

**DETERMINATION OF THE GEORGES RIVER LOCAL PLANNING PANEL
18 JANUARY 2019**

Panel Constituted by: Adam Seton (Chair), Michael Leavey (Expert), John Brockhoff (Expert), George Vardas (Community Representative)

Development Application No: DA2017/0655

Proposed Development: Demolition of existing structures and construction of new 6 storey residential flat building comprising 22 dwellings

Premises: 198-200 Princes Highway Kogarah Bay

Determination

Approval

1. In relation to the contravention by the development in Development Application No. DA2017/0655 of the maximum height development standard of 21 metres imposed by clause 4.3 of Kogarah Local Environmental Plan 2012 ("KLEP 2012"), the Panel is satisfied that:
 - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by clause 4.6(3) of KLEP 2012, and
 - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the standard and the objectives for development within Zone R3 Medium Density Residential of KLEP 2012.

2. Pursuant to Section 4.16(1) of the Environmental Planning and Assessment Act 1979, as amended, Development Application No. DA2017/0655 for demolition of existing structures and construction of a new 6 storey residential flat building comprising 22 dwellings at 198-200 Princes Highway, Kogarah, is determined by granting consent to the application subject to the conditions recommended in the Electronic Report to Georges River Local Planning Panel Following Deferral at 15 November 2018 (LPP Report No. LPP052-18).



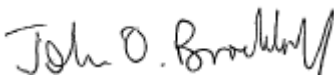

Date of Determination: 18 January 2019

Voting: The decision of the Panel was unanimous.

Statement of Reasons

1. The proposed development generally complies with the requirements of the relevant environmental planning instruments and development control plan except for the maximum height development standard imposed by clause 4.3 of KLEP 2012.

2. The contravention of the maximum height development standard relates to the lift overrun and amenities structure on the rooftop and does not cause any additional overshadowing, visual impact or loss of privacy on adjoining properties and open space areas.
3. The design of the development is considered to be of an appropriate scale and intensity and is compatible with the desired future character of the local area.
4. Subject to the implementation of the recommended conditions, the development will have no unacceptable adverse impacts upon the natural or built environment
5. The proposed development is a suitable and planned use of the site and its approval is in the public interest.

 <p>Adam Seton Chairperson</p>	 <p>Michael Leavey Expert Panel Member</p>
 <p>John Brockhoff Expert Panel Member</p>	 <p>George Vardas Community Representative</p>