

# **MINUTES**

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## **Local Planning Panel**

**Thursday, 01 September 2022**

**4.00pm**

**Blended Meeting**

**Online and Dragon Room**

**Level 1, Georges River Civic Centre**

**Corner Dora and MacMahon Streets, Hurstville**



## **Panel Members:**

Ms Sue Francis (Chairperson)  
Mr Paul Vergotis (Expert Panel Member)  
Mr Milan Marecic (Expert Panel Member)  
Mr George Vardas (Community Representative)

### **1. APOLOGIES AND DECLARATIONS OF PECUNIARY INTEREST**

Marcus Sainsbury (replaced by Milan Marecic)

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Sue Francis declared an interest in item LPP044-22 – 46-48 Lawrence Street Peakhurst and took no part in the discussions or deliberations of this application. Paul Vergotis Chaired this item.

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### **2. PUBLIC SPEAKERS**

The meeting commenced at 4.00pm and at the invitation of the Chair, registered speakers were invited to address the panel on the items listed below.

The public speakers concluded at 4.49pm and the LPP Panel proceeded into Closed Session to deliberate the items listed below.

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

**LPP042-22 87 Woniora Road, Hurstville**  
(Report by Principal Planner)

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

#### **Speakers**

- Peter Lonergan (architect)

#### **Voting of the Panel Members**

The decision of the Panel was unanimous.

#### **Determination**

##### Deferral

Pursuant to Section 2.20 (8) of the Environmental Planning and Assessment Act 1979 (EPAA), Development Application No. DA2021/0294 for demolition works and construction of a boarding house on Lot 1 in DP 1608 known as 87 Woniora Road, Hurstville, is deferred for the application to be amended with the following design amendments detailed below. These amendments shall be submitted to the Council within 28 days of this decision.

1. Increase the south-eastern side boundary setback by an additional 1.5m to achieve a minimum setback of 4.5m. The internal layout to be amended accordingly.
2. Increase the deep soil planting on the south-eastern side boundary setback. The applicant to consider handing the vehicular driveway from the south-east boundary to the north-western boundary to assist in the provision of increased deep soil landscaping on the south-east boundary and the private open space of the caretaker's unit.

3. The introduction of privacy screens/mechanisms to the balconies on both the south-eastern and north-western elevations.

The matter to be returned for consideration by this Panel as constituted on 1 September 2022.

**LPP043-22      21 Hogben Street, Kogarah**  
(Report by Principal Planner)

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

**Speakers**

- Geoff Baker (urban designer)
- Mark Raymundo (planner)
- Michael Murr (applicant)

**Voting of the Panel Members**

The decision of the Panel was unanimous.

**Determination**

Refusal

Pursuant to Section 4.16(1)(b) of the Environmental Planning and Assessment Act, 1979, as amended, the Georges River Local Environmental Planning Panel, refuses Development Application REV2022/0001 for demolition works, site preparation, and construction of a twelve storey (12) mixed use development comprising ground floor retail/commercial floor space, 50 residential apartments above five (5) levels of basement containing 73 car spaces, roof top communal open space, landscaping, site works and stratum subdivision at SP5400 and known as 21 Hogben Street, Kogarah, for the following reasons:

1. The proposal is unsatisfactory having regard to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 as the proposal provides poor amenity in relation to spatial separation having regard to the Apartment Design Guide (ADG) and State Environmental Planning Policy No. 65 Design Quality of Residential Flat Buildings.
2. The proposal is unsatisfactory having regard to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 as the proposed development as a whole does not ensure that a high level of amenity is achieved and maintained. The Clause 4.6 Statement in respect to the non-compliance with Clause 4.3 Height of Building standard is not considered to be well founded or in the public interest. This is exacerbated by the awning location and roof top services being located in a highly visible location on the external façade of the development.
3. The proposal is unsatisfactory having regard to Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979 as the development will cause adverse impacts upon the built environment with respect to the impact upon the streetscape, amenity for future occupants and to adjoining properties.
4. The proposed development is unsatisfactory having regard to Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979 in that the proposed development in its current form is not suitable for the site.

5. The proposed development fails to satisfy the provisions of Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979 in that the proposed built form of the development will be out of character with existing and recently approved developments and does not reflect the desired future character for development in the precinct.
6. The proposed development fails to satisfy the provisions of Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979 in that the proposed development in its current form, given its siting, location, design and massing is considered to be an inappropriate outcome for the site and will establish an undesirable precedent in the area which will not be in the public interest.

**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.

**LPP044-22      46 - 48 Lawrence Street, Peakhurst**  
(Report by Principal Planner)

Sue Francis left the public meeting at 4.44pm and the deliberations meeting at 5.17pm and took no part in the discussions or deliberations of this application. Paul Vergotis took the chair during this item.

**Speakers**

- Carolyn Howell (applicant/owner)
- Olivia Page (planner)
- William Phelps (architect)
- Gareth Collins (engineer)
- Angelica Kamperos (engineer)

**Voting of the Panel Members**

The decision of the Panel was unanimous – Paul Vergotis, Milan Marecic, George Vardas.

**Determination**

Approval

Pursuant to Section 4.16(1)(a) of the Environmental Planning and Assessment Act, 1979, as amended, the Georges River Local Planning Panel, approves Development Application DA2021/0472 for demolition works and construction of a residential flat building, on Lots 209 and 210 in DP11417, known as 46 and 48 Lawrence Street, Peakhurst, subject to the conditions recommended in the report submitted to the Georges River Local Planning Panel meeting of 1 September 2022.

Statement of Reasons

- The proposed development complies with the requirements of the relevant environmental planning instruments.
- The proposed development complies with the objectives of the relevant environmental planning instruments.
- The proposal aims to provide a high-quality development that will establish a positive urban design outcome.

**LPP045-22 27-33 Nielsen Avenue, Carlton**  
(Report by Principal Planner)

**Speakers**

- Jim Apostolou (applicant)

**Voting of the Panel Members**

The decision of the Panel was unanimous.

**Determination**

Approval

Pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act, 1979, as amended, Modification Application MOD2022/0087 for modification of development consent DA212/2016 for a residential flat building at Lots 23 to 26 in DP5452 known as 27-33 Nielsen Avenue, Carlton, subject to the conditions recommended in the report submitted to the Georges River Local Planning Panel meeting of 1 September 2022.

Statement of Reasons

- The proposal remains consistent with the original reasons for approval;
- The proposed modifications to the approved plans do not result in undermining the objectives of the Georges River Local Environmental Plan 2021 or the Georges River Development Control Plan 2021; and
- The proposed modifications to the approved plans do not result in any adverse impact on the natural and built environment.

**4. CONFIRMATION OF MINUTES BY CHAIR**

**GEORGES RIVER LOCAL PLANNING PANEL (LPP) - 1 SEPTEMBER 2022**

**RECOMMENDATION**

That the Minutes of the Georges River Local Planning Panel (LPP) held on 1 September 2022, be confirmed.

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The meeting concluded at 5.20pm



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Sue Francis  
**Chairperson**



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Milan Marecic  
**Expert Panel Member**



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Paul Vergotis  
**Expert Panel Member**




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George Vardas  
**Community Representative**



**Declaration of Interest  
Georges River Local  
Planning Panel**

<b>Panel Member Name:</b>	Sue Francis
<b>Meeting Date:</b>	1 September 2022
<b>Item Numbers:</b>	<ul style="list-style-type: none"> <li>• LPP0422-22 – 87 Woniara Road Hurstville</li> <li>• LPP043-22 – 21 Hogben Street Kogarah</li> <li>• LPP044-22 – 46-48 Lawrence Street Peakhurst</li> <li>• LPP045-22 – 27-33 Nielsen Avenue Carlton</li> </ul>
<b>In relation to the matters on this agenda, I declare that I have:</b>	<input checked="" type="checkbox"/> No known conflict of interest for items LPP0422-22, LPP043-22 and LPP045-22
<b>In relation to item number LPP044-22 I have an actual conflict of interest</b>	<input checked="" type="checkbox"/> Conflict Details My company (not me) is acting for the applicant in this matter. I therefore will have no involvement in this matter and will leave the chamber when the matter is considered by the Panel.
<b>In relation to item number I have a potential<sup>2</sup> conflict of interest</b>	<input type="checkbox"/> Conflict Details
<b>In relation to item number I have a reasonably perceived<sup>3</sup> conflict of interest</b>	<input type="checkbox"/> Conflict Details
<b>Name of Panel Member</b>	Sue Francis
<b>Signature:</b>	
<b>Key of Terms:</b> <sup>1</sup> An 'actual' conflict of interests is where there is a direct conflict between a member's duties and responsibilities and their private interests or other duties. <sup>2</sup> A 'potential' conflict of interests is where a panel member has a private interest or other duty that could conflict with their duties as a panel member in the future. <sup>3</sup> A 'reasonably perceived' conflict of interests is where a person could reasonably perceive that a panel member's private interests or other duties are likely to improperly influence the performance of their duties as a panel member, whether or not this is in fact the case.	




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<b>Panel Member Name:</b>	Paul Vergotis
<b>Meeting Date:</b>	1 September 2022
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<b>Meeting Date:</b>	1 September 2022
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