

**HURSTVILLE CITY COUNCIL**  
CIVIC CENTRE, MACMAHON STREET, HURSTVILLE.

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**MINUTES OF THE DEVELOPMENT ASSESSMENT COMMITTEE  
MEETING  
HELD ON WEDNESDAY, 7TH SEPTEMBER, 2005 AT 7:08 PM**

**PRESENT**

**Committee Members:**

Her Worship the Mayor, Councillor J Morris (Chairperson)  
Councillor V Badalati  
Councillor B Giegerl  
Councillor D Gillespie  
Councillor S Grekas  
Councillor C Hindi  
Councillor C Lee  
Councillor S McMahan  
Councillor C Minns  
Councillor P Sansom  
Councillor C Wong (Deputy Mayor)

**Council Staff:**

Director - Policy, Planning & Environment, Ms R Tyne  
Manager - Development Control, Mr G Young  
Manager - Development Assessment, Mr P Thomas  
Traffic Engineer - Ms M Whitehurst  
Manager - Administration, Development Control, Mr G Scotton  
Acting Minute Secretary - Ms C Hobson  
Manager - Environmental Health & Building, Ms J Nicol

**APOLOGIES**

Apologies for inability to be present were tendered on behalf of Councillor W

Pickering .

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

(Moved Clr C Lee /Seconded Clr C Hindi)

### **CONFIRMATION OF MINUTES**

Development Assessment Committee Meeting - 3rd August, 2005.

RESOLVED THAT the Minutes of the meeting of the Development Assessment Committee held on the 3rd August, 2005, as previously circulated to each Councillor, be confirmed as a correct record.

(Moved Clr C Hindi/Seconded Clr V Badalati)

### **DISCLOSURE OF INTEREST**

The following Councillors declared an interest in the matters before the Committee:

Councillor C Lee - DAC022.01 - 05 - 43 Forest Road, Hurstville and DAC024.03 - 05 - 3 Connelly Street, Penshurst - Acting for members of his family.

Councillor B Giegerl - DAC024.04 - 05 - 38 Scott Street - On the basis that her son lives at 27 Scott Street in the vicinity.

Councillor C Hindi - DAC022.06a - 05 - 225H Forest Road, Hurstville - Asked to have it noted that the Town Planner employed by Multiplex works for Energy Australia as he does.

### **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: DAC022 - 05 - DEVELOPMENT APPLICATIONS - HURSTVILLE WARD**

(Report by Director - Policy, Planning and Environment, Ms R Tyne)

COMMITTEE'S DECISION:

THAT the information be received and noted.

(Moved Clr C Hindi/Seconded Clr D Gillespie)

**Item No: DAC022.01 - 05 - 43 FOREST ROAD, HURSTVILLE - DEMOLITION OF EXISTING WORKSHOP AND CONSTRUCTION OF A TWO STOREY MIXED RESIDENTIAL/COMMERCIAL BUILDING WITH BASEMENT PARKING**

(Report by Manager - Development Assessment, Mr P Thomas and Senior Town Planner, Ms T Christy) DA 20050161

COMMITTEE'S DECISION:

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

(Moved Clr C Hindi/Seconded Clr D Gillespie)

**Item No: DAC022.02 - 05 - 41 DONALD STREET, HURSTVILLE - SECTION 96 MODIFICATION APPLICATION TO DELETE BEDROOM FOUR, CHANGE RUMPUS ROOM TO BEDROOM AND ERECTION OF AN OUTBUILDING**

(Report by Manager Development Assessment, Mr P Thomas and Development Assessment Officer, Mr R Hick) DA 20040734 REV01

COMMITTEE'S DECISION:

THAT the application be determined as detailed in the report.

(Moved Clr C Hindi/Seconded Clr C Wong)

**Item No: DAC022.03 - 05 - 292-298 FOREST ROAD, HURSTVILLE - MIXED COMMERCIAL/RETAIL AND RESIDENTIAL DEVELOPMENT WITH BASEMENT PARKING**

(Report by Senior Town Planner - Ms T Christy) DA 20040336

COMMITTEE'S DECISION:

THAT the application be deferred for Councillors briefing and report to next Development Assessment Meeting.

(Moved Clr V Badalati/Seconded Clr C Hindi)

**Item No: DAC022.04 - 05 - 19 GORDON STREET, HURSTVILLE -  
DEMOLITION OF EXISTING DWELLING HOUSE AND  
CONSTRUCTION OF A THREE STOREY  
RESIDENTIAL FLAT BUILDING**

(Report by Development Assessment Officer, Ms T Gizzi) DA 20040457

COMMITTEE'S DECISION:

THAT the application be approved in accordance with the conditions included in the report with the addition that the laundry and bathroom windows be made from obscure glass and fixed on the bottom portion, with clear glass and be able to be opened at the top.

(Moved Clr C Hindi/Seconded Clr V Badalati)

**Item No: DAC022.05 - 05 - 11 MASHMAN AVENUE, KINGSGROVE -  
DEMOLITION OF  
EXISTING CHIMNEY ON MASHMAN POTTERY SITE**

(Report by Development Assessment Officer, Ms T Gizzi) DA 20050194

COMMITTEE'S DECISION:

THAT the application be deferred for further information from the applicant regarding costings of the works.

THAT Ward Councillors do a further inspection of the chimney.

THAT additional Development Application Fees be paid appropriate to the revised demolition cost.

FURTHER, THAT the matter be brought back to the next meeting of Council on the 28th September, 2005.

(Moved Clr P Sansom/Seconded Clr C Lee)

**Item No: DAC022.06A - 05 - 225H FOREST ROAD, HURSTVILLE -  
REFURBISHMENT OF HURSTVILLE SUPER CENTRE WITH THE  
ADDITION OF RETAIL**

**SPACE AND PLANT ROOMS AT ROOF LEVEL**

(Report by Manager - Development Control, Mr G Young) DA 20050231

**COMMITTEE'S DECISION:**

THAT the application be granted a deferred commencement consent in accordance with the conditions included in the report, with the following amendments to Deferred Commencement Condition 1 in Schedule 1.

THAT the applicant shall satisfy Hurstville Council that legal and physical pedestrian access or the public including provision for disabled access has been obtained by appropriate legal agreements for movements to and from the north west corner of the concourse level in accordance with the Hurstville Master Plan. Achieving legal and physical pedestrian access from the Super Centre site through third party property to Forest Road will be assisted by Council in order to ensure that access rights are established in favour of the general public and Council. The applicant will be responsible for the cost of gaining legal and physical access.

THAT Condition 20 of Schedule 2 is deleted.

FURTHER, THAT applicants are granted twelve (12) months to satisfy the Deferred Commencement conditions.

(Moved Clr C Hindi/Seconded Clr D Gillespie)

**Item No: DAC023 - 05 - DEVELOPMENT APPLICATIONS - PEAKHURST  
WARD**

(Report by Director - Policy, Planning and Environment, Ms R Tyne)

**COMMITTEE'S DECISION:**

THAT the information be received and noted.

(Moved Clr P Sansom/Seconded Clr C Hindi)

**Item No: DAC023.01 - 05 - 29 GOVER STREET, PEAKHURST - REQUEST  
TO RETAIN**

**CONSTRUCTED TIMBER FRAME PARTY WALL TO DUAL OCCUPANCY**

(Report by Development Assessment Officer, Ms N Brown) DA 20040206

The Mayor advised that the applicant requested that this Item be withdrawn from the agenda.

**Item No: DAC023.02 - 05 - 325 BELMORE ROAD, RIVERWOOD - BROTHEL**

(Report by Development Assessment Officer, Ms N Brown) DA 20050199

COMMITTEE'S DECISION:

THAT the application be refused in accordance with the reasons stated in the report, with additional reasons being non compliance with disabled access and proposal is contrary to DCP 18 Crime Prevention Through Environmental Design.

(Moved Clr P Sansom/Seconded Clr C Hindi)

**Item No: DAC023.03 - 05 - 119 MULGA ROAD, OATLEY - CONVERT AN EXISTING DWELLING HOUSE INTO A RESTAURANT**

(Report by Development Assessment Officer, Ms T Gizzi) DA 20050085

COMMITTEE'S DECISION:

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

(Moved Clr P Sansom/Seconded Clr C Lee)

**Item No: DAC023.04 - 05 - 8-12 COLERIDGE STREET, RIVERWOOD - CONSTRUCTION OF TWO 3 STOREY RESIDENTIAL FLAT BUILDINGS WITH BASEMENT CAR PARK AND STRATA SUBDIVISION (18 DWELLINGS)**

(Report by Development Assessment Officer, Ms T Gizzi) DA 20050031

COMMITTEE'S DECISION:

THAT the application be granted a deferred commencement consent in accordance with the conditions included in the report and that the Riverwood DCP be reviewed as per the recommendation contained in the report.

(Moved Clr P Sansom/Seconded Clr C Lee)

**Item No: DAC024 - 05 - DEVELOPMENT APPLICATIONS - PENSHURST WARD**

(Report by Director - Policy, Planning and Environment, Ms R Tyne)

COMMITTEE'S DECISION:

THAT the information be received and noted.

(Moved Clr S McMahon/Seconded Clr C Hindi)

**Item No: DAC024.01 - 05 - 15-19 BALFOUR ROAD, BEVERLY HILLS - DEMOLITION OF EXISTING DWELLING HOUSES AND CONSTRUCTION OF FOUR (4) TOWNHOUSES AND FOUR (4) VILLAS**

(Report by Manager - Development Assessment, Mr P Thomas and Development Assessment Officer, Ms T Gizzi) DA 20040853

COMMITTEE'S DECISION:

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

FURTHER, THAT a 300mm diameter pipeline be installed following the approval by Council's Technical Services Section of a design for the length of Bradman Street (approximately 110 metres) as a condition of development consent to discharge run-off from the site to a gully pit near Mercury Street.

(Moved Clr S McMahon/Seconded Clr C Hindi)

**Item No: DAC024.02 - 05 - 598-602 FOREST ROAD, PENSHURST - DEMOLITION OF EXISTING STRUCTURES AND CONSTRUCTION OF A TWO STOREY MIXED RETAIL AND RESIDENTIAL DEVELOPMENT WITH BASEMENT PARKING**

(Report by Senior Town Planner, Ms T Christy) DA 20040525

COMMITTEE'S DECISION:

THAT the application be deferred for Councillor Inspections, particularly in

relation to safety issues regarding traffic and block edge design.

(Moved Clr S McMahon/Seconded Clr B Giegerl)

**Item No: DAC024.03 - 05 - 3 CONNELLY STREET, PENSHURST -  
DEMOLITION OF EXISTING STRUCTURES AND CONSTRUCTION OF  
A PART 2/PART 3 STOREY  
MIXED RESIDENTIAL AND COMMERCIAL DEVELOPMENT WITH  
BASEMENT PARKING**

(Report by Senior Town Planner, Ms T Christy) DA 20040550

COMMITTEE'S DECISION:

THAT the decision on this application be deferred for a Councillor briefing and referred to the next Council Meeting on the 28th September, 2005.

(Moved Clr B Giegerl/Seconded Clr C Hindi)

**Item No: DAC024.04 - 05 - 38 SCOTT STREET, MORTDALE -  
UNAUTHORISED OUTBUILDING TO REAR OF PREMISES**

(Report by Environmental Health and Building Surveyor, Mr M Alexander)  
05/1081, DA 20010154

COMMITTEE'S DECISION:

THAT Council proceed to serve an Order under the Environmental Planning and Assessment Act for the demolition of the unlawfully erected outbuilding and retaining wall and for the removal of the unauthorised fill.

FURTHER, THAT the owner of the premises be prosecuted for unauthorised building work.

(Moved Clr S McMahon/Seconded Clr P Sansom)

**Item No: DAC024.05 - 05 - 54 BROUGHTON STREET, MORTDALE -  
DEMOLITION OF  
EXISTING DWELLING HOUSE AND CONSTRUCTION OF THREE  
SMALL LOT DWELLING HOUSES**

(Report by Development Assessment Officer, Ms T Gizzi) DA 20040729

COMMITTEE'S DECISION:



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

FURTHER, THAT the issue of development on three (3) allotments be referred to a future workshop for discussion.

(Moved Clr S McMahon/Seconded Clr D Gillespie)

**Item No: DAC024.06 - 05 - 469 FOREST ROAD, PENSHURST - ADAPTIVE REUSE OF HERITAGE BUILDING (TORINO) AND THE CONSTRUCTION OF A SINGLE STOREY BUILDING, CAR PARKING AND LANDSCAPE WORKS AND USE OF THE SITE FOR A COMMUNITY FACILITY BY THE SPASTIC CENTRE**

(Report by Planning Ingenuity Pty Ltd, Mr B Boyd - Senior Planner) DA  
20050216

COMMITTEE'S DECISION:

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

(Moved Clr C Minns/Seconded Clr P Sansom)

The meeting finished at 10.28 p.m.

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CHAIRPERSON