



PLANNING PROPOSAL AUTHORITY
RECORD OF DECISION PUBLIC MEETING, POST
EXHIBITION AND FINALISATION
STRATEGIC PLANNING PANEL OF THE
SYDNEY SOUTH PLANNING PANEL

DATE OF DETERMINATION	Friday, 4 August 2023
DATE OF PANEL DECISION	Monday, 31 July 2023
PANEL MEMBERS	Annelise Tuor (Chair), Glennis James and Greg Woodhams
APOLOGIES	
DECLARATIONS OF INTEREST	Cr Nick Katris and Cr Elise Borg declared a conflict of interest as they have been briefed on the planning proposal and the draft Master Plan for Beverly Hills Town Centre. Cr Sam Stratikopoulos did not advise of his availability to sit on the Panel.

Public meeting held by Public Teleconference on 31 July 2023, opened at 1:12pm and closed at 2.08pm. Papers circulated electronically on 25 July 2023.

PLANNING PROPOSAL

PP-2021-6630 - Georges River LGA - 143 Stoney Creek Road, Beverly Hills

PANEL CONSIDERATION AND DECISION

The Panel considered: the material listed at item 4, and the material presented at the site inspection and briefing listed at item 5 in Schedule 1.

As the Planning Proposal Authority, the Panel determined to defer its decision on whether to recommend to the Minister that the proposed instrument, as described in Schedule 1, should be made or should not be made.

The Panel has deferred its decision for a maximum period of six weeks for further comments to be sought from the NSW State Emergency Services (SES) and Department of Planning and Environment's Environment and Heritage Group (EHG), on the updated Flood and Risk Impact Assessment dated April 2023 (FRIA), the Applicant's response to these submissions and the proposal's consistency with the Section 9.1 Ministerial Direction 4.1 Flooding. The Agencies have up to four weeks in which to provide their comments to the Department. The Department has a further two weeks to prepare a supplementary report (if required). Should the Panel not receive any comments from the Agencies within four weeks, then the Panel will reconvene and make a decision based on the information before it.

The Panel's decision was unanimous.

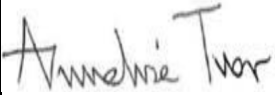
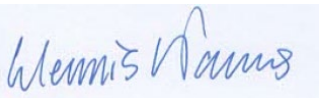

REASONS FOR THE DECISION

The Panel noted that the SES and EHG submissions in response to the exhibition of the Planning Proposal raised concerns, including the Proposal's consistency with the Section 9.1 Direction 4.1 Flooding. The Panel was advised that the SES's submission was based on an earlier FRIA and that the updated FRIA dated April 2023 was not considered by the SES. The SES and EHG also have not received and commented on the Applicant's response to their submissions. The Department of Planning and Environment's Post-Exhibition Report dated 24 July 2023 concludes that "the proposal has justified its inconsistency with the direction under the terms of the Direction as the planning proposal is supported by a FRIA (April 2023) prepared in accordance with the principles of the Floodplain Development Manual 2005". The Panel has deferred its decision to enable the updated FRIA and the Applicant's response to submissions to be considered by SES and

EHG and for any differences in opinion or interpretation of the Section 9.1 Direction 4.1 Flooding to be explained to the Panel.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition and heard from all those wishing to address the Panel. The Panel notes that issues of concern included flooding; solar access and overshadowing; building height and local character; traffic and parking; proposed business office premises uses; and no Voluntary Planning Agreement.

PANEL MEMBERS	
 Annelise Tuor (Chair)	 Glennis James
 Greg Woodhams	

SCHEDULE 1		
1	PANEL REF – LGA – PLANNING PROPOSAL NO. – ADDRESS	PP-2021-6630 – 143 Stoney Creek Road, Beverly Hills
2	LEP TO BE AMENDED	Georges River Local Environmental Plan (LEP) 2021
3	PROPOSED INSTRUMENT	<p>The planning proposal seeks to amend the Georges River Local Environmental Plan 2021 to:</p> <ul style="list-style-type: none"> • rezone from part SP2 Public Administration and part R2 Low Density Residential to R4 High Density Residential; • increase the minimum lot size (MLZ) from 450m² to 1,000m² on the R2 land • increase Floor Space Ratio (FSR) from 0.55:1 to 1.4:1 on the R2 land; • increase the maximum building height (HOB) from 9m to 16m on the R2 land; • Introduce a MLZ of 1,000m² on the SP2 land; • introduce a FSR of 1.4:1 on the SP2 land; • introduce a HOB of 16m on the SP2 land; and • introduce ‘Office Premises’ and ‘Business Premises’ as additional permitted uses under Schedule 1.
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • DPE Post Exhibition Report, 24 July 2023 • Written submissions during public exhibition: 11 • Verbal submissions at the Panel’s public meeting 1.12pm – 2.08pm, 31 July 2023: <ul style="list-style-type: none"> ○ Registered Speaker: Janine Mayne ○ On behalf of Georges River Council – Catherine McMahon ○ On behalf of the applicant – Aaron Sutherland for Sutherland & Associates Planning ○ Total number of unique submissions received by way of objection: 5
5	BRIEFINGS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection: 10.00am to 10.35am, 31 July 2023 <ul style="list-style-type: none"> ○ Panel members: Annelise Tuor (Chair) and Greg Woodhams ○ DPE staff: Doug Cunningham, Srishri Jagdale, Jasper Allenby, Alexander Galea, William Pruss, Lisa Kennedy & Elliot Brown ○ Key Issues Discussed: <ul style="list-style-type: none"> • Flooding, reports & consultation with agencies; solar access & overshadowing of neighbouring properties; local character & built form; master planning for Beverly Hills town centre. • Panel Briefing: 12.30pm – 1.07pm, 31 July 2023 <ul style="list-style-type: none"> ○ Panel members: Annelise Tuor (Chair), Glennis James and Greg Woodhams ○ DPE staff: Louise McMahon, Doug Cunningham, Srishri Jagdale, Jasper Allenby, Alexander Galea, William Pruss, Lisa Kennedy & Elliot Brown ○ Key Issues Discussed: <ul style="list-style-type: none"> • Flooding, reports & consultation with agencies; • Key issues from submissions – solar access & overshadowing; local character & heritage; and building height and flooding; • VPA and Council’s Contributions Plan; and • Master planning for Beverly Hills town centre.

		<ul style="list-style-type: none">• Panel Determination: 2.10pm – 2.42pm, 31 July 2023<ul style="list-style-type: none">○ Panel members: Annelise Tuor (Chair), Glennis James and Greg Woodhams○ DPE staff: Louise McMahon, Doug Cunningham, Srishri Jagdale, Jasper Allenby, Alexander Galea, William Pruss & Lisa Kennedy
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