

DATE OF DETERMINATION	Tuesday 12 November 2019
PANEL MEMBERS	Nicole Gurran (Chair), Bruce McDonald, Julie Savet Ward, Con Hindi, Nick Katris
APOLOGIES	Helen Lochhead
DECLARATIONS OF INTEREST	None

Public meeting held at Georges River Council, cnr Dora St and Macmahon St, Hurstville on 12 November 2019, opened at 12pm and closed at 12.50pm

MATTER DETERMINED

PPSSSH-1 – Georges River – DA2018/0473 - 77-79 Trafalgar St Peakhurst - Demolition works and construction of a three storey residential flat building comprising of 15 units basement car park and landscaping works. (as described in Schedule 1)

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

Development application

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

- The Panel notes and concurs with the reasons for approval provided in Council's assessment of this proposal. The Panel particularly considers;
- The proposed development will add to the supply of social housing within the Georges River local government area and the Sydney South District in a location reasonably proximate to the services and facilities available within Peakhurst local centre.
- The proposal adequately satisfies the provisions of the relevant State Environmental Planning Policies. It is recognised that while proposing social housing the application has been made and assessed under the provisions of SEPP 65 -Design Quality of Residential Apartment Development and its associated Apartment Design Guide and satisfies the provisions of those instruments.
- It is also noted the proposed development adequately satisfies the provisions of SEPP 55 (Remediation of Land).
- The proposal adequately satisfies the requirements and provisions of Hurstville LEP 2012 and Hurstville Development Control Plan No. 1. The Panel notes that the proposal falls short of the DCP car parking provisions which would usually require an additional 3 visitor car parking spaces to be provided. However, the Panel accepts that this inconsistency is appropriate in the circumstances of this development which is situated in a well located area with potential street parking on three frontages and which is for the purpose of social housing.

- The proposed development subject to the conditions imposed will have no unacceptable adverse impacts on the natural or built environments including on site flora or the amenity of nearby residential premises or the operation of the local road system due to the availability of kerbside parking.
- The proposed development is considered to be of a form and scale consistent with the existing and planned character of this locality and with appropriate presentation to each of the three frontages of this prominent site.
- In consideration of the reasons provided in the assessment report and the above conclusions the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

CONDITIONS






The development application was approved subject to the conditions in the council assessment report with the following amendments.

- The removal of condition 28A relating to car parking, to enable the additional car parking space to be used by tenants rather than as a visitor/car wash bay
- The insertion of a provision relating to unexpected contamination finds during construction (71 A).

The Panel notes that there are some wording changes to be made to the draft conditions reflecting that this a Crown development and therefore that certification of the construction process is undertaken by LAHC being a Crown Authority.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel note there were no written submissions made during public exhibition and so consider that there were no objections from the public.

PANEL MEMBERS	
 Nicole Gurrán (Chair)	 Bruce McDonald
 Julie Savet Ward	 Con Hindi
 Nick Katris	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSSH-1 – Georges River – DA2018/0473
2	PROPOSED DEVELOPMENT	Demolition works and construction of a three storey residential flat building comprising of 15 units, basement car park and landscaping works.
3	STREET ADDRESS	77-79 Trafalgar St Peakhurst
4	APPLICANT/OWNER	Susanna Cheng, NSW Land and Housing Corporation
5	TYPE OF REGIONAL DEVELOPMENT	Crown development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> Environmental Planning and Assessment Act 1979 Environmental Planning and Assessment Regulation 2000 State Environmental Planning Policy (State and Regional Development) 2011 State Environmental Planning Policy No 55 – Remediation of Land State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development State Environmental Planning Policy (Building and Sustainability Index: 2004) State Regional Environmental Plan No 2 – Georges River Catchment State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 State Environmental Planning Policy (Infrastructure) 2007 Draft State Environmental Planning Policy – Environment Draft State Environmental Planning Policy – Remediation of Land Hurstville Local Environmental Plan 2012 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Hurstville Development Control Plan No. 1 (Amendment 6) Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil Coastal zone management plan: Nil The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality The suitability of the site for the development Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report: 29 October 2019 Written submissions during public exhibition: Nil Applicant response to Council's draft conditions Verbal submissions at the public meeting: <ul style="list-style-type: none"> In support – Nil In objection – Nil Council assessment officer – Linley Love, Chris Young On behalf of the applicant – Lynne Sheridan, Ambrose Marquart, Susanna Cheng, Ila Vedi

8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing: 14 August 2019 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Helen Lochhead (Chair), Bruce McDonald, Nicole Gurrán, Con Hindi, Nick Katris ○ <u>Council assessment staff</u>: Martin Southwell, Nicole Askew • Site inspection: 12 November 2019 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Nicole Gurrán (Chair), Bruce McDonald, Julie Savet Ward, Con Hindi, Nick Katris ○ <u>Council assessment staff</u>: Linley Love, Chris Young • Final briefing to discuss council's recommendation, 12 November 2019, 11.30am. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Nicole Gurrán (Chair), Bruce McDonald, Julie Savet Ward, Con Hindi, Nick Katris ○ <u>Council assessment staff</u>: Linley Love, Ryan Cole, Chris Young
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report