance.</p> <p>e) Encourage reinstatement of missing details and the removal of past unsympathetic changes, to improve overall outcomes to the heritage significance of the heritage item.</p>	<p>a) <u>understanding heritage significance</u> The works are grounded in a clear understanding of Thurlow House's State-level significance as an exceptionally intact early Modern Movement house by Harry Seidler. The Heritage Impact Assessment confirms the importance of the original open carport, connected to the dwelling by the pedestrian bridge, as part of the architect's design intent. The reinstatement of the carport's open form directly responds to this significance and avoids perpetuating unsympathetic later modifications.</p> <p>b) <u>sympathetic contemporary needs</u> The SEE and HIS both confirm that the works arise from mechanical storm damage caused by a fallen tree, requiring rectification for structural safety and ongoing use. The proposed replacements (including roof sheeting, rafters and ceiling linings) are like-for-like, ensuring contemporary safety needs are met without introducing elements that detract from heritage value.</p> <p>c) <u>retention of significant features</u></p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>



<p>f) Allow changes to the rear of heritage items where the new work does not impact the heritage significance of the item.</p> <p>g) Ensure that new uses of heritage items are compatible with the fabric and heritage significance of the item. h) Encourage changes to be reversible where possible and appropriate.</p>	<p>The HIS identifies that enclosing the carport with walls and a roller door was a later modification and not part of the original configuration. Council's heritage advisor also confirms that the enclosure is unsympathetic and potentially unauthorised. Removing the enclosure reinstates the original bulk, form, style and material expression consistent with Seidler's design.</p> <p>d) <u>acknowledging change over time</u> The reports note that while the house has undergone limited modifications, the enclosure of the carport is not a valued layer of significance. It is inconsistent with the item's design principles and not supported by evidence of approval. Only those changes that contribute meaningfully to the item's history are retained.</p> <p>e) <u>reinstatement and removal of intrusive elements</u> The reinstatement of the open carport and removal of the roller door, side walls and infill window directly aligns with best-practice conservation. Council's heritage advisor explicitly states that unless the applicant can prove lawful approval for the enclosure, the carport must be reinstated to its original configuration. This will restore a key architectural feature and improve the item's heritage outcome</p> <p>f) <u>changes to the rear</u> No works are proposed to the rear of the dwelling. All works are confined to the existing carport structure at the front of the house. As confirmed in the SEE, the proposal's footprint, setbacks and built form remain unchanged. There is therefore no impact on rear views, setting or landscape.</p> <p>g) <u>compatibility of use</u> The continued residential use remains entirely compatible with the heritage fabric. The rectification works simply allow the outbuilding to function in its original manner, consistent with the Seidler-designed residential curtilage and circulation patterns.</p> <p>h) <u>reversibility</u> The proposed restorative works are inherently reversible and involve no new intrusive structural changes. The removal of the roller door enclosure is a positive reversibility outcome, returning the building</p>	
--	---	--

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE ORIGINAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



Controls	Proposal	Compliance
<p>1. Retain features (including landscape features) that contribute to the significance of the item.</p> <p>2. Remove unsympathetic elements, especially where substantial changes are proposed to a heritage item, and there is potential for an improved heritage outcome.</p> <p>3. New work is to be consistent with the setback, massing, form and scale of the significant features of the heritage item.</p> <p>4. Retain significant fabric, features or parts of the heritage item that represent key periods of the item's history or development.</p> <p>5. Locate change away from original areas of the heritage item that are intact. For example, where a building's significance is related to the front of a building, locate new work to the rear.</p> <p>6. All works are to be consistent with an adopted Conservation Management Plan where applicable.</p>	<p>to its known configuration without compromising significant fabric.</p> <p><u>1. retain significant features</u> The proposal retains all significant elements of Thurlow House, including its Modernist setting and the original open carport configuration designed by Harry Seidler. Reinstating the open form ensures key contributory features, including the relationship between the dwelling, bridge link and carport, are preserved.</p> <p><u>2. remove unsympathetic elements</u> The unauthorised enclosure (roller door, walling and infill window) to be removed, eliminating an intrusive and unsympathetic modification. Council's heritage referral identifies the enclosure as likely unauthorised and inconsistent with the building's design intent, and its removal directly improves the heritage outcome.</p> <p><u>3. maintain consistent form and scale</u> All replacement works are like-for-like, maintaining the carport's original massing, proportions, setbacks and lightweight character. The reinstated open form aligns with the dwelling's architectural expression and maintains the designed recessive presentation of the outbuilding.</p> <p><u>4. retain key historical fabric</u> The works retain fabric from the primary period of significance (Seidler's 1954 design) by reinstating the carport as originally constructed. Only intrusive later fabric (the enclosure) is removed, as it does not represent a valued or intentional developmental layer.</p> <p><u>5. locate change appropriately</u> All activity is confined to the carport and front of house (the walkway), which is the only area affected by storm damage. No works occur to the house itself, which retains very high integrity. No change is proposed to significant intact elevations or areas where significance is concentrated.</p> <p><u>6. align with conservation methodology</u> While no CMP applies, the works follow the Burra Charter-based methodology used in the Heritage Impact Statement. Restoring the known earlier configuration and</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>



	undertaking like-for-like repairs accords with accepted conservation practice for a State-listed heritage item.	
--	---	--

**PART 6 RESIDENTIAL CONTROLS**

**Part 6.1 Dwellings, Dual occupancies (attached and detached), Secondary dwellings, Narrow lot housing (low Density)**

**6.1.2.7 Vehicular Access, Parking and Circulation**

Control	Proposal	Compliance
1) Car parking is to be provided in accordance with the requirements in Part 3 of this DCP.  2) A dwelling is to provide one (1) garage and one (1) tandem driveway parking space forward of the garage (unless otherwise accommodated within the building envelope).	The proposal provides adequate spaces per Part 3 of the DCP. No change in the number of parking spaces and parking arrangements.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

**6.1.2.1 Streetscape Character and Built Form**

Objectives	Proposal	Compliance
a) Reflect the dominant and transitioning building pattern of the streetscape with regard to the location, spacing and proportion of built elements in the streetscape.  b) Complement, conserve and enhance the visual character of the street and neighbourhood through appropriate building scale, form, setting, details and finishes.  c) Ensure that all elements of development visible from the street, waterways and public domain make a positive contribution to the foreshore, streetscape and natural features of the area.	<p><u>a) Streetscape pattern</u> The reinstatement of the original open carport restores the building's intended presentation and re-establishes the spacing, openness and proportional relationship between built elements that characterise the streetscape. Removal of the unauthorised enclosure returns the structure to its authentic form and ensures the development reflects the dominant architectural pattern associated with Thurlow House and its setting.</p> <p><u>b) Visual character, scale and form</u> The works are strictly restorative and like-for-like, maintaining the existing scale, form, detailing and materiality that define the heritage significance of the item. Removing the unsympathetic roller door enhances the visual coherence of the site, conserves the architectural language of the original design and reinforces the character of both the street and the surrounding neighbourhood.</p> <p><u>c) Contribution to public domain and foreshore character</u> All visible elements will positively contribute to the streetscape and public domain by reinstating the original open form of the</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PLAN DOCUMENT. PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU





	<p>carport, improving the legibility of the heritage item and preserving its relationship to the landscape. The rectification works are confined to the existing structure and footprint, ensuring no new impacts on views, the foreshore setting or natural features, and enhancing the presentation of this State-listed heritage item.</p> <p>The proposed works meet the objectives by reinstating the original open carport form, conserving the architectural intent of Thurlow House and enhancing its contribution to the streetscape and public domain. The restorative works reinforce the heritage character, maintain the building's established scale and setting, and ensure a positive visual outcome consistent with the surrounding neighbourhood.</p>	
--	---	--

<b>6.1.2.11 Materials, Colour Schemes and Details</b>		
<b>Control</b>	<b>Proposal</b>	<b>Compliance</b>
<p>1) Large expansive surfaces of predominantly white, light or primary colours which would dominate the streetscape or other vistas should not be used.</p> <p>2) New development should incorporate colour schemes that have a hue and tonal relationship with the predominant colour schemes found in the street.</p> <p>3) Matching buildings in a row should be finished in the same colour or have a tonal relationship.</p> <p>4) All materials and finishes utilised should have low reflectivity.</p>	<p>The proposal incorporates a material and colour scheme that is sympathetic to the existing streetscape and the desired future character of the locality.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>

<b>Part 6.4 Ancillary Development</b>		
<b>6.4.3 Outbuildings</b>		
<b>Objectives</b>	<b>Proposal</b>	<b>Compliance</b>
<p>a) Ensure that buildings are designed and located to complement the dwelling and minimise the impact on the streetscape and natural landscape.</p> <p>b) Ensure that outbuildings do not adversely affect the amenity of the locality by their visual impact, size, overshadowing or use.</p> <p>c) Ensure outbuildings visually integrate with the development.</p>	<p>a) <u>design and location</u> Reinstating the original open carport returns the structure to its intended ancillary role and restores the architectural relationship between the dwelling and its outbuilding. This reduces the visual impact created by the unauthorised enclosure and reinstates a recessive built form that complements the dwelling and streetscape, consistent with the DCP's general planning and heritage conservation principles.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>



<p>d) Maintain existing significant trees and vegetation.</p> <p>e) Outbuildings must be placed and designed to minimise impact on privacy and amenity of neighbouring properties.</p> <p>f) The design of structures, including the roofline, should complement the principal residence and adjoining properties.</p>	<p>b) <u>amenity impacts</u> The proposal does not alter height, bulk or scale and introduces no new overshadowing or visual intrusion. Removing the enclosed non-compliant form reduces built form impacts on neighbouring properties and the wider locality. The works therefore do not adversely affect amenity and accord with the DCP requirement that development conserve the significance of a heritage item without creating adverse impacts.</p> <p>c) <u>visual integration</u> The like-for-like reinstatement matches the original proportions, materials and design intent, achieving full visual integration between the carport and the principal dwelling. This aligns with both the heritage conservation framework and the DCP requirement that ancillary structures complement the overall development.</p> <p>d) <u>Vegetation</u> No additional tree removal or vegetation disturbance is required as the works sit within the original footprint and respond only to storm damage. This satisfies the objective to maintain existing trees and vegetation.</p> <p>e) <u>privacy and amenity</u> The reinstated open carport maintains the original siting, height and orientation and removes an intrusive enclosed form that previously created avoidable amenity impacts. As such, existing privacy relationships and neighbouring amenity are preserved.</p> <p>f) <u>roof and structural design</u> Restoring the original roof form reinstates the intended architectural expression of the heritage item and ensures the outbuilding once again complements the principal residence and neighbouring properties. This is entirely consistent with the DCP and heritage conservation principles requiring reinstatement of original character and detailing.</p>	
--	--	--

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE ORIGINAL COPY PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU





	<p>The proposed like-for-like restoration of the original open carport satisfies all objectives of clause 6.4.3 of the Georges River Development Control Plan 2021 and is fully consistent with the heritage conservation provisions applying to the site.</p>	
<p><b>Part 6.5 Foreshore Scenic Protection Area</b></p>		
<p><b>6.5.1 Foreshore Scenic Protection Area</b></p>		
Control	Proposal	Compliance
<p>a) Achieve a balance between realising the development potential of sites with protecting the integrity of the environmental qualities and scenic landscape values of the Georges River foreshore.</p> <p>b) Retain significant existing natural landscape features.</p> <p>c) Ensure that development is sited and designed to blend with the surrounding environment, particularly when viewed from highly visited public viewing points.</p> <p>d) Provide for a reasonable sharing of views of significant landscape features, in particular to the Georges River.</p>	<p>a) <u>balance of development and foreshore qualities</u>                  The proposed carport restoration works maintain the existing built footprint and do not introduce any additional bulk or scale that could affect the environmental or scenic qualities of the Georges River foreshore. The works are conservative in scope, limited to repairing deteriorated fabric and reinstating original detailing in accordance with the heritage advice. As the structure remains in its existing location, form and height, the proposal does not alter view lines or the perceived natural character of the foreshore environment.</p> <p>b) <u>retention of natural features</u>                  All significant natural landscape features surrounding the carport, including mature vegetation and the established landform at the rear of the property, are fully retained. The works do not require excavation, tree removal or modification to any natural elements that contribute to the foreshore setting. The restoration approach reinforces the existing landscaped character rather than altering it.</p> <p>c) <u>visual integration with surroundings</u>                  The restored carport will continue to visually recede into the surrounding environment due to its modest scale, low roof profile and use of materials consistent with the original structure and the broader heritage setting. Reinstated timber elements, refined detailing and repairs in like-for-like materials ensure the carport blends seamlessly with the heritage building</p>	<p><input checked="" type="checkbox"/> Yes  <input type="checkbox"/> No</p>





	<p>and the natural foreshore backdrop. From public viewpoints along the Georges River, the carport will present as a sympathetic, unobtrusive structure with no increase in visual prominence.</p> <p>d) <u>reasonable view sharing</u>                  As the works involve restoration rather than expansion, the existing view corridors across the site remain unchanged. The carport's low height and rearward position ensure that views to the Georges River from neighbouring properties and public vantage points are preserved. The proposal maintains the current level of view sharing and does not introduce any physical or visual impediment to significant landscape outlooks.</p>	
--	---	--

**Any Planning Agreement Under Section 7.4**

*Section 4.15 (1) (a) (iia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4*

There are no planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter under section 7.4 applicable to the proposal.

**The Regulations**

*Section 4.15 (1) (a) (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)*

The proposal is not inconsistent with the regulations.

**The Likely Impacts of the Development**

*Section 4.15 (1) (b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*

Likely Impacts of the Development	
Natural Environment	The development is located within an established residential area and is not considered to result in unreasonable impact on the natural environment.
Built Environment	The built form and supporting infrastructure is appropriate with its setting and is consistent with the desired future character of the site.
Social Impact	The proposal will have no significant social impact on the locality.



THIS IS THE PRINTED COPY OF THE OFFICIAL DOCUMENT. FOR THE OFFICIAL DOCUMENT, VISIT WWW.GEORGESRIVER.NSW.GOV.AU



Economic Impact	The proposal is not considered to result in unreasonable economic impact
-----------------	--

### Site Suitability

*Section 4.15 (c) the suitability of the site for the development*

The site is suitable for the proposed development as the works are permissible in the R2 zone, involve like-for-like restoration within the existing building envelope and appropriately address the only identified heritage issue through conditions requiring reinstatement of the original open carport form. The proposal is supported by Council's heritage advice, generates no adverse environmental or amenity impacts and represents an appropriate and orderly outcome for a State listed heritage item.

### Submissions

*Section 4.15 (d) any submissions made in accordance with this Act or the regulations*

The application was advertised and adjoining residents were notified by letter and given twenty-eight (28) days in which to view the plans and submit any comments on the proposal. No submission were received during the neighbour notification period.

### The Public Interest

*Section 4.15 (e) the public interest.*

The proposal is considered to be in the public interest for the following reasons:

- The proposed use is permissible in the subject zone.
- The proposed development will not result in unreasonable impacts to the natural and built environment.
- The proposed development will not result in unreasonable amenity impacts to the adjoining neighbours.

### Referrals

Internal Referrals		
Specialist	Comment	Outcome
Heritage Officer	The officer has reviewed the proposal with regard to Clause 5.10 of GRLEP 2021 and Part 3.7 of GRDCP 2021. The assessment confirms that the carport to the heritage-listed dwelling was originally constructed as an open structure. The installation of the roller door and associated enclosures has	To protect the integrity and legibility of the heritage item, conditions have been recommended requiring removal of the unauthorised enclosures and reinstatement of the carport as an open structure consistent with the dwelling's original configuration.



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



	resulted in an unauthorised conversion of the original open carport into an enclosed garage form. No evidence has been provided to demonstrate that these alterations were ever supported by a previous development consent.	
Building Surveyor	No objections raised to the proposal and conditions recommended.	Conditions imposed as recommended

External Referrals		
Referral Body	Comment	Outcome
Ausgrid	The referral body has considered the following planning provisions: - Clause 2.48 of SEPP (Transport and Infrastructure) 2021  No objections raised to the proposal and conditions recommended.	Conditions imposed as recommended.
Heritage Council of NSW	No objections raised to the proposal and conditions recommended.	Conditions imposed as recommended.

## Contributions

The development is not subject to Development Contributions as the proposed cost of work is below the chargeable threshold of \$100,000.00.

## Conclusion

The proposal has been assessed against all relevant matters under section 4.15 of the Environmental Planning and Assessment Act 1979 and fully considered against the applicable State Environmental Planning Policies, the Georges River Local Environmental Plan 2021 and the Georges River Development Control Plan 2021. The development complies with the standards of the LEP and meets the objectives of the DCP.

The restoration of the existing carport is a minor, heritage-appropriate intervention that preserves the structure's heritage significance and maintains the established character of the Georges River foreshore. The works are confined to like for like repairs and reinstatement of original fabric, with no increase in bulk, scale or environmental impact.

The only component that cannot be supported is the unauthorised enclosure of the originally open carport. This enclosure is inconsistent with the heritage significance of the item. A condition requires removal of the roller door, any unapproved walls and windows and reinstatement of the open carport form.



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



Subject to the recommended conditions, the proposal is suitable for approval.

## Determination

---

### Approval of Application

Pursuant to Section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979 (as amended), the delegated officer determines DA2025/0456 for Alterations and additions to dwelling house (garage) on Lot/s D in DP 346635 on land known as 9 Stuart Crescent Blakehurst, as an approval for the reasons below subject to the conditions referenced in Appendix 1:

THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER, FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



## Appendix 1 – Conditions

### Development Details

1. **Approved Plans and Supporting Documentation** - Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise:

Drawing No.	Plan Title.	Drawn By.	Dated.
A005	Site Plan	Structability Consulting Engineers	20.08.2025
A101	Floor Plans	Structability Consulting Engineers	20.08.2025
A201	Roof Plan	Structability Consulting Engineers	20.08.2025
A301	Elevations	Structability Consulting Engineers	20.08.2025
A401	Section	Structability Consulting Engineers	20.08.2025
A601	Schedule of External Finishes	Structability Consulting Engineers	20.08.2025

### Documents relied upon

Document Title.	Reference No.	Prepared by.	Dated.
Statement of Environmental Effects	202507-6050	Structability Consulting Engineers	7 October 2025
Heritage Impact Statement		Andrew Starr and Associates Heritage Consultants	October 2025

2. No approval is granted or implied under this consent for any unauthorised works. All unauthorised structures must be removed in full prior to the issue of any Occupation Certificate. This includes but is not limited to any roller doors, windows, walls, partitions, enclosures or similar built elements and the carport shall be reinstated as an open structure. All removal works must reinstate the building so that it is consistent with the heritage item as originally constructed, unless separate approval has been granted.

### **SEPARATE APPROVALS REQUIRED UNDER OTHER LEGISLATION**

3. **Section 138 Roads Act 1993 and Section 68 Local Government Act 1993** - Unless otherwise specified by a condition of this consent, this Development Consent does not give any approval to undertake works on public infrastructure.

Separate approval is required under Section 138 of the [Roads Act 1993](#) and/or Section 68 of the [Local Government Act 1993](#) for any of the following activities carried out in, on or over a public road (including the footpath) listed below.

An application is required to be lodged and approved prior to the commencement of any of the following works or activities;

- (a) Placing or storing materials or equipment;



- (b) Placing or storing waste containers or skip bins;
- (c) Erecting a structure or carrying out work
- (d) Swinging or hoisting goods over any part of a public road by means of a lift, crane or the like;
- (e) Pumping concrete from a public road;
- (f) Pumping water from the site into the public road;
- (g) Constructing a vehicular crossing or footpath;
- (h) Establishing a "works zone";
- (i) Digging up or disturbing the surface of a public road (eg Opening the road for the purpose of connections to utility providers);
- (j) Stormwater and ancillary works in the road reserve;
- (k) Stormwater and ancillary to public infrastructure on private land; and
- (l) If any excavation is to be supported by the use of below ground (cable) anchors that are constructed under Council's roadways/footways.

These separate activity approvals must be obtained and evidence of the approval provided to the Certifying Authority prior to the issue of the Construction Certificate. The relevant Application Forms for these activities can be downloaded from Council's website [www.georgesriver.nsw.gov.au](http://www.georgesriver.nsw.gov.au). For further information, please contact Council's Customer Service Centre on (02) 9330 6490.

#### **REQUIREMENTS OF CONCURRENCE, INTEGRATED & OTHER GOVERNMENT AUTHORITIES**

3. **Ausgrid – Overhead Powerlines are in the vicinity of the development** - The developer should refer to SafeWork NSW Document – Work Near Overhead Powerlines: Code of Practice. This document outlines the minimum separation requirements between electrical mains (overhead wires) and structures within the development site throughout the construction process. It is a statutory requirement that these distances be maintained throughout the construction phase.

Consideration should be given to the positioning and operating of cranes, scaffolding, and sufficient clearances from all types of vehicles that are expected be entering and leaving the site.

The "as constructed" minimum clearances to the mains must also be maintained. These distances are outlined in the Ausgrid Network Standard, NS220 Overhead Design Manual. This document can be sourced from Ausgrid's website at [www.ausgrid.com.au](http://www.ausgrid.com.au).

It is the responsibility of the developer to verify and maintain minimum clearances onsite. In the event where minimum safe clearances are not able to be met due to the design of the development, the Ausgrid mains may need to be relocated in this instance. Any Ausgrid asset relocation works will be at the developer's cost.

4. **Heritage Consultant** – A suitably qualified and experienced heritage consultant must be



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PLAN FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

nominated for this project. The nominated heritage consultant must provide input into the detailed design, provide heritage information to be imparted to all tradespeople during site inductions, and oversee the works to minimise impacts to heritage values. The nominated heritage consultant must be involved in the selection of appropriate tradespersons and must be satisfied that all works has been carried out in accordance with the conditions of this consent.

Reason: So that appropriate heritage advice is provided to support best practice conservation and ensure works are undertaken in accordance with this approval.

5. **Specialist tradespersons** – All works to, or affecting, significant fabric shall be carried out by suitably qualified tradespersons with practical experience in conservation and restoration of similar heritage structures, materials and construction methods.

Reason: So that the construction, conversation and repair of significant fabric follows best heritage practice.

6. **Site protection** – Significant built and landscape elements are to be protected during site preparation and the works from potential damage. Protection systems must ensure significant fabric, including landscape elements, is not damaged or removed.

Reason: To ensure significant fabric including vegetation is protected during construction.

7. **Compliance** – If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

Reason: To ensure that the proposed works are completed as approved.

8. **Section 60 Application** – An application under section 60 of the Heritage Act 1977 must be submitted to, and approved by, the Heritage Council of NSW (or delegate), prior to work commencing.

Reason: To meet legislative requirements.

#### **PRIOR TO THE ISSUE OF CONSTRUCTION CERTIFICATE**

9. Prior to the issue of any Construction Certificate all Construction Certificate plans and supporting documentation must be prepared so they are fully consistent with condition 2 of this consent. The plans must demonstrate the required removal of all unauthorised structures and must not depict or rely upon any works for which separate approval has not been granted.

10. **Payment of Fees** - The fees listed in the table below must be paid in accordance with the conditions of this consent and Council's adopted Fees and Charges applicable at the time of payment (available at [www.georgesriver.nsw.gov.au](http://www.georgesriver.nsw.gov.au)).

Payments must be made prior to the issue of the Construction Certificate or prior to the commencement of work (if there is no associated Construction Certificate).

Council will only accept Bank Cheque or Electronic Funds Transfer (EFT) for transaction values of \$500,000 or over. Council must be contacted prior to payment to determine correct total amount to be paid and bank account details (if applicable).

A summary of the fees to be paid are listed below:





Fee Type	Fee
<b>GENERAL FEES</b>	
Long Service Levy (to Long Service Corporation) Or, provide evidence of Payment direct to the Long Service Corporation. See <a href="https://portal.longservice.nsw.gov.au/bci/levy/">https://portal.longservice.nsw.gov.au/bci/levy/</a>	
Builders Damage Deposit	\$2,060.00
Inspection Fee for Refund of Damage Deposit	\$220.00

**General Fees**

The fees and charges above are subject to change and are as set out in the version of Council's Schedule of Fees and Charges or as required by other Government Authorities, applicable at the time of payment.

- 11. **Damage Deposit – Minor Works** - In order to insure against damage to Council property the following is required:

- (a) Pay Council, before the issue of the Construction Certificate, a damage deposit for the cost of making good any damage caused to any Council property as a result of the development: \$2,060.00
- (b) Pay Council, before the issue of the Construction Certificate, a non-refundable inspection fee to enable assessment of any damage and repairs where required: \$220.00
- (c) Submit to Council, before the commencement of work, a photographic record of the condition of the Council nature strip, footpath and driveway crossing, or any area likely to be affected by the proposal.

At the completion of works, Council will carry out an inspection of its public domain assets. If the inspection is passed, the damage deposit will be returned less the cost of any repairs to damaged Council Assets. The damage deposit will not be refunded until a full Occupation Certificate has been issued for the development.

**General Fees**

The fees and charges above are subject to change and are as set out in the version of Council's Schedule of Fees and Charges (available on Council's website) or as required by other Government Authorities, applicable at the time of payment.

- 12. **Design Amendments** – The Certifier shall ensure that the following changes are required to be made and shown on the Construction Certificate Plans.

Area of change required	Change required
Garage roller door	The proposed garage roller door shall be removed and carparking structure maintained as a car port.

- 13. **Structural details** – Engineer's details prepared by a practising Structural Engineer being used to construct all reinforced concrete work, structural beams, columns & other structural members. The details are to be submitted to the Principal Certifying Authority for approval prior to construction of the specified works. A copy shall be forwarded to Council where Council is not the PCA.

- 14. **Site Management Plan - Minor Development** - A Site Management Plan detailing all weather access control points, sedimentation controls, fencing, builder's site sheds office,



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PAPER. FOR THE OFFICIAL DOCUMENT PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

amenities, materials storage and unloading arrangements must be submitted with the application for the Construction Certificate.

15. **Low reflectivity roof and materials** - Roofing materials must be low glare and reflectivity so as to avoid discomfort glare or disability glare defined as:

**Discomfort glare** is a temporary vision sensation caused by high brightness that produces discomfort for an observer, but generally does not present health and safety risks.

**Disability glare** affects contrast in vision to reduce overall visibility, which can present health and safety risks when the observer is impacted.

External glazing and cladding materials and finishes must avoid disability glare to occupants of adjoining building, public transport operators, pedestrians, road users, to the satisfaction of the certifying authority.

Extended periods of discomfort glare for pedestrians and occupants of surrounding buildings caused by glazing (including tilted glazing) and external cladding materials and finishes with specular or glossy finishes (including polished metal cladding, finished stainless steel, glazed tiles, high gloss paint finishes) must be avoided.

Material and finishes details submitted to the Certifying Authority must demonstrate compliance with this requirement to the satisfaction of the Certifying Authority.

#### **PRIOR TO THE COMMENCEMENT OF WORK (INCLUDING DEMOLITION & EXCAVATION)**

16. **Demolition & Asbestos** - The demolition work shall comply with the provisions of Australian Standard AS2601:2001 – Demolition of Structures, NSW [Work Health & Safety Act 2011](#) and the NSW [Work Health & Safety Regulation 2011](#). The work plans required by AS2601:2001 shall be accompanied by a written statement by a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the safety statement shall be submitted to the PCA prior to the commencement of works.

For demolition work which involves the removal of asbestos, the asbestos removal work must be carried out by a licensed asbestos removalist who is licensed to carry out the work in accordance with the NSW [Work Health & Safety Act 2011](#) and the NSW [Work Health & Safety Regulation 2011](#) unless specified in the Act and/or Regulation that a license is not required. All demolition work including the removal of asbestos, shall be undertaken in accordance with the [Demolition Code of Practice](#) (NSW Work Cover July 2015)

**Note:** Copies of the Act, Regulation and Code of Practice can be downloaded free of charge from the SafeWork NSW website: [www.SafeWork.nsw.gov.au](http://www.SafeWork.nsw.gov.au).

17. **Demolition Notification Requirements** – The following notification requirements apply to this consent:

(a) The developer / builder must notify adjoining residents five (5) working days prior to demolition. Such notification is to be clearly written note giving the date demolition will commence, contact details of the developer/builder, licensed asbestos demolisher and the appropriate regulatory authority. Notification is to be placed in the letterbox of every



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PLAN. PLEASE VISIT THE GEORGES RIVER WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

premises (including every residential flat or unit, if any) either side and immediately at the rear of the demolition site.

- (b) Five (5) working days prior to demolition, the developer/builder is to provide a written notification to Council advising of the demolition date, details of the SafeWork licensed asbestos demolisher and the list of residents advised of the demolition.
  - (c) On demolition sites where buildings to be demolished contain asbestos, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position (from street frontage) on the site. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos materials has been removed from the site to an approved waste facility.
18. **Demolition work involving asbestos removal** – Works involving bonded asbestos removal work (of an area of more than 10 square metres) of friable asbestos removal work must be undertaken by a person who carries on a business of such removal work in accordance with a licence under clause 458 of the Work Health and Safety Regulation 2011.

#### **DURING CONSTRUCTION**

19. **Site sign – Soil & Erosion Control Measures** – Prior to the commencement of works (including demolition and excavation), a durable site sign, issued by Council in conjunction with this consent, must be erected in a prominent location on site. The site sign warns of the penalties which apply to pollution, storing materials on road or footpath and breaches of the conditions relating to erosion and sediment controls. The sign must remain in a prominent location on site up until the completion of all sites and building works.
20. **Hours of construction for demolition and building work** – Any work activity or activity associated with the development consent that requires the use of any tools (including hand tools) or any power operated plant and machinery that creates noise on or adjacent to the site shall not be performed, or permitted to be performed, except between the hours of 7.00 am to 5.00 pm, Monday to Saturday inclusive. No work or ancillary activity is permitted on Sundays, or Public Holidays.

Note: A penalty infringement notice may be issued for any offence.

21. **Cost of work to be borne by the applicant** - The applicant shall bear the cost of all works associated with the construction of the development that occurs on Council property. Care must be taken to protect Council's roads, including the made footway, kerbs, etc., and, where plant and vehicles enter the site, the footway shall be protected against damage by deep-sectioned timber members laid crosswise, held together by hoop iron straps and chamfered at their ends. This construction shall be maintained in a state of good repair and condition throughout the course of construction.
22. **Obstruction of Road or Footpath** - The use of the road or footpath for the storage of any building materials, waste materials, temporary toilets, waste or skip bins, or any other matter is not permitted unless separately approved by Council under Section 138 of the Roads Act 1993 and/or under Section 68 of the Local Government Act 1993. Penalty infringement Notices may be issued for any offences and severe penalties apply.
23. **Damage within Road Reserve and Council Assets** – The owner shall bear the cost of restoring any footpath, roadway and any other Council assets damaged due to works at, near



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL BUSINESS PLAN FOR THE 2025-2026 FINANCIAL YEAR. VISIT THE WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU



or associated with the site. This may include works by Public Utility Authorities in the course of providing services to the site.

- 24. **Tree Removal prohibited on adjoining properties** - No tree on Council's public footway, public reserves or on neighbouring properties and protected under the Georges River Tree Management Policy 2024 may be removed, pruned or otherwise damaged without Council consent.
- 25. **Waste Management Facility** - All materials removed from the site as a result of demolition, site clearing, site preparation and/or excavation shall be disposed of at a suitable Waste Management Facility. No vegetation, article, building material, waste or the like shall be ignited or burnt.

Copies of all receipts for the disposal or processing of such materials shall be submitted to the Certifying Authority and Council, where Council is not the Certifying Authority.

Where required, the receipts (or copied of) must be made available to Council within 7 days of a written request being made by Council.

**PRIOR TO THE ISSUE OF OCCUPATION CERTIFICATE**

- 26. **Heritage Compliance Certificate** – A certificate shall be submitted to the certifier from the project heritage consultant demonstrating all works has been completed as per the approval. The consultant must also confirm that all works have been undertaken in accordance with condition 2 of this consent.

**OPERATIONAL CONDITIONS (ON-GOING)**

- 27. **Car port** – The existing car parking structure shall be maintained and used as an open carport at all times in accordance with its original approval (unless a separate approval is granted).
- 28. **Lighting - General Nuisance** - Any lighting on the site shall be designed so as not to cause a nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill or glare.  
  
Flashing, moving or intermittent lights or signs are prohibited. To prevent light spill and minimise nuisance external facing lighting fixtures must not be installed higher than 3m above the ground level immediately below.
- 29. **Amenity of the neighbourhood** - The implementation of this development shall not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, vapour, odour, steam, soot, dust, waste-water, waste products, grit, oil or other harmful products.

**END CONDITIONS**

**NOTES / ADVICES**

- 1. **Long Service Levy** - The Long Service Corporation administers a scheme which provides a portable long service benefit for eligible workers in the building and construction industry in



THIS IS THE PRINTED COPY OF THE GEORGES RIVER LOCAL PLANNING PANEL PAPER. FOR THE OFFICIAL DOCUMENT, PLEASE VISIT THE WEBSITE: WWW.GEORGESRIVER.NSW.GOV.AU

NSW. All benefits and requirements are determined by the Building and Construction Industry Long Service Payments Act 1986. More information about the scheme and the levy amount you are required to pay to satisfy a condition of your consent can be found at <http://www.longservice.nsw.gov.au>.

The required Long Service Levy payment can be direct to the Long Service Corporation via their web site <https://online.longservice.nsw.gov.au/bci/levy>. Payments can only be processed on-line for the full levy owing and where the value of work is between \$25,000 and \$6,000,000. Payments will be accepted for amounts up to \$21,000, using either MasterCard or Visa.

2. **Council as PC - Deemed to Satisfy Provisions of BCA** - Should the Council be appointed as the PC in determining the Construction Certificate, the building must comply with all the applicable deemed to satisfy provision of the BCA. However, if an alternative fire solution is proposed it must comply with the performance requirements of the BCA, in which case, the alternative solution, prepared by an appropriately qualified fire consultant, accredited and having specialist qualifications in fire engineering, must justify the non-compliance with a detailed report, suitable evidence and expert judgement. Council will also require if deemed necessary, for the alternative solution to undergo an independent peer review by either the CSIRO or other accredited organisation. In these circumstances, the applicant must pay all costs for the independent review.
3. **Site Safety Fencing** - Site fencing must be erected in accordance with SafeWork Guidelines, to exclude public access to the site throughout the demolition and/or construction work, except in the case of alterations to an occupied dwelling. The fencing must be erected before the commencement of any work and maintained throughout any demolition and construction work. A demolition licence and/or a high risk work license may be required from SafeWork NSW (see [www.SafeWork.nsw.gov.au](http://www.SafeWork.nsw.gov.au)).
4. **Review of Determination** - Section 8.2 of the Environmental Planning and Assessment Act confers on an applicant who is dissatisfied with the determination of the application the right to lodge an application with Council for a review of such determination. Any such review must however be completed within 6 months from its determination. Should a review be contemplated sufficient time should be allowed for Council to undertake public notification and other processes involved in the review of the determination.  
  
*Note:* Review provisions do not apply to Complying Development, Designated Development, State Significant Development, Integrated Development or any application determined by the Sydney South Planning Panel or the Land & Environment Court.
5. **Appeal Rights** - Part 8 (Reviews and appeals) of the Environmental Planning and Assessment Act 1979 confers on an applicant who is dissatisfied with the determination of the application a right of appeal to the Land and Environment Court of New South Wales.
6. **Lapsing of Consent** - This consent will lapse unless the development is physically commenced within 5 years from the Date of Operation of this consent, in accordance with Section 4.53 of the Environmental Planning and Assessment Act 1979 as amended.
7. **Advice** – Section 148 of the Heritage Act 1977 (the Act), allows people authorised by the Minister to enter and inspect, for the purposes of the Act, with respect to buildings, works, relics, moveable objects, places or items that is or contains an item of environmental heritage. Reasonable notice must be given for the inspection.

