

COMMENCEMENT

The meeting opened at 3pm.

IN ATTENDANCE

Ms Lesley Finn	Chairperson
Mr David Logan	Expert Member
Mr Chris Young	Expert Member
Ms Virginia Wise	Community Representative

ALSO PRESENT

Mr Steve Kourepis	Director, Town Planning
Mr Michael Brewer	Consultant Town Planner (via Zoom)
Mr Rean Lourens	Consultant Town Planner (via Zoom)
Ms Sarah Jenkins	Town Planning Coordinator

APOLOGIES

No apologies were received.

DECLARATIONS OF INTEREST

The Chair called for Declarations of Interest without response.

CONFIRMATION OF MINUTES

- 001/24** RESOLVED on the MOTION of Chairperson Finn, seconded Mr Young
That the Minutes of Local Planning Panel of previous Meeting held on 23/11/2023
previously circulated and approved by email, be adopted.

DEVELOPMENT APPLICATIONS

3.1 22 BARONS CRESCENT, HUNTERS HILL

PROCEEDINGS IN BRIEF

Present Herman Ip, architect

Proceedings Questions from the Panel were referred to the architect, Herman.

RECOMMENDATION

That:

- A. Demolition of existing structures, subdivision of the site into two lots, excavation and construction of a dual occupancy (attached) on the front

lot and a dwelling house on the rear lot, with associated earthworks, tree removal and landscaping at 22 Barons Crescent Hunters Hill, be approved as a “Deferred Commencement” approval, subject to the following conditions:

GEN 2 – (Two (2) years)

Schedule 1:

1. Provision of an updated and current BASIX Certificate.

GEN0 GEN1

GEN3

DRAWING NUMBER	TITLE	REVISION/ DATE	PREPARED BY
SUBDIVISION			
Proposed 2 Lots Subdivision at No.22 Barons Crescent, Hunters Hill	Plan of Proposed Subdivision of Lot 11 in Deposited Plan 9261	01/09/2023	Pang Surveyors
SINGLE DWELLING			
01	Site Plan	E - 18/8/2023	G5 Studio
02	Ground Floor Plan	E - 18/8/2023	G5 Studio
03	First Floor Plan	D – 12/8/2022	G5 Studio
04	Roof Plan	D – 12/8/2022	G5 Studio
05	South Elevation	D – 25/7/2022	G5 Studio
06	North Elevation	C – 8/7/2022	G5 Studio
07	Elevations	C – 8/7/2022	G5 Studio
08	Section	C – 8/7/2022	G5 Studio
10	Landscape Calculation Plan	Amended - undated	G5 Studio
DUAL OCCUPANCY			
A001	Site Plan/ Analysis	C – Aug 23	D Studio
WD 100	Basement Floor Plan	D – 18/8/23	D Studio
WD 101	GF Floor Plan	D – 18/8/23	D Studio
WD 102	First Floor Plan	C – 04/7	D Studio
WD 103	Roof Plan	C – 04/7	D Studio
A200	North Elevation	B – 18/8/23	D Studio
A201	South Elevation	B – 18/8/23	D Studio
A202	East Elevation	B – 18/8/23	D Studio
A203	West Elevation	B – 18/8/23	D Studio
A300	Section BB	B – 18/8	D Studio
A301	Section BB	B – 18/8	D Studio
OTHER DRAWINGS			

21-4413 Sheets LO1-LO5	Landscape Plan	E – 14/8/2023	Zenith Landscape Designs
C04	Stormwater Drainage Concept Plans	6 – NI-09-23	M+G Consulting Engineers
C05 Issue 2	Stormwater Drainage Details and Sections Sheet 1	2 – 5/9/2023	M+G Consulting Engineers

DOCUMENT	DATE/ REVISION	PREPARED BY
Letter of Response to Council	19/9/2023	PDC Consultants
Letter - Additional Arborists Report	5/9/2023	Jacksons Nature Works
Letter – Response to Council Enquiries	31/8/2023	Abel Ecology
Prescribed Ecological Assessment Report	17/10/2022	Abel Ecology
Vegetation Management Plan	17/10/2022	Abel Ecology
Arboricultural Impact Assessment	2/11/2022	Jacksons Nature Works
Arboricultural Impact Assessment	14/9/2021	Jacksons Nature Works
Bushfire Assessment and Recommendations	4/11/2022	Sydney Bushfire Consultants
Statement of Environmental Effects	15/10/2021	Planning Ingenuity
Addendum Statement of Environmental Effects	21/12/2023	Planning Ingenuity

SPECIAL CONDITION:

STAGING OF THE DEVELOPMENT

Staging of the development shall be as follows:

Stage 1:

- Demolition of the existing dwelling on the Site.
- Torrens title subdivision of the existing allotment into two (2) lots as follows:
 - Proposed Lot 1 - a rectangular shaped lot fronting Barons Crescent with an area of 750m².
 - Proposed Lot 2 -a battle-axe lot located to the rear of the site with

an area of 1,936m² including an access handle of 158.2m².

Stage 2:

- Earthworks
- Removal of 38 trees and landscaping.
- Construction of a two storey attached dual occupancy on Lot 1.
- Construction of a single dwelling house and swimming pool on Lot 2.

Stage 3:

- Strata subdivision of Proposed Lot 1 into two lots (proposed strata lots 101 and 102).

NOTE: A Construction Certificate for the development detailed in Stage 2 shall not be issued until such time as a Subdivision Certificate has been issued for the Subdivision detailed in Stage 1. A Subdivision Certificate for the Strata Subdivision described in Stage 3 shall not be issued until such time as an Occupation Certificate has been issued for the dual occupancy building.

GEN5 GEN6 GEN7

GEN 8 – 8.5M

The Construction Certificate shall not be released until such time as written verification is provided by a Registered Architect, which shall include a cross section of each building, verifying compliance with the definition of Maximum Building Height contained in the Dictionary to the Hunters Hill Local Environmental Plan 2012.

GEN20 GEN21 GEN23

STAGE 1 – DEMOLITION AND SUBDIVISION:

DEMO DEM1 DEM4 DEM5 DEM6 DEM7 DEM8 DEM9 DEM10 DEM11 DEM12

DEM14 DEM15 DEM16 DEM17 CON3

DEM20 – any tree to be retained

DEM21 DEM22 DEM23 DEM24 DEM25

PSC0 PSC1 PSC2 PSC4 PSC5 PSC10 PSC12

STAGE 2 – TREE REMOVAL, CONSTRUCTION OF DWELLING AND DUAL OCCUPANCY:

PCC0 PCC1(\$7,030) PCC3(\$10000) PCC5(\$28121)

SPECIAL CONDITION:

Full details of the proposed colours, material and finishes are to be submitted to Council and approved by the Director of Planning prior to the issue of the Construction Certificate. Colours shall reflect the surrounding bushland environment, noting that black/ dark colours for roofs and white/ highly reflective colours for external walls will not be acceptable.

PCC10 – (a) all windows on the eastern and western elevations of both buildings/
1.6m

(b) the western elevations of all rear facing decks and balconies of all dwellings and the western side of the external stairs and landing to Duplex 2/
1.6m - add “where not already provided after “... balcony floor level.”.

PCC11 PCC12 (TBA) PCC13 PCC15 PCC16 PCC17 PCC18 PCC20 PCC21 PCC31 PCC32
PCC47 PCC54 – Nos. 20, 20B, 24A and 24B Barons Crescent PCC55 PCC58 PCC65
PCC73 PCC76

PCWO PCW1 PCW2 PCW3 PCW4 PCW5 PCW6 PCW8 PCW14 PCW15

The following Special Conditions apply:

PCW Tree Protection

- a) The trees listed below in (d) shall be retained and protected in accordance with the Arboricultural Impact Assessment (prepared by Jackson Nature Works, dated 2 November 2022)
- b) All protected trees on-site that are specifically nominated to be retained by notation on the plans or by condition as a requirement of this development consent must be tagged with luminous tape of the like for purposes of identification prior to demolition, excavation or construction works and must remain so for the duration of works on the site. No materials or builder’s waste are to be stored in the vicinity of the nominated tree/trees at any time.
- c) The following works are excluded from within the TPZ, unless otherwise stated.
 - * Grade alterations
 - * Soil cultivation, disturbance or compaction
 - * Stockpiling, storage, disposal or mixing of materials
 - * Refuelling of machinery or vehicles
 - * Washing of machinery or vehicles
 - * Pedestrian access or vehicular access
 - * Siting of offices, sheds or temporary services

* Any action that has the potential to impact the tree's health and structural condition

d)

Tree No.	Species	TPZ (m)
Tree 1	<i>Eucalyptus ficifolia</i>	2
Tree 2	<i>Stenocarpus sinuatus</i>	4.2
Tree 3	<i>Brachychiton acerifolius</i>	2.4
Tree 4	<i>Angophora costata</i>	6.1
Tree 5	<i>Grevillea robusta</i>	5.4
Tree 6	<i>Glochidion ferdinandi</i>	4.2
Tree 15A	<i>Lophostemon confertus</i>	5.4
Tree 18	<i>Ficus rubiginosa</i>	14.4
Tree 20	<i>Eucalyptus botryoides</i>	6
Tree 28	<i>Glochidion ferdinandi</i>	3.6
Tree 38	<i>Glochidion ferdinandi</i>	2.4
Tree 40	<i>Eucalyptus pilularis</i>	6
Tree 41	<i>Eucalyptus pilularis</i>	6.8

PCW Work Method Statement for the installation of TPZs

Prior to the commencement of works, the Project Arborist shall prepare a Work Method Statement for the installation of services within a TPZ. Where services cannot be located outside TPZ areas, alternative installation methods such as hand/hydro-vac/air spade excavation or directional boring/drilling which allow for the retention of roots [$>50\text{mm}\varnothing$] shall be used.

Where large woody roots are encountered during excavation or trenching (root diameter greater than 50mm), these shall be retained intact wherever possible (e.g. by tunnelling beneath roots and inserting the pipeline or conduit beneath or re-routing the service etc). Where this is not practical and root pruning is the only alternative, proposed root pruning should be assessed by a qualified arborist [AQF 5] to evaluate the potential impact on the health and stability of the subject tree.

Installation of underground services and stormwater pipes within the SRZs of Trees [any tree nominated for retention], shall only be undertaken by Horizontal Directional Drilling (HDD) (also referred to as sub-surface boring or Micro-tunnelling for large diameter pipes). The Invert Level of the pipe, plus the pipe diameter, must be lower than the estimated root zone depth as specified. At this site a minimum depth of 1 metre to the invert level of the pipe is specified.

CSI0 CSI1 ("Building" change to "buildings") CSI2 CSI3 CSI6

CON0 CON1 CON2 CON4 CON5 CON7 CON8 CON11 CON13 CON14 CON15 CON16
 CON17 CON18 CON20 CON21 CON28 CON30 CON34 CON37 CON40 CON 41
 CON42 CON43 CON44 CON45 CON46 CON47
 CON50

Tree	Location	Comments
Tree 7 <i>Archontophoenix cunninghamiana</i> (Building footprint),	Front of site	
Tree 9 <i>Corymbia gummifera</i>	Front of site	Low retention value & ULE.
Tree 10 <i>Camellia sasanqua</i>	Front of site	
Tree 10A <i>Pittosporum undulatum</i>	Front of site	
Tree 11 <i>Duranta repens</i> Geisha Girl	Front of site	
Tree 13 <i>Arbutus unedo</i>	Front of site	
Tree 13A <i>Camellia sasanqua</i>	Front of site.	
Tree 16 <i>Camellia sasanqua</i>	Front of site	
Tree 17 <i>Agathis robusta</i>	Mid site	
Tree 19 <i>Archontophoenix cunninghamiana</i>	Mid site	
Tree 21 <i>Araucaria heterophylla</i>	Mid site	
Tree 22 <i>Archontophoenix cunninghamiana</i>	Mid site	
Tree 23 <i>Livistona australis</i>	Mid site	
Tree 24 <i>Archontophoenix cunninghamiana</i>	Mid site	
Tree 26 <i>Plumaria rubra</i> var. <i>acutifolia</i>	Mid site	
Tree 29 <i>Eucalyptus pilularis</i>	Mid site	Trunk staining indicates fungal infection by <i>Armillaria</i> spp. and declining condition.
Tree 30 <i>Cupressus sempervirens</i> Glauca	Mid site	
Tree 31 <i>Eucalyptus pilularis</i>	Mid site	Suspected <i>Armillaria</i> due to bark staining.
Tree 32 <i>Hymenosporum flavum</i>	Mid site	
Tree 34 <i>Caryota mitis</i>	Mid site	
Tree 35 <i>Caryota mitis</i>	Mid site	
Tree 39 <i>Eucalyptus pilularis</i>	Rear site	Bush fire requirements

Tree 42 <i>Glochidion ferdinandi</i>	Rear site	Bush fire requirements, assessed as having poor health and low retention value.
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CON51 CON52 CON53 CON54 CON55 CON56 CON57 CON58 CON59 CON60
CON61 CON67 CON70 CON71

POC0 POC2 POC4
POC7

- Landscape Plans
(prepared by Paul Schrivener Landscape, dwg no 1 of 4 Issue E, dated 16.04.2021, received via email 20 April 2021)

POC10 Compliance with Arboricultural Report

- Arboricultural Impact Assessment
(prepared by Jackson Nature Works, dated 2 November 2022)

POC8 POC11 POC12 POC 13 POC14 POC17 POC20 POC21 POC22 POC23 POC24
POC25 POC28 POC29 POC30 POC31 POC37 POC60 POC62

POC70

Stormwater	M+G Consulting	Stormwater Drainage Concept Plan, issues 1, 2 and 5 in brackets, dated 14/10/22 and 05/09/23	C01(1), C02(1), C03(1), C04(5), C05(2), C06(1)
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POC73

(Lots 1 and 2 DP9261)

POC74 (stormwater and sub-surface water)

POC75

Special Conditions:

SP1 Driveway and Vehicle Crossing

Prior to the issue of an Occupation Certificate, an appropriately qualified Chartered Engineer, with current Corporate membership in the Australian Institution of Engineers, with experience in traffic, must certify that the constructed driveway crossing and vehicle access handle satisfies the following:

- Complies with AS/NZS 2890.1: 2004, “Off Street Car Parking” Code, in terms of driveway width, maximum gradients, scraping provisions and overhead clearance requirements,
- The driveway across the verge is graded away from the property boundary preventing surface runoff from the street entering the site,
- Vehicles can exit the site in a forward direction

POC Vegetation Management and Ongoing Weed Management

Vegetation management should be in accordance with the Vegetation Management Plan (prepared by Abel Ecology, dated 17.10.2022)

The recommendations outlined in the VMP must be followed at all stages of the development to ensure minimal impact on the biodiversity corridor adjoining Buffalo Creek Reserve.

The VMP is to be updated by a suitably qualified contractor every five years. Annual maintenance works are to be undertaken by suitably qualified and experienced contractors.

002/24

RESOLVED on the MOTION of Ms Finn, seconded Mr Young, that:

Development Application 20211245 for the demolition of existing structures, subdivision of the site into two lots, excavation and construction of a dual occupancy (attached) on the front lot and a dwelling house on the rear lot, with associated earthworks, tree removal and landscaping at 22 Barons Crescent Hunters Hill, be refused for the following reasons:

1. Insufficient detailed information to determine the application.
2. A Clause 4.6 was not submitted for the breach of height standard.
3. Lack of clarity with regard to the identity and number of trees to be removed.
4. Insufficient information as to whether the development would have an adverse impact on the adjoining neighbours in terms of overlooking and overshadowing.
5. Insufficient information to determine the privacy impacts of the duplex part of the proposal, from the rear balconies and the stairs to the rear private open space.
6. Lack of information to demonstrate that the basement carpark for the duplex can be effectively and safely accessed from the proposed driveway.
7. Insufficient information as to the impacts on local flora and fauna.
8. Due to the inadequacies and conflicts in the submitted documentation, approval of the proposed development is not in the public interest.

RECORD OF VOTING	
For	Against
Chairperson Lesley Finn	
Mr David Logan	
Mr Chris Young	
Ms Virginia Wise	

3.2 PLANNING PROPOSAL FOR RECLASSIFICATION OF FAIRLANDS HALL, HUNTERS HILL
PROCEEDINGS IN BRIEF

No attendees.

003/24 RESOLVED on the MOTION of Mr Young, seconded Mr Logan that:

1. The Hunters Hill Local Planning Panel advises Council that it supports the recommendations set out below, for the reasons set out in the Council's report:

- a) Amend Schedule 4 to include Fairlands Hall as Operational Land; and
- b) Discharge any interests registered over the site.

RECORD OF VOTING	
For	Against
Chairperson Lesley Finn	
Mr David Logan	
Mr Chris Young	
Ms Virginia Wise	

The meeting closed at 4.01pm.

Post Meeting:

At 4.36pm, the Panel members reviewed these minutes and considered them a true and accurate reflection of the meeting.