

<b>DATE OF DEFERRAL</b>	25 June 2024
<b>DATE OF PANEL MEETING</b>	20 June 2024
<b>PANEL MEMBERS</b>	Abigail Goldberg (Chair), David Ryan, Steve Murray, Jarrod Murphy, Brent Woodhams
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held videoconference on 20 June 2024, opened at 3:30pm and closed at 4:19pm.

### **MATTER DETERMINED**

PPSSCC-452 – The Hills – 1747/2023/JP – 77 Castle Street, Castle Hill - Construction of a Carpark and Associated Landscape Works.

### **REASONS FOR DEFERRAL**

The Panel considered the matters listed at item 6, the material listed at item 7 and the material presented at the meetings observed at the site inspection listed at item 8 in Schedule 1.

The majority of the Panel agreed to defer the determination of the matter for 7 weeks from the date of this decision. The matter was deferred to allow for the provision and assessment of revised elevations of the proposed car park as viewed from adjoining private land to address Panel concerns regarding:

- the bulk and scale of the proposed structure, and
- the visual impact on adjoining land owners.

The decision to defer the matter was 4:1 in favour, against the decision was Brent Woodhams. Mr Woodhams supported the recommendation of council staff with the addition of two conditions. The conditions are:

- amend draft condition 30 to require notification to effected parties one week prior to commencement of work, and
- prohibit use of the outdoor open space without prior approval of council.



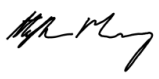


### **ACTIONS**

To allow for the progression of the Development Application to determination, the Panel directed that:

1. The Applicant shall provide revised car park designs to break up the bulk and scale and visual impact of the facade of the proposed car park as viewed from adjoining private land. The Panel notes that this façade is unusually long, particularly in comparison to the domestic scale of neighbouring homes. It is also currently proposed to be largely continuous along its length, again in contrast to the domestic scale of adjoining uses. The revised design shall be supported with a view analysis to indicate how the redesigned structure achieves this requirement. Amended plans and supporting documentation is to be uploaded to the Planning Portal within four weeks of receipt of this decision.
2. Revised designs are to retain acoustic and car headlight impact mitigating elements.
3. Noting the application lodged on 8 June 2023 is likely to be amended, a formal written request to amend the application is required to be uploaded to Planning Portal by the Applicant by 24 July 2024 outlining:

- a. Particulars sufficient to indicate the nature of the change of the development, as required under section 37 of the Environmental Planning and Assessment Regulation 2021
  - b. updated technical reports relied on in the amended application.
4. Council is requested to provide an addendum assessment report responding to the matters above, which is to be uploaded to the Planning Portal within 3 weeks of the upload of the Applicants required information to the Planning Portal.
5. When the updated assessment report is received the Panel will undertake a final briefing and determine the application by way of electronic determination.

If the outstanding information is not provided within four weeks of this decision the Panel may move to determine the DA electronically based on the information currently at hand.

PANEL MEMBERS	
Abigail Goldberg (Chair) 	David Ryan 
Steve Murray 	Brent Woodhams 
Jarrold Murphy 	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-452 – The Hills – 1747/2023/JP
2	PROPOSED DEVELOPMENT	Construction of a Carpark and Associated Landscape Works.
3	STREET ADDRESS	77 Castle Street, Castle Hill
4	APPLICANT/OWNER	Applicant: WillowTree Planning/Castle Hill RSL Club Ltd Owner: Castle Hill RSL Club Limited
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>State Environmental Planning Policy (Planning Systems) 2021</li> <li>State Environmental Planning Policy (Resilience and Hazards) 2021</li> <li>State Environmental Planning Policy (Biodiversity and Conservation) 2021</li> <li>State Environmental Planning Policy (Transport and Infrastructure) 2021</li> <li>The Hills Local Environmental Plan 2019</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>The Hills Development Control Plan 2012</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i>: Nil</li> <li>Coastal zone management plan: Nil</li> <li>The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>The suitability of the site for the development</li> <li>Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Council assessment report: 6 June 2024</li> <li>Written submissions during public exhibition: 1st Notification – total of 15 submissions received which include 13 unique submissions and 2nd Notification (amended plans) – total of 24 submissions received which include 12 unique submissions in opposition and 1 in support.</li> <li>Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>Henry Liang, Raj Gottipatti, Mallika Paleti</li> <li>Council assessment officer – Cameron McKenzie</li> <li>On behalf of the applicant – Jamie Bryant, Brian Booth, Tom White, Chris Palmer, Ross Ferraro, David O’Neil, Allan Depaoli</li> </ul> </li> <li>Total number of unique submissions received by way of objection: 25</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Kick Off Briefing: 20 July 2023 <ul style="list-style-type: none"> <li><u>Panel members</u>: Abigail Goldberg (Chair), David Ryan, Steve Murray, Brent Woodhams</li> <li><u>Council assessment staff</u>: Claro Patag, Cameron McKenzie</li> <li><u>Applicant representatives</u>: Jamie Bryant, Brian Booth, Tom White, Emma Yu, Rebekah Collins, Allan Depaoli</li> </ul> </li> <li>Final briefing to discuss council’s recommendation: 20 June 2024 <ul style="list-style-type: none"> <li><u>Panel members</u>: Abigail Goldberg (Chair), David Ryan, Steve Murray, Brent Woodhams, Jarrod Murphy</li> </ul> </li> </ul>

		<ul style="list-style-type: none"><li>○ <u>Council assessment staff</u>: Claro Patag, Cameron McKenzie, Paul Osborne</li></ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report