



MINUTES OF LOCAL PLANNING PANEL MEETING

HOSTED AUDIO-VISUALLY VIA ZOOM
on Wednesday 27 April 2022
at 4:00pm



PRESENT

Chairperson - Penny Holloway

Expert Panel Member - Linda McClure

Expert Panel Member - Juliet Grant

Community Member - John Filocamo

Community Member - Brian Scarsbrick

STAFF PRESENT

Director, Planning and Compliance - James Farrington

Manager, Development Assessments - Rod Pickles

Major Development Manager - Cassandra Williams

Senior Town Planner - Madeleine Brown

Senior Town Planner - Thomas Dales

Town Planner - Tim Buwalda

The public meeting commenced at 4.00pm.

AUDIO RECORDING OF LOCAL PLANNING PANEL MEETING

Statement by the Chairman:

"I advise all present that today's meeting is being audio recorded for the purposes of providing a record of public comment at the meeting, supporting the democratic process, broadening knowledge and participation in community affairs, and demonstrating Council's commitment to openness and accountability. The recordings of the non-confidential parts of the meeting will be made available on Council's website once the Minutes have been finalised. All speakers are requested to ensure their comments are relevant to the issue at hand and to refrain from making personal comments or criticisms. No other persons are permitted to record the meeting, unless specifically authorised by Council to do so."

APOLOGIES / LEAVE OF ABSENCE

Nil

ADDRESSES TO THE PANEL

The following members of the public addressed the Panel on items on the agenda for the public meeting:

LOCAL PLANNING PANEL

1 LPP22/22 DA/342022 - Demolition of existing dwelling and Torrens title subdivision of one lot into two - 3 Windsor Court, Castle Hill

Angelina Cheng (on behalf of Mandy Cheng)

Against

Giovanni Pellizzon

Against

IN ACCORDANCE WITH CLAUSE 3.3(5.b) OF SCHEDULE 1 OF THE OPERATIONAL PROCEDURES DIRECTIONS ISSUED 23 FEBRUARY 2018.

The Panel Chair closed the public meeting at 4.16pm.

PUBLIC MEETING ITEMS

- 1 LPP22/22 DA/34/2022 - Demolition of Existing Dwelling and Torrens Title
Subdivision of One Lot into Two - 3 Windsor Court, Castle Hill**

(DA/34/2022)

RECOMMENDATION

THAT Development Application No. DA/34/2022 for demolition of existing dwelling and Torrens title subdivision of one lot into two at Lot 92 DP 86466, No. 3 Windsor Court, Castle Hill be approved, subject to the conditions of consent detailed in Schedule 1 of LPP Report No. LPP22/22.

PANEL'S CONSIDERATION AND DETERMINATION

The Panel considered the matters raised in the written submissions and by the speakers at the meeting, including lot width and size, rear setback of building envelope, increase in traffic impacts, noise, privacy and amenity impacts from future dwellings, social and economic impacts of the development.

The Panel resolved to adopt the officer's report recommendation and approve the proposed development, subject to the conditions contained in Schedule 1 of the report and the following amendments:

New condition No. 2A to read:

2A. Demolition/ Construction Management Plan (CMP)

To assist in the protection of the public, the environment and Council's assets, a separate Construction Management Plan must be prepared by a suitably qualified environmental consultant in consultation with a qualified traffic engineer and AQF 5 arborist and submitted to Council's Compliance Team via Council's Online Services Portal for review and written approval, prior to demolition works commencing or issue of the Subdivision Works Certificate, whichever occurs first.

The CMP must include the following details:

- a) A Construction/ Demolition Traffic Management Plan (CTMP) including the following:
 - i) The order of demolition and construction works and arrangement of all demolition/ construction machines and vehicles being used during all stages.
 - ii) The CTMP plans shall be in accordance with all other plans submitted to Council as part of this development proposal.
 - iii) A statement confirming that no building materials, work sheds, vehicles, machines or the like shall be allowed to remain in the road reserve area without the written consent of Hornsby Shire Council.
 - iv) The Plan shall be in compliance with the requirements of the Roads and Maritime Services *Traffic control at work sites Manual 2018* and detail:
 - a. Public notification of proposed works.

- b. Long term signage requirements.
 - c. Short term (during actual works) signage.
 - d. Vehicle Movement Plans, where applicable.
 - e. Traffic Management Plans.
 - f. Pedestrian and Cyclist access and safety.
- v) Traffic controls including those used during non-working hours. Pedestrian access and two-way traffic in the public road must be able to be facilitated at all times.
 - vi) Details of parking arrangements for all employees and contractors, including layover areas for large trucks during all stages of works. The parking or stopping of truck and dog vehicles associated with the development will not be permitted other than on the site and the plan must demonstrate this will be achieved.
 - vii) Confirmation that a street 'scrub and dry' service will be in operation during all stages of works.
 - viii) Proposed truck routes to and from the site including details of the frequency of truck movements for all stages of the development.
 - ix) Swept path analysis for ingress and egress of the site for all stages of works.
 - x) Site plans for all stages of works including the location of site sheds, concrete pump and crane locations, unloading and loading areas, waste and storage areas, existing survey marks, vehicle entry, surrounding pedestrian footpaths and hoarding (fencing) locations.
 - xi) The total quantity and size of trucks for all importation and exportation of fill on site throughout all stages of works, and a breakdown of total quantities of trucks for each stage of works.
 - xii) The number of weeks trucks will be accessing and leaving the site with excavated or imported fill material.
 - xiii) The maximum number of trucks travelling to and from the site on any given day for each stage of works.
 - xiv) The maximum number of truck movements on any given day during peak commuting periods for all stages of works.
 - xv) The source site location of any proposed fill to be imported to the site, for all stages of works.
 - xvi) The Plan must state that the applicant and all employees of contractors on the site must obey any direction or notice from the Prescribed Certifying Authority or Hornsby Shire Council in order to ensure the above.
 - xvii) If there is a requirement to obtain a Work Zone, Out of Hours permit, partial

Road Closure or Crane Permit, the Plan must detail these requirements and include a statement that an application to Hornsby Shire Council will be made to obtain such a permit.

- b) A Construction Waste Management Plan detailing the following:
- i) Details of the importation or excavation of soil and fill, the classification of the fill, disposal methods and authorised disposal depots that will be used for the fill.
 - ii) Asbestos management requirement and procedures for removal and disposal from the site in accordance with AS 2601–2001 – ‘The Demolition of Structures’, and the *Protection of the Environment Operations (Waste) Regulation 2005*.
 - iii) General construction waste details including construction waste skip bin locations and litter management for workers.
- c) Identification of approved sediment and erosion control measures.
- d) The CMP must detail the contact information for developers, builder, private certifier and any emergency details during and outside work hours.

Note: The CMP must be lodged via Council’s Online Services Portal at: <https://hornsbyprd-pwy-epw.cloud.infor.com/ePathway/Production/Web/Default.aspx> and by selecting the following menu options: Applications > New Applications > Under ‘Application Types’: Management Plans.

New condition No. 18A to read:

18A. Compliance with Construction Management Plan

The Council approved Construction Management Plan must be complied with for the duration of works, unless otherwise approved by Council.

The reasons for this decision are:

- The proposed development generally complies with the requirements of the relevant environmental planning instruments and the Hornsby Development Control Plan 2013.
- The proposed development does not create unreasonable environmental impacts to adjoining development and would not be inconsistent with the character of the area.

VOTING OF THE PANEL MEMBERS

FOR: Penny Holloway, Linda McClure, Juliet Grant, John Filocamo

AGAINST: NIL

NON-PUBLIC MEETING ITEMS

2 LPP23/22 DA/1204/2021 - Alterations and additions to a heritage listed dwelling house and landscaping works - 29B Albert Road, Beecroft

(DA/1204/2021)

RECOMMENDATION

THAT Development Application No. DA/1204/2021 for alterations and additions to a heritage listed dwelling house at Lot 2 DP 116169.5, No. 29B Albert Road, Beecroft be approved, subject to the conditions of consent detailed in Schedule 1 of LPP Report No. LPP23/2022.

PANEL'S CONSIDERATION AND DETERMINATION

The panel considered the written submissions and note that these issues have been addressed in the assessment report.

The Panel resolved to adopt the officer's report recommendation and approve the proposed development, subject to the conditions contained in Schedule 1 of the report.

The reasons for this decision are:

- The proposed development complies with the requirements of the relevant environmental planning instruments and the Hornsby Development Control Plan 2013.
- The proposed development does not create unreasonable environmental impacts to adjoining development with regard to visual bulk, overshadowing, solar access, amenity or privacy.
- The proposed development is considered to be consistent with the heritage item and the original architectural design.

VOTING OF THE PANEL MEMBERS

FOR: Penny Holloway, Linda McClure, Juliet Grant, John Filocamo

AGAINST: NIL

3 LPP24/22 DA/103/2022 - Alterations and additions to a dwelling house - 43 Bouvardia Street, Asquith

(DA/103/2022)

RECOMMENDATION

THAT the Hornsby Local Planning Panel assume the concurrence of the Secretary of the Department of Planning and Environment pursuant to Clause 4.6 of the Hornsby Local Environmental Plan 2013 and approve Development Application No. DA/103/2022 for alterations and additions to the principal dwelling house at Lot 36 DP 30826, No. 43 Bouvardia Street, Asquith subject to the conditions of consent detailed in Schedule 1 of LPP Report No. LPP24/22.

PANEL'S CONSIDERATION AND DETERMINATION

The Panel considered the Clause 4.6 submission and is satisfied that the applicant's written request has adequately addressed the matters required to be demonstrated by clause 4.6(3) of the HLEP and in accordance with clause 4.6(4) of the HLEP, is satisfied that the proposed development will be in the public interest because it is consistent with the objectives of the 'Height of Buildings' development standard and the objectives for development within the zone in which the development is proposed to be carried out.

The Panel resolved to adopt the officer's report recommendation and approve the proposed development, subject to the conditions contained in Schedule 1 of the report and the following amendments:

Amend condition No. 2 to read:

2 Amendment of Plans

- a) To comply with Council's requirement in terms of privacy, the approved plans are to be amended as follows:
 - i) The sill height of the first-floor level living room window (W04) and Bed 2 window (W05) on the northern elevation is to be increased to a minimum of 1.5m above the finished floor level.
- b) These amended plans must be submitted with the application for the Construction Certificate.

The reasons for this decision are:

- The request under Clause 4.6 of Hornsby Local Environmental Plan 2013 to contravene the 'Height of buildings' development standard is well founded. Strict compliance with the development standard is considered unreasonable and unnecessary in the circumstances of the case and sufficient environmental planning grounds have been submitted to justify the contravention to the development standard.
- The proposed development generally complies with the requirements of the relevant environmental planning instruments and the Hornsby Development Control Plan 2013.
- The proposed development does not create unreasonable environmental impacts to adjoining development with regard to visual bulk, overshadowing, solar access, amenity or privacy.

VOTING OF THE PANEL MEMBERS

FOR: Penny Holloway, Linda McClure, Juliet Grant, Brian Scarsbrick

AGAINST: NIL

4 LPP27/22 Reporting Development Applications for Determination by the Hornsby Local Planning Panel over 180 Days

(F2020/00316)

RECOMMENDATION

THAT the contents of LPP Report No. LPP27/22 be received and noted.

PANEL'S CONSIDERATION AND DETERMINATION

The Panel resolved that the report be received and noted.

VOTING OF THE PANEL MEMBERS

FOR: Penny Holloway, Linda McClure, Juliet Grant, Brian Scarsbrick, John Filocamo

AGAINST: NIL

The Panel's meeting concluded at 4.36pm.



Chairperson