

# MINUTES

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## Local Planning Panel

Thursday, 13 December 2018

4.00pm

Georges River Civic Centre,  
Hurstville



## COMMITTEE MEMBERSHIP

### Panel Members:

Mr Adam Seton (Chairperson)  
Mr John Brockhoff (Expert Panel Member)  
Mr Michael Leavey (Expert Panel Member)  
Ms Annette Ruhotas (Community Representative)

### Council Staff:

Ryan Cole (Manager Development and Building)  
Nicole Askew (Coordinator 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 conflicts of 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 4.50pm and the LPP Panel proceeded into Closed Session to deliberate the items listed below.

## 3. GEORGES RIVER LOCAL PLANNING PANEL REPORTS

**LPP062-18**     **121 Belmore Road Peakhurst**  
(Report by Development Assessment Officer)

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

### Speakers

- Stephen Earp (applicant)
- Andrew Morse (traffic engineer)
- Jane Hagan (school infrastructure)

## Voting of the Panel Members

The decision of the Panel was unanimous.

## Determination

### Approval

Pursuant to Section 4.16(1) of the Environmental Planning and Assessment Act 1979, as amended, Development Application No. DA2018/0039 for the temporary relocation of Penshurst Public School (staff and students) to Peakhurst West Public School for a period of approximately 2 years at 121 Belmore Road, Peakhurst, is determined by **granting deferred commencement consent** to the application subject to the conditions recommended in the report submitted to the LPP meeting of 13 December 2018 except;

1. Condition 4 is to read as follows:

**Traffic Management Plan** – Prior to commencement of the use a Traffic Management Plan is to be prepared and accepted by Council and adhered to. The Traffic Management Plan is to include adequate details regarding vehicular and pedestrian management and is include details relating to:

- The employment of qualified marshals
- Staggering shuttle bus pick up and drop offs
- Details of shuttle bus routes
- Possible extension of bus bays
- Management of traffic and pedestrian movement

### Statement of Reasons

- The proposed educational facility is of a temporary nature and is considered to service the locality.
- The temporary traffic generation is not considered to be unreasonable.
- It is noted that the applicant has agreed to the change to Condition 4.
- The proposed intensification of an educational facility as a temporary nature is considered to be in the public interest.

**LPP063-18      67 Millett Street Hurstville**  
(Report by Development Assessment Planner)

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

## Speakers

- Chris Weeding (architect)

## Voting of the Panel Members

The decision of the Panel was unanimous.

## Determination

### Approval

Pursuant to Section 4.16(1) of the Environmental Planning and Assessment Act 1979, as amended, Development Application No. DA2018/0057 for the partial demolition of elements of a heritage dwelling house, alterations and additions to the heritage listed dwelling and conversion of part of the lower ground floor into a secondary dwelling, construction of a carport and fencing at 67 Millett Street, Hurstville, is determined by **granting consent** to the application subject to the conditions recommended in the report submitted to the LPP meeting of 13 December 2018 except:

1. Delete Condition 18 and insert the following conditions:
  18. **Tree Protection and Retention** - The following trees shall be retained and protected:

Tree Species	Location of Tree / Tree No.	Tree Protection Zone (metres)
<i>Liquidambar styraciflua</i>	Backyard, middle of yard of subject site	10.0 metres radially from centre of trunk
<i>Elaeocarpus reticulatus</i>	Front grassed Council verge	3.6 metres radially from centre of trunk
3 / 4 trees	69a Millett Street Hurstville, side fence	3.0 metres radially from centre of trunk
<i>All existing trees along the back southern and eastern fence (except the tree nominated for removal as per Condition 18a)</i>	Backyard of subject site	3.0 metres radially from centre of trees

Details of the trees to be retained must be included on the Construction Certificate plans.

### **General Tree Protection Measures, to be under the guidance of an AQF Level 5 Consulting Arborist**

- (a) All trees to be retained shall be protected before and maintained during demolition, excavation and construction of the site.
- (b) The tree protection measures must be undertaken in accordance *AS4970 - 2009 Protection of trees on development sites*.
- (c) Details of the tree protection measures to be implemented must be provided with the application for a Construction Certificate by a **suitably qualified Arborist who holds an AQF Level 5 or above in Arboriculture and who is a current financial member of Arboriculture Australia – AA and or Institute of Australian Consulting Arboriculturists – IACA**.
- (d) The AQF Level 5 Arborist must be present on-site during the stages of excavation and construction when works are being undertaken that could impact on the trees canopy or root zone within the tree protection zone and to implement the tree protection measures and certify, as required. The AQF Level 5 Arborist shall be in attendance for the planning, excavation and installation of the stormwater trenching and piping.

- (e) Unless otherwise specified in AS 4970-2009 *Protection of trees on development sites*, a protective fence consisting of 1.8 metres high, fully supported chainmesh fence shall be erected to protect the tree/s. The distance of the fence from the base of each tree is to be in accordance with the TPZ listed in the table above. A layer of organic mulch 100 millimetres thick shall be placed over the protected area and no soil or fill should be placed within the protection area.
- (f) To preserve Councils street tree, no work shall commence nor shall a Construction Certificate be issued (whichever occurs first) until the trunk/ branches are protected, in accordance with AS4970 -2009, *Protection of trees on development sites*, by the placement of two metre long lengths of 50mm x 100mm timber battens vertically arranged around the trunk, with 100mm spacing's and **over** geo woven fabric padding material. The timber battens shall be secured by wire/ hoop straps but **not** secured into the tree itself. The trunk/ branch protection shall be maintained intact until the completion of all works upon the site.
- (g) The Tree Protection Zone of each tree, to be protected, shall be watered thoroughly, regularly to minimise the effects of construction works.
- (h) Any services installed within the TPZ of the trees to be retained and protected shall be under the guidance of an AQF Level 5 Consulting Arborist.
- (i) Tree protection fencing shall be kept in place during demolition, excavation and construction and also have a sign displaying 'Tree Protection Zone – DO NOT ENTER' attached to the fence and must also include the name and contact details of the Project Arborist.

**Excavation works near tree to be retained – *Liquidambar styraciflua***  
Footings of additions and stormwater trenching and absorption trenches

- (j) Excavations around the trees to be retained on site or the adjoining properties shall be supervised by a **suitably qualified Arborist who holds an AQF Level 5 or above in Arboriculture and who is a current financial member of Arboriculture Australia – AA and or Institute of Australian Consulting Arboriculturists – IACA**, to ensure that the root systems of all trees to be protected will not adversely be affected.
- (k) Where the Tree Protection Zone (TPZ) of trees on site or adjoining sites become compromised by any excavation works, the Project arborist shall be consulted to establish the position of any major roots and determine the necessary measures to protect these roots. The recommendations of the Arborist shall be submitted to Council prior to any further demolition or construction works taking place.
- (l) Tree Protection Zone around the trees to be retained are not to have soil level changes or services installed in this area. Any structures proposed to be built in this area of the trees are to utilise pier and beam or cantilevered slab construction.  
 Details satisfying this condition shall be shown on the Construction Certificate plans.

**Tree Pruning**

Permission is granted for the formative / target pruning only of the following tree:

Tree Species	Number of trees	Location
<i>Liquidambar styraciflua</i>	1	Backyard, middle of yard of subject

		site, <i>selective pruning only</i>
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Removal or pruning of any other tree (that would require consent of Council) on the site is not approved. All pruning must be undertaken by a minimum Certificate 3, qualified Arborist in accordance with AS4373 -2007 *Pruning of Amenity Trees* and Amenity Tree Industry, Code of Practice (SafeWork NSW August 1998).

#### 18a. **Tree Removal & Replacement**

##### **Tree removal**

Permission is granted for the removal of the following trees:

<b>Tree Species</b>	<b>Number of trees</b>	<b>Location</b>
<i>Robinia Spp</i>	1	<i>Along the eastern fence line, closest to the existing dwelling</i>

#### **General Tree Removal Requirements**

- All tree removal shall be carried out by a minimum certificate Level 3, Licenced and insured Tree Surgeon/Arborist to ensure that removal is undertaken in a safe manner and complies with the AS 4373-2007 - *Pruning of Amenity Trees* and Tree Works Industry Code of Practice (Work Cover NSW 1.8.98).
- No trees are to be removed on the site or neighbouring properties without the prior written approval of Council.

A copy of the Hurstville City Council's Tree Removal and Pruning Guidelines and Kogarah City Council, Street Tree Management Strategy and Masterplan, can be downloaded from Council's website [www.georgesriver.nsw.gov.au](http://www.georgesriver.nsw.gov.au).

#### Statement of Reasons

- The proposed development is considered to be an appropriate scale and form for the site and the character of the locality.
- The proposed development will not have an unacceptable or unreasonable impact on the heritage significance of the heritage item.
- The proposed development, subject to the recommended conditions, will have no unacceptable adverse impacts upon the natural or built environments.
- 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.

#### **LPP064-18 1-5 James Street Blakehurst** (Report by Team Leader Development Assessment)

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

#### **Speakers**

- Brad Delapierre (planner)
- Antoine Saouma (architect)

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

The decision of the Panel was unanimous.

**Determination**

Deferral

The determination of Development Application No. DA2018/0217 for the lot consolidation, demolition of all buildings, construction of a part 4/part 5 storey residential flat building containing twenty three units, basement parking, service provision, drainage and landscaping works at 1-5 James Street, Blakehurst, is **deferred** and the applicant is invited to submit amended plans which include the following:

1. Usable and well-designed ground level communal open space in the south eastern corner adjacent to Unit 2 and related design changes to that unit to ensure privacy between the unit and the communal open space.
2. A connection to the ground level communal open space is to be provided to the ground level lobby with a minimum width of 1.5m.
3. The provision of landscape planter boxes around the entire perimeter of the roof top communal open space area and the inclusion of suitable shade trees along the northern and eastern boundaries similar to those found on the landscape plan reference 18100 DA2-2 submitted with the application.
4. The provision of centralized shade structure/s for the rooftop communal open space area to improve the amenity and usability of the area. The height of the shade structure/s are not to exceed the maximum building height.
5. Deletion of the southern side balcony of Unit 23 and replacement of the sliding doors on that elevation with a fixed window.

The matter is to be referred back to the Panel for electronic determination within 90 days.

**4. CONFIRMATION OF MINUTES**

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The meeting concluded at 5.45pm



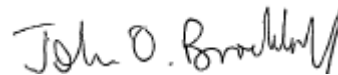
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Adam Seton  
**Chairperson**



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Michael Leavey  
**Expert Panel Member**



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John Brockhoff  
**Expert Panel Member**



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Annette Ruhotas  
**Community Representative**