

<b>DATE OF DETERMINATION</b>	12 June 2018
<b>PANEL MEMBERS</b>	Bruce McDonald (Chair), Nicole Gurrán and Stuart McDonald
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	Nick Katris and Con Hindi have both declared a conflict of interest on as they have previously dealt with this at Council. Accordingly, they will not participate in the Panel for this matter.

Public meeting held at Georges River Council, Hurstville Civic Centre, cnr Dora St and McMahan St, Hurstville on 12 June 2018, opened at 2.30pm and closed at 2.45pm.

**MATTER DETERMINED**

2018SSH026 – Georges River – MOD2018/0038 at 282-290 Forest Rd, Hurstville (AS DESCRIBED IN SCHEDULE 1)

**PANEL CONSIDERATION AND DECISION**

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 4.55 of the *Environmental Planning and Assessment Act 1979*.

The decision was Unanimous.

**REASONS FOR THE DECISION**

The reasons for the decision of the Panel were:

1. The Panel is satisfied that the proposed development is substantially the same as that for which consent was originally granted and that the proposed modification is of minimal environmental impact.
2. The proposal adequately satisfies the applicable objectives and provisions of Hurstville LEP 2012 and Hurstville DCP No. 2.
3. The proposed development, subject to the conditions imposed is consistent in design and utility with the adjacent Central Plaza currently under construction by Georges River Council and will adequately regulate use of the resultant building awning.
4. The Panel has been advised that legal and expert planning advice has been provided to Council to the effect that the easements are not reasonably necessary for the effective use and development of the applicant’s land.

In consideration of conclusions 1-4 above the Panel considers the of the proposed modification to the development is a suitable use of the site and approval, subject to the conditions imposed, is in the public interest.

PANEL MEMBERS



Bruce McDonald (Chair)



Nicole Gurran



Stuart McDonald

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SSH026 – Georges River – MOD2018/0038
2	PROPOSED DEVELOPMENT	Modification of Development Consent No DA2016/0322 to amend the deferred commencement conditions of consent requiring easements
3	STREET ADDRESS	282-290 Forest Rd, Hurstville
4	APPLICANT/OWNER	Telado P/L
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(2) Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	<ol style="list-style-type: none"> <li>5. Environmental planning instruments: <ul style="list-style-type: none"> <li>○ Hurstville Local Environmental Plan 2012</li> </ul> </li> <li>6. Draft environmental planning instruments: Nil</li> <li>7. Development control plans: <ul style="list-style-type: none"> <li>○ Hurstville Development Control Plan No 2</li> </ul> </li> <li>8. Planning agreements: Nil</li> <li>9. Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</li> <li>10. Coastal zone management plan: Nil</li> <li>11. The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>12. The suitability of the site for the development</li> <li>13. Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>14. The public interest, including the principles of ecologically sustainable development</li> </ol>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Council assessment report: 28 May 2018</li> <li>• Written submissions during public exhibition: N/A</li> <li>• Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>○ Support – Nil</li> <li>○ Object – Nil</li> <li>○ On behalf of the applicant – Pascal Bobillier</li> </ul> </li> </ul>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Site inspection 12 June 2018</li> <li>• Final briefing meeting to discuss council's recommendation, 12 June 2018, 1.30pm. Attendees: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Bruce McDonald (Chair), Nicole Gurrán and Stuart McDonald</li> <li>○ <u>Council assessment staff</u>: Meryl Bishop, Jenny Ware</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report