



MINUTES OF LOCAL PLANNING PANEL MEETING

Held at COUNCIL CHAMBERS, HORNSBY
on Wednesday 28 July 2021
at 6:30pm



Hornsby Shire Council – Minutes of Local Planning Panel meeting of 28 July 2021

PRESENT

Chairperson - Garry Fielding

Expert Panel Member - Linda McClure

Expert Panel Member - Juliet Grant

Community Member - Barbra Wynn

Community Member - Brian Scarsbrick

Staff Present

Director, Planning and Compliance - James Farrington

Manager, Development Assessments - Rod Pickles

Major Development Manager - Cassandra Williams

Team Co-ordinator - Caroline Maeshian

Senior Town Planner - Ben Jones

Independent Acoustic Consultant - Steven Cooper

The meeting commenced at 6.30pm.

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:

- | | | | |
|---|---|---|---------|
| 1 | LPP16/21 DA/124/2021 - Alterations and Additions to an Existing Residential Aged Care Facility - 144-146 Beecroft Road, Beecroft | Greg Boston (BBF Planners) Speaking on behalf of Applicant | For |
| 2 | LPP18/21 DA/1030/2018 - Alterations and Additions to an Existing Club (The Galston Club) - 19-25 Arcadia Road Galston | Jan Primrose (Spokesperson for PYSE) | Against |
| | | John Inshaw (Speaking on behalf of GARA) | Against |
| | | Cllr Warren Waddell | For |
| | | Brian Dodd (Director, The Galston Club) | For |
| | | Christophe Bodart (Chief Executive Officer, The Galston Club) | For |
| | | Dennis Stephenson (President, The Galston Club) | For |
| | | Nicolas Tedesco (Applicant) will only speak if need be | For |
| | | Rodney Phillips (Renzo Tonin - Acoustic Consultant) | 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 7.43pm.

LOCAL PLANNING PANEL

1 **LPP16/21 DA/124/2021 - Alterations and Additions to an Existing Residential Aged Care Facility - 144 - 146 Beecroft Road, Beecroft**

(DA/124/2021)

RECOMMENDATION

THAT the Hornsby Shire Council 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/124/2021 for alterations and additions to an existing residential aged care facility at Lot 15 DP 6280, Lot 16 DP 6280, Lot 17 DP 6280 and Lot 34 DP 6280, Nos. 144-146 Beecroft Road, Beecroft subject to the conditions of consent detailed in Schedule 1 of LPP Report No. LPP16/21

PANEL'S CONSIDERATION AND DETERMINATION

The Panel considered the matters raised in written submissions including scale of the development, noise, traffic and pedestrian safety impacts, fencing and waste services.

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 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 recommendation and approve the proposed development subject to the conditions of consent contained in Schedule 1 of the report.

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 written request under Clause 4.6 of *Hornsby Local Environmental Plan 2013* to vary to the height of buildings development standard is well founded. Strict compliance with the development standard is unreasonable and unnecessary in the circumstances of the case as the subject site contains sufficient area for two lots and there are sufficient environmental planning grounds to justify the variation to the development standard, there are sufficient environmental planning grounds to justify the variation to the development standards.
- The proposed development does not create unreasonable environmental impacts to adjoining development with regard to visual bulk, overshadowing, solar access, tree and vegetation preservation, stormwater, vehicle access, amenity or privacy.

VOTING OF THE PANEL MEMBERS

FOR: Garry Fielding, Linda McClure, Juliet Grant, Barbra Wynn

AGAINST: NIL

RECOMMENDATION

THAT Development Application No. DA/1030/2018 for alterations and additions to an existing registered club building, expansion of the existing car park, erection of acoustics screens and associated landscaping at Lot 1 DP 80275, The Galston Club, Nos. 19-25 Arcadia Road Galston 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. LPP18/2021.

PANEL'S CONSIDERATION AND DETERMINATION

The Panel considered the matters raised by the objectors in written submissions and at the meeting, including crime prevention measures, stormwater drainage impacts, development not in keeping with the character of the area; impacts on trees and loss of landscaping; devaluation of adjoining properties; increase in trading hours; proposed smoking rooms fails to comply with relevant legislation; stormwater drainage impacts; intrusive lighting and excessive noise and privacy impacts.

The Panel also noted that the existing inground concrete septic tank, which is located in the proposed landscaped area of the car park, is used as a holding tank for septic waste before it is pumped to the Sydney Water sewage system for treatment.

The Panel resolved to adopt the officer's recommendation and approve the proposed development as a deferred commencement consent, subject to the conditions contained in Schedule 1 of the report and the following amendments.

Amend condition No. 1 to read:

1. Deferred Commencement

Pursuant to Section 4.16(3) of the *Environmental Planning and Assessment Act 1979*, this consent does not operate until a Plan of Management is submitted that comprehensively addresses the Land and Environmental Court Planning Principles for Plans of Management.

- a) The Plan of Management should include, but not limited to, measures to be employed to manage patron and staff behaviour; closing procedures; shuttle bus management; restrictions on service and delivery vehicles to reduce impacts on residents; loading dock management; complaint procedures; light control measures; staff car parking; security and crime prevention, including CCTV coverage of the car park and landscape areas; and noise management.
- b) The Plan of Management must include a detailed plan of the location of the exterior CCTV cameras connected to the Club monitoring system.
- c) Such information must be submitted within 12 months of the date of this notice. Failure to satisfy the above requirement by the specified date will result in the lapsing of the consent.

Upon Council's written satisfaction of the above information, the following conditions of development consent apply:

Amend condition No. 64 to read:

64. Operation of Licensed Premises

The operation of the premises must be carried out in accordance with the following requirements:

- a) The hours of operation of the premises are:
Monday to Saturday: 11.00am to 12 midnight
Sunday: 10.00am to 10.00pm
- b) All live bands (including portable disc jockeys) must cease no later than the following times:
Monday to Saturday: 11.00pm
Sunday: 9.00pm

The reasons for this decision are:

- The proposed development would result in an improved acoustic outcome for the locality.
- Subject to conditions the proposed development does not create unreasonable environmental impacts to adjoining development.

VOTING OF THE PANEL MEMBERS

FOR: Garry Fielding, Linda McClure, Juliet Grant, Brian Scarsbrick

AGAINST: NIL

3 LPP17/21 Reporting Development Applications for determination by the Hornsby Local Planning Panel over 180 days

RECOMMENDATION

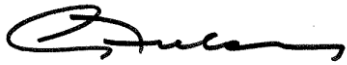
THAT the contents of LPP Report No. LPP17/21 be received and noted.

VOTING OF THE PANEL MEMBERS

FOR: Garry Fielding, Linda McClure, Juliet Grant, Brian Scarsbrick

AGAINST: NIL

The Panel's meeting concluded at 8.17pm.



Chairperson