

MINUTES

Georges River Local Planning Panel

Thursday, 05 December 2024

4:00 PM

Blended Meeting

**Online and Council Chambers, Civic Centre,
Hurstville**

PANEL MEMBERS:

Mr Stuart McDonald	(Chairperson)
Ms Naomi Fiegel	(Expert Panel Member)
Mr Wayne Carter	(Expert Panel Member)
Ms Georgia Kissa	(Community Representative)

1. ON SITE INSPECTIONS

Prior to this meeting the Panel carried out an inspection of the sites and nearby localities.

2. OPENING

The meeting commenced at 4.02pm

3. ACKNOWLEDGEMENT OF COUNTRY

The Georges River Local Planning Panel acknowledges the Bidjigal people of the Eora Nation, who are the Traditional Custodians of all lands, waters and sky in the Georges River area. I pay my respect to Elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples who live, work and meet on these lands.

4. APOLOGIES / LEAVE OF ABSENCE

There were no apologies received

5. NOTICE OF WEBCASTING

6. DISCLOSURES OF INTEREST

Stuart McDonald declared an interest in item LPP054-24 - South of 293 Belmore Road, Riverwood on the road reserve of Morotai Avenue Riverwood, LPP055-24 - No. 3 Lily Street, Hurstville and within the road reserve of Roberts Lane and LPP056-24 - East of 31 Regent Street Kogarah. Located on the road reserve of Premier Street and took no part in the discussions or deliberations of this application. Naomi Fiegel Chaired the 3 items.

7. CONSIDERATION OF ITEM(S) AND VERBAL SUBMISSIONS

Registered speakers were invited to address the panel by the Chair.

The public speakers concluded at 5.14pm and the LPP Panel proceeded into Closed Session to deliberate on the items listed below.

8 CLOSED SESSION – DELIBERATION OF REPORTS

LPP051-24 Directors Comments on Planning Proposal PP2024/0001 - 193-199 Rocky Point Road, 66-68 Ramsgate Road and 2-4 Targo Road Ramsgate (Report by Director Environment and Planning)

The Panel carried out an inspection of the site and nearby locality.

Speakers

- Trevor Ellis (submitter)
- Pierre Abrahamse (applicant)
- Daniel Howard (planner/architect)
- Alysha Tse (consultant on behalf of applicant)
- Tim Rogers (consultant on behalf of applicant)
- Jordon Curran (consultant on behalf of applicant)
- Oswaldo Marcelo (consultant on behalf of applicant)

Voting of the Panel Members

The decision of the Panel was unanimous.

That the Georges River Local Planning Panel note the contents of the report.

**LPP052-24 Planning Proposal PP2024/0001 - 193-199 Rocky Point Road, 66-68
Ramsgate Road and 2-4 Targo Road, Ramsgate
(Report by Strategic Planner)**

The Panel carried out an inspection of the site and nearby locality.

Speakers

- Trevor Ellis (submitter)
- Ellen Robertshaw (submitter)
- Lisa Bella Esposito (submitter)
- Pierre Abrahamse (applicant)
- Daniel Howard (planner/architect)
- Alysha Tse (consultant on behalf of applicant)
- Tim Rogers (consultant on behalf of applicant)
- Jordon Curran (consultant on behalf of applicant)
- Oswaldo Marcelo (consultant on behalf of applicant)

Voting of the Panel Members

The decision of the Panel was unanimous.

1. The Panel advise Council that the amendments to the planning controls as envisaged in the Planning Directors report presented to the Panel, have strategic merit.
2. The Panel recommends that Council supports the proposed amendments to Georges River Local Environmental Plan 2021 (GRLEP), as follows:
 - (a) Rezone the land from part R4 High Density Residential and part E1 Local Centre to E1 Local Centre
 - (b) Increase the building height from part 15 metres (R4 zone) and part 21 metres (E1 zone) to part 16m and part 29m
 - (c) Increase the Floor Space Ratio (FSR) from part 2.5:1 (E1 zone) and part 1.5:1 (R4 zone) to 2.64:1
 - (d) Reclassify Council-owned Lot 301 DP 114822 from 'community land' under the LG Act to 'operational land' to enable future acquisition from Council and eventual redevelopment of the land. These details are proposed to be inserted into 'Schedule 4 Classification and reclassification of public land' of the GRLEP 2021.
3. The Panel recommends that:
 - (a) Prior to Council determining to proceed to Gateway:
 - (i) The Planning Proposal:
 - a) impose a maximum FSR of 2.64:1
 - b) delete the Part 6 Additional local provision setting out exceptions to the maximum building height to allow flexibility for future development to provide roof top communal open space and associated built form elements, including lifts, lift overruns, lift lobbies, plant and services at the site.
 - (ii) Council and TfNSW to be satisfied regarding traffic and transport issues, including but not limited to the following:
 - a) The state and local road network, within an area of minimum of 800m radius of the site, can perform satisfactorily.
 - b) The operation of the proposed signalised junction at Rocky Point Road and Targo Road can achieve a satisfactory level of service for motor vehicles and pedestrians at all times.

- c) The operation of the existing signalised junction at Rocky Point Road and Ramsgate Road can achieve a satisfactory level of service for motor vehicles and pedestrians at all times.
 - d) Any impacts on existing bus stops and potential need for their relocation.
 - e) The egress and ingress for the loading dock accessed from Ramsgate Road.
 - (iii) The lodgement of a VPA offer to address the public benefits. The VPA should include any road works and facilities required to address the impacts of the proposal. Discussions to occur with Council officers before the lodgement of the revised offer
- (b) Prior to Community Consultation if Gateway issued:
- (i) The Planning Agreement to be executed by the owner.
 - (ii) Amend the Site Specific DCP to:
 - a) include urban design principles and provisions, which seek to:
 - a. protect the amenity and privacy of residents, including adequate separation of commercial activity and residential uses, and appropriate interface treatment to neighbours
 - b. enhance activation of the Rocky Point Road retail frontage
 - c. improve pedestrian amenity and safety on all street frontages
 - b) include all proposed ground level setbacks in the written controls and relevant setback diagrams and section drawings.
 - c) delete the existing control for a through-site link and replace with a new provision of publicly accessible open space that will:
 - a. compliment and connect with ground floor commercial uses,
 - b. not disrupt the amenity of neighbouring residential properties, and
 - c. provide safe zones for refuge and improve public amenity.
 - d) delete all residential, pedestrian and vehicular access points, except for the proposed 6m wide loading access adjacent to the existing 3.66m ROW at the rear of No. 201-209 Rocky Point Road from Ramsgate Road and supermarket main entry at the north-eastern portion of the site. All other site access points may be determined as part of a future DA and should not be included in the Site-Specific DCP.
 - e) include vehicular access objectives and provisions that ensure vehicular access points minimise potential conflicts with pedestrians and minimise the disruption of the surrounding local road network.
 - f) include provisions to enable an easement access agreement for shared vehicular access from the 6m Ramsgate Road driveway to accommodate MRVs required for back of house functions or Council's garbage collection vehicles for the future development of No. 201-209 Rocky Point Road.
 - g) include a requirement for a future DA to prepare a Plan of Management for the management of the loading dock area between commercial and residential uses, and any controls to form part of the strata plan for the future development.
 - h) include objectives and provisions to protect the amenity of the adjacent heritage item known as 'Roma'. This includes controls that:
 - a. address the acoustic and visual impacts and amenity of the loading dock / delivery area.
 - b. ensure a high-quality architectural expression and palette of materials and finishes to the façade to the utilities area.
 - (iii) Update all other PP supporting documents, including the Traffic and Transport Assessment, to resolve outstanding matters or inconsistencies before public exhibition.

(c) During community consultation

- (i) Undertake all the required statutory requirements and consultation for the reclassification of Council-owned Lot 301 DP 114822 from 'community land' under the Local Government Act to 'operational land as a condition of Gateway.
- (ii) Undertake consultation with relevant State agencies, including TfNSW particularly regarding all proposed road network upgrades to be included in the VPA request lodged by the Proponent and conditioned for any future development consent.
- (iii) Undertake consultation with Bayside Council and the community in regard to the removal of parking spaces on the eastern side of Rocky Point Road / Targo Road.
- (iv) Publicly exhibit the PP, including draft site-specific DCP and draft planning agreement, for a minimum of 28 days (unless an alternate period is prescribed in the Gateway Determination).

LPP053-24 12-14 Bembridge Street CARLTON
(Report by Consultant Planner)

The Panel carried out an inspection of the site and nearby locality.

Speakers

There were no speakers for this item.

Voting of the Panel Members

The decision of the Panel was unanimous. (Panel Members – Stuart McDonald Chair, Naomi Fiegel, Wayne Carter and Georgia Kissa)

Pursuant to Section 4.16(1)(b) of the Environmental Planning and Assessment Act, 1979, as amended, the Georges River Local Planning Panel, refuses Development Application DA2024/0032 for the Demolition of all Existing Structures and the Construction of a Five (5) Storey, 15 Unit Residential Flat Building with Basement Carparking, Landscaping and Site Works at Lot 166 and 167 in DP 1916, known as 12-14 Bembridge Street Carlton, for the following reasons:

1. Environmental Planning Instrument
Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development fails to demonstrate compliance with the requirements of State Environmental Planning Policy (Biodiversity and Conservation) 2021.
 - a) The amended arborist report submitted was found to be unsatisfactory and failed to demonstrate appropriate mitigation measures to protect a significant tree on an adjoining property. If the development proceeded, it would result in an unacceptable level of impact to a significant tree which is contrary to the requirements of Chapter 2.
 - b) The amended drainage plans and documentation submitted was found to be unsatisfactory and the impacts arising were not appropriately mitigated, as a consequence the proposal may give rise to an undue impact upon the Georges River catchment which is contrary to the requirements of Chapter 6.
2. Environmental Planning Instrument
Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development fails to demonstrate compliance with the requirements of State Environmental Policy No 65 – Design Quality of Residential Flat Buildings. In particular the following requirements of the Apartment Design Guide:
 - a) 3D - Communal open space – The proposal fails to demonstrate that a suitable amount of communal open space has been provided. The proposal fails to demonstrate that the proposed communal open space receives a minimum of 2 hours (or more) of solar access throughout the day in midwinter.
 - b) 3F- Visual Privacy - The proposal fails to demonstrate that the location of the ground level communal open space directly adjacent to Ground Floor Unit 05 will not lead to an unacceptable loss of privacy for the occupants of the unit.

- c) 3H-Vehicle Access - The proposal fails to demonstrate a vehicle entry that is suitable integrated into the design of the building leading to a sub-optimal streetscape outcome.
- d) 4D-2 Apartment size and layout - The proposal fails to demonstrate that all apartments open plan living area achieve the maximum required habitable room depth of 8m from a window.
- e) 4D-2 Apartment size and layout - The proposal fails to demonstrate that all apartments open plan living area achieve the minimum required room width of 4m.
- f) 4E- Private Open space and balconies - The proposal fails to demonstrate that all apartments achieve the minimum required private open space areas.
- g) 4G- Storage - The proposal fails to demonstrate that all apartments achieve the minimum requirement of 50% of the required storage within the apartments.
- h) 4J – Noise and Pollution - The proposal fails to demonstrate that the location of the ground level communal open space will not lead to an unacceptable noise impact upon the occupants of unit G05.
- i) 4M – Facades - The proposal fails to demonstrate well resolved façade treatments with an appropriate scale and proportion to the streetscape and human scale appropriate for the setting.
- j) 4O – Landscape Design - The proposal fails to demonstrate an acceptable landscape design.
- k) 4V – Water management and conservation - The proposal fails to demonstrate an acceptable stormwater management plan.
- l) 4W – Waste Management - The proposal fails to demonstrate an acceptable waste management plan.

3. Environmental Planning Instrument

Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development fails to demonstrate compliance with the requirements of Georges River Local Environmental Plan 2021. In particular:

- a) 4.3 Height of Buildings Development Standard – The proposed height of building is excessive and not compatible with the height, bulk, and scale of the existing and desired future character of the locality. The applicant has failed to demonstrate that compliance with the development standard is unreasonable or unnecessary in the circumstances or that there are sufficient environmental planning grounds to justify the contravention of the standard.
- b) 6.3 Stormwater Management - the proposal has not demonstrated a satisfactory design for stormwater disposal.
- c) 6.9 Essential Services
 - i. Stormwater - the proposal has not demonstrated a satisfactory design for stormwater disposal which is an essential service.

- ii. Vehicular access - the proposal has not demonstrated a satisfactory design for vehicular access to the premises which is an essential service.
- d) 6.10 Design Excellence – as a result of the numerous deficiencies of the design as outlined in the other reasons of refusal, the proposal with these unresolved issues does not exhibit design excellence.
- e) 6.11 Environmental sustainability – the proposal has not demonstrated that it has achieved the environmental sustainability as the proposal will lead an unacceptable impact on a significant tree on an adjoining property.

4. Development Control Plan

Pursuant to Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, the application fails to demonstrate compliance with the following requirements:

- a) 3.3 Landscaping - the proposal has not provided a satisfactory landscape plan or a suitable arborists report that protects a significant tree on an adjoining property.
- b) 3.10 Stormwater Management - the proposal has not demonstrated a satisfactory design for stormwater disposal.
- c) 3.12 Waste Management - the proposal has not demonstrated satisfactory arrangements for the management and collection of waste.
- d) 3.13 Parking Access and Transport - the proposal has not demonstrated a satisfactory access and car parking design.
- e) 6.3.4 Basement Setbacks - the proposal has not demonstrated a complaint design for basement setback and is unable to provided deep soils zones on all sides of the building.

5. Likely Environmental Impacts

Pursuant to Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, the application fails to demonstrate that it will not lead to adverse environmental impacts on both the natural and built environment in the locality.

- a) The proposed development has failed to demonstrated that it will not have an unacceptable impact on a significant tree on adjoining site. The proposal has not demonstrated satisfactory stormwater disposal or waste management arrangements. On this basis the proposal has not demonstrated that it will not give rise to a negative impact on the natural environment of the locality.
- b) The proposal has not demonstrated that it will make a positive contribution to the streetscape and the character of the area as the siting, scale, bulk, massing, architectural language and design elements of the development is generally inconsistent from an urban design perspective. The proposal fails to accord with multiple planning controls and represents an unacceptable design outcome.

6. Suitability of the Site

Pursuant to Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979, the application fails to demonstrate that suitability of the site for the proposed development. In particular:

- a) The proposal will have an unacceptable impact on a significant tree on an adjoining site. The proposal fails to comply with multiple planning controls and represents an inappropriately designed development that is not suitable for the site.

7. Public Interest

Pursuant to Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979, the proposed development is not considered to be in the public interest and is likely to set an undesirable precedent.

**LPP054-24 South of 293 Belmore Road, Riverwood.
On the road reserve of Morotai Avenue Riverwood.
(Report by Coordinator Development Assessment)**

The Panel carried out an inspection of the site and nearby locality. Stuart McDonald took no part in the site inspections relating to the matters to which he declared an interest.

Stuart McDonald left the meeting at 5.05pm.

Naomi Fiegel chaired this item.

Speakers

- Jack Rixon (applicant)
- Scott Baynes (architect)

Voting of the Panel Members

The decision of the Panel was unanimous. . (Panel Members –Naomi Fiegel Chair, Wayne Carter and Georgia Kissa)

The Panel deferred the matter because the application has been re-notified and the period for submissions from the public closes on the 19 December 2024 and the Panel will make a decision following Council advising of outcome of the notification period. The Panel understands this matter will be considered electronically.

Pursuant to Section 2.20 (8) of the Environmental Planning and Assessment Act 1979 (EPAA), Development Application No. DA2023/0418 for the installation of an advertising enabled EV charging unit, over an existing Ausgrid kiosk substation situated within the road reserve adjacent to 293 Belmore Road, Riverwood, is deferred until the conclusion of the notification period (19 December 2024) for Council to consider any submissions and provide the Panel with an update and recommendation for determination.

LPP055-24 No. 3 Lily Street, Hurstville and within the road reserve of Roberts Lane
(Report by Coordinator Development Assessment)

The Panel carried out an inspection of the site and nearby locality. Stuart McDonald took no part in the site inspections relating to the matters to which he declared an interest.

Naomi Fiegel chaired this item.

Speakers

- Jack Rixon (applicant)
- Scott Baynes (architect)

Voting of the Panel Members

The decision of the Panel was unanimous. (Panel Members –Naomi Fiegel Chair, Wayne Carter and Georgia Kissa)

The Panel deferred the matter because the application has been re-notified and the period for submissions from the public closes on the 19 December 2024 and the Panel will make a decision following Council advising of outcome of the notification period. The Panel understands this matter will be considered electronically.

Pursuant to Section 2.20 (8) of the Environmental Planning and Assessment Act 1979 (EPAA), Development Application No. DA2023/0419 for the installation of an advertising enabled EV charging unit, over an existing Ausgrid kiosk substation and a podium charging unit situated within the road reserve adjacent to 3 Lily Street, Hurstville, is deferred until the conclusion of the notification period (19 December 2024) for Council to consider any submissions and provide the Panel with an update and recommendation for determination.

LPP056-24 East of 31 Regent Street Kogarah. Located on the road reserve of Premier Street
(Report by Coordinator Development Assessment)

The Panel carried out an inspection of the site and nearby locality. Stuart McDonald took no part in the site inspections relating to the matters to which he declared an interest.

Naomi Fiegel chaired this item.

Speakers

- Jack Rixon (applicant)
- Scott Baynes (architect)

Voting of the Panel Members

The decision of the Panel was unanimous. (Panel Members –Naomi Fiegel Chair, Wayne Carter and Georgia Kissa)

The Panel deferred the matter because the application has been re-notified and the period for submissions from the public closes on the 19 December 2024 and the Panel will make a decision following Council advising of outcome of the notification period. The Panel understands this matter will be considered electronically.

Pursuant to Section 2.20 (8) of the Environmental Planning and Assessment Act 1979 (EPAA), Development Application No. DA2023/0420 for the installation of an advertising enabled EV charging unit, over an existing Ausgrid kiosk substation situated within the road reserve adjoining to 31 Regent Street, Kogarah, is deferred until the conclusion of the notification period (19 December 2024) for Council to consider any submissions and provide the Panel with an update and recommendation for determination.

Stuart McDonald returned to the meeting at 5.13pm as the chair to close the meeting.

9 CONFIRMATION OF MINUTES

GEORGES RIVER LOCAL PLANNING PANEL MEETING-05 DECEMBER 2024

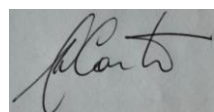
RECOMMENDATION

That the Minutes of the Georges River Local Planning Panel Meeting held on 05 December 2024, be confirmed.

The meeting concluded at 7.16pm.



Stuart McDonald
Chairperson



Wayne Carter
Expert Panel Member



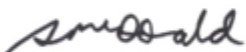
Naomi Fiegel
Expert Panel Member




Georgia Kissa
Community Representative

Declaration of Interest

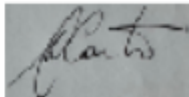
Georges River Local Planning Panel

Panel Member Name:	Stuart McDonald
Meeting Date:	5 December 2024
Item Numbers:	<ul style="list-style-type: none"> • LPP051-24 – 193-199 Rocky Point Road, 66-68 Ramsgate Road and 2-4 Targo Road Ramsgate • LPP052-24 – 193-199 Rocky Point Road, 66-68 Ramsgate Road and 2-4 Targo Road Ramsgate • LPP053-24 – 12-14 Bembridge Street Carlton • LPP054-24 – South of 293 Belmore Road, Riverwood on the road reserve of Morotai Avenue Riverwood • LPP055-24 – No. 3 Lily Street, Hurstville and within the road reserve of Roberts Lane • LPP056-24 – East of 31 Regent Street Kogarah. Located on the road reserve of Premier Street
In relation to the matters on this agenda, I declare that I have:	<input type="checkbox"/> No known conflict of interest
In relation to item numbers LPP054-24, LPP055-24, LPP056-24 I have an actual¹ conflict of interest	<input checked="" type="checkbox"/> Conflict Details Colleagues from the firm for which I work were engaged by the Council to assist with the independent assessment of the DAs. I had no personal involvement.
In relation to item number I have a potential² conflict of interest	<input type="checkbox"/> Conflict Details
In relation to item number I have a reasonably perceived³ conflict of interest	<input type="checkbox"/> Conflict Details
Name of Panel Member	
Signature:	
Key of Terms: ¹ An 'actual' conflict of interests is where there is a direct conflict between a member's duties and responsibilities and their private interests or other duties. ² A 'potential' conflict of interests is where a panel member has a private interest or other duty that could conflict with their duties as a panel member in the future. ³ A 'reasonably perceived' conflict of interests is where a person could reasonably perceive that a panel member's private interests or other duties are likely to improperly influence the performance of their duties as a panel member, whether or not this is in fact the case.	


Declaration of Interest Georges River Local Planning Panel

Panel Member Name:	Naomi Fiegel
Meeting Date:	5 December 2024
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In relation to item number I have an actual¹ conflict of interest	<input type="checkbox"/> Conflict Details
In relation to item number I have a potential² conflict of interest	<input type="checkbox"/> Conflict Details
In relation to item number I have a reasonably perceived³ conflict of interest	<input type="checkbox"/> Conflict Details
Name of Panel Member	
Signature:	
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Declaration of Interest
Georges River Local Planning Panel

Panel Member Name:	Wayne Carter
Meeting Date:	5 December 2024
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In relation to item number I have a potential² conflict of interest	<input type="checkbox"/> Conflict Details
In relation to item number I have a reasonably perceived³ conflict of interest	<input type="checkbox"/> Conflict Details
Name of Panel Member Signature:	

Declaration of Interest Georges River Local Planning Panel

Panel Member Name:	Georgia Kissa
Meeting Date:	5 December 2024
Item Numbers:	<ul style="list-style-type: none"> • LPP051-24 – 193-199 Rocky Point Road, 66-68 Ramsgate Road and 2-4 Targo Road Ramsgate • LPP052-24 – 193-199 Rocky Point Road, 66-68 Ramsgate Road and 2-4 Targo Road Ramsgate • LPP053-24 – 12-14 Bembridge Street Carlton • LPP054-24 – South of 293 Belmore Road, Riverwood on the road reserve of Morotai Avenue Riverwood • LPP055-24 – No. 3 Lily Street, Hurstville and within the road reserve of Roberts Lane • LPP056-24 – East of 31 Regent Street Kogarah. Located on the road reserve of Premier Street
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