

**ELECTRONIC DETERMINATION OF THE GEORGES RIVER LOCAL PLANNING PANEL
– 16 NOVEMBER 2018 – SCHEDULE 2, PART 5, ITEM 26 OF THE *ENVIRONMENTAL
PLANNING AND ASSESSMENT ACT 1979 (NSW)***

Panel constituted by: Paul Vergotis (Chair), Sue Francis (Expert & Alternate Chair) and Juliet Grant (Expert).

Development Application No: DA 2017/0114.

Proposed development: Alterations and additions to a dwelling house including the construction of a new terrace pavilion and garage.

Premises: Lot 154, DP11934 (No. 18) Marine Drive, Oatley

Determination: Pursuant to s 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979 (NSW)* conditional development consent is **granted** to development application no. DA2017/0114 for alterations and additions to a dwelling house including the construction of a new terrace pavilion and garage at Lot 154, DP11934 (No. 18) Marine Drive, Oatley subject to the conditions set out in Schedule A of the document entitled '*Electronic Report to Georges River Local Planning Panel Following Deferral*' as published on the Council's website and dated 16 November 2018.

Date of determination: 16 November 2018

Voting: Unanimous

Statement of Reasons: This development application was initially deferred on 5 December 2017 to allow the applicant to address, by way of additional technical information, the shortcomings of the development application in relation to the likely geo-hazards on the premises and the stability of the mature *Angophora costata* (Sydney Red Gum tree) growing on the immediate adjoining premises to the south.

On 14 August 2018 the Panel convened to consider the submission of further additional technical information provided by the applicant. After considering this information the Panel was not satisfied with the level of detail provided and, rather than refuse the development application, decided to defer the matter again so the applicant could address a number of issues raised by the additional technical information having regard to the geotechnical investigation of the structural nature of the foundation materials; and to address the conclusions reached by the arborist. Put simply, the Panel needed to be satisfied that appropriate steps would be taken to provide sound methods of site remediation and stability during the construction of the buildings proposed by the development application.

The applicant has now provided further additional technical information in response to the Panel's 2nd deferral on 14 August 2018. Notably, this information is contained within the document entitled '*Construction Management Plan for Proposed Alterations and Additions at 18 Marine Drive, Oatley dated 23 October 2018*' prepared by JK Geotechnics that is published on the Council's website and which has been assessed and reported on by council staff in the '*Electronic Report to Georges River Local Planning Panel Following Deferral*' as published on the Council's website and dated 16 November 2018.

In consideration of both the further technical information submitted by the applicant and the reports prepared by the council's assessment staff, the Panel is now satisfied that the development application is worthy of approval subject to the recommended conditions.

Confirmed: Paul Vergotis (Chair), Sue Francis (Expert & Alternate Chair) and Juliet Grant (Expert) as the constituted Georges River Local Planning Panel pursuant to Part 4 of the *Environmental Planning and Assessment Act 1979* (NSW).