



Attachment 2 to Item 13 - Part B

Submissions received

Date of meeting: 20 October 2022
Location: By audio-visual link
Time: 10:00 a.m.

political donations and gifts disclosure statement



Office use only:

Date received: ____/____/____

Development Application no. _____

This form may be used to make a political donations and gifts disclosure under section 147(4) and (5) of the *Environmental Planning Assessment Act 1979* for applications or public submissions to a council.

Please read the following information before filling out the Disclosure Statement on pages 3 and 4 of this form. Also refer to the 'Glossary of terms' provided overleaf (for definitions of terms in *italics* below).

Once completed, please attach the completed declaration to your planning application or submission.

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(a) in, or in a statement accompanying, the relevant planning application or submission if the donation or gift is made before the application or submission is made, or
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CHRIS HALLAM
I, declare that I have not made any political donation or gift as outlined in
[Name]
the Local Government and Planning Legislation Amendment (Political Donations) Act 2008.
.....
Signature Date

From: karen Chapman
Sent: Mon, 4 Oct 2021 17:42:22 +1100
To: Hawkesbury City Council
Subject: Submission Reference DA239/21
Attachments: Notification of Objection K & W Chapman.docx

Have attached a submission for Lot 1 DP715623,87 OLd Bells Line Of Road Kurrajong
Regards
Karen & Wayne Chapman

Notification of Objection

Development Proposal

LOT 1 DP 715623 / 87 Old Bells Line Of Road

Kurrajong NSW

REFERENCE NUMBER DA0239/21

GENERAL MANAGER Hawkesbury Council

I am strongly objecting to the development proposal DP 715623

As a long-term residence living in Timms Hill Road and a Business owner in Kurrajong Village I would like to give numerous reasons for this objection

1. **TURNING OUT OF TIMMS HILL ROAD:** -Currently when you turn out of Timms Hill road on to Old Bells line of Rd you need to look and navigate five on coming Roads
 - Look Left up Grose Vale Rd
 - Right down Old Bells Line Of Road
 - Around Old Bells Line Of Rd at Memorial Park
 - Drive Way of the Fire station
 - Across to Woodburn RdAll prior to driving out of our street, this large obtrusive structure will only make the visibility non-existent being unable to see around the corner causing accidents, not even allowing for the sunset time frame which is blinding your eyes on the hill
2. **TOP OF TIMMS HILL ROAD**

In your diagram you have illustrated a pedestrian crossing at the top of Timms Hill Road, what a thoughtless idea for the residence in the street, there is enough obstacles / traffic / roads and if this proposal is approved then the entrances and exits to navigate heading to the top of the street let alone a pedestrian crossing which is suggested
3. **ACCESS TO CAR PARK VIA TIMMS HILL ROAD:** - With the **48 car spaces your making available** the traffic entering and exiting via Timms Hill Road at any given time will be a nightmare, this is a residential street the traffic will back up both in main street and Timms Hill road trying to enter or exit the car park, then what about the customers who miss the entrance then drive further down Timms Hill Rd turning around in the residences drives way it's ... **UNACCEPTABLE**
4. **LONG TERM VILLAGE RESIDENCES:** - Myself and my husband are long term residences living in the Village, loving the small boutique atmosphere Village feel, **WE DON'T WANT OR NEED A LARGE STYLE SHOPPING CENTRE**, we already have a lovely Friendly Grocer and plenty of Café and Restaurants, Boutiques, Hair Dressers and Bottle Shop that have served our community for years giving it and the residence a unique community feel
5. **VILLAGE COMMUNITY AMBIENCE:** - As a Village residence we knew what Kurrajong Village had to offer when we decided to moved here many years ago, moving off property on outskirts of Kurrajong for the uniqueness of the village, most residence that have moved into the area did so knowing what facilities were available in Kurrajong, obviously liking the feeling of our area and the Village atmosphere, or otherwise they would have purchased in a larger area with all the large multi storey shopping centres, Kurrajong Village does not need another NORTH RICHMOND style shopping centre in such a small Village area, if people need the large shopping centre style then Kurrajong is not for them
6. **STRUCTURE NOT CONSISTANT WITH THE VILLAGE OLD HISTORIC STYLE**
 - We love the peacefully style of our Village and the way it looks at present, this structure is way too large for the Village and is not fitting with the village old world feel, they have not taken into consideration the impact on the local residences and the extra traffic flow up and down the village road on a daily basis

Karen and Wayne Chapman
Residences of Timms Hill Road
and Local Business Owner

13th October 2021

Hawkesbury City Council
366 George Street
WINDSOR NSW 2756

RE: DA 0239/21 – 87 Old Bells Line of Road, Kurrajong

Attn: General Manager

I write in regard to the proposed development at 87 Old Bells Line of Road Kurrajong (DA/0239/21) When we moved to Timms Hill Road 6 years ago we were aware that this land was commercially zoned and whilst we are open to development we object to the current proposal for a number of reasons:

- **The size and appearance of the development** – Kurrajong has a ‘village’ feel and reputation. A 4-storey building is completely out of character for the area, the appearance in no way reflects the ‘village’ look and feel.
- **The need for such a development** – We, like many other locals, chose to live in this semi-rural suburb away from large shopping centres. We have two Coles and a Woolworths within 12km of Kurrajong Village and the current Friendly Grocery is more than sufficient for locals needs. Furthermore, until recently two of the current shops remained vacant for a lengthy period of time which goes against the need for more shops.
- **Insufficient parking** – as stated in the Traffic Management Plan, the development already lacks the sufficient number of parking spaces required. The proposal that there is sufficient street parking is in my opinion not true. During peak times it can already be difficult to find street parking for the existing shops. Timms Hill Road is not wide enough for cars to be parked on either side with two lanes of passing traffic. It is a very steep road and has blind spots, particularly in the afternoon when driving up the hill into the sun.
- **Traffic impact** – Kurrajong ‘village’ is a high pedestrian area with Kurrajong Memorial Park in close proximity as well as Kurrajong Public School meaning that are many children (as well as adults) walking and riding bikes in the area leading to concern over their safety. Furthermore, the intersection at Bells Line of Road and Timms Hill Road is heavily impacted by the close proximity of Grose Vale Road and Woodburn Road, effectively making it a 4-way intersection which can be difficult to navigate at peak times and with increased traffic in Timms Hill Road with a car park entry and exit this would be increased.

As previously mentioned, we are not against development, however we feel that the overall size and appearance of this proposal, as well as the impact on the local traffic is not fitting for the local community of Kurrajong and urge you to consider downsizing and modifying the proposed development to better suit the beautiful suburb of Kurrajong.

Regards,
Nerida & Michael Cochrane

[Redacted Signature]

From: Nerida Cochrane [REDACTED]
Sent: Thursday, 14 October 2021 1:49 PM
To: Hawkesbury City Council
Subject: Development Application Enquiry: DA0239/21
Attachments: DA 0239-21 Objection Letter.docx

Importance: High

Attn: General Manager

Please find attached submission regarding the above DA.

Kind Regards,

Nerida Cochrane

Accounts Manager
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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From: PlanningAlerts [REDACTED]
Sent: Wednesday, 13 October 2021 5:57 PM
To: Hawkesbury City Council
Subject: Comment on application DA0239/21

For the attention of the General Manager / Planning Manager / Planning Department

Application DA0239/21
Address 87 Old Bells Line Of Road, Kurrajong, NSW
Description Commercial Premises - Construction of Retail Premises, Shopping Centre and Restaurant or Cafe, Associated Car parking, Loading Areas and Landscaping Works
Name of commenter Peter Cornish
Address of commenter [REDACTED]
Email of commenter [REDACTED]

Comment

This is disastrous over-development for a small rural village. On one street frontage it is 4 stories high, with two outdoor terrace areas that tower up to 14 metres above adjoining residential properties. All other commercial development is single story facing Old Bells Line of Road. Kurrajong already has empty shops, yet this development will more than double retail capacity. There is additional retail just a few kilometres away in N Richmond, which has both Coles and Aldi.

This development will destroy the rural village ambience and has the potential to destroy businesses.

This comment was submitted via PlanningAlerts, a free service run by [the OpenAustralia Foundation](#) for the public good.
[View this application on PlanningAlerts](#)

PROPOSED DEVELOPMENT 87 OLD BELLS LINE OF ROAD KURRAJONG – OBJECTION

DA0239/21

My name is Deborah Hallam and I have lived and worked in the Kurrajong District since 1975. My family has had a connection to Kurrajong for over 200 years and during the over 45 years I have lived here I have been involved in the Kurrajong and Community.

I have always been interested in the historic and social structures of the village and wish to see development that is in keeping with this. This Development, however, is totally unsuitable for Kurrajong Village for many reasons. Additionally, there are many issues that have not been addressed by the DA which if considered should result in refusal.

JUSTIFICATION

The initial justification for the development is that it will improve the amenity of Kurrajong Village for residents and visitors by providing more shopping variety and increased restaurant choices.

The Village strip currently has six café/restaurants. It is difficult to imagine the need for more. Three of these have the same views the proponent is keen to promote. Over many years premises have remained vacant for long periods of time before being occupied by tenants such as the three Real Estate Agents or the professional Offices.

Residents, as noted, regularly drive to North Richmond for supermarket shopping but it is unlikely that the supermarket size proposed would be enough to change this pattern.

Kurrajong is a day, or often morning destination for tourists, including clubs and elderly citizens groups. This development will reduce the attraction for such groups looking for a country experience close to the city.

The Proposal indicates two Plaza Areas to “facilitate in-centre interaction”. The lower of these can only be accessed via the restaurant. The upper will have “ample solar access”, i.e. no shade in increasingly hot summers and on hard surfaces. The shade diagrams indicate that even at Winter Solstice there will be no shade on this terrace until 3pm. Further to this, the design of the Terrace is such that views are unattainable. The design of this upper terrace is also unsafe. This space will be unusable for the proposed intention.

BUILT FORM

The building as proposed is completely unsuitable for Kurrajong Village which supports a variety of Architectural styles from over a century. For the most part the buildings are low built and individual, reflecting the development of a small country village. This building is more suited to a suburban shopping centre.

HEIGHT.

“The proposed development has a height of 14.5 metres, exceeding the maximum permitted 10 metres under Clause 4.3 (2) by 4.5 metres (45%).” A justification is proposed. Aside from the obvious that 4.5 metres is 45% the plans show the building exceeding this by over a metre.

The proposal suggests that the building height of approximately ten metres, on the Old Bells Line of Road frontage fits within the Hawkesbury City Council LEP. There is no consideration of how it fits within the landscape. The buildings adjoining the proposal are an early farmers' cottage set back from the road appearing lower than its approximate 3.5 metre height. The façade of the next building which sits on the footpath frontage is under 4.5 metres.

It is noted that the DA refers to Sutherland Local Planning Panel as the determining authority for the height issue while giving a justification for the height overrun as a Development under Woollahra Municipal Council before the Land and Environment Court. The Judgement, relying on Neighbourhood Character allowed a six-story development adjoining two existing six-story buildings. There are no similarities.

SITE AND VIEWS

The Development sits at a "prominent corner", in fact the highest point. It would totally overwhelm the landscape in an inappropriate way being in full view driving up Old Bells Line of Road from Little Wheeny Creek.

This prominent corner currently provides views to the southwest. The siting of such a large building at this point would dramatically decrease the ambience of the village in that it removes the view from the public space. The applicants' assertion that views will be available from the public plaza rests on the amenity of that Plaza for which no details are given other than that it will be open and unshaded. In order to access these views, the public will be required to traverse the building, being required to make a conscious decision "I want to see a view".

The acoustic recommendations require that the promised views cannot be fully delivered. The ground floor terrace is required to have a continuous glass or similar 1.8m surrounding wall. This by definition will be supported by a frame and posts which will impinge on the views.

The first-floor plaza style seating area is surrounded by a 1.2m solid wall, a height required by law. It is virtually impossible for a seated person to see over a wall of this height comfortably.

The eye height of a seated average male is approximately 1.2m. The views are to the south-east towards the city and over the Cumberland Plain, at a lower altitude than the Terrace. Should one be tall enough to see over the wall the views would be sky.

The plans indicate that there is to be a 60cm high garden bed inside this wall, presumably to soften the effect. This feature is illegal! For safety reasons the wall surrounding this terrace must be 1.2m high and have no adjoining features or structure.

LANDSCAPING

The DA has no provision for landscaping as the building occupies such a high portion of the block. This is an unfortunate decision as visitors and residents alike will be confronted by the high unrelieved walls on the North-east and South elevations.

HISTORY

The oldest building in the "historic township of Kurrajong" is the small cottage adjacent to the site. The cottage known as Allison's Farm was built around 1912 as the homestead for Reginald Allison who operated an orchard below the site. The home was named "Wyuna". Although not listed on

the Hawkesbury LEP, Schedule 5, I would contend that it is sufficiently historic for consideration in regard to the development.

PUBLIC AMENITY, HOURS OF OPERATION

NOISE

It is difficult to judge the accuracy of the noise report when the nearest homes were rated Urban dwellings, defined as an acoustical environment dominated by “urban hum” or heavy through traffic. This does not apply to Woodburn or Timms Hill Roads. The climatic conditions were taken at Richmond 13 km away and at a lower altitude.

More concerning is the inclusion of a table for Noise Criteria for Freeway and similar noise, presumably cut and pasted from an application for “Burnett Street”. The conclusion to the report refers to the development as a “car wash/café”.

Irrespective of these errors the noise is sufficiently a problem to recommend limited hours for outdoor use of the premises with the additional caveat that there is no information on on-site mechanical plant.

The acoustic report requires the noise amelioration of a solid 1.8m wall on the ground floor private terrace but no such requirement is listed for the first floor public terrace. Is there a reason for this ?

LIGHT SPILL

There is no consideration of lighting or light spill from the development. Developments of this type are usually well lit often for 24 hours a day. This is a major concern for nearby residents.

WATER AND SEWERAGE

There is no mention of these issues in the DA although they are major considerations for any development in Kurrajong.

The water supply for the village is via reservoir tanks near the Old Bells Line and Bells Line intersection. Feed to individual properties is via gravity although there is a small pumping station adjacent to the site of the proposal. There are regular complaints from village residents as to the reliability of the water supply at peak times with the issue being raised each time there has been an application for residential developments. It is noted that during the recent bushfires it was necessary to provide a large water storage unit outside the village for tanker fills as the water pressure in the village was inadequate. This issue needs to be addressed as part of an application for a development of the size intended. It should also be noted that restaurants have a substantially higher demand for water than other commercial premises.

Premises within Kurrajong Village are reliant on pump-out sewerage systems. The small shops, eg “The Cottage”, require fortnightly pump out. Restaurants, having high water usage will require more frequent servicing. Recent DAs for residential development, (DA 0830/15) have required independent sewerage treatment plants for sewerage disposal due to the stress on the local treatment works of new development. It is essential for sewerage storage and preferably treatment to be contained on site. Consideration would need to be given to noise and odour issues in any case and further traffic concerns should pump-out be the only option.

STORMWATER

Although there is mention of a Stormwater report the document cannot be accessed. As Kurrajong is known for sudden, heavy summer storms and the site is steep and will be predominantly hard surfaces this is a major omission.

TRANSPORT

PUBLIC TRANSPORT

The proposal states that the site has good provision of public transport offering two services.

Bus Route 680, loop service via Grose Vale has two services to Kurrajong on week days at 10.42am and 13.47pm.

Bus Route 682 is commuter oriented with morning services to and evening services from Richmond Station and local schools. The five daytime loop service operate at a frequency of between two and two and a half hours.

TRAFFIC AND PARKING

Unfortunately, it is difficult to trust the traffic report which it is stated was prepared for an after-school care centre in "City of the Hills".

Given that the Proposal almost doubles the retail in Kurrajong Village it is difficult to understand a figure of 350 extra cars per day when the current yearly daily average is 2000.

These figures are from the acoustic report and indicate a substantial understatement of the impact.

Timms Hill Road is very steep and there are limited sight lines to Old Bells Line of Road and Grose Vale Road. The sight lines will be reduced by the bulk of the building.

The DCP requires 64 parking places for this Development. The DA falls short of this by 16 spaces. The developer asserts, without documentation, that the street and current carparks can support the overflow parking. There is one general use Car Park in Village. Counts made on 14 and 15 September 2021 during mid-morning showed of the 33 spaces 3 and 1 respectively were available. Old Bells line of Road was parked including in the bus bay and mail zones.

Two other apparent carparks are not available for public parking.

CONCLUSION

This proposal should be rejected for the following reasons:

- it is architecturally inappropriate for Kurrajong Village
- it is an overdevelopment of the site in respect of bulk and height
- it intends to deliver services for which there is no demonstrated need
- it detracts from the amenity of the village in removing views and continuity
- there is little consideration for the impact on nearby dwellings
- there is a high possibility that it will remove retail from the main street
- there is inadequate parking
- traffic impact is understated and safety within the village is not considered
- public transport availability is misrepresented
- there is no consideration of climatic impacts, eg. stormwater, flood events
- there is no provision for sewerage disposal
- the DA is misleading in some instances, false in others
- noise issues have not been adequately assessed
- the upper plaza is of unsafe and illegal design

The DA is manifestly inadequate in that it fails to address such issues as sewerage, waste water treatment, climate concerns, safety and neighbourhood impacts.

Due care has not been taken in the preparation of DA and supporting documents with incorrect or misleading comments in many of the reports. Incorrect references to sites and determining authorities give cause to belief that the developer and consultants have no real interest in the proposal.

Deborah Hallam

BSc. Dip Ed

[REDACTED]

[REDACTED]

[REDACTED]

political donations and gifts disclosure statement



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I, DEBORAH HALLAM declare that I have not made any political donation or gift as outlined in
[Name]

the Local Government and Planning Legislation Amendment (Political Donations) Act 2008.

Signature

23/9/2021
Date

From: Elizabeth Docking
Sent: Thu, 16 Sep 2021 21:11:47 +1000
To: Hawkesbury City Council
Subject: Development Application DA0239/21

I wish to register my objection to the proposed development at 87 Old Bells Line of Road for a number of reasons.

1. Safety

Timms Hill road, which is a residential road, will be greatly impacted during the building phase and long term from the proposed development. In the afternoon heading out of Timms Hill road, the western sun can be blinding to the point drivers must stop to attempt to get a safe view. Drivers will need to negotiate more cars and potentially trucks and pedestrians, including when driving into the western sun.

The 2 driveway accessways of the building are positioned on a residential road not designed for such traffic, There is a bend in the road below the complex and a rise that has blind spots on the approach in the other. The application indicates that convex mirrors may be required at exit points which indicates that it is not an ideal place to exit.

The road is currently suitable for 2 cars travelling in opposite directions, without negotiating cars parked or attempting to get into or out of the complex driveways. In a photograph that was part of the submission, vehicles were parked on the grass, likely because of the width of the road and assessed safety concerns.



The documentation suggests 350 extra vehicle movements per day, many of which would attempt to find parking below the building accessed by Timms Hill Road. This would also include delivery trucks, sewage pump out trucks and water carters. This is unsafe for traffic in a suburban road, with bike riders and families walking in their neighbourhood.

Leaving Timms Hill road by car or bike already has its challenges, with vehicles approaching from multiple roads and the carpark opposite. When vehicles are parked illegally or are higher than a sedan, vision of approaching cars is already an issue. A roundabout would need to be considered to assist with an already visually challenging road with increased traffic flow and to assist people doing u-turns around this area.

Parking

Kurrajong village already has parking issues in peak times and this development will not help matters. The parking on the side of the street leading to the development is limited by driveways and a bus stop. Parking on Timms Hill road would be a dangerous option.

What arrangements will be made for parking of trucks and construction workers during the development's construction in a village that already has parking challenges.

The complex will have digital signs indicating car spaces available which apart from being visually intrusive in a suburban road, could also result in greater traffic flow down the road as visitors look for car spaces.

Visual impact

This complex is too large and overbearing in a village setting, dwarfing all buildings around it. The building is not in the character of the village with its charm and gardens. Timms Hill road entrance will change from green space to an ugly side wall and driveways and no landscaping to soften the monstrosity. The best current feature of the block is the distant city views and a mature tree, both of which will be lost with this development.

Other

What are the arrangements for sewage collection and water drops to the site and what are the noise, smell and traffic implications for neighbours.

Where are the studies on water pressure in an area that already suffers from water pressure issues.

Sounds would have to increase in the neighbourhood, especially at night with the proposed outdoor plan. Residents have been known to complain about noise from music from entertainment in the village in the past. The noise could impact closeby residents, especially at night and with out of hours truck movements.

What sustainable building initiatives are being implemented, e.g. choice of materials, passive solar, natural cooling, waste reduction, environmental footprint.

What initiatives are there for people with disabilities in the plan with accessibility, including parking.

Kind regards

Elizabeth Docking



From: E Finley
Sent: Mon, 13 Sep 2021 22:04:15 +1000
To: Hawkesbury City Council
Subject: DA 0239/21 Objection to scale of development, 87 Old Bells Line of Road, Kurrajong

To whom it may concern

I wish to lodge an objection to the above development proposal.

My family has been living in the Kurrajong area since late last century, with 3 generations now residing in Kurrajong.

I am not anti development, but believe the character of the area and its unique environment should be taken into account in all developments. This is what is special about the Hawkesbury and our community.

This development fails to take the area's character and environment into account in the following ways:

1. Its scale is completely out of proportion with the village atmosphere of the surroundings, and impacts heavily on both the commercial and residential neighbourhood. The village high street, Old Bells Line of Road, is characterised by small-scale, single story businesses, often with leafy or garden frontage and ample open space. This development offers a single (small) tree - and moves open space away from the street and into exclusive space within the development.

2. The development application frequently refers to meeting residents' needs, but offers no evidence that residents need a development such as this. Everyone living in Kurrajong has lived there in the knowledge that we drive 10 minutes to North Richmond if we need a larger supermarket etc.

3. Traffic impacts. As has been pointed out by other comments, there are 9 commercial sites within the development. If an average business employs 2-3 people (and we know a supermarket would need many more), and we take into account an almost total lack of public transport, this is likely to leave about 10-20 parking spaces in the complex for its users. Existing parking is already at a premium. Traffic in what is a quiet residential area (on all approaches to the site) will be massively increased.

4. The overall impact on the village is a transformation away from its current character and into more of a Sydney suburb - increased traffic on narrow streets, urban style development, less open space and greenery. This will does not serve either residents' or visitors' interests.

The style of the current village - its gardens, its open space, its low-key and low-rise style, the way it blends into the surrounding mosaic of bush and rural environments - should be respected in all new developments in Kurrajong. The development set out in this application does not align with any of these features.

Regards,

Eric Finley



From: Jenny Fraser
Sent: Sun, 12 Sep 2021 14:26:27 +1000
To: Hawkesbury City Council
Subject: Development Application Enquiry: DA0239/21

To whom it may concern,

I am writing to voice my strong objection to this Development Application.

As a member of the community of Kurrajong, I view this development as the antithesis of what Kurrajong village is . The main street is unsuitable for more traffic. There is plenty of parking on the street and a huge car park is completely unnecessary. The shops that already exist in Kurrajong village are more than suitable for the Kurrajong community and those who visit our beautiful village. The village atmosphere , the village atmosphere that encourages visitors, would be totally destroyed by this huge and unsuitable building. The land is residential not commercial.

I'm aware of developers lurking around our village, itching to build ugly and completely unsuitable housing on the beautiful acres that surround Kurrajong. Unsuitable development and developers are unwanted in this area, indeed the entire Hawkesbury.

Please refuse this application.

Yours sincerely
Jenny Fraser



Sent from my iPad

D J Hannaford



11th October 2021

The General Manager and Staff
Hawkesbury City Council
366 George Street
Windsor NSW 2756
Refer Mr. William Pillon, Senior Town Planner

Dear Sir,

NOTIFICATION OF OBJECTION TO PROPOSED DEVELOPMENT
REFERENCE NUMBER DA0239/21
COMMERCIAL DEVELOPMENT OF MULTI LEVEL SHOPPING COMPLEX
Lot 1 DP715623, 87 OLD BELLS LINE OF ROAD KURRAJONG NSW 2758

My wife & I are the owners of the adjoining property sharing the subject property's Eastern boundary. We were both born & raised in the Hawkesbury & have spent most of our lives (over 70Years) in this beautiful part of the World, so we know the Hawkesbury pretty well. We purchased the property known as 5 Timms Hill Road on the 29th September 2010 & have lived there ever since. I do not object to 87 Old Bells Line of Road being developed, & in-fact welcome it being developed providing the development is appropriate for the Village & does not adversely affect our property & our standard of living.

Unfortunately, this development proposal in my view has a number of short comings, most of which have been well documented by the other parties who have lodged Objections. My main areas of concern are:-

- 1) Over development of the site particularly height and incompatibility with the existing Village "old world style" feel.
- 2) Traffic impact, car parking requirements and acoustics.
- 3) Water supply to the site.
- 4) Sewerage.

I will discuss each of these 4 points in more detail below:-

- In my view, what is proposed is simply "over kill" & is attempting to supply something which is not needed or wanted, we still have vacant shops in Kurrajong & if you were to talk to the Business Proprietors they will tell you they are just making a living. All the basic needs are already covered in the Village & we already have enough Restaurants. The need for another 2 Restaurants of the size proposed is simply not there & I doubt if any genuine study would prove otherwise. What is proposed is also "unsympathetic" & not in keeping with the "streetscape" of the Village. This is not an inner Sydney suburb or a large town, it is a Village West of the Hawkesbury River & is a Tourist destination because of its location & Village atmosphere. As it stands, the exterior look is too modern to fit in, it needs to be "Colonialized" so that it adds to the "streetscape" instead of detracting from it. The 1st floor needs to be dispensed with & the external façade altered so it blends in. By removing the 1st floor also over comes the height restriction (which it currently fails) & the parking space requirement which it also currently fails. All other parties who have raised an objection have covered this point in more detail including the possibility of the 2 restaurants being converted to a Hotel which under NO circumstances should be permitted to happen.
- Traffic impacts, car parking requirements and acoustics. This alone should stop this proposal and it has certainly been extremely well covered by Mr. Christopher Hallam who certainly

has the expertise & experience to make a case. I thoroughly support his view & can only really add a couple of observations. Currently parking at times in the Village is at a premium, the suggestion that parking on Timms Hill Road will fill the void is quite fanciful & neglects to take into account a number of matters. Our boundary with Timms Hill Road is like a semi-circle, the road coming up to our boundary is quite flat but as you enter the corner it becomes quite a significant slope all the way to the junction with Old Bells Line of Road & the vision at the junction is far from good particularly late in the afternoon when the Sun is in your eyes as it's setting over the Mountains to the West. Trucks carrying reasonable loads often have difficulty with the steep grade. In-fact I have witnessed over the years a number of laden trucks where the drivers have underestimated the steepness of the grade & have come to a halt part the way up. They are then forced back down the hill & around the corner in order to get a better run up with increased momentum. The simple fact is that if vehicles exit from the 2 proposed exit points onto Timms Hill Road & turn West up to Old Bells Line of Road, they are going to cause havoc with these trucks let alone any other vehicle coming around the bend. I can assure you we exercise great care exiting our driveway & never ever back out. This picture shows the significant slope of Timms Hill Road from our driveway.



The following pictures show the Road Easterly then Westerly to the intersection with Old Bells Line Road from our driveway.



- The other aspect is the width of the road, which is only 8,900 / 9.00 metres taken from the center of the roll kerbs. My understanding is that the standard for traffic & parking lanes is 3 metres per lane which means the Street is really only wide enough for 3 lanes so there cannot be parking on one side of Timms Hill Road. If parking were to be permitted on both sides of the street there would not be sufficient room for 2 vehicles to pass safely & any truck coming up the Hill would further exacerbate the safety situation. Additionally, there are NO formed foot paths on either side of the road. The 2 following pictures show the Southern side of the road taken from the Power Pole opposite our driveway.





Note the significant undergrowth & weed infestation on this side of the street.

- Water supply to the site is a reticulated Town water supply from Old Bells Line of Road which according to the locals & businesses who have the supply it is barely adequate. There is NO Town Water supply in Timms Hill Road what-so-ever. We all have our own Water Tank supply harvested from our roofs. The plans for the Development clearly show “Hydrants” on the Timms Hill boundary near our shared fence line & our front gates. Where is the water coming from to feed these Hydrants, as I said earlier, there is NO water supply from Timms Hill Road. These would be better moved to a site on Old Bells Line of Road. However, has a study been completed to establish there is sufficient mains pressure to service a Development of this size including Firefighting requirement. I cannot find any mention of this in any of the supporting documentation & I very much doubt it will meet even minimum requirements.
- My 4th point is the provision of a Sewerage system for the development. There is No reticulated Sewerage system anywhere in the Village. All the Businesses & private dwellings on Old Bells Line of Road have sewerage Septic holding tanks with a pump out service on a regular basis. In Timms Hill Road we only have onsite Septic Systems which are usually of the Enviro-cycle type. I have examined the plans & all supporting documentation & cannot find any reference to a Pump Out System. No holding tanks shown on the plans or supporting document, not even a pump out line or pick-up point for the pump-out trucks. Yet, the ground floor clearly shows a reasonable sized women’s, men’s & disabled toilet facilities. What would patrons of the top story (1st floor) use, would they have to leave that Restaurant & proceed to the lower ground floor to use the toilet facilities. Then return to the 1st floor, what about children & the elderly. Clearly this must be a significant oversight & appears to

assume a normal reticulated sewerage system is available, which it is not. Going by the number of people suggested in the supporting document, who will use the Centre, a significant number will use the toilet facilities. There must be some type of code which governs what must be provided & because of the proposed size of the development it is most unlikely the development would comply.

In summary, I have outlined what I consider are significant major hurdles for this development. I am not aware of any public consultation ever being conducted. I am also aware from a reliable source the owners intended to get the development approved and then on-sell it to another Developer to do the construction. No doubt, any new Developer would want amendments to make it more profitable for them. This Development simply does not suit the Village for a host of reasons outlined by a number of others as well as myself. By eliminating the upper 1st floor would overcome many of the issues but the Developers profit margin would be seriously eroded & probably make it not viable to proceed. However, there are certain guidelines & rules in-place for a very good reason & these should not be overridden just to satisfy the Applicant. Better to decline this up-front & give the Developer clear guidelines as to what would be technically acceptable as well as acceptable to the Kurrajong Community. Some years ago, I believe a proposal was put forward for the site as Tourist Information Center primarily catering for attractions west of the Hawkesbury River right through to Lithgow. It was also suggested this could incorporate some short-term rental accommodation for visitors to the area, possibly Tea Rooms with light refreshment taking in the view, with parking below but with access from Old Bells line of Road. This would overcome height & parking requirement & also overcome the water & sewerage requirement. Trouble is, it is unlikely any private Developer would be interested in doing this. However, Council owns most of the land on the Southern side of Timms Hill Road & quite frankly it is a mess. Yes, there are some healthy trees, but the vast majority are diseased, dying or dead & most of the land is covered/ overgrown with weeds, many of which are listed as noxious. The suggestion I am making is that Council rezone this land for Housing & sell it, say to Kurmond Homes in exchange for the subject parcel of land. Council should have sufficient surplus fund from such a sale to not only purchase 87 Old Bells Line of road but complete a Tourist Centre as suggested. This course of action would surely be the best possible outcome for the Village as a whole, plus the surrounding areas. Food for thought.

Yours Sincerely,
Don Hannaford

A black rectangular redaction box covering the signature area.

Hawkesbury City Council

366 George Street (PO Box 146) Windsor NSW 2756 DX 8601 WINDSOR
Phone: (02) 4560 4444 Facsimile: (02) 4587 7740 Email: council@hawkesbury.nsw.gov.au



political donations and gifts disclosure statement

Office use only:

Date received: ____/____/____

Development Application no. DA 0239/21

This form may be used to make a political donations and gifts disclosure under section 147(4) and (5) of the *Environmental Planning and Assessment Act 1979* for applications or public submissions to a council.

Please read the following information before filling out the Disclosure Statement on pages 3 and 4 of this form. Also refer to the 'Glossary of terms' provided overleaf (for definitions of terms in *italics* below).

Once completed, please attach the completed declaration to your planning application or submission.

Explanatory information

Making a planning application to a council

Under section 147(4) of the *Environmental Planning and Assessment Act 1979* ('the Act') a person who makes a *relevant planning application* to a council is required to disclose the following *reportable political donations and gifts* (if any) made by any *person with a financial interest* in the application within the period commencing 2 years before the application is made and ending when the application is determined:

- (a) all reportable political donations made to any local councillor of that council
- (b) all gifts made to any local councillor or employee of that council.

Making a public submission to a council

Under section 147(5) of the Act a person who makes a *relevant public submission* to a council in relation to a relevant planning application made to the council is required to disclose the following reportable political donations and gifts (if any) made by the person making the submission or any *associate of that person* within the period commencing 2 years before the submission is made and ending when the application is determined:

- (a) all reportable political donations made to any local councillor of that council
- (b) all gifts made to any local councillor or employee of that council.

A reference in sections 147(4) and 147(5) of the Act to a reportable political donation made to a 'local councillor' includes a reference to a donation made at the time the person was a candidate for election to the council.

How and when do you make a disclosure?

The disclosure of a reportable political donation or gift under section 147 of the Act is to be made:

- (a) in, or in a statement accompanying, the relevant planning application or submission if the donation or gift is made before the application or submission is made, or
- (b) if the donation or gift is made afterwards, in a statement of the person to whom the relevant planning application or submission was made within 7 days after the donation or gift is made.

What information needs to be in a disclosure?

The information requirements of the disclosure are outlined in the Act under section 147(9) for political donations and section 147(10) for gifts. A Disclosure Statement Template which outlines the relevant information requirements for disclosures to a council is available from Council.

If you do not have a disclosure

Should you have no reportable political donations and gifts to disclose simply complete and sign the declaration below.

Warning: A person is guilty of an offence under section 125 of the *Environmental Planning and Assessment Act 1979* in connection with the obligations under section 147 only if the person fails to make a disclosure of a political donation or gift in accordance with section 147 that the person knows, or ought reasonably to know, was made and is required to be disclosed under section 147. The maximum penalty for any such offence is the maximum penalty under Part 6 of the *Election Funding and Disclosures Act 1981* for making a false statement in a declaration of disclosures lodged under that Part. Note: The maximum penalty is currently 200 penalty units (currently \$22,000) or imprisonment for 12 months, or both.

I, Donald HANNAFORD declare that I have not made any political donation or gift as outlined in
Name

the Local Government and Planning Legislation Amendment (Political Donations) Act 2008.

Signature

11th Oct 2021
Date

From: Donald John Hannaford [REDACTED]
Sent: Tuesday, 12 October 2021 4:15 PM
To: Hawkesbury City Council
Subject: Development Proposal DA0239/21 Commercial Premises at 87 Old Bells Line of Road KURRAJONG NSW 2758 Lot1 DP715623
Attachments: Scan0035.pdf; Council Objection 87 Old Bells Line of Road.docx

Refer Mr. William Pillon, Senior Town Planner Hawkesbury City Council

Dear Sir,

Please find attached my Notice of Objection to the Development Application for 87 Old Bells Line of Road Kurrajong (lot1 DP 715623) DA0239/21, plus my "Political donations & gifts disclosure statement". Please feel free to contact me if you wish to discuss any aspects in my Notification of Objection by either email or phone.

Kind regards

Don Hannaford

From: Jeremy Braithwaite
Sent: Thu, 23 Sep 2021 16:58:15 +1000
To: Hawkesbury City Council
Subject: DA0239/21 87 Old Bells Line of Road, Kurrajong BRAITHWAITE OBJECTION
Attachments: political donations20210923.pdf, Objection Kurrajong DA0239 21 JEREMY BRAITHWAITE covering letter.pdf, Objection Kurrajong DA0239 21 JEREMY BRAITHWAITE.pdf
Importance: High

Dear Sir/Madam
Please find attached:

- Covering letter
- Objection
- Political Donations and Gifts Disclosure Statement.

Could you please acknowledge receipt.

[regards](#)

[Jeremy Braithwaite](#)

[Jeremy Braithwaite](#)



political donations and gifts disclosure statement



Office use only:

Date received: ____/____/____

Development Application no. DA0239 21

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Please read the following information before filling out the Disclosure Statement on pages 3 and 4 of this form. Also refer to the 'Glossary of terms' provided overleaf (for definitions of terms in *italics* below).

Once completed, please attach the completed declaration to your planning application or submission.

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- (b) if the donation or gift is made afterwards, in a statement of the person to whom the relevant planning application or submission was made within 7 days after the donation or gift is made.

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A Disclosure Statement Template which outlines the relevant information requirements for disclosures to a council is available from Council.

If you do not have a disclosure

Should you have no reportable political donations and gifts to disclose simply complete and sign the declaration below.

Warning: A person is guilty of an offence under section 125 of the *Environmental Planning and Assessment Act 1979* in connection with the obligations under section 147 only if the person fails to make a disclosure of a political donation or gift in accordance with section 147 that the person knows, or ought reasonably to know, was made and is required to be disclosed under section 147. The maximum penalty for any such offence is the maximum penalty under Part 6 of the *Election Funding and Disclosures Act 1981* for making a false statement in a declaration of disclosures lodged under that Part. Note: The maximum penalty is currently 200 penalty units (currently \$22,000) or imprisonment for 12 months, or both.

I, Juan Barrantes declare that I have not made any political donation or gift as outlined in the Local Government and Planning Legislation Amendment (Political Donations) Act 2008.

.....
[Redacted Signature]

23.9.2021
Date

23rd September

The General Manager
Hawkesbury Council
366 George Street
Windsor NSW 2756

By email: council@hawkesbury.nsw.gov.au

Dear Sir

RE: DA0239/21 87 Old Bells Line of Road, Kurrajong

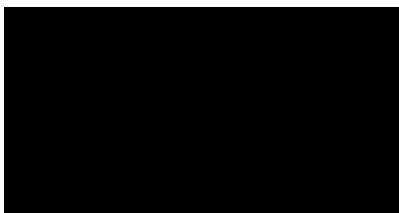
Please find attached my OBJECTION to the above development.

The objection is on the following grounds:

- Potential significant damage to the economy of the existing businesses in the village
- Aesthetic. Completely out of keeping with the character of the village and contravenes the existing height regulations
- Parking. Parking requirements for the development are mathematically incapable of being accommodated in the village
- Loss of privacy. The proposed rooftop dining will look directly into the backyards of the private dwellings on Timms Hill Rd
- Drainage and sewerage are not correctly provided for
- Increased traffic risks that cannot readily be mitigated, both during and after the construction phase
- Intended use. There is a significant risk that the main restaurant and rooftop dining area would be turned into a hotel. As a hotel the trading hours can be extended to the early hours of the morning with huge potential disruption to residents in surrounding streets.

I have also attached the required Political Donations and Gifts Disclosure Statement.

Yours sincerely



Jeremy Braithwaite
Ratepayer

OBJECTION

DA0239/21 87 Old Bells Line of Road, Kurrajong

Date: 23rd September

Submitted by: Jeremy Braithwaite, [REDACTED]

1. INTRODUCTION

My wife's family are long term residents of the district and we have been visiting Kurrajong together since the mid 70's and became residents in the district in 2001.

A significant part of the pleasure of living in the district is the ambience created by one of the last true villages in the Sydney basin. It's a village where one knows most of the shop keepers and where you always bump into friends. It's a place you drop into for a coffee and it has a fabulous atmosphere.

It is also a very fragile balance. We worried about the sustainability of the village when the newsagent closed. There has been a significant turnover of restaurants with the Indian restaurant at 85 Old Bells Line of Road being the last to close permanently. There is therefore no current evidence to support the potential demand of a trebling of the restaurant space in the village.

My objection to the proposed development is on the following grounds:

- Potential significant damage to the economy of the existing businesses in the village
- Aesthetic. Completely out of keeping with the character of the village and contravenes the existing height regulations
- Parking. Parking requirements for the development are mathematically incapable of being accommodated in the village
- Loss of privacy. The proposed rooftop dining will look directly into the backyards of the private dwellings on Timms Hill Rd
- Drainage and sewerage are not correctly provided for
- Increased traffic risks that cannot readily be mitigated, both during and after the construction phase
- Intended use. There is a significant risk that the main restaurant and rooftop dining area would be turned into a hotel. As a hotel the trading hours can be extended to the early hours of the morning with huge potential disruption to residents in surrounding streets.

2. ECONOMIC IMPACT

The businesses in the village have held on through bushfire and Covid lockdown and have struggled to survive. This development could well push many over the financial precipice.

Construction Phase

During the construction phase there will be enormous disruption to the village and its traffic. Specifically:

- Earthworks

There is a substantial amount of earth to be removed by excavation which will result in large

earthmoving trucks disrupting the peace of the village, adding to traffic congestion, and posing a danger to motorists and pedestrians.

- **Parking**

A substantial amount of street space will be required for construction machinery, cranes, building material deliveries, construction workers vehicles, etc. This will prevent people from parking to use the services of the existing businesses and may potentially make them unviable.

Post Construction

How will the development attract tenants when the uses proposed are identical to existing uses within the village?

- If the supermarket moves into the development what will happen to the existing building?
- If the three restaurants move into the development what will happen to the existing buildings?

There are two possible scenarios: a) a failed development or b) a main street full of shuttered shops and for lease signs.

3. AESTHETIC

The development will be twice the height of the existing buildings on Old Bells Line of Road.

The DA only shows the building in isolation and makes it harder to gauge how it will look in relation to the street and other buildings. I have looked in the picture below to show how the development would look in relation to Old Bells Line of Road:



When this photograph is compared with a picture of the same cars with the undeveloped site as a backdrop one can get some idea of how the development will dominate the streetscape. It is estimated that the development will at a height of the thicker wire .



The impact on Timms Hill Rd is even more dramatic:



Height Regulations

The excess over the 10m height regulation is 45% and not the 4.5% stated in the DA proposal. This is MASSIVE and as a minimum the proposal should have one floor removed.

4. PARKING

The proposed development, if it could be successfully tenanted, cannot mathematically provide the extent of parking required.

The restaurant space proposed is as follows:

- Large restaurant and rooftop terrace, estimated 530 sq m
- Two smaller restaurants of 91 sq m and 135 sq m
- Total of 756 sq m

Using the post Covid lockdown of 2sq m per person rule the development will have provision for 378 patrons. Using an average of 2 people per vehicle, and the assumption that all new restaurant patronage must be drawn from outside walking distance, then this will require car parking provision for 378 vehicles.

There is no adequate public transport service that is likely to impact this figure.

The development has provision for 47 car spaces. So to satisfy peak restaurant capacity alone, and without providing any parking for the retail spaces or for staff parking, **the development needs to find 331 car parking spaces on the surrounding streets.**

To put this in perspective there are only around 40 car spaces on Old Bells Line of Road between the post office car park and Timms Hill Rd and these are generally fully occupied servicing the existing businesses.

See also the comments above in relation to the construction phase. There is No Standing from the 40 kph sign on Timms Hill Rd to the Old Bells Line of Road junction. There is therefore only a tiny amount of Timms Hill Rd that can be designated a Construction Zone.

To further add to the parking issue the designated parking for the Bennett Real Estate business will be lost. This has provision for half a dozen vehicles. Was this parking a requirement for the DA approval of what was originally the bank building? How do Bennett's propose creating a substitute parking area for their staff and customers?

5. LOSS OF PRIVACY

The proposed rooftop dining will look directly into the backyards of the private dwellings on Timms Hill Rd. Specifically there will be no privacy at all for the swimming pool area in #5.

There is no effective noise containment for the outdoor dining area and this will disrupt all local residents.

6. DRAINAGE AND SEWERAGE

Drainage and sewerage are not correctly provided for in the Application. This is a major oversight. The frequent presence of pump out trucks will also require a parking provision and it is not clear where this could be provisioned.

7. TRAFFIC RISKS

The existing business precinct has a 40kph limit which is not always adhered to and there is very little line of sight for pedestrians to safely cross Old Bells Line of Road anywhere near the Common Ground Café.

If another 2,000 to 3,000 traffic movements per day are to be added to Old Bells Line of Road a pedestrian crossing will be required but will be difficult to site safely bearing in mind the visibility issues.

The junction of Old Bells Line of Road and Timms Hill Rd also has traffic emerging from Woodburn Rd and the Grose Vale Rd intersection.

Visibility will be difficult from Timms Hill Rd because the bulk of the building will prevent vision to the East, and it may well be advisable to set the whole building much further back in line with the building at 85 Old Bells Line of Road in order to help make this intersection safer.

If traffic lights are to be considered there will need to be phasing for Grose Vale Rd, Timms Hill Rd, Woodburn Rd as well as Old Bells Line of Road and this will have the effect of further compounding the traffic issues. Would these lights be at the expense of the developer?

See Google Maps extract below.



8. INTENDED USE.

There is a significant risk that the main restaurant and rooftop dining area would be turned into a hotel and once a DA had been approved for a restaurant it does not appear that there is any barrier to this further application being made.

In summary a hotel approval would create the following issues:

- As a hotel the trading hours can be extended to the early hours of the morning with huge potential disruption to residents in surrounding streets
- As the vast majority of patrons need to arrive by car there is likely to be a significant increase in DUI occurrences and accidents. There is no permanent police presence this side of the river following the closure of the previous stations at North Richmond and Kurrajong
- There will be significant noise pollution from noisy patrons using the rooftop terrace
- The concept of a quiet village will be destroyed forever