

MINUTES

Local Planning Panel

Thursday, 7 March 2019

4.00pm

Georges River Civic Centre,
Hurstville



COMMITTEE MEMBERSHIP

Panel Members:

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

Council Staff:

Meryl Bishop (Director Environment and Planning)
Michael Alexander (Acting Manager Development and Building)
Nicole Askew (Coordinator Development Assessment)
Chris Young (Team Leader 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 4.00pm 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 4.45pm and the LPP Panel proceeded into Closed Session to deliberate the items listed below.

3. GEORGES RIVER LOCAL PLANNING PANEL REPORTS

LPP008-19 32-38 Judd Street Oatley
(Report by Senior Development Assessment Planner)

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

Speakers

- David Olshen (submitter)
- Warwick Gosling (planning consultant)

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. DA2017/99 for the demolition of the existing structures and construct a two (2) storey boarding house containing sixteen (16) single rooms, common areas and seven (7) car parking spaces at 32-38 Judd Street, Oatley, is determined by **granting deferred commencement consent** to the application subject to the conditions recommended in the report submitted to the LPP meeting of 7 March 2019 except;

1. Add prior to the heading 'Section A Development Details' the following:
 - "A. This is a "Deferred Commencement" consent that is granted subject to conditions under Section 4.16(3) of the Environmental Planning and Assessment Act 1979 that the consent is not to operate until the person with the benefit of this consent satisfies Georges River Council ("Council") as to the matters set out in **SCHEDULE A** below. The period within which the applicant must produce evidence to the Council sufficient enough to enable it to be satisfied as to the matters in **SCHEDULE A** is thirty six (36) months from the date this deferred consent is granted.
 - B. If the person with the benefit of this consent produces evidence to the Council within the period specified is sufficient to enable the Council to be satisfied as to the matter set out in **SCHEDULE A** and the Council notifies the person in writing that it is satisfied as to the relevant matters, the development consent shall become operative subject to compliance with conditions outlined in SCHEDULE B.
 - C. Should the required information not be provided in the time period nominated above, the deferred commencement consent shall lapse.

Schedule A

- A. **Landscape design** – An updated detailed Landscape Plan, drawn to scale, by a qualified landscape architect, must be submitted to and approved by the Council. The plan must include the following:
 - a) Details of the accessible path from the car parking spaces to the entry of the building.
 - b) The existing landscape plan shall be updated to reflect the amended siting of the building include the garage structures and area designated for bicycle parking and motorbike parking.
 - c) The ground floor communal area of open space at the rear shall comprise of lawn apart from an area of 4m by 5m which can be a patio area immediately adjacent to the access point to this space and include seating.
 - d) Three (4) Lilli Pilli (*Syzygium austral* 'Resilience') minimum 45L pot shall be planted along the eastern boundary of the site between the garage and the rear boundary to provide additional screening and greenery.
 - e) Five (5) Lilli Pilli (*Syzygium austral* 'Resilience') minimum 45L pot shall be planted along the southern boundary of the site between the garage and the rear boundary to provide additional screening and greenery.
 - f) The front yard shall be softly landscaped in accordance with the original landscape plan design.

- g) Additional planting and vegetation shall be included along the eastern side of the garage structure to provide screening along this boundary.
- h) One additional *Melaleuca Linarifolia* (Prickly Leafed) shall be included at the rear of the site in the communal area of open space.
- i) The motorbike parking area shall be included on the plan and include some lower scale planting around the periphery of this area.
- j) The area designated for bins and waste shall be provided on the plan and waste bins shall be located at the rear of the site and this area is not to be visible from the public domain and shall be sited away from the rear yards of immediately adjoining properties. Location of existing and proposed structures, services and existing trees.
- k) Details of earthworks including mounding and retaining walls and planter boxes.
- l) Location of proposed plants and a plant schedule showing the plant symbol, botanical name/ common name; quantity; pot size; and mature height x width.
- m) Details of planting procedure and maintenance.
- n) Landscape specification.
- o) Details of drainage and watering systems.
- p) Details of garden edging and turf.
- q) Any required fencing, retaining walls and other structures not shown on other approved architectural and engineering plans.
- r) Two (2) street trees shall be provided and these shall be designed in accordance with Council's requirements.

B. Plan of Management – A revised Plan of Management (POM) shall be submitted to and approved by the Council. The revised Plan shall refine and update the Plan of Management dated October 2018 to provide more certainty in the operation of the premises. The following operational procedures are to be included in the revised POM.

- The POM will include the type and form of monitoring or security system that will be installed. Surveillance cameras shall be installed at the front entry and rear of the Site and any other vantage points.
- The POM shall clearly include the details of the Managing Agent who will be managing the property and a 24 hour point of contact provided.
- Contact details of the Managing Agent shall be included and clearly displayed on the entry door to the premises so that occupants and residents have a point of contact if any issues arise.
- The hours of use of the outdoor area of communal open space at the rear shall be restricted to 6am – 10pm daily.
- The revised POM house rules shall include noise management for the communal areas.
- Occupants will be responsible for keeping common areas clean and tidy at all times.
- A copy of the POM shall be provided to every occupant and a copy included in all rooms.
- Every occupant will need to sign the POM to ensure they understand the terms and conditions and house rules. The Managing Agent shall be responsible in formally briefing each new occupant.
- How waste is to be managed on the site.
- The means of managing car parking spaces that are allocated to different residents of different rooms within the same double level mechanical stacker space.

Schedule B"

2. Delete Conditions 8, 10 and 21 of Schedule B.

3. Insert Condition 1A in Schedule B as follows:
 - 1A. The landscaping plan approved in Deferred Commencement Condition A in Schedule A must be implemented for this development.
4. Insert Condition 1B in Schedule B as follows:
 - 1B. The development shall be carried out at all times in accordance with the Plan of Management approved in Deferred Commencement Condition B in Schedule A.
5. Amend Condition 9 of Schedule B by deleting the words 'elevations plan' in the first sentence and replacing it with 'set of plans'.
6. Amend the last sentence of Condition 73 of Schedule B to read as follows:
Common rooms shall include a tv, seating, table, oven, stove top, exhaust, and fridge.

Statement of Reasons

- The Panel notes that the development will provide for seven (7) internal car parking spaces by the use of double stackers including one (1) accessible space and given the location of the premises in terms of its proximity to Mortdale Railway Station, the Panel considers that this would be sufficient in the circumstances of this case.
- The proposed development is considered to be an appropriate scale and form for the site and integrates into the established and desired future character of the locality.
- The proposal satisfies and generally complies with the key planning and design controls.
- The proposed development will not generate any unacceptable adverse impacts upon the natural or built environments or to immediately adjoining residences in terms of overshadowing or overlooking and appropriate conditions of consent have been included.
- Having regard to the submissions, the Panel has imposed additional requirements for the Plan of Management which is now a deferred commencement condition.

LPP009-19 324-330 Railway Parade Carlton (Report by Senior Development Assessment Planner)

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

Speakers

- Jim Apostolou (applicant)

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. DA2017/0464 for the demolition of existing structures and construction of a 6 storey mixed use development containing 23 residential units, a ground floor commercial tenancy and 2 levels of basement parking at 324-330 Railway Parade, Carlton, is determined by **granting deferred commencement approval** to the application subject to the conditions recommended in the report submitted to the LPP meeting of 7 March 2019 except;

- 1 Delete the heading 'Section A Deferred Commencement Conditions' and insert 'Schedule A Deferred Commencement Conditions'.
- 2 Amend Condition C of Schedule A to include the following words after the last sentence: 'The car wash bay may be incorporated in the visitors space'.
- 3 Delete Condition D of Schedule A.
- 4 Delete the heading 'Section B General Conditions' and following words under that heading 'Subject to Schedule A above being satisfied by Council the following conditions apply:' and insert instead the heading 'Schedule B'.
- 5 Add the following to Condition 31:
 - c) The Construction Certificate plans must include:
 - i) Landscaping planter boxes around the full perimeter of the communal open space area on the fifth floor.
 - ii) A security system at the entry door to the ground floor lobby.
 - iii) Confirmation that the Floor Space Ratio does not exceed 2.5:1
- 6 Insert Condition 31A:

Use of Fifth Floor Communal Open Space - A Plan of Management (POM) for use of rooftop open space must be submitted to and approved by Council prior to the issue of any Construction Certificate. The POM must outline the:

 - (i) hours of use of the fifth floor communal open space which shall be restricted from 8am to 10pm;
 - (ii) maximum number of users at any one time;
 - (iii) provisions for no amplified music to be played; and
 - (iv) identify other measures to ensure that the amenity of persons within the development and in nearby existing and future development is maintained.

The development must be carried out in accordance with this POM at all times.

Statement of Reasons

- The proposed development is considered to be an appropriate scale and form for the site having regard to the desired future character of the locality
- 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
- The Panel notes that less commercial space will be provided than currently exists however there are no standards or controls that require any specified amount of such space to be provided.

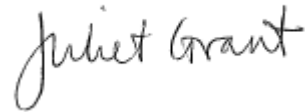
4. **CONFIRMATION OF MINUTES**



Adam Seton
Chairperson



Michael Leavey
Expert Panel Member



Juliet Grant
Expert Panel Member



Annette Ruhotas
Community Representative