



# GEORGES RIVER COUNCIL

## LOCAL PLANNING PANEL

### MINUTES OF MEETING Thursday, 26 April 2018

#### COMMITTEE MEMBERSHIP

##### Panel Members:

- Mr Paul Vergotis (Chairperson)
- Ms Juliet Grant (Expert Panel Member)
- Mr Michael Leavey (Expert Panel Member)
- Mr George Vardis (Community Representative)

##### Council Staff:

- Tina Christy (Manager Development and Building)
- Tony Ristevski (Team Leader Development Assessment)
- Cathy Mercer (Team Leader DA Administration)
- Monica Wernej (DA Admin Assistant)

#### 1. APOLOGIES AND DECLARATIONS OF PECUNIARY INTEREST

There were no apologies received

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There were no declarations of Pecuniary Interest

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#### 2. PUBLIC SPEAKERS

The meeting commenced at 4.00pm and at the invitation of the Chair, registered speakers were invited to address the Panel on the items listed below.

The public speakers concluded at 5.03pm and the LPP Panel proceeded into Closed Session to deliberate the items listed below.

### 3. GEORGES RIVER LOCAL PLANNING PANEL REPORTS

#### LPP010-18 445-447 Forest Road Penshurst (Report by Coordinator Development Assessment)

##### Speaker:

- Maree Miller (objector)
- Michelle Tesoriero (objector)
- Waner Ren (objector)
- Tong Chen (objector)
- Brett Daintry (objector)
- Enes Topalovic (on behalf of applicant)
- Ensar Cutahija (on behalf of applicant)

##### Determination

##### Approval

The Georges River Council LPP as the delegate of the Georges River Council determines Development Application No. 2015/0011 for the alterations and additions to existing place of public worship (mosque) including first floor additions, new domed roof, ground floor additions, internal alterations and 16m high minaret attached to the north east of the building at 445-447 Forest Road, Penshurst, by granting consent to the application subject to the conditions recommended in report dated 22 September 2016 submitted to the LPP meeting of 26 April 2018 and as amended by the following conditions:

1. Condition 1 add to table:

Reference No.	Date	Description	Revision	Prepared by
-	10 November 2016	Plan of Management (Version 2)	-	CSK Planning & Associates

2. New Condition 1A to be worded as follows:  
Prior to the issue of any Occupation Certificate, Development consent 87/DA-530 shall be surrendered pursuant to Section 4.63 of the *Environmental Planning and Assessment Act 1979 (NSW)*.
3. Conditions 2, 3 and 4 are to be updated to reflect Council's current fee schedule.
4. Condition 21 is to be amended by deleting the last sentence.
5. Condition 23 is to be amended to read as follows:
  23. The use of the premises shall be strictly limited to two hundred and fifty (250) persons (**two hundred and fifty (250) person limitation**) at any time. In relation to any festive event including open days or any religious festivals and/or Islamic holidays a separate development application for "temporary use" pursuant to Clause 2.8 of the *Hurstville Local Environmental Plan 2012* shall be submitted and development consent obtained to exceed the 250 person limitation for the temporary use of the premises.
6. Condition 24 is to be amended to read as follows:

The development is to operate at all times in accordance with the Plan of Management Version 2 dated 10 November 2016. The Plan of Management shall be amended to be consistent with Condition 23 in relation to the two hundred and fifty (250) person limitation. The Plan of Management shall be reviewed (and updated as required) and approved by the Council at least once every two (2) years. The Plan of Management does not relate to any religious festivals or Islamic holidays referable to Condition 23 where a temporary use consent is applied for.

### Statement of Reasons

1. The Panel inspected the subject site and conducted an internal inspection of the building and considered all the submissions made including those by the Trustees of the Islamic Society – Hurstville and residents of Penshurst and the planning representative of the Penshurst Action Group. In consideration of those submissions and the matters raised before the Panel, the Panel found the development application to be worthy of the granting of development consent subject to a number of conditions to regulate the use of the premises and to require additional approvals to be sought for open days or any religious festivals and Islamic holidays which would generate more than two hundred and fifty (250) persons at the premises. As such, the granting of the consent with specific conditions would be in the public interest.
2. The Panel was in the opinion that the granting of development consent would provide for better amenity and separate worship areas and will not result in a significant increase in the number of worshippers or traffic generation of the site.
3. The Panel noted that the premises have been in operation for a long period of time under development consents which had limited effect to regulate the use of the premises in particular, the numbers of worshippers at any one time and in addition these consents did not provide for control of the operational issues associated with the current use of the premises. The granting of the development consent in this instance now regulates the use of the premises and provides the Council with the ability to enforce the maximum number of worshippers within the premises and provides an opportunity for the Council to reassess the use of the premises for religious festivals and Islamic holidays.

**LPP011-18      37 Gungah Bay Road Oatley**  
(Report by Independent Assessment)

#### **Speaker:**

No speakers registered.

#### **Determination**

##### Approval

The Georges River Council LPP as the delegate of the Georges River Council determines Development Application No. 2017/0419 for the demolition of existing structures and the construction of a two storey dwelling with an attached single storey secondary dwelling at 37 Gungah Bay Road, Oatley, by granting consent to the application subject to the conditions recommended in the report submitted to the LPP meeting of 26 April 2018 as amended by the following new condition:

- 7A. Prior to the issue of a Construction Certificate the approved plans are to be amended to:
- (a) Show the proposed separate pedestrian access to the secondary dwelling along the southern side boundary; and
  - (b) To include materials and finishes to the following first floor walls:
    - (i) Western wall to the master bedroom; and
    - (ii) Southern wall to the sitting room, stairs and bathroom;

to break up the expanse of blank walls. If windows are proposed, the windows on the western elevation are to match the western windows of the secondary dwelling, and any window on the southern elevation to the bathroom is to be a high level window, with a minimum lower sill height of 1.5m.

#### Statement of Reasons

1. The Panel inspected the subject site and considered the Council's assessment report and had regard to the streetscape of the surrounding area and felt that an additional condition was needed to provide articulation to some of the first level walls.

#### 4. CONFIRMATION OF MINUTES

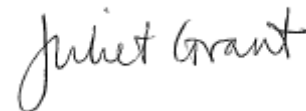
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The meeting concluded at 7.25pm



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Paul Vergotis  
**Chairperson**



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Juliet Grant  
**Expert Panel Member**



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Michael Leavey  
**Expert Panel Member**



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George Vardas  
**Community Representative**