

# MINUTES

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## Local Planning Panel

Thursday, 07 February 2019

4.00pm

Georges River Civic Centre,  
Hurstville



## COMMITTEE MEMBERSHIP

### Panel Members:

Mr Paul Vergotis (Chairperson)  
Mr Michael Leavey (Expert Panel Member)  
Ms Helen Deegan (Expert Panel Member)  
Mr George Vardas (Community Representative)

### Council Staff:

Ryan Cole (Manager Development and Building)  
Nicole Askew (Coordinator Development Assessment)  
Chris Young (Team Leader DA)  
Mark Raymundo (Senior Development Assessment Officer)  
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 5.06pm and the LPP Panel proceeded into Closed Session to deliberate the items listed below.

## 3. GEORGES RIVER LOCAL PLANNING PANEL REPORTS

**LPP002-19 13 Pearce Avenue Peakhurst**  
(Report by Development Assessment Officer)

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

### Speakers

- Jim Apostolou (applicant)
- Theo Loucas (applicant)

**Voting of the Panel Members**

The decision of the Panel was unanimous.

**Determination**

Approval

The Panel is satisfied that:

1. The applicants written request under Clause 4.6 of the Hurstville Local Environmental Plan 2012 seeking to justify a contravention of Clause 4.3 Height of Building development standard has adequately addressed and demonstrated that:
  - (a) Compliance with the standard is unreasonable or unnecessary in the circumstances of the case; and
  - (b) There are sufficient environmental planning grounds to justify the contravention.
2. The proposed development will be in the public interest because it is consistent with the objectives of the standards and the objectives for development within the zone in which the development is proposed to be carried out.

Pursuant to Section 4.16(1) of the Environmental Planning and Assessment Act 1979, as amended, Development Application No. DA2018/0154 for the demolition, construction of a residential flat building incorporating affordable rental house, basement car parking, site and landscape works at 13 Pearce Avenue, Peakhurst, is determined by **granting consent** to the application subject to the conditions recommended in the report submitted to the LPP meeting of 7 February 2019 except:

1. Amend Condition 26 to read as follows:
  26. **Required design changes** - The following changes are required to be made and shown on the Construction Certificate plans:

Amendments made in red on approved plans	All changes made in red on the approved plans shall be updated and shown on the Construction Certificate plans.
Drainage	According to Hurstville DCP 1, Section 3.7.3, Part A for Development Requirements, development sites greater than 700sqm in area must discharge stormwater into Council's stormwater system. The site drainage shall be connected to Council's drainage kerb inlet pit located in front of the property. Please note that a drainage application under Section 68 of the Local Government Act 1993 and Section 138 of the Roads Act 1993 is required to get approval to connect to Council's drainage system. Stormwater connection details to the council's drainage kerb inlet pit. Rainwater tank, first flush device and water supply distribution details should be included in the stormwater plans. Basement sub soil drainage details. The plans shall show the correct street address and date of

	the plans.
Window Privacy	The kitchen windows along the south west side elevation are amended to be non-openable fixed obscured glass. Ensure adequate ventilation is provided to manage cooking exhaust.
Communal Open Space	The ground floor communal open space within the rear north west corner is to be increased in size.

### Statement of Reasons

- The proposed development is considered to be an appropriate scale and form for the site and is compatible with the local character.
- The proposed development, subject to the recommended conditions, will have no unacceptable adverse impacts upon the natural or built environments.
- The proposal will result in the provision of affordable rental housing in accordance with the objects of the Environmental Planning and Assessment Act 1979.
- In consideration of the aforementioned reasons, the proposed development is a suitable and planned use of the site and its approval is in the public interest.

### **LPP003-19     42 Herbert Street Oatley** (Report by Team Leader Development Assessment)

#### The Panel:

- Visited the site, its surrounds and the adjoining property at 40 Herbert Street.
- Met the property owner of the subject site onsite and were shown the locations of the proposed development works.
- Met the property owners of 40 Herbert Street onsite and were shown the areas of concerns with the development.
- Heard from the property owners and their consultant of the subject site and 40 Herbert Street at the public meeting held at Council.
- During the meeting a set of proposed amended plans were tabled to the Panel by the applicant, these plans were provided to the owners (and consultants) of 40 Herbert Street to consider and provide comment on.

The Panel notes that the nominated architect Mr Cameron Jones from Innovate Architects is currently a community representative of the Georges River Local Planning Panel. Mr Jones did not make any representations to the Panel and took no part in any discussion between the applicant's representatives and the Panel.

#### **Speakers**

- Robert Dahan (submitter)
- Steven Hughes (consultant for submitter)
- Jeff Mead (planner for applicant)
- Liesel Cordovado (applicant/owner)
- Anders Idestrom (architect for applicant)

#### **Voting of the Panel Members**

The decision of the Panel was unanimous.

#### **Determination**

### Deferral

Development Application No. DA2018/0162 for the demolition works, construction of a dwelling house and inground swimming pool at 42 Herbert Street, Oatley, is **deferred** and the Panel invites the applicant to submit the following:

1. Amended plans showing the following:
  - (a) Realign the northern wall of that part of the garage adjoining the landscaped courtyard area to align with the raised hardstand area on the adjoining property 40 Herbert Street, Oatley;
  - (b) Reduce the bulk of the building elements (i.e. sandstone column elements, roof thickness and extent of eave overhang) of the covered area forward of the garage. In addition the letterbox is to be redesigned to be incorporated within the structural elements of the roof supports;
  - (c) Provide a privacy screen, to a height of 1.8m, on the southern side of the balcony to the existing boat house;
  - (d) Demonstrate how the privacy of 44 Herbert Street and its private open space at the rear is protected from overlooking from the proposed ground level terrace/balcony, and any measures to protect the privacy of the adjoining property;
  - (e) Achieve an overall reduction in the bulk of the building elements as a whole, including the depth of eaves and roof thicknesses;
  - (f) Provide details of the treatment and finish of the roof top elements;
  - (g) Provide details of the privacy screen treatment of the eastern side of the first floor balcony to the master bedroom;
  - (h) Provide details of the non-use of the sub floor area for use as habitable floor space. In this regard, the height of the sub floor area shall be reduced to a maximum 1.8m in height when measured from finished ground level to the underside of the slab of the garage above, to ensure that the sub floor area cannot be used or converted for use as habitable floor space;
  - (i) Reduce the gross floor area of the development so as to achieve a maximum Floor Space Ratio of 0.50669:1, including plans showing areas included as gross floor area.

The matter is to be referred back to the same Panel for electronic determination within 60 days.

## **4. CONFIRMATION OF MINUTES**

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The meeting concluded at 6.12pm



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Paul Vergotis  
**Chairperson**



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Helen Deegan  
**Expert Panel Member**



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Michael Leavey  
**Expert Panel Member**



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George Vardas  
**Community Representative**

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