

MINUTES OF THE LOCAL PLANNING PANEL – 16 November 2022

THE HILLS SHIRE COUNCIL

PRESENT:

Garry Fielding	Chair
Scott Barwick	Expert
Lindsay Fletcher	Expert
Kaavya Karunanithi	Community Representative

COUNCIL STAFF:

The Panel were briefed by Council staff on 16 November 2022.

Paul Osborne	Manager Development Assessment
Ben Hawkins	Manager Subdivision & Development Certification
Robert Buckham	Principal Coordinator Development Assessment
Cynthia Dugan	Principal Coordinator Development Assessment
Daniel Giffney	Coordinator - Environmental Health
Amanda Hawkins	Senior Town Planner
Alexandra Hopkins	Senior Town Planner
Tiarna Schinella	Trainee Environmental Health Officer

MEETING COMMENCED: 1:30 PM

MEETING FINISHED: 2:20 PM

DECLARATIONS OF INTEREST: No conflicts declared.

ITEM 1: **ITEM 1 - DA 930/2019/HA/A- SECTION 4.55(2) MODIFICATION TO THE APPROVED DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF A PUB (LICENSED PREMISES)**

SPEAKERS (via MS Teams Conferencing)

Marcello Colosimo – Applicant
Patrick Hurley – Applicant
Pat Clay – Objector
Fiona King – Objector

COUNCIL OFFICER'S RECOMMENDATION

The modification application is recommended for approval in part.

PANEL'S DECISION

The Panel resolved to Approve the application subject to the conditions contained in the Council report.

REASONS

The Panel generally concurred with the conclusion contained within the Council officer's assessment report. The Panel generally agrees with the Council Officer's report and is satisfied that the modification has minimal environmental impact and that the development as modified is substantially the same development as that originally approved.

HOW COMMUNITY VIEWS WERE TAKEN INTO ACCOUNT IN MAKING THE DECISION

The Development Application was notified to 188 properties and 32 submissions were received. An additional email submission was tabled and considered by the Panel at the meeting. The Panel considered the submissions and the responses thereto in the Council report and the oral submissions at the panel meeting in coming to its determination. The Panel notes that the hours of operation and patron capacity will not change, and the Panel is satisfied that the recommended conditions will adequately address the acoustic concerns.

VOTING

Unanimous

ITEM 2: DA 896/2022/HA – ALTERATIONS AND ADDITIONS TO AN EXISTING HOTEL (LICENSED PREMISE) INCLUDING ROOF TOP DINING – LOT 50 DP 1265680, NO. 3 KENTHURST ROAD, DURAL

SPEAKERS (via MS Teams Conferencing)

Marcello Colosimo – Applicant
Patrick Hurley – Applicant
Elaine White - Objector

COUNCIL OFFICER'S RECOMMENDATION

Approval subject to conditions of consent.

PANEL'S DECISION

The Development Application is approved in accordance with the recommendation in the Council Officer's report.

REASONS

The Panel generally concurred with the conclusion contained within the Council officer's assessment report. The proposed Roof Top Dining will not result in any increase in patron capacity and will operate reduced hours from the main Pub use. The conditions of consent will protect the residential amenity of the nearby residential areas.

HOW COMMUNITY VIEWS WERE TAKEN INTO ACCOUNT IN MAKING THE DECISION

The Development Application was notified to 188 properties, and 19 submissions were received. The Panel considered the submissions and the responses thereto in the Council report and the oral submissions at the panel meeting in coming to its determination. The Panel notes that the hours of operation of the Roof Top Dining area will be limited to 7:00am to 8:00pm daily and that permitted patron capacity within the premises will not change. The Panel is satisfied that the recommended conditions will adequately address the acoustic concerns.

VOTING

Unanimous

ITEM 3: DA 1602/2021/HA/A - SECTION 4.55(2) MODIFICATION TO AN APPROVED WHOLESALE TREE NURSERY – LOT 9 DP 260308, NO. 12 GLENESS PLACE, GLENORIE

SPEAKERS (via MS Teams Conferencing)

Paul Vale – Applicant
Janine Howell - Objector

COUNCIL OFFICER'S RECOMMENDATION

The Modification Application Approval subject to conditions.

PANEL'S DECISION

The Modification Application is approved subject to the conditions contained in the Council Officer's report.

REASONS

The Panel generally concurred with the conclusion contained within the Council officer's assessment report.

HOW COMMUNITY VIEWS WERE TAKEN INTO ACCOUNT IN MAKING THE DECISION

The Development Application was notified to 12 properties, and 4 submissions were received. An additional email submission was tabled and considered by the Panel at the meeting. The Panel considered the submissions and the responses thereto in the Council report and the oral submissions at the panel meeting in coming to its determination.

VOTING

Unanimous

ITEM 4: DA 1639/2022/ZB - SUBDIVISION CREATING TWO RURAL RESIDENTIAL LOTS INCLUDING A VARIATION TO A DEVELOPMENT STANDARD (MINIMUM LOT SIZE) – LOTS 3 AND 4 DP 536109, 257 MUD ISLAND ROAD, SACKVILLE NORTH

SPEAKERS (via MS Teams Conferencing)

Craig Heaton – Consultant on behalf of the Applicant
Stephen Bastian - Applicant

COUNCIL OFFICER’S RECOMMENDATION

Refusal

PANEL’S DECISION

The Panel refused the Development Application for the reasons set out in the Assessment Report. The Panel does not accept the proposed departure from the development standard relating to minimum lot size under Clause 4.1 of The Hills Local Environmental Plan 2019. The applicant’s Clause 4.6 written request has not considered that the extent of the variation is contrary to Clause 4.6(6) of The Hills Local Environmental Plan 2019 and that the proposal is therefore prohibited.

REASONS

The Panel generally concurred with the conclusion contained within the Council officer’s assessment report. The Panel considered the submission and the responses thereto in the Council report and the oral submissions at the panel meeting in coming to its determination.

HOW COMMUNITY VIEWS WERE TAKEN INTO ACCOUNT IN MAKING THE DECISION

The Development Application was notified to 7 properties, and 1 objection was received.

VOTING

Unanimous

ITEM 5: DA 1397/2021/HA – DEMOLITION OF EXISTING DWELLINGS AND CONSTRUCTION OF A SIX STOREY RESIDENTIAL FLAT BUILDING DEVELOPMENT CONTAINING 68 APARTMENTS AND BASEMENT CARPARKING – LOTS 32 AND 33 DP 594483 AND LOTS 229 AND 230 DP 249973, 15-17 ASHFORD AVENUE AND 29-31 PARTRIDGE AVENUE CASTLE HILL

SPEAKERS (via MS Teams Conferencing)

William Karavelas – Applicant
Bernard Moroz – Consultant of behalf of the Applicant Town Planner
Nicholas Lycenko - Consultant of behalf of the Applicant Design Architect

COUNCIL OFFICER’S RECOMMENDATION

Approval subject to conditions

PANEL’S DECISION

The development application is approved in accordance with the recommendation in the Council Officer’s report. The Panel considered the submissions and the responses thereto in the Council report and the oral submissions at the panel meeting in coming to its determination.

REASONS

The Panel generally concurred with the conclusion contained within the Council officer’s assessment report.

HOW COMMUNITY VIEWS WERE TAKEN INTO ACCOUNT IN MAKING THE DECISION

The Development Application was notified to 42 properties, and 2 objections were received.

VOTING

Unanimous

END MINUTES