

# **MINUTES**

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## **Local Planning Panel**

**Tuesday, 21 July 2020**

**4.00pm**

**Council Chambers, Civic Centre, Hurstville**



## PANEL MEMBERS

**Mr Adam Seton (Chairperson)**  
**Ms Helen Deegan (Expert Panel Member)**  
**Mr Michael Leavey (Expert Panel Member)**  
**Ms Annette Ruhotas (Community Representative)**

### 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 approximately 4.38pm and the LPP Panel proceeded into Closed Session to deliberate the items listed below.

### 3. GEORGES RIVER LOCAL PLANNING PANEL REPORTS

**LPP028-20      1D Greenbank Street Hurstville**  
(Report by Development Assessment Planner)

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

#### **Speakers**

No speakers registered for this item.

#### **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. DA2020/0027 for the fitout and use of hall as a recreation facility (indoor gymnasium) at 1/1D Greenbank Street, Hurstville (proposed to be known as Shop 2/1D Greenbank Street, Hurstville), is determined by **granting consent** to the application subject to the conditions recommended in the report submitted to the LPP meeting of 21 July 2020 except:

1. Delete the 3<sup>rd</sup> paragraph of Condition 7.
2. Add to Condition 29: "No free weights, machine weights or amplified sound equipment shall be used on the premises between the hours of 5.00am and 6.00am on any day."

### Statement of Reasons

- (a) The proposed indoor gymnasium is permitted in the zone and is consistent with the objectives of the B4 – Mixed Use zoning of the property.
- (b) The issues of concern raised by the neighbouring property owners can be addressed via conditions of consent.
- (c) The proposed development's scale and impact will not have unreasonable impacts.
- (d) The proposal is largely compliant with the Kogarah Local Environmental Plan, applicable State Planning Policies and the Kogarah Development Control Plan.

### **LPP029-20      10 Water Street Sans Souci** (Report by Senior Development Assessment Planner)

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

#### **Speakers**

- Councillor Nick Katris (submitter)

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

The decision of the Panel was unanimous.

### Approval

Pursuant to Section 4.16(1) of the Environmental Planning and Assessment Act 1979, as amended, Development Application No. DA2020/0166 for the demolition of the Sans Souci Bathers Pavilion and the proposed subdivision to create a new Lot 1 for the Pavilion allotment at 10 Water Street, Sans Souci, is determined by **granting consent** to the application subject to the conditions recommended in the report submitted to the LPP meeting of 21 July 2020 except:

1. Deletion of Condition 7.
2. Additional Condition 1A as follows:

1A **Extent of Demolition** – This consent does not authorise the demolition of the ground floor slab, which is to remain in situ and to be made safe.

### Statement of Reasons

- (a) The Panel accepts the heritage and structural assessments undertaken by the specialist consultants in relation to this application and accepts that it is reasonable to allow demolition of the building having regard to the findings and recommendations in those reports.
- (b) The Panel acknowledges that this application is for demolition only and any future development on the site will be subject to a Master Plan process, changes to the Plan of Management and a separate development application.

- (c) The Panel considers that it is essential that the *Moreton Bay Fig* is protected from any damage during any demolition authorised by the consent. To that end, suitable conditions have been imposed to require protection and retention of the tree.
- (d) The proposed creation of the separate allotment has no unreasonable or unacceptable planning impacts and is merely formalising the boundary of the relevant parcel. The Panel assumes that all other necessary consents and approvals will be obtained in relation to the proposed subdivision.

**LPP030-20      15 Melvin Street Beverly Hills**  
(Report by Development Assessment Planner)

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

**Speakers**

- Steven Layman (Steven Layman Consulting Pty Ltd) on behalf of Anna Alexakis (objector)

**Voting of the Panel Members**

The decision of the Panel was unanimous.

Approval

Pursuant to Section 4.16(1) of the Environmental Planning and Assessment Act 1979, as amended, Development Application No. DA2019/0388 for the demolition of existing structures and construction of a two storey, ten room boarding house over basement parking for five vehicles, landscaping and site works at 15 Melvin Street, Beverly Hills, is determined by **granting consent** to the application subject to the conditions recommended in the report submitted to the LPP meeting of 21 July 2020 except:

1. Additional Condition as follows:

- 1A The amended Operational Plan of Management is to be submitted to, and approved by and to the satisfaction of Manager Development and Building prior to the issue of any Occupation Certificate. The amended Operational Plan of Management is to address the following matters:
  - (a) Objectives
  - (b) Operation Details
  - (c) House Management
  - (d) House Rules
  - (e) Lodger Arrival and Departure
  - (f) Lodger's Guests
  - (g) Maintenance of common areas and responsibilities
  - (h) Furniture and facilities including a list of items to be included in each room inclusive of indoor and outdoor communal areas of the premises
  - (i) Pest control
  - (j) Waste management and collection
  - (k) Fire safety and Emergency Services contacts and procedures

- (l) Security and Access
- (m) Car park management
- (n) Respect for the building
- (o) Measures to minimize impacts on adjoining residents including the management of communal open spaces, visiting hours and limitations on noise generating activities between 10pm and 7am
- (p) Complaint handling processes
- (q) Review of the Plan of Management

2. Amend Condition 27 by adding (iii) under Architectural Plans as follows:

27. **Required design changes** - The following changes are required to be made and shown on the Construction Certificate plans:

A. Architectural plans:

- (i) The roof colour proposed is to match the predominant roof colour existing along Melvin Street.
- (ii) Only external bathroom windows are to incorporate a translucent (frosted) glass finish. All other external windows are to be of clear (transparent) glazing.
- (iii) The windows to the front of the south eastern side of the front common room on the ground floor are to have a sill level 1.6m above floor level and an additional window should be incorporated on the north western wall adjoining the porch.

3. Amend Condition 69 to read as follows:

69. The development is to be carried out with the approved Operational Plan of Management as referred to in Condition 1A.

Statement of Reasons

- (a) The proposal is compliant with the boarding house standards in State Environmental Planning Policy (Affordable Rental Housing) 2009 and is of a design that is generally compatible with the character of the local area.
- (b) The boarding house is located in an accessible location as required by State Environment Planning Policy (Affordable Rental Housing) 2009.
- (c) The proposal is compliant with the maximum height of building and floor space ratio permitted for the site under the Hurstville Local Environmental Plan 2012.
- (d) The Panel considers that appropriate conditions of consent have been included to address amenity impacts associated with the development.

**LPP031-20      36 Bunyala Street Blakehurst**  
(Report by Senior Development Assessment Planner)

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

**Speakers**

- Benjy Levy (Lateral Estate Pty Ltd) (applicant) - Registered but did not speak to Panel.

## Voting of the Panel Members

The decision of the Panel was unanimous.

### Approval

Pursuant to Section 4.56 of the Environmental Planning and Assessment Act 1979, as amended, development consent DA2017/0649 is modified as follows:

1. Amend Condition 1 to include the amended plans references as follows:

Description	Reference No.	Date	Revision
<b><i>Architectural Plans prepared by Smith &amp; Tzannes, 17-061 LEC-</i></b>			
Site Plan	010	17/12/18	M
Demolition Plan	011	05/12/18	A
Level C2	<b>MOD2-A-100</b>	<del>07/12/18</del> 18/7/19 <b>1/6/20</b>	<del>J</del> <b>A</b>
Level C1	<b>MOD2-A-101</b>	<del>07/12/18</del> <b>2/6/20</b>	<b>B</b>
Level 0 Ground	102	17/12/18	Z
Level 1	<b>MOD2-A-103</b>	<del>07/12/18</del> 18/7/19 <b>17/04/2020</b>	<del>V</del> <b>A</b> <b>B</b>
Level 2	<b>MOD2-A-104</b>	<del>05/12/18</del> 18/7/19 <b>17/04/2020</b>	<del>P</del> <b>A</b> <b>B</b>
Level 3	<b>MOD2-A-105</b>	<del>05/12/18</del> 18/7/19 <b>17/04/2020</b>	<del>Q</del> <b>A</b> <b>B</b>
Level 4	<b>MOD2-A-106</b>	<del>06/12/18</del> <b>25/6/20</b>	<del>S</del> <b>B</b>
Roof	<b>MOD2-A-107</b>	<del>05/12/18</del> <b>25/6/20</b>	<del>L</del> <b>B</b>
Adaptable Plans	<del>108</del> <b>MOD2-A-108</b>	<del>05/12/18</del> <b>9/04/2020</b>	
West (Street) Elevation	<b>MOD2-A-200</b>	<del>05/12/18</del> 18/7/19 <b>25/06/2020</b>	<del>L</del> <b>A</b> <b>C</b>
East Elevation	MOD-A-201	<del>05/12/18</del> 18/7/19	<del>J</del> <b>A</b>
North & South Elevations	<b>MOD2-A-202</b>	<del>05/12/18</del> <b>25/6/20</b>	<del>M</del> <b>B</b>
<b>South Elevation</b>	<b>MOD2-A-203</b>	<b>25/6/20</b>	<b>B</b>
Section A	MOD-A-203	<del>05/12/18</del> 18/7/19	<del>D</del> <b>A</b>
Section B	204	05/12/18	C
Section C & D	<b>MOD2-A-206</b>	<del>05/12/18</del> <b>25/6/20</b>	<del>F</del> <b>A</b>
Notes & External Finishes	001	07/12/18	C

GFA Calculations	800 <b>MOD2-A-800</b>	05/12/18 <b>25/6/20</b>	L D
GFA Calculations & Apartment Schedule	801 <b>MOD2-A-801</b>	05/12/18 <b>25/6/20</b>	G C
Deep Soil Landscape Calculation	802	05/12/18	H
Communal Open Space Calculation	803	05/12/18	D
Site Coverage Calculation	804	05/12/18	E
Cross Vent & Solar Access Diagrams	805	05/12/18	F
Cross Vent & Solar Access Calculations	806	05/12/18	C
Views from the Sun Winter 9 am – 10 am	850	05/12/18	E
Views from the Sun Winter 11 am – 12 pm am	851	05/12/18	E
Views from the Sun Winter 1 – 2 pm	852	05/12/18	E
Views from the Sun Winter 3 pm	853	05/12/18	D
Shadow Diagrams Winter Solstice 1	854	05/12/18	B
Shadow Diagrams Winter Solstice 2	855	05/12/18	B
Typical Pool & Ceiling Section SK004 18/09/18 B	-	-	-
Typical Floor to Ceiling Section	SK005	18/09/18	-
Materials and Finishes Sample Board	-	-	-
<b>Architectural Design Report</b> Prepared by Architects Smith & Tzannes	17-061	12/12/18	D
<b>Stormwater Plans</b> Prepared by Wood & Grieve Engineers			
Stormwater Management Report	35608-SYD C	03/12/18	D
Stormwater Plans:			
General Arrangement Ground Floor	C1-060-01	03/12/18	E
General Arrangement Basement Level 1	C1-060-02	03/12/18	C
General Arrangement Basement Level 2	C1-0601 -3	03/12/18	D
Civic Details Sheet 1	C1-066-01	05/09/18	B
Civic Details Sheet 2	C1-066-02	30/07/18	C
Sediment and Erosion Control Plan	C1-070-01	01/12/18	A

Sediment and Erosion Control Plan Details	C1-070-01	01/12/18	A
<b>Survey</b> Prepared by Boxall Surveyors (Jarrod Hocking)	10588-001	01/09/17	A
<b>Landscape Plans</b> Prepared by NBRS Architecture Landscape	17448-LDA001 - 07	<del>17/12/18</del> <b>23/7/19</b>	<del>I</del> <b>K</b>
<b>Site Investigation</b> Detailed Site Investigation Report Prepared by EI Australia	E23562.E02	15/12/17	1
Additional Site Investigation Prepared by EI Australia	E23562.E03	14/09/18	2
<b>Acid Sulphate Soils Assessment</b> Prepared by EI Australia	E23562.E14	15/12/17	0
<b>Waste Management Plan</b> Prepared by Elephants Foot		19/01/17	D
<b>Geotechnical Investigation</b> Prepared by EI Australia	E23562.G03	15/12/17	2
<b>Acoustic Report</b> Prepared by Acoustic Logic	20171311.1/ 0812A1R1/TA	8/12/17	1
<b>Aboriculture Assessment Report</b> Prepared by Urban Tree Management 17	20024	20/11/20	17
<b>Heritage impact Statement</b> Prepared by NBRS Architecture Heritage		14/12/17	2

2. Amend Condition 7 - Addition of contributions payable:

The Section 7.11 contribution has been levied on the **modified development (MOD2020/0075)** pursuant to the Kogarah Section 94 Contributions Plans as follows:

Contribution Plan	Description	Section 94 contributions payable (\$)
Plan No. 1	Road and traffic management – residential	<b>\$34.41</b>
Plan No. 5	Open Space – 2006	<b>\$10,208.07</b>
Plan No. 9	Kogarah libraries - buildings component	<b>\$343.71</b>
Plan No. 9	Kogarah libraries - books component	<b>\$245.07</b>
<b>Total Section Contributions Currently Payable</b>		<b>\$10,831.26</b>

3. Amend Condition 54 to reference Updated BASIX Certificate 884040 M\_05 dated 22 April 2020.
4. Amend Condition 82 by changing the number of car parking spaces from 66 to 68.







## Statement of Reasons

- (a) The Panel is satisfied that the proposed development is substantially the same as the development as originally approved.
- (b) The proposed modification to the approved plans are minor in nature and do not result in any adverse impact on the natural and built environment.

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The meeting concluded at 6.32pm

			
<b>Adam Seton Chairperson</b>	<b>Helen Deegan Expert Panel Member</b>	<b>Michael Leavey Expert Panel Member</b>	<b>Annette Ruhotas Community Representative</b>