

**ELECTRONIC DETERMINATION OF THE GEORGES RIVER LOCAL PLANNING
PANEL
30 JUNE 2020
SCHEDULE 2, PART 5, ITEM 26 OF THE ENVIRONMENTAL PLANNING AND
ASSESSMENT ACT 1979 (NSW)**

Panel constituted by: Sue Francis (Chair), Milan Marecic (Expert), Jason Perica (Expert) and Erin Sellers (Community Representative)

Development application: DA2017/0408

Proposal: Demolition of all structures, site consolidation and the construction of shop top housing development including three (3) retail tenancies and a residential flat building containing a total of 50 apartments with basement car parking for 118 vehicles, roof top communal open space and associated site works

Premises: Lot 4 DP 13988, Lots 29-31 DP 1246418, 655-659 Princes Highway Blakehurst

Determination: Pursuant to Section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979 (NSW) conditional development consent is **granted** to Development Application DA2017/0408 for demolition of all structures, site consolidation and the construction of shop top housing development including three (3) retail tenancies and a residential flat building containing a total of 50 apartments with basement car parking for 118 vehicles, roof top communal open space and associated site works at Lot 4, DP13988, Lots 29-31, DP 1246418 and known as 655-659 Princes Highway Blakehurst, in accordance with the conditions included in the report.

Date of Determination: 30 June 2020

Voting: Unanimous

Statement of Reasons:

This Development Application was initially deferred on 5 March 2020 to allow the applicant provide additional information concerning contamination assessment, acid sulphate soils and a revised Clause 4.6 Variation request to accurately reflect any resubmitted plans.

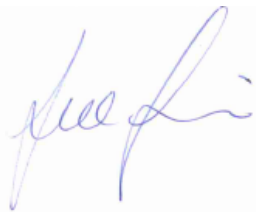
In relation to the Clause 4.6 variation which now addresses the uncertainty as to height variation, the written request now identifies sufficient environmental planning grounds to justify that compliance is unnecessary and unreasonable in the circumstances of the case. The variation is also in the public interest having satisfied the objectives of the standard and the zone.

The Panel accepts the matters raised for reasons for deferral by the Panel at its meeting of 5 March 2020 have been satisfactorily addressed and concurs with the recommendation of Council to approve the proposal for the following reasons:

- The proposed development generally complies with the requirements of the relevant environmental planning instruments and the Kogarah Development Control Plan.
- The proposed development is well considered and sensitively designed so that it will not result in any unreasonable impact on the natural and built environment given the proposal has been amended a number of times.
- The building will not adversely affect the amenity of any immediately adjoining properties in terms of unreasonable overlooking, overshadowing or loss of outlook.
- The proposed built form, mass and scale is commensurate with the anticipated planning and urban design outcome for mixed use developments in this business zone.
- The loss of trees on the site is acceptable given the anticipated development for the site based on its zoning and density.
- The Panel is satisfied that the contamination, acid sulphate soil concerns and issues relating to flooding are addressed by the conditions of consent.

Confirmed: Sue Francis (Chair), Milan Marecic (Expert), Jason Perica (Expert) and Erin Sellers (Community Representative) as the constituted Georges River Local Planning Panel pursuant to Part 4 of the Environmental Planning and Assessment Act 1979 (NSW).

Dated: 30 June 2020



Sue Francis
Chairperson



Milan Marecic
Expert Panel Member



Jason Perica
Expert Panel Member



Erin Sellers
Community Representative