



Hawkesbury Local Planning Panel

Date of meeting: 17 October 2024
Location: Council Chambers
Time: 10:00 AM

MINUTES

Table of Contents

1. PROCEDURAL MATTERS 5

 ATTENDANCE..... 5

 DECLARATIONS OF INTEREST 5

2. REPORTS FOR DETERMINATION 6

 2.1.1 Disclosure of Interest and Other Matters Return - (95496) 6

 2.1.2. DA0120/22 - 27 Douglas Road, Kurrajong Heights - (144940, 96329)..... 7

 2.1.3. DA0526/23 - 40 Racecourse Road, Clarendon - (144940, 96329) 10

 2.1.4. DA0293/24 - 16 Stewart Street SOUTH WINDSOR - Hawkesbury Indoor Stadium
 - (144940, 96329) 11

HAWKESBURY LOCAL PLANNING PANEL

Meeting Date: 17 October 2024

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1. PROCEDURAL MATTERS

Minutes of the Hawkesbury Local Planning Panel Meeting held at the Council Chambers, Windsor, on 17 October 2024, commencing at 10:04am.

ATTENDANCE

Present:

Mr Anthony Hudson, Chair
Mr James Harrison, Expert Representative
Mr Philip North, Expert Representative
Ms Laura Scriven, Community Member

In Attendance:

Mr Steven Chong - Manager Development Assessment, Hawkesbury City Council
Mr Matthew Golebiowski - Coordinator Town Planning, Hawkesbury City Council
Mr Matthieu Santoso - Senior Town Planner, Hawkesbury City Council
Ms Jodie Schembri - Senior Town Planner, Hawkesbury City Council
Ms Aashreetha Vijayarajan - Town Planner, Hawkesbury City Council
Mr Christopher Reeves - Senior Heritage Officer, Hawkesbury City Council
Mr Andrew Matthews - Environmental Health Officer, Hawkesbury City Council
Ms Patricia Krzeminski - Manager Governance and Risk, Hawkesbury City Council
Ms Melissa Ryan - Administrative Support Coordinator, Hawkesbury City Council
Ms Vandana Saini - Administrative Support Coordinator, Hawkesbury City Council
Ms Jessica Vaughan - Administrative Support Officer, Hawkesbury City Council

Apologies:

Nil

DECLARATIONS OF INTEREST

Mr Anthony Hudson declared an interest in Item 2.1.2.

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

2. REPORTS FOR DETERMINATION

2.1.1 HLPP - Disclosure of Interest and Other Matters Return - (95496)

Directorate: Corporate Services

There were no addresses to the Panel for this Item.

PANEL DECISION

That the Panel note that the Disclosures of Pecuniary Interests and Other Matters Returns, lodged with the Chair, have been tabled.

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

For the Motion: Anthony Hudson, James Harrison, Philip North, Laura Scriven.

Against the Motion: Nil.

Absent: Nil.

2.1.2. DA0120/22 - 27 Douglas Road, Kurrajong Heights - (144940, 96329)

Directorate: City Planning

Mr Anthony Hudson declared a non-pecuniary interest which is not significant and does not require any further action. Previously he was a partner in the firm of Wilshire Webb Staunton Beattie Solicitors and the applicant's legal representative was employed at the firm as a solicitor for a few years up to March 2021. He ceased being a partner in July 21 and he said he has no contact with the legal representative since March 2021. He said therefore that this is not a significant disclosure and no further action is required. Mr Hudson remained in the meeting and participated in the discussion and voting on the matter.

Ms Lesley Mason, Mr Christopher Hallam, Mr Jeremy Braithwaite, Ms Julia Braithwaite, Mr Andrew Waterhouse, Ms Deborah Hallam, Mr Peter Van Dyk and Councillor Mary Lyons-Buckett addressed the Hawkesbury Local Planning Panel, speaking against the recommendation contained in the report. Mr Diego Jaime and Mr Vince Doan represented the applicant.

Mr Jeremy Braithwaite shared a presentation attached as Attachment 1. The Panel was provided with the resolution from Item 5.1.1 – Ordinary Council Meeting 15 October 2024.

PANEL DECISION

Pursuant to Section 4.16(1)(b) of the Environmental Planning and Assessment Act, 1979:

- A.** That the Hawkesbury Local Planning Panel, exercising the functions of the consent authority defers determination of DA0120/22 for the Pub and Tourist Visitor Accommodation on the site of 27 Douglas Road, Kurrajong Heights.
- B.** The Panel is of the opinion that further information is required before a final determination can be made. The Panel is generally in support of the proposed development.
- C.** Additional information that the Panel requires is:
 - a) Architectural / Heritage matters:
 - i. The monolithic form of the pub building could have further articulation which may involve the northwestern half of the front façade projecting further forward to better relate to the historical building footprint / setback pattern to the Warks Hill Road. This could also involve a step in the front façade (but no further forward than Lochiel House).
 - ii. The presentation of the pub building to Bells Line of Road and Warks Hill Road should respond more to the natural topography which rises toward the northwest, possibly by stepping the northwester half of the building up the site.
 - iii. The extensive excavation of the beer garden fronting Bells Line of Road and Warks Hill Road should be minimized.
 - iv. Some of the windows (especially the horizontal ones to the rear) are proportionally unsympathetic and should be either vertically proportioned or square.
 - v. Glass balustrades and fencing should be avoided where visible to the street. Timber pickets (on the front boundaries) or simple steel palisade fencing (where inside the site) are preferred.

HAWKESBURY LOCAL PLANNING PANEL

Meeting Date: 17 October 2024

- vi. The front courtyard is overly formalized with built in seats and other permanent elements including the dominance of permanent umbrellas which should be deleted.
 - vii. More detailed 1:50 front elevations should be provided.
 - viii. A 1:50 elevation of the front fencing should be provided.
 - ix. More specific information regarding the colours, finishes and materials should be provided especially in respect of the stone cladding including a specific appropriate color for the metal roof (such as colorbond Wallaby).
 - x. Reconfigure the manager's room and cabins 8 and 9 to provide for a one-bedroom manager's unit and a single cabin.
 - xi. Provide an east-west cross section through the cabins showing the relationship of the proposal to the dwelling on 29 Douglas Road and to Lochiel House at 1259 Bells Line of Road.
- b) Service vehicles:
- i. Details of all service vehicles (type of vehicles) and the hours when those vehicles will be entering and leaving the site.
 - ii. Details of the turning circles of the relevant vehicles to show how they will enter and exit the property in a forward direction.
- c) Sewage and water vehicles:
- i. Details from the Traffic Engineer of the type and size of vehicles, how they will access the site, maneuverability (turning circles) timeframes for pumping (period and frequency of pumping).
 - ii. Details of who is responsible for pumping (Council or Commercial).
- d) Acoustics:
- i. Updated acoustic report addressing the amended plans identifying the appropriate acoustic treatment to address noise from patrons and manoeuvring of trucks specifically in the south-west corner.
 - ii. The acoustic report should also address noise impacts from sewage and water truck movements.
- e) Traffic and Parking
- One of the resident submissions (from an experienced traffic engineer) questioned the basis and figures on which the applicant's traffic experts estimated the extent of traffic generation and parking needs from the development and the consequent impacts on local traffic and parking. The Panel invites the applicants traffic experts to respond and address this submission (the submission is contained at Council's online Application Tracking service.)

- D. The Panel notes that if this information is provided quickly to the Council, then it may be possible for the matter to be reconsidered at the Hawkesbury Local Planning Panel meeting scheduled for Thursday, 19 December 2024. The Panel strongly encourages the Council to re-notify the amended details to the public.

HAWKESBURY LOCAL PLANNING PANEL

Meeting Date: 17 October 2024

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

For the Motion: Anthony Hudson, James Harrison, Philip North, Laura Scriven.

Against the Motion: Nil.

Absent: Nil.

2.1.3. DA0526/23 - 40 Racecourse Road, Clarendon - (144940, 96329)

Directorate: City Planning

There were no addresses to the Panel for this Item.

PANEL DECISION

Pursuant to Section 4.16 of the Environmental Planning and Assessment Act, 1979:

- A.** That the Hawkesbury Local Planning Panel, exercising the functions of the consent authority, grant development consent for DA0526/23 for the construction of roof cover over an existing dressage area and portable amenities block on land at No. 40 Racecourse Road, Clarendon, subject to the recommended conditions of consent contained in the report to the Panel.
- B.** The reasons for the decision are:
1. The proposed development is permissible in the SP1 zone under the Hawkesbury Local Environmental Plan 2012 and satisfies the requirements of all applicable planning controls;
 2. The proposed development would deliver an appropriately balanced and responsive planning outcome which enables more efficient use of the existing Equestrian Club facilities by its various users in a variety of weather conditions and reducing maintenance, whilst maintaining the amenity of surrounding properties;
 3. The proposed development is not considered to result in excessive bulk with the built form of the roof appropriate to the scale of the existing arena and the buildings characteristics of the showgrounds and broader recreation area;
 4. The development would not create unreasonable demands for the provision or extension of public amenities and services; and
 5. For the reasons given above, approval of the application is in the public interest.

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

For the Motion: Anthony Hudson, James Harrison, Phillip North, Laura Scriven.

Against the Motion: Nil.

Absent: Nil.

2.1.4. DA0293/24 - 16 Stewart Street SOUTH WINDSOR - Hawkesbury Indoor Stadium - (144940, 96329)

Directorate: City Planning

There were no addresses to the Panel for this Item.

PANEL DECISION

Pursuant to Section 4.16(1)(a) of the Environmental Planning and Assessment Act 1979:

- A. That the Hawkesbury Local Planning Panel, exercising the functions of the consent authority, grant development consent for DA0293/24 for the installation of shade structures over an existing at-grade carpark at 16 Stewart Street, South Windsor, subject to the recommended conditions of consent contained in the report to the Panel with the following additional conditions and consequent renumbering of conditions and additions:

Condition 12

Add a new condition 12 follows:

The existing garden beds are to be vegetated with species of trees and be maintained in perpetuity.

Condition reasons: To enhance the amenity of the site.

Condition 24

Add a new condition 24 as follows:

A Construction Management Plan must be submitted to and approved by Council prior to the commencement of works.

The Construction Management Plan must include the following:

- a) *Summary - A concise (maximum three page) summary of key points from all documentation;*
- b) *Background - Provide details of the proposed works including the extent, staging and proposed timing of the works;*
- c) *Consultation - The manner in which adjoining property owners will be kept advised of the timeframes for completion of each phase of development/construction process and the establishment of a protocol for complaints handling and management;*
- d) *Noise - Details in relation to how works will be undertaken in accordance with the Interim Construction Noise Guideline published by the NSW Environment Protection Authority;*
- e) *Dust - Details in accordance with the Dust Management Measures condition requirements;*
- f) *Vibration - A Vibration Compliance Letter in accordance with the relevant vibration condition requirements;*

- g) *Traffic - A Detailed Traffic Management Plan in accordance with the Traffic Management Plan condition requirements;*
- h) *Soil and Water Management - Detailed Soil and Water Management Plan in accordance with the Soil and Water Management Plan condition requirements;*
- i) *Water Quality Assessment and Monitoring - A report clearly detailing planned water quality monitoring proposed for the development in accordance with the requirements of the Water Quality Assessment and Monitoring condition;*
- j) *Any site-specific Heritage and Archaeological Management; and*
- k) *Any site-specific Ecological Impact Mitigation Measures.*

Condition reason: To ensure that appropriate measures have been considered during all phases of the construction process in a manner that maintains the environmental amenity and ensures ongoing safety, protection of people and structures.

Condition 32

Add a new condition 32 follows:

Wheel stoppers must be installed in parking bays that are immediately next to the proposed structure prior to the issue of an occupation certificate.

Condition reason: To ensure that both vehicles and the structure are protected from any damage caused by collision.

Renumbering of conditions

The recommended and new conditions be renumbered to take into account the additional conditions referred to above.

B. The reasons for the decision are:

1. The proposed development is permissible in the RE1 zone under the Hawkesbury Local Environmental Plan 2012 and satisfies the requirements of all applicable planning controls;
2. The proposed development seeks to improve the existing parking conditions on site by providing shade sails that would reduce the build-up of heat inside vehicles of patrons using the facility;
3. The shading of the carpark would also reduce radiant urban heat reflected from the bitumen car park;
4. The proposed development is not considered to result in excessive bulk with the built form of the roof appropriate to the scale of the existing buildings;
5. The development would not create unreasonable demands for the provision or extension of public amenities and services; and
6. For the reasons given above, approval of the application is in the public interest.

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

HAWKESBURY LOCAL PLANNING PANEL

Meeting Date: 17 October 2024

For the Motion: Anthony Hudson, James Harrison, Phillip North, Laura Scriven.

Against the Motion: Nil.

Absent: Nil.
The meeting terminated at 1:16pm.



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Chair



Hawkesbury Local Planning Panel Meeting

End of Minutes

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