



Hawkesbury Local Planning Panel Meeting

Date of meeting: 18 August 2022
Location: By audio-visual link
Time: 10:00am

MINUTES

HAWKESBURY LOCAL PLANNING PANEL MEETING

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HAWKESBURY LOCAL PLANNING PANEL MEETING

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Minutes of the Hawkesbury Local Planning Panel Meeting held by Audio-Visual Link, on 18 August 2022, commencing at 10am.

ATTENDANCE

Present: Mr David Ryan, Expert Member, Chair
Mr Wayne Carter, Expert Member
Ms Deborah Sutherland, Expert Member
Mr Graham Edds, Community Representative

In Attendance: Mr Andrew Kearns, Manager Strategic Planning, Hawkesbury City Council
Ms Sunehla Bala, Strategic Land Use Planning Coordinator, Hawkesbury City Council
Mr Lachlan Mackenzie, Strategic Planner, Hawkesbury City Council
Ms Tracey Easterbrook, Administrative Support Coordinator Hawkesbury City Council

DECLARATIONS OF INTEREST

The chairperson asked the panel if any member needed to declare a pecuniary interest in the items on the agenda. There were no declarations of interest.

All clause 4.10 Code of Conduct declaration forms were submitted by the Panel Members.

ADDRESS BY INVITED SPEAKERS

The chairperson advised that the following people had been permitted to address the panel at the commencement of the consideration of the item.

SPEAKERS	ITEM NO/SUBJECT
Christian Pollock	Item: 8 CP - LEP002/22 4 Hall Street, Pitt Town - to amend the Hawkesbury LEP 2012 Zoning Map from SP2 Infrastructure to R5 Large Lot Residential - (95498, 137333)
Bassam Ghantous	Item: 9 CP - LEP001/22 30A, 30B, 30C and 34 Mitchell Road, Pitt Town to amend the Hawkesbury LEP 2012 to reduce the Minimum Lot Size provisions for the subject site from 2,500m ² to 1,000m ² - (95498, 137333)
Matthew Owens	Item: 9 CP - LEP001/22 30A, 30B, 30C and 34 Mitchell Road, Pitt Town to amend the Hawkesbury LEP 2012 to reduce the Minimum Lot Size provisions for the subject site from 2,500m ² to 1,000m ² - (95498, 137333)

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SECTION 3 – Reports for Advice

Item: 008 **CP - LEP002/22 4 Hall Street, Pitt Town - to amend the Hawkesbury LEP 2012 Zoning Map from SP2 Infrastructure to R5 Large Lot Residential - (95498, 137333)**

Directorate: City Planning

The Panel was addressed by Mr Christian Pollock (Sydney Water).

RESOLUTION:

PANEL DECISION:

The panel members provided the following advice:

That this matter be forwarded to Gateway for consideration, subject to ensuring there is a connection to sewer.

The Panel members voted on the advice the results of which were as follows:

For the Motion: David Ryan, Wayne Carter and Deborah Sutherland.

Against the Motion: Graham Edds.

Absent: Nil.

In terms of the Panel Member who voted against the motion, the reasons for voting against the motion are recorded as follows:

That the site at a high level and its future use could better serve the Pitt Town community for other community services e.g to provide a telecommunication tower or similar as a crucial service at times of flood, rather than to be sold for residential. It is understood that telecommunications during times of flood are unreliable.

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Item: 009 CP - LEP001/22 30A, 30B, 30C and 34 Mitchell Road, Pitt Town to amend the Hawkesbury LEP 2012 to reduce the Minimum Lot Size provisions for the subject site from 2,500m² to 1,000m² - (95498, 137333)

Directorate: City Planning

The Panel was addressed by Mr Bassam Ghantous and Mr Matthew Owens, PMO Planning Services Pty Ltd.

The panel members provided the following advice:

The Panel considers that the delivery of the Pitt Town Flood Evacuation Route, in its totality, is in the public interest, benefitting the whole Pitt Town community. However, how the Pitt Town Flood Evacuation Route should be implemented and funded is the key question.

This Planning Proposal proposes a method of delivering a significant part of the Pitt Town Flood Evacuation Route through private funding, made possible by increasing the development yield on the subject site.

However, whilst this may be a public benefit, the Panel considers that this must be balanced against the fact that there is little other planning merit and justification associated with increasing the lot yield on the subject site.

The Panel has concerns about increasing the development potential of the site, which whilst being above the flood planning level, would still increase the number of people within Pitt Town potentially requiring evacuation.

The Panel considers that there is limited strategic merit in terms of meeting Council's housing targets, that may be achieved through development of other areas already identified in Council's strategic plans.

The proposed lot size is incongruous with surrounding lot sizes.

The proposal does not deliver the full extent of the Pitt Town Flood Evacuation Route.

Notwithstanding this, the Panel considers that the option of full or partial private funding of the Pitt Town Flood Evacuation Route is worthy of consideration. However, the Panel has no feasibility analysis to confirm that the proposed lot size of 1,000m² is necessary to viably provide the Pitt Town Flood Evacuation Route through the subject site, and considers that this should be subject to further assessment.

The Panel notes that any subdivision of the subject site, including under the current lot size standard, would require the provision of a public road. It is unclear therefore why that road could not form part of the Pitt Town Flood Evacuation Route without any significant cost imposition on the subdivision. It was indicated to the Panel that the Flood Evacuation Route would need to be designed and constructed to a higher specification than a standard local road. As such, any feasibility analysis should consider the marginal cost of the Pitt Town Flood Evacuation Route through the subject site, over and above a standard road. Opportunities for public authorities to fund this marginal cost could then be considered. This would reduce the impost on the private subdivision to a cost no more than the development costs that would otherwise be involved in delivering the subdivision. This should reduce the need to increase the number of lots on the site in order to deliver the Pitt Town Flood Evacuation Route.

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RESOLUTION:

PANEL DECISION:

The Panel unanimously recommended that:

That the Planning Proposal should not proceed for the following reasons:

It has not adequately demonstrated that the only feasible means of delivering part of the Pitt Town Flood Evacuation Route is by reducing the minimum lot size of the subject site to 1,000m².

Since the Panel is not satisfied that such a significant reduction in lot sizes has strategic or site specific merit or is in the public interest, it would be more appropriate for other options for the delivery of the Pitt Town Flood Evacuation Route to be explored, including:

- public funding opportunities, for example, existing contributions, grant funding and the like, to deliver the full extent of the Pitt Town Flood Evacuation Route, or
- public funding of the marginal cost difference between the flood evacuation route design standard and a local road design standard or
- if such options are not available, consideration may be given to undertaking detailed feasibility assessment of private delivery of this section of the Pitt Town Flood Evacuation Route through lot sizes marginally smaller than the existing standard, but more consistent with the surrounding lots sizes than the current proposal.

The Panel members voted on the advice the results of which were as follows:

For the Motion: David Ryan, Wayne Carter, Deborah Sutherland and Graham Edds.

Against the Motion: Nil.

Absent: Nil.

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Item: 010 **CP - S960020/22 (DA0332/16) - Lot 2 DP 607906, 396 Bells Line of Road, Kurmond - (95498, 137333, 76639)**

Directorate: City Planning

The panel received a briefing on the Land and Environment Court Appeal that had been lodged with respect to this application to modify the original approval that had previously been considered by the Hawkesbury Local Planning Panel.

RESOLUTION:

PANEL DECISION:

The Panel unanimously recommended that:

Following consideration, the panel advised that it did not wish to be directly involved in the Land and Environment Court Appeal for this matter, and was comfortable for Council to defend the appeal.

The Panel members considered this matter, the results of which were as follows:

For the Motion: David Ryan, Wayne Carter, Deborah Sutherland and Graham Edds.

Against the Motion: Nil.

Absent: Nil.

The meeting terminated at 12:45pm.