



MINUTES OF LOCAL PLANNING PANEL MEETING

HOSTED AUDIO-VISUALLY VIA ZOOM
on Wednesday 29 June 2022
at 4:00pm



PRESENT

Chairperson - Garry Fielding

Expert Panel Member - Linda McClure

Expert Panel Member - Steven Layman

Community Member - Barbra Wynn

Community Member - John Filocamo

STAFF PRESENT

Director, Planning and Compliance - James Farrington

Manager, Development Assessments - Rod Pickles

A/Major Development Manager - Ben Jones

Team Co-ordinator - Matthew Miles

Senior Town Planner - Thomas Dales

Town Planner - Charley Wells

The public meeting commenced at 4.10pm.

AUDIO RECORDING OF LOCAL PLANNING PANEL MEETING

Statement by the Chairman:

"I advise all present that tonight'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 | LPP34/22 DA/1354/2021 - Alterations and Additions to a Dwelling House and Construction of a Driveway - 67 Malton Road, Beecroft | |
| | Kent Ross (owner) | Advice on withdrawal |
| 2 | LPP35/22 DA/1379/2021 - Construction of a Dwelling House - 99A Copeland Road, Beecroft | |
| | Michael Williams | Against |
| | Suzanne Bain | Against |
| | Ron & Margaret Frith | Against |
| | Russell Kingdom (Arborist) | For |
| | Doug Sneddon (Town Planner) | For |
| 3 | LPP38/22 DA/164/2022 - Construction of a Dwelling House and Cabana - 19 Boyd Avenue, West Pennant Hills | |
| | Andrew Markham | Against |
| | Les Crawshaw | Against |
| | David Crawshaw | Against |
| | Mr Thuan Buu Quach & Ms Thi Thanh Thao Le (owners) | For |

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 5:10pm.

PUBLIC MEETING ITEMS

1 LPP34/22 DA/1354/2021 - Alterations and Additions to a Dwelling House and Construction of a Driveway - 67 Malton Road, Beecroft

(DA/1354/2021)

The Panel noted that the application was withdrawn from the NSW Planning Panel at 10:06am on 29/06/2022.

The panel notes the provisions of Clause 40 of the Environmental Planning and Assessment Regulation 2021 which provides that an applicant may, through the NSW planning portal, withdraw a development application at any time before the application is determined and that an application that is withdrawn is taken never to have been made.

The Panel heard from the applicant who identified that the application has been withdrawn to allow for additional information to be prepared and further discussions with Council prior to the resubmission of a future development application.

The panel notes the information provided by the applicant with respect to the withdrawal.

The panel further thanks the listed objector for their contribution.

PANEL'S CONSIDERATION AND DETERMINATION

The Panel considers that the application has been withdrawn pursuant to the provisions of Clause 40 of the Environmental Planning and Assessment Regulation 2021 and as such the application is taken to have never been made.

As such, no determination is made on LPP34/22.

RECOMMENDATION

THAT Development Application No. DA/1379/2021 for the construction of a two-storey dwelling house at Lot 2 DP 444486, No. 99A Copeland Road, Beecroft be approved as a deferred commencement pursuant to Section 4.16(3) of the *Environmental Planning and Assessment Act 1979* subject to the conditions of consent detailed in Schedule 1 of LPP Report No. LPP35/22.

PANEL’S CONSIDERATION AND DETERMINATION

The Panel considered the matters raised in the written submissions and by the speakers at the meeting including bulk and scale; visual impact, removal of trees and impacts on flora and fauna, landscaping requirements, solar panels, privacy and amenity impacts.

The Panel heard from the applicant’s arborist, who identified that Tree 40 was structurally compromised and of low useful life expectancy, failing the visual tree assessment. It was further identified that Tree 40 was not a native species and would be offset by four native trees on site. A 100-200 litre pot size was identified as suitable to instate mature specimens of approximately 3 metres in height to provide initial screening and amenity.

The Panel noted that the opinion of the applicant’s arborist has not yet been corroborated by Council arborists.

The Panel resolved to defer the item in order to receive the independent advice of Council’s arborist regarding the ability to retain tree 40 having particular regards to safety.

The Panel also noted that the supplied landscape plan was inconsistent and may show trees 39 and 41 as removed. The Panel requests that an amended landscape plan be provided prior to any determination.

Upon receipt of the above information the panel would determine the matter electronically at the July LPP meeting.

VOTING OF THE PANEL MEMBERS

FOR: Garry Fielding, Linda McClure, Steven Layman, Barbra Wynn

AGAINST: NIL

3 LPP38/22 DA/164/2022 - Construction of a Dwelling House and Cabana - 19 Boyd Avenue, West Pennant Hills

(DA/164/2022)

RECOMMENDATION

THAT Development Application No. DA/164/2022 for the construction of a dwelling house and cabana at Lot 6, DP 582886, No. 19 Boyd Avenue, West Pennant Hills be approved subject to the conditions of consent detailed in Schedule 1 of LPP Report No. LPP38/22.

PANEL'S CONSIDERATION AND DETERMINATION

The Panel considered the matters raised in the written submissions and by the speakers at the meeting including bulk and scale, architectural design, traffic and parking impacts, stormwater impacts, removal of trees, noise, solar access privacy and amenity impacts.

The Panel heard from the owners who spoke regarding bulk and scale, landscaping, architectural design, traffic and parking and noise.

The Panel resolved to adopt the officer's 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.

VOTING OF THE PANEL MEMBERS

FOR: Garry Fielding, Linda McClure, Steven Layman, Barbra Wynn

AGAINST: NIL

NON-PUBLIC MEETING ITEMS

4 LPP21/22 DA/1037/2021 - Part Demolition and Reconstruction of the Building for the Purpose of a New Pub - 206-212 Pennant Hills Road, Thornleigh

(DA/1037/2021)

RECOMMENDATION

THAT Development Application No. DA/1037/2021 for demolition of part of the existing building and existing bar, car parking and trees; reconstruction of part of the building for the purpose of a new pub for three hundred and forty patrons, on-site landscaping and business identification signage at Lot 3 DP 1205943, No. 206-212 Pennant Hills Road, Thornleigh be approved subject to the conditions of consent detailed in Schedule 1 of LPP Report No. LPP21/22.

PANEL'S CONSIDERATION AND DETERMINATION

The Panel considered the matters raised in the written submissions including traffic and parking impacts, acoustic impacts, permissibility, management of the premises and smoke free legislation requirements.

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

The Panel resolved to remove Condition 58 from the conditions of development consent as it serves no planning purpose. For clarity Condition 58 reads as follows;

58. Parking utilisation survey/Green Travel Plan

A Parking Utilisation Survey of the sites car park is to be submitted to Council 12 months after the commencement of operation.

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 with regard to traffic, visual bulk, noise, amenity or privacy.

VOTING OF THE PANEL MEMBERS

FOR: Garry Fielding, Linda McClure, Steven Layman, John Filocamo

AGAINST: NIL

5 LPP39/22 Reporting Development Applications for Determination by the Hornsby Local Planning Panel over 180 Days

(F2013/00295-003)

RECOMMENDATION

THAT the contents of LPP Report No. LPP39/22 be received and noted.

PANEL'S CONSIDERATION AND DETERMINATION

The Panel resolved to receive and note the report.

VOTING OF THE PANEL MEMBERS

FOR: Garry Fielding, Linda McClure, Steven Layman, Barbra Wynn, John Filocamo

AGAINST: NIL

The Panel's meeting concluded at 5:45pm.

A handwritten signature in black ink, appearing to read "D. Adams", located at the top left of the page.

Chairperson