

MINUTES

Local Planning Panel - Review Panel

Tuesday, 05 February 2019

4.00pm

Georges River Civic Centre,
Hurstville



COMMITTEE MEMBERSHIP

Panel Members:

Ms Sue Francis (Chairperson)
Mr Jason Perica (Expert Panel Member)
Mr Milan Marecic (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

There were no declarations of Pecuniary Interest

2. PUBLIC SPEAKERS

The meeting commenced at 4.04pm 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 4.11pm and the LPP Panel proceeded into Closed Session to deliberate the items listed below.

3. GEORGES RIVER LOCAL PLANNING PANEL REPORTS

LPP001-19 954-956 Forest Road Lugarno
(Report by Senior Development Assessment Planner)

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

Speakers

- Melissa Rodrigues (applicant - town planner)
- John Horiatopoulos (applicant - architect)

Voting of the Panel Members

The decision of the Panel was unanimous.

Determination

Approval

The Panel, had regard to the assessment report and supplementary memo dated 5 February 2019 and was satisfied that:

Pursuant to Section 4.16(1) of the Environmental Planning and Assessment Act 1979, as amended, Development Application No. REV2018/0019 for the Review Application - Demolition of existing structures, tree removal, lot consolidation and construction of four (4) dwellings, installation of swimming pools and Torrens title subdivision into four (4) allotments with associated site works and provision of services at 954-956 Forest Road, Lugarno, is determined by **granting consent** to the application subject to the conditions recommended in the report submitted to the LPP meeting of 5 February 2019 except;

Additional Condition 1(a) to read as follows:

- 1(a) Prior to the issuing of the Construction Certificate for the new dwellings a Construction Certificate for all subdivision works will be required and include but not limited to road works, utilities, stormwater/drainage and associated easements and the Subdivision Certificate will need to be approved and formally registered.

Amend Condition 2(a) to read as follows:

- 2(a) **Stormwater** - Referring to Stormwater Plan (not titled) dated 10 October 2018 and prepared by B Ghtrayche, design changes are required and shown on the Subdivision Construction Certificate plans.

Amend Condition 2(c) to read as follows:

- 2(c) Where an inter allotment drainage easement is required, the details shall be shown on the stormwater plans. The Subdivision Certificate cannot be issued until the easement has been prepared by a registered surveyor and has been lodged with the Land Titles Office for registration.

Amend Condition 3 to read as follows:

3. **Landscaping** – An updated Landscape Plan shall be prepared and include the following features and details prior to the issuing of the Construction Certificate;
 - The north eastern section of the front yard to DW1 shall include lawn and soft landscaped area as well as include one (1) mature tree being an *Angophora costata* at minimum 75 litre pot/bag size to be planted along this side.
 - The landscape plan shall include some more formal shrubs and planting along the southern and northern boundary along all dwellings.
 - The south western section of the rear yard at DW1 shall include more substantial planting along this boundary south of the drying area to ensure that the proposed landscaping screens the pool and entertaining area at the rear. Plants like Lilli Pillis should be considered which reach a height of 2m.
 - Along the southern boundary at the rear yard of DW2 shall include plants that reach a maximum mature height of 2m. The intention of this condition is to soften the

appearance of this space.

- The swimming pool to DW2 shall be setback 1m from the rear boundary.
- The rear yard of DW2 shall include lawn and grass.
- Along the south eastern side of the site, adjoining the drying line to DW3 along the southern boundary shall include a row of taller trees and shrubs that reach an overall maximum height of 2m to assist in screening the garage structure and associated elevated walkway.
- The landscape plan shall incorporate more planting along the northern side of DW4 now that the building has been moved further from the north to assist with screening and softening this side.
- Landscaping shall be retained and enhanced along the right of carriageway.

Amend Condition 4 to read as follows:

4. **Lighting** – The development shall be designed so that it is well lit especially at night for residents and visitors. Low level lighting along the right of carriageway should be installed to improve safety and comprise of solar powered lights. Consideration should be given to provide lighting (preferably solar powered or via sensors) along the right of carriageway to improve safety. Details of the lighting design shall be provided to the CERTIFYING AUTHORITY prior to the issue of the Construction Certificate. The design shall ensure there is no light spill to adjoining properties.

Amend Condition 7(b) to read as follows:

- 7(b) An easement or covenant shall be included for the rear most allotment to ensure that the IPA is maintained in perpetuity and is maintained on title.

Amend Condition 30 to read as follows:

30. **Structural details** - Engineer's details prepared by a practising Structural Engineer being used to construct all reinforced concrete work in addition to retaining walls and structures, structural beams, columns & other structural members. The details are to be submitted to the Certifying Authority for approval prior to construction of the specified works.

A copy shall be forwarded to Council where Council is not the CERTIFYING AUTHORITY.

Amend Condition 32 to read as follows:

32. **Geotechnical report** - The applicant must submit a Geotechnical Report, prepared by a professional engineer specialising in geotechnical engineering who holds the relevant Certificate of accreditation as required under the *Building Professionals Act 2005* in relation to dilapidation reports, all site works and construction. This is to be submitted to the Certifying Authority before the issue of the Construction Certificate and is to include:
 - (a) Investigations certifying the stability of the site and specifying the design constraints to be placed on the foundation, any earthworks/stabilization works and any excavations.
 - (b) Dilapidation Reports on the adjoining properties including, but not limited to 954, 958 and 960 Forest Road and 1 Belmore Road prior to any excavation of site works. The Dilapidation Report is to include assessments on, but not limited to, the dwellings at those addresses and any external paths, grounds etc. This must be submitted to the CERTIFYING AUTHORITY and the adjoining residents as part of the application for the Construction Certificate. Adjoining residents are to be provided with the report five (5) working days prior to any works on the site.

- (c) On-site guidance by a vibration specialist during the early part of excavation.
- (d) Measures to minimise vibration damage and loss of support to other buildings. Where possible any excavation into rock is to be carried out with tools such as rock saws which reduce vibration to adjoining buildings and associated structures. Where a hydraulic hammer is to be used within 30m of any building (other than a path or a fence) the report shall detail the maximum size of hammer to be used and provide all reasonable recommendations to manage impacts.
- (e) Sides of the excavation are to be parged prior to any excavation occurring to reinforce the walls of the excavation to prevent any subsidence to the required setbacks and neighbouring sites.

Statement of Reasons

- The applicant has amended the proposal from that originally submitted to address the reasons for refusal to achieve a better planning and design outcome.
- The Panel noted that there were no objections to the amended proposal.
- The proposed development complies with the requirements of the relevant environmental planning instruments and any non-compliances with the development control plan are minor and acceptable.
- The proposed subdivision pattern complies with the minimum lot size and is consistent with the subdivision pattern in the wider area.
- The proposed development is considered to be an appropriate scale and form for the site and the character of the locality. Subject to the implementation of the recommended conditions, the development will have no unacceptable adverse impacts upon the natural or built environment.
- 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.

4. CONFIRMATION OF MINUTES

The meeting concluded at 4.27pm.



Sue Francis
Chairperson



Jason Perica
Expert Panel Member



Milan Marecic
Expert Panel Member



Annette Ruhotas
Community Representative