

Minutes of the Georges River Independent Hearing and Assessment Panel

held on Thursday, 24 November 2016

MEMBERS OF IHAP

Participants:

Mr Paul Vergotis (Chairman)
Ms Gabrielle Morrish (Panel Member)
Ms Juliet Grant (Panel Member)
Mr Chris Young (Community Representative)

Additional Invitees:

Meryl Bishop (Director Environment and Planning)
Tina Christy (Manager Development Assessment)
Lynne Denham (IHAP Coordinator)
Monica Wernej (Admin Assistant)

1. APOLOGIES AND DECLARATIONS OF PECUNIARY INTEREST

There were no apologies received.

Ms Gabrielle Morrish (Panel Member) declared an Interest in Item's 3.2 and Item 3.3 submitting the following reason:

"I have been engaged by Council to provide advice on the urban design of the immediate area including both sites and I will take no part in the meeting discussions, deliberations and decision making."

2. PUBLIC SPEAKERS

The meeting commenced at 4.00 pm 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 5.13pm and the IHAP Panel proceeded into Closed Session to deliberate the items listed below.

3. GEORGES RIVER INDEPENDENT HEARING AND ASSESSMENT PANEL REPORTS

3.1 87 and 89 The Avenue, Hurstville

Speaker:

- Gary Peacock – Planning Consultant.

Voting of the Panel Members:

The decision of the panel was unanimous.

Panel Determination

That the Georges River IHAP note the public exhibition of the Planning Proposal PP2016/0001 and comments received.

That the amendment to the Hurstville Local Environmental Plan 2012 to rezone two (2) lots within the Danebank School (87 and 89 The Avenue, Hurstville) from R2 Low Density Residential to SP2 Infrastructure (Educational Establishments) and remove the minimum lot size, maximum building height and maximum FSR controls consistent with SP2 Infrastructure zoning be supported.

That a report to Council be prepared to advise of the IHAP recommendations and request that Council resolve to support the Planning Proposal and the finalisation of the draft amendment to the Hurstville Local Environmental Plan 2012 in accordance with Section 59 of the Environmental Planning and Assessment Act, 1979.



Paul Vergotis
Chairperson

3.2 108, 112 and 124 Forest Road and 1 and 3 Wright Street, Hurstville - Planning Proposal to amend Hurstville Local Environmental Plan (HLEP) 2012

Note: Ms Gabrielle Morrish declared a conflict of interest in this matter and did not participate in any discussions or decision making.

Speaker:

- Anthony Polvere – Applicant

Voting of the Panel Members:

The decision of the panel was unanimous excluding Ms Gabrielle Morrish.

Panel Determination

That a report to Council be prepared to advise of the IHAP recommendations and request that Council consider forwarding the Planning Proposal to the NSW Department of Planning and Environment to request a Gateway Approval for an amendment to the Hurstville Local Environmental Plan 2012 in relation to Nos. 108, 112 and 124 Forest Road and Nos 1 and 3 Wright Street, Hurstville to:

- Amend the Land Zoning Map (LZM) to rezone Nos 108 and 112 Forest Road Hurstville from B2 - Local Centre Zone to B4 – Mixed Use Zone;
- Amend the Land Zoning Map (LZM) to rezone Nos 1 - 3 Wright Street, Hurstville from R3 - Medium Density Residential Zone to B4 - Mixed Use Zone;
- Amend the Height of Building map (HOB) to increase the height of buildings for Nos 108 and 112 Forest Road and 1 and 3 Wright Street, Hurstville to 34.5m;
- Amend the Height of Buildings map (HOB) to increase the height of buildings for No 124 Forest Road, Hurstville to 46.5m;
- Amend the floor space ratio map (FSR) to increase the maximum floor space ratio for Nos 108 and 112 Forest Road and Nos 1 and 3 Wright Street, Hurstville to 4:1; and
- Amend the Lot Size Map (Sheet LSZ_008) to remove Nos. 1 and 3 Wright Street Hurstville from its application and consistent with the B4 - Mixed Use zone; and
- Amend Clause 4.4A of HLEP 2012 to include the a provision relating to the subject site stating that development consent must not be granted for development unless the non – residential floor space is at least 0.5:1.

THAT the Georges River IHAP also support the following:

- (a) The preparation of an amendment to the *Hurstville Section 94 Development Contributions Plan 2012* to include 108 Forest Road, 112 Forest Road and 1 and 3 Wright Street in the boundaries of the Hurstville City Centre to reflect the proposed B4 Mixed Use zoning of the land; and
- (b) The preparation of an amendment to the *Hurstville Development Control Plan No. 2 - Hurstville City Centre (Amendment No. 6)* to include the subject site within the boundary of the Hurstville City Centre and site specific provisions including (but not limited to), setbacks to the adjoining residential development, street activation provisions and vehicular access points, building massing and form as well as provisions to upgrades to public domain, provide deep soil landscaped areas and through site connections and linkages.



Paul Vergotis
Chairperson

3.3 93-103 Forest Road Hurstville - East Quarter Site

Note: Ms Gabrielle Morrish declared a conflict of interest in this matter and did not participate in any discussions or decision making.

Note: The Panel is only dealing with the Planning Proposal not the Development Application (DA2016/0218).

Speakers:

- Mary Zhang (Neighbour)
- David Randerson – Architect
- Adam Coburn – Planning Consultant

Voting of the Panel Members:

The decision of the panel was unanimous excluding Ms Gabrielle Morrish.

Panel Determination

THAT the Georges River IHAP receive and note the submissions received during the exhibition of the joint public exhibition of the Planning Proposal PP2014/0002 and DA2016/0218 for the “East Quarter” site at Nos. 93-103 Forest Road Hurstville.

THAT the following amendments to Hurstville LEP 2012, as exhibited be supported:

- (a) increase the Floor Space Ratio for the entire East Quarter site from 2.5:1 to 3.5:1
- (b) increase the height on Stage 3 of the East Quarter site from 23m to 30m; and
- (c) increase the height on Stage 3 of the East Quarter site from 40m to 65m, subject to the receipt of concurrence from Sydney Airports that the maximum building height of 65m will not protrude into the Obstacle Limitation Surface.

THAT should concurrence not be received from Sydney Airport in respect to (c) above, the maximum height will be in accordance with the requirements of Sydney Airport.

THAT the amendment to Hurstville Local Environmental Plan 2012 to increase the height on part of Stage 2 of the East Quarter site from 60 to 65m, not be supported as the site is already developed (Building E).

THAT a report to Council be prepared to advise of the IHAP recommendations and request that Council resolve to support the Planning Proposal and the finalisation of the draft amendment to the Hurstville Local Environmental Plan 2012 in accordance with Section 59 of the Environmental Planning and Assessment Act, 1979.



Paul Vergotis **Chairperson**

3.4 35-39 Ocean Street, Kogarah

Speakers:

- Peter J. Lonergan – Architect
- Benjamin Black – Planning Consultant

Voting of the Panel Members:

The decision of the panel was unanimous.

Panel Determination

Refusal:

The Georges River Council IHAP as the delegate of the Georges River Council determines that Development Application No. 2016/0026 for the demolition of existing dwellings and construction of multi-dwelling housing development with basement car parking and strata subdivision at 35-39 Ocean Street, Kogarah be refused for the following reasons:

1. The proposed development is contrary to the stated objectives as outlined in New City Plan which includes the rezoning of Nos 13-57 Ocean Street, Kogarah from R3 – Medium Density Residential to R2 – Low Density Residential as the area is within the Kogarah South Heritage Conservation Area.
2. The proposal does not satisfy the objectives of Clause 5.10 (Heritage Conservation) of KLEP 2012 as it does not appropriately respond to and conserve the heritage significance of the conservation area and the environmental heritage of Kogarah.
3. The proposal is not sympathetic to the character of the Kogarah South Heritage Conservation Area as it does not complement the scale, bulk, form, materials, colours, and general appearance of existing original buildings and landscape features in the streetscape, and will not preserve and be sympathetic with those special qualities which define the historic character of the locality.
4. In the circumstances of the case the proposed development is not in the public interest.



Paul Vergotis
Chairperson

3.5 19-23 Bembridge Street, Carlton

Speakers:

- Sophie Korkofigas – Neighbour
- Benjamin Black – Planning Consultant
- William Karavelas – Planning Consultant
- Nick Lycenko - Architect

Voting of the Panel Members:

The decision of the panel was unanimous.

Panel Determination

Approval:

The Georges River Council IHAP as the delegate of the Georges River Council determines Development Application No. 2016/0078 for the demolition of existing dwellings and construction of a five storey residential apartment with 23 units, basement car parking and strata subdivision at 19-23 Bembridge Street, Carlton, by granting consent to the application subject to the conditions recommended in the report submitted to the IHAP meeting of 24 November 2016 and subject to the following amendments made by the Panel:

Prior to the issue of the Construction Certificate, the plans be amended as follows:

- a. Delete Unit 22 with the area being converted to communal open space and the approved landscape plan be amended accordingly to provide adequate provision of usable communal open space.
- b. Unit 21 shall be setback nine (9) metres from Bembridge Street boundary to provide a distinct four storey street wall to Bembridge Street.
- c. To achieve improved light and ventilation to the circulation area the north western wall of bedroom 2 to units 4, 9, 14 and 19 is to be extended in a south westerly direction to meet up with central foyer. The resultant northern area of the bedroom 1 and ensuite for those units is to become a void. These amendments shall not result in the provision of a second bedroom within these units relying for light, outlook and or air from the newly created void.

That condition 4, Section 94 Contributions be amended to:

(4) Section 94 Contributions

As at the date of Development Consent the following contributions have been levied on the subject development under Section 94 of the Environmental Planning and Assessment Act, 1979 and the nominated Section 94 Contributions Plans:

No.1 – Roads and Traffic Management – Residential	\$ 2,884.02
No.5 – Open Space 2007	\$192,897.80
No.9 – Kogarah Libraries – Buildings	\$ 4,372.66
No.9 – Kogarah Libraries – Books	\$ 3,117.71
TOTAL	\$203,272.19

Any of the above Section 94 Contributions Plans may be inspected at the Georges River Council Customer Service Centres.



Paul Vergotis
Chairperson

3.6 23 Marine Drive Oatley

Speakers:

- Graeme Bartram - Neighbour
- Ivan Desailly – Neighbour
- Jason Low – Neighbour
- Rod Zoabi – Architect
- Alia Karaman - Architect

Voting of the Panel Members:

The decision of the panel was unanimous.

Panel Determination

Deferred Commencement Approval:

The Georges River Council IHAP as the delegate of the Georges River Council determines Development Application No. 2015/0355 for the demolition of existing tree removal, construction of two-three storey dwelling with swimming pool and outbuilding to rear at 23 Marine Drive, Oatley, by granting Deferred Commencement consent to the application subject to the conditions recommended in the report submitted to the IHAP meeting of 24 November 2016 subject to the following condition in Schedule 1 and additional conditions in Schedule 2:

Schedule 1:

Details of the design and location of the 5000 litre rainwater tank(s) shall be submitted and approved by Council.

Schedule 2:

The additional conditions are to be added:

- All retaining walls and associated footings are to be located wholly within the subject premises. Details are to be shown at Construction Certificate Stage.
- Condition No. 1 is to include a reference to the revised retaining wall plan.



Paul Vergotis
Chairperson

4. CONFIRMATION OF MINUTES BY CHAIR

GEORGES RIVER INDEPENDENT HEARING ASSESSMENT PANEL (IHAP) - 24 NOVEMBER 2016

That the Minutes of the Georges River Independent Hearing Assessment Panel (IHAP) held on 24 November 2016 as stated herewith be adopted.

The meeting concluded at 7.03 pm



Paul Vergotis
Chairperson