

<b>DATE OF DETERMINATION</b>	7 December 2021
<b>DATE OF PANEL DECISION</b>	7 December 2021
<b>DATE OF PANEL MEETING</b>	25 November 2021
<b>PANEL MEMBERS</b>	Helen Lochhead (Chair), Stuart McDonald, Susan Budd
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	Con Hindi, Nick Katris Heather Warton has no direct conflict but declares working for council in the past as a contractor to the legal unit.

Papers circulated electronically on 7 December 2021.

#### **MATTER DETERMINED**

PPSSSH-88 - Georges River – MOD2021/0113 - 643A King Georges Road, Penshurst 2222 - Modification of Consent No: DA2017/0354 for stage 2 and 3 of Penshurst Park Masterplan including a new grandstand, youth facility and amenities, upgrades to existing sporting fields including new surfaces and running track, playground and exercise equipment, landscaping, and external lighting. Additional works include extensions to Hurstville Aquatic Leisure Centre to include two multipurpose courts, gymnastics area and café, and additional car parking. The modification application seeks to approve the use of the development, including the buildings, stormwater disposal amendments, the field changing from a cricket pitch to a soccer field, deletion of the playground, grandstand reconfiguration, changes to the internal layouts of the grandstand and youth centre, as constructed.

#### **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 briefings listed at item 8 in Schedule 1.

#### **Modification application**

The panel determined to approve the modification application pursuant to section 4.55 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

#### **REASONS FOR THE DECISION**

The panel determined to approve the modification application for the reasons outlined in the council assessment report.

#### **CONDITIONS**




The modification application was approved subject to the conditions in the council assessment report.

#### **CONSIDERATION OF COMMUNITY VIEWS**

In coming to its decision, the panel considered one (1) written submission made during public exhibition. The Panel notes that issues of concern included:

- Cost of works of the modifications
- The correct location of a below ground water pipe
- The retrospective approval of the works
- Concerns with the reduction in grandstand seat numbers

The Panel considers that concerns raised by the community have been adequately addressed in the assessment report.

PANEL MEMBERS	
 Helen Lochhead (Chair)	 Susan Budd
 Stuart McDonald	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSSH-88 - Georges River – MOD2021/0113
2	PROPOSED DEVELOPMENT	Modification of Consent No: DA2017/0354 for stage 2 and 3 of Penshurst Park Masterplan including a new grandstand, youth facility and amenities, upgrades to existing sporting fields including new surfaces and running track, playground and exercise equipment, landscaping and external lighting. Additional works include extensions to Hurstville Aquatic Leisure Centre to include two multipurpose courts, gymnastics area and café, and additional car parking. The modification application seeks to approve the use of the development, including the buildings, stormwater disposal amendments, the field changing from a cricket pitch to a soccer field, deletion of the playground, grandstand reconfiguration, changes to the internal layouts of the grandstand and youth centre, as constructed.
3	STREET ADDRESS	643-643A King Georges Road, Penshurst 2222
4	APPLICANT/OWNER	Applicant & Owner – Georges River Council
5	TYPE OF REGIONAL DEVELOPMENT	Council related development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>Greater Metropolitan Regional Environmental Plan No 2 –Georges River Catchment</li> <li>State Environmental Planning Policy (Infrastructure) 2007</li> <li>Hurstville Local Environmental Plan 2012</li> </ul> </li> <li>Draft environmental planning instruments: <ul style="list-style-type: none"> <li>Draft Georges River Local Environmental Plan 2020</li> </ul> </li> <li>Development control plans: <ul style="list-style-type: none"> <li>Georges River Development Control Plan 2021</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil [or enter the clauses if relevant]</li> <li>Coastal zone management plan: [Nil]</li> <li>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>The suitability of the site for the development</li> <li>Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Council assessment report: <b>18 November 2021</b></li> <li>List any council memo or supplementary report received: <b>18 November 2021</b></li> <li>Written submissions during public exhibition: 1</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Briefing: 11 November 2021 <ul style="list-style-type: none"> <li><u>Panel members</u>: Helen Lochhead (Chair), Heather Warton, Susan Budd</li> <li><u>Council assessment staff</u>: Nicole Askew, Ryan Cole, Nicole Lennon</li> <li><u>DPIE</u>: Leanne Harris, Holly McCann</li> </ul> </li> <li>Site inspection: Panel members visited the site individually on different days due to Covid-19 precautions.</li> <li>Final briefing to discuss council's recommendation: 25 November 2021</li> </ul>

		<ul style="list-style-type: none"><li>○ <u>Panel members</u>: Helen Lochhead (Chair), Stuart McDonald, Susan Budd</li><li>○ <u>Council assessment staff</u>: Nicole Askew, Ryan Cole, Nicole Lennon</li><li>○ <u>DPIE</u>: Leanne Harris, Holly McCann</li></ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report