

HURSTVILLE CITY COUNCIL

CIVIC CENTRE, MACMAHON STREET, HURSTVILLE.

REPORT OF THE MEETING OF THE DEVELOPMENT ASSESSMENT COMMITTEE HELD ON WEDNESDAY, 3RD DECEMBER, 2008 AT 7.04 PM

PRESENT

Committee Members:

His Worship the Mayor, Councillor V Badalati (Chairperson)
Councillor B Giegerl, OAM
Councillor C Hindi
Councillor A Istephan
Councillor N Liu
Councillor S McMahan
Councillor D Perry
Councillor W Pickering
Councillor P Sansom
Councillor A Wagstaff
Councillor C Wong

Council Staff:

General Manager, Mr V Lampe
Director - Planning & Development, Mr B Daintry
Manager - Development Assessment, Mrs T Christy
Senior Development Assessment Officer, Ms L Locke
Senior Environmental Health & Building Surveyor, Mr M Alexander
Manager - Traffic, Mr O Wijayaratna
Office Team Leader, Mrs L Stephens

APOLOGIES

Apologies for inability to be present were tendered on behalf of Councillor J Jacovou.

RESOLVED THAT the apologies be received and leave of absence granted.

(Moved Clr W Pickering/Seconded Clr D Perry)

CONFIRMATION OF MINUTES

Development Assessment Committee Meeting - 5th November, 2008

RESOLVED THAT the Minutes of the meeting of the Development Assessment Committee held on 5th November, 2008, as previously circulated to each Councillor, be confirmed as a correct record.

(Moved Clr P Sansom/Seconded Clr C Wong)

DISCLOSURE OF INTEREST

The following Councillors declared a non-pecuniary interest in matters before the Committee:

Councillor B Giegerl - Item DAC033.02 - 08 - 16 Lesley Crescent, Mortdale *by virtue of residing in the same street.*

Councillor S McMahon - Item DAC033.04 - 08 - 39-41A Penshurst Street, Penshurst *by virtue of receiving a less than significant and unsolicited donation to the recent Council election political campaign from a member of the public who is no relation.*

Councillor D Perry - Item DAC033.04 - 08 - 39-41A Penshurst Street, Penshurst *by virtue of receiving a less than significant and unsolicited donation to the recent Council election political campaign from a member of the public who is no relation.*

NOTE:

The Council at its meeting held on 22 March, 2000 granted delegated authority to the Committee to consider and determine matters placed before the Committee for its consideration in accordance with the functions of the committee adopted by Council. Accordingly the Committee's decisions do not require subsequent adoption by Council.

ITEMS

Item No: DAC031 - 08 DEVELOPMENT APPLICATIONS - HURSTVILLE WARD

(Report by Director - Planning and Development)

COMMITTEE'S DECISION:

THAT the information be received and noted.

(Moved Clr C Hindi/Seconded Clr A Istephan)

Item No: DAC031.01 - 08 6 THOMAS STREET, HURSTVILLE - DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF TWO STOREY ATTACHED DUAL OCCUPANCY WITH TORRENS TITLE SUBDIVISION

(Report by Manager - Development Assessment, Ms T Christy and Development Assessment Officer, Mr K Kim) 08/DA-2

COMMITTEE'S DECISION:

THAT the SEPP 1 Objection not be supported.

FURTHER THAT the application be refused in accordance with the reasons stated in the report.
(Moved Clr C Hindi/Seconded Clr A Istephan)

Councillors for the Motion: V Badalati (Mayor), A Istephan, C Wong, N Liu, B Giegerl, D Perry, S McMahon, C Hindi, W Pickering, A Wagstaff, P Sansom

Councillors absent from meeting: J Jacovou

His Worship the Mayor advised that the decision was unanimous.

Item No: DAC031.02 - 08 45 BRIDGE STREET, HURSTVILLE - CONSTRUCTION OF A PART THREE (3), PART FIVE (5) STOREY COMMERCIAL BUILDING WITH BASEMENT PARKING

(Report by Senior Development Assessment Officer, Mrs A Aversa-Morassut) 08/DA-314

COMMITTEE'S DECISION:

THAT the application be approved in accordance with the conditions in this report.
(Moved Clr C Hindi/Seconded Clr W Pickering)

Councillors for the Motion: V Badalati (Mayor), A Istephan, C Wong, N Liu, B Giegerl, D Perry, S McMahon, C Hindi, W Pickering, P Sansom

Councillors against the Motion: A Wagstaff

Councillors absent from meeting: J Jacovou

Item No: DAC032 - 08 DEVELOPMENT APPLICATIONS - PEAKHURST WARD

(Report by Director - Planning and Development)

COMMITTEE'S DECISION:

THAT the information be received and noted.
(Moved Clr P Sansom/Seconded Clr W Pickering)

Item No: DAC032.01 - 08 11/37 WOODLANDS AVENUE, LUGARNO - CONSTRUCTION OF PART TWO, PART THREE STOREY DWELLING HOUSE

(Report by Development Assessment Officer, Mr P Nelson) 07/DA-412

COMMITTEE'S DECISION:

THAT the application be deferred to allow the applicant to redesign the proposed dwelling house to comply with Council's Development Control Plan No. 1 and the conditions of subdivision.
(Moved Clr P Sansom/Seconded Clr W Pickering)

Councillors for the Motion: V Badalati (Mayor), A Istephan, C Wong, N Liu, B Giegerl, S McMahon, W Pickering, A Wagstaff, P Sansom

Councillors abstained from voting: D Perry

Councillors absent from meeting: J Jacovou, C Hindi

Item No: DAC032.02 - 08 4-6 COLERIDGE STREET, RIVERWOOD - DEMOLITION OF EXISTING HOUSES AND ANCILLARY STRUCTURES AND CONSTRUCTION OF A THREE (3) STOREY RESIDENTIAL FLAT BUILDING WITH BASEMENT CAR PARKING AND STRATA TITLE SUBDIVISION

(Report by Development Assessment Officer, Mr R. Guirguis) 08/DA-376

COMMITTEE'S DECISION:

THAT the application be granted a deferred commencement consent in accordance with the conditions included in the report.

(Moved Clr P Sansom/Seconded Clr W Pickering)

Councillors for the Motion: V Badalati (Mayor), A Istephan, C Wong, N Liu, B Giegerl, D Perry, S McMahon, C Hindi, W Pickering, P Sansom

Councillors against the Motion: A Wagstaff

Councillors absent from meeting: J Jacovou

Item No: DAC032.03 - 08 17 LLEWELLYN STREET, OATLEY - DEMOLITION OF EXISTING DWELLING HOUSE AND CONSTRUCTION OF A PART TWO AND PART THREE STOREY DWELLING HOUSE WITH BASEMENT PARKING

(Report by Development Assessment Officer, Mr R Guirguis) 08/DA-407

COMMITTEE'S DECISION:

THAT the application be approved in accordance with the conditions included in the report.

(Moved Clr W Pickering/Seconded Clr P Sansom)

Councillors for the Motion: V Badalati (Mayor), A Istephan, C Wong, N Liu, B Giegerl, D Perry, S McMahon, C Hindi, W Pickering, P Sansom

Councillors against the Motion: A Wagstaff

Councillors absent from meeting: J Jacovou

Item No: DAC032.04 - 08 7 PARK STREET, PEAKHURST - CONSTRUCTION OF A NEW TWO STOREY CHURCH MANSE FOR USE IN CONJUNCTION WITH A THEOLOGICAL COLLEGE

(Report by Development Assessment Officer, Ms D Fellows) 08/DA-390

COMMITTEE'S DECISION:

THAT the application be approved in accordance with the conditions included in the report.

(Moved Clr S McMahon/Seconded Clr P Sansom)

Councillors for the Motion: V Badalati (Mayor), A Istephan, C Wong, N Liu, B Giegerl, D Perry, S McMahon, C Hindi, W Pickering, A Wagstaff, P Sansom

Councillors absent from meeting: J Jacovou

His Worship the Mayor advised that the decision was unanimous.

Item No: DAC032.05 - 08 9 KIMS AVENUE, LUGARNO - ALTERATIONS AND ADDITIONS TO AN EXISTING DWELLING INVOLVING NEW ELEVATED TERRACES AND BALCONIES TO THE REAR

(Report by Development Assessment Officer, Ms D Fellows) 08/DA-343

COMMITTEE'S DECISION:

THAT the application be approved in accordance with the conditions included in the report.

(Moved Clr P Sansom/Seconded Clr W Pickering)

Councillors for the Motion: V Badalati (Mayor), A Istephan, C Wong, N Liu, B Giegerl, D Perry, S McMahon, C Hindi, W Pickering, A Wagstaff, P Sansom

Councillors absent from meeting: J Jacovou

His Worship the Mayor advised that the decision was unanimous.

Item No: DAC032.06 - 08 45 ELM STREET, LUGARNO - ALTERATIONS AND ADDITION TO A TWO STOREY DWELLING AND REFURBISHMENT OF GARAGE STRUCTURE

(Report by Development Assessment Officer, Ms D Fellows) 08/DA-287

COMMITTEE'S DECISION:

THAT the application be deferred for the applicant to provide elevational shadow diagrams so as to show the full extent of the shadow impacts on the adjoining neighbours after taking into consideration the contours of the site and adjoining lands.

(Moved Clr P Sansom/Seconded Clr W Pickering)

Councillors for the Motion: V Badalati (Mayor), A Istephan, C Wong, N Liu, B Giegerl, D Perry, S McMahon, C Hindi, W Pickering, A Wagstaff, P Sansom

Councillors absent from meeting: J Jacovou

His Worship the Mayor advised that the decision was unanimous.

Item No: DAC032.07 - 08 57 ALLWOOD CRESCENT, LUGARNO - ALTERATIONS AND ADDITIONS TO AN EXISTING DWELLING HOUSE AND NEW GARAGE

(Report by Development Assessment Officer, Ms D Fellows) 08/DA-285

COMMITTEE'S DECISION:

THAT the application be approved in accordance with the conditions included in the report.
(Moved Clr P Sansom/Seconded Clr W Pickering)

Councillors for the Motion: V Badalati (Mayor), A Istephan, C Wong, N Liu, B Giegerl, D Perry, S McMahon, C Hindi, W Pickering, A Wagstaff, P Sansom

Councillors absent from meeting: J Jacovou

His Worship the Mayor advised that the decision was unanimous.

Item No: DAC032.08 - 08 23 POPLAR PLACE, LUGARNO - EXTENSION OF THE DWELLING BY DEMOLITION OF SUNROOM TO THE REAR AND THE CONSTRUCTION OF A LARGER SUNROOM

(Report by Development Assessment Officer, Mr I Kokotovic) 08/DA-480

COMMITTEE'S DECISION:

THAT the application be approved in accordance with the conditions included in the report.
(Moved Clr C Hindi/Seconded Clr P Sansom)

Councillors for the Motion: V Badalati (Mayor), A Istephan, C Wong, N Liu, B Giegerl, D Perry, S McMahon, C Hindi, W Pickering, A Wagstaff, P Sansom

Councillors absent from meeting: J Jacovou

His Worship the Mayor advised that the decision was unanimous.

Item No: DAC032.09 - 08 30 TAFFS AVENUE, LUGARNO - DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF A NEW TWO STOREY DWELLING INCLUDING ROOF TERRACE AND FRONT FENCE

(Report by Development Assessment Officer, Ms D Fellows) 08/DA-383

COMMITTEE'S DECISION:

THAT the application be approved in accordance with the conditions included in the report, subject

to the deletion of the rooftop terrace.
(Moved Clr C Hindi/Seconded Clr W Pickering)

Councillors for the Motion: V Badalati (Mayor), A Istephan, D Perry, C Hindi, W Pickering, A Wagstaff

Councillors against the Motion: C Wong, N Liu, B Giegerl, S McMahon, P Sansom

Councillors absent from meeting: J Jacovou

Item No: DAC032.10 - 08 39 BOORARA AVENUE, OATLEY - SECTION 96 MODIFICATION TO APPROVED DUAL OCCUPANCY TO RAISE BASEMENT LEVEL, GROUND AND FIRST FLOOR LEVELS

(Report by Development Assessment Officer, Mr R. Guirguis) 05/DA-17REV01

COMMITTEE'S DECISION:

A. THAT the application be approved in accordance with the conditions included in the report.

B. FURTHER THAT the matter be referred to Council's Manager - Building Control for investigation and appropriate action in relation to the unauthorised works.

(Moved Clr C Hindi/Seconded Clr A Istephan)

Councillors for the Motion: V Badalati (Mayor), A Istephan, C Wong, N Liu, B Giegerl, D Perry, S McMahon, C Hindi, W Pickering, A Wagstaff, P Sansom

Councillors absent from meeting: J Jacovou

His Worship the Mayor advised that the decision was unanimous.

Item No: DAC032.11 - 08 68 MARINE DRIVE, OATLEY - CONSTRUCTION OF A BOATSHED WITH SHOWER AND BATHROOM AND A FIRST FLOOR RUMPUS ROOM AND VERANDAH, CONSTRUCTION OF SLIPRAILS AND RAMP AND CONSTRUCTION OF JETTY AND PONTOON

(Report by Development Assessment Officer, Mr I Kokotovic) 08/DA-254

COMMITTEE'S DECISION:

THAT the application be refused for the following reasons:-

* The proposed structure is of two storey construction and is non-compliant with the requirements of Development Control Plan No. 1, Section 4.3 - Outbuildings in relation to the maximum allowable height of three metres.

* The proposal is considered to have a detrimental impact on the amenity of the local area and is not in the public interest.

(Moved Clr C Hindi/Seconded Clr A Istephan)

Councillors for the Motion: A Istephan, C Wong, N Liu, B Giegerl, D Perry, C Hindi, W Pickering, A Wagstaff

Councillors against the Motion: V Badalati (Mayor), S McMahon, P Sansom
Councillors absent from meeting: J Jacovou

Item No: DAC033 - 08 DEVELOPMENT APPLICATIONS - PENSURST WARD
(Report by Director - Planning and Development)

COMMITTEE'S DECISION:

THAT the information be received and noted.
(Moved Clr S McMahon/Seconded Clr C Hindi)

Item No: DAC033.01 - 08 2/61 NORMAN STREET, PEAKHURST - USE OF FACTORY UNIT AS GYMNASIICS FACILITY

(Report by Manager - Development Assessment, Ms T Christy and Development Assessment Officer, Mr R Guirguis) 08/DA-351

COMMITTEE'S DECISION:

THAT the application be approved in accordance with the conditions included in the report.
(Moved Clr S McMahon/Seconded Clr C Hindi)

Councillors for the Motion: V Badalati (Mayor), A Istephan, C Wong, N Liu, B Giegerl, D Perry, S McMahon, C Hindi, W Pickering, A Wagstaff, P Sansom
Councillors absent from meeting: J Jacovou

His Worship the Mayor advised that the decision was unanimous.

Item No: DAC033.02 - 08 16 LESLEY CRESCENT, MORTDALE - SECTION 96 APPLICATION TO PUT COLOURBOND ROOFING OVER EXISTING FRONT AND REAR BALCONIES

(Report by Development Assessment Officer, Mr P Nelson) 00/DA-350REV01

Interest: Although not required to do so, Councillor B Giegerl left the Chamber during discussion and voting on this item, having declared a non-pecuniary interest in the matter.

COMMITTEE'S DECISION:

THAT the application be approved in accordance with the conditions included in the report.
(Moved Clr C Hindi/Seconded Clr A Istephan)

Councillors for the Motion: V Badalati (Mayor), A Istephan, C Wong, N Liu, D Perry, S McMahon, C Hindi, W Pickering, A Wagstaff
Councillors absent from meeting: J Jacovou, B Giegerl, P Sansom

Item No: DAC033.03 - 08 8 BARRY AVENUE, MORTDALE - SECTION 96 MODIFICATION TO APPROVED JOINERY FACTORY - TO USE MACHINERY BETWEEN 4.00PM AND 6.00PM, WEEKDAYS
(Report by Development Assessment Officer, Ms D Fellows) 07/DA-77REV01

COMMITTEE'S DECISION:

THAT the application be refused for the following reasons:-

1. The premises is currently operating outside the previously approved hours of work.
 2. Excessive noise levels are being generated from the premises.
 2. The proposal will have a negative impact on the amenity of adjoining neighbours.
- (Moved Clr W Pickering/Seconded Clr P Sansom)

Councillors for the Motion: V Badalati (Mayor), A Istephan, C Wong, N Liu, B Giegerl, D Perry, S McMahon, C Hindi, W Pickering, A Wagstaff, P Sansom

Councillors absent from meeting: J Jacovou

His Worship the Mayor advised that the decision was unanimous.

Item No: DAC033.04 - 08 39-41A PENSURST STREET, PENSURST - ALTERATIONS AND ADDITIONS TO EXISTING RETAIL SHOPS AND CONSTRUCTION OF A MIXED USE DEVELOPMENT COMPRISING RETAIL, RESIDENTIAL UNITS, SERVICED APARTMENTS AND STRATA TITLE SUBDIVISION
(Report by Senior Development Assessment Officer, Mrs A Aversa-Morassut) 08/DA-319

COMMITTEE'S DECISION:

THAT the application be approved as a deferred commencement approval in accordance with the conditions included in the report.
(Moved Clr C Hindi/Seconded Clr P Sansom)

Councillors for the Motion: V Badalati (Mayor), A Istephan, C Wong, N Liu, B Giegerl, D Perry, S McMahon, C Hindi, W Pickering, A Wagstaff, P Sansom

Councillors absent from meeting: J Jacovou

His Worship the Mayor advised that the decision was unanimous.

Item No: DAC033.05 - 08 556 FOREST ROAD, PENSURST - NEW RETAIL FRUIT AND VEGETABLE MARKET INCLUDING DELICATESSEN, OFFICE SPACE AND BASEMENT CAR PARKING
(Report by Senior Development Assessment Officer, Ms A Aversa-Morassut) 08/DA-119

COMMITTEE'S DECISION:

THAT the application be approved in accordance with the conditions outlined in the report.
(Moved Clr S McMahon/Seconded Clr B Giegerl)

Councillors for the Motion: V Badalati (Mayor), C Wong, B Giegerl, D Perry,
S McMahon, P Sansom

Councillors against the Motion: A Istephan, N Liu, C Hindi, W Pickering, A Wagstaff

Councillors absent from meeting: J Jacovou

The meeting finished at 10.05pm.

CHAIRPERSON