

SYDNEY WESTJOINT REGIONAL PLANNING PANEL

STATEMENT OF REASONS

for decision under the *Environmental Planning and Assessment Act 1979* (NSW)

The Sydney West Joint Regional Planning Panel (JRPP) provides the following Statement of Reasons for its decision under section 80 of the *Environmental Planning and Assessment Act 1979* (NSW)(the Act) to:

Grant consent to the development application subject to conditions

For:

Demolition of existing structures and construction of an Affordable Rental Housing development comprising 20 units, basement car parking for 20 cars and associated landscaping works, Lot 2 DP 533036 and Lot A DP 17243. No 16 & 18 Werona Street, Pennant Hills.

JRPP Ref: 2013SYW099 – Council Ref: DA987/2013

Applicant:

T C Tallwoods Pty Ltd / Ms Yan Wu and Best Away Pty Ltd

Type of regional development:

The proposal is classified as Community facilities over \$5 million (affordable rental housing) and has a Capital Investment Value of \$5 million.

A. Background

1. JRPP meeting

Sydney West Joint Planning Panel was held on 29 May 2014 at Hornsby Shire Council at 5.30pm.

Panel Members present:

Mary-Lynne Taylor - Chair
Bruce McDonald – Panel Member
Paul Mitchell – Panel Member
Michael Smart – Panel Member
David White – Panel Member

Council staff in attendance:

James Farrington
Rodney Pickles

Cassandra Williams

Apology: None

Declarations of Interest:

None

JRPP as consent authority

Pursuant to s 23G(1) of the Act, the Sydney West Joint Planning Panel (the Panel), which covers the Hornsby Shire Council area, was constituted by the Minister.

The functions of the Panel include any of a council's functions as a consent authority as are conferred upon it by an environmental planning instrument [s 23G(2)(a) of the Act], which in this case is the State Environment Planning Policy (State and Regional Development) 2011.

Schedule 4A of the Act sets out development for which joint regional planning panels may be authorised to exercise consent authority functions of councils.

3. Procedural background

A briefing meeting was held on 19 December 2013.

A site visit was undertaken by Panel on 29 May 2014.

A final briefing meeting was held with Council on 29 May 2014.

B. Evidence or other material on which findings are based

In making the decision, the Panel considered the following:

79C (1) Matters for consideration—general

(a) the provisions of:

- (i) any environmental planning instrument,
 - **State Environmental Planning Policy (Affordable Rental Housing) 2009**
 - **State Environmental Planning Policy No. 55 Remediation of Land**
 - **State Environmental Planning Policy (Building and sustainability Index: BASIX) 2004**

- **State Environmental Planning policy – Sydney Regional Environmental Plan no. 20 Hawkesbury – Nepean River**
- **Hornsby Shire Local Environmental Plan 1994**
- **Hornsby Shire Local Environmental Plan 2013**

(ii) any proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the consent authority

- Not applicable to this application

(iii) any relevant development control plan

- **Hornsby Development Control Plan 2013**
- **Heritage Development Control Plan**
- **Waste Minimisation and Management Development Control Plan**
- **Sustainable Water Development Control Plan**

(iiia) any relevant planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F

- Not applicable

(v) any coastal zone management plan

- Not applicable

(iv) relevant regulations:

- **Section 94A Contributions Plan 2012-2021**

The Panel was provided with 65 submissions and 1 petition made in accordance with the Act or the regulations, objecting to the proposal. In making the decision, the Panel considered the submissions.

In making the decision, the Panel considered the following material:

1. Council's Assessment Report on the application received 20 May 2014.

2. Locality Plan prepared by Hornsby Shire Council.

3. Site Plan, Architectural Plans, Landscape Plans and Shadow Diagrams.

In making the decision, the Panel also considered the following submissions made at the meeting of the Panel on 29 May 2014:

1. Submissions addressing the Panel against the application:

- Brian Ash (Chairman) – Pennant Hills Civic Trust
- David Lancaster
- Robin Hooton
- Mauro Matera/Alice Chan
- Sue Scott
- Peter Hiley
- Lucinda Varley
- Natalie Richter
- Brian Shields
- Councillor Jerome Cox

2. Submissions addressing the Panel in favour of the application:

- Ian Glendenning
- Christian McCullum
- Robert Staas

The Panel has carefully considered the material referred to in Section B.

C. Findings on material questions of fact

(a) Environmental planning instruments. The Panel has considered each of the environmental planning instruments referred to in Section B.

The Panel agrees with and adopts the analysis in Council's Assessment Report in relation to the environmental planning instruments.

(b) Development control plan. The Panel has considered the Hornsby Development Control Plan 2013 referred to in Section B.

The Panel agrees with and adopts the analysis in Council's Assessment Report in relation to the Development Control Plan.

(c) Likely environmental impacts on the natural environment. In relation to the likely environmental impacts of the development on the **natural** environment, the Panel's findings are as follows:

The Panel agrees with and adopts the analysis in relation to the likely environmental impacts of the development on the **natural** environment in Council's Assessment Report.

(d) Likely environmental impacts of the development on the built environment. In relation to the likely environmental impacts of the development on the **built** environment, the Panel's findings are as follows.

The Panel agrees with and adopts the analysis in relation to the likely environmental impacts of the development on the **built** environment in Council's Assessment Report.

(e) Likely social and economic impacts. In relation to the likely social and economic impacts of the development in the locality, the Panel's findings are as follows.

The Panel agrees with and adopts the analysis in relation to the likely social and economic impacts of the development in Council's Assessment Report.

(f) Suitability of site. Based on a consideration of all of the material set out in Section B above and given the Panel's findings in this Section C, the Panel's finding is that the site is suitable for the proposed development.

(g) Public Interest. Based on a consideration of all of the material set out in Section B above and given the Panel's findings in this Section C, the Panel's finding is that granting consent to the development application is in the public interest.

D. Why the decision was made

1. The scale height and density of the proposed development meets the character of the local area.
2. The siting, design and landscaping will provide adequate visual and acoustic privacy to neighbouring premises.
3. The proposal respects the heritage character of neighbouring buildings because of the generous front setbacks and suitable landscaping provided.
4. There are no material impacts on the natural and built environments.
5. The subject site is centrally located and generally suitable for the proposed development.
6. The development will add to the stock, variety and affordability of housing within Hornsby Shire near to Epping and it is of some economic benefit.

7. The development meets the character identified in the HELP 1994 and also in HELP 2013 of a low density residential environmental consistent with the environmental capacity of the area.

8. For the above reasons the development the Panel considers the proposal to be a suitable use of the site and is in the public interest.



JRPP member (chair)
Mary-Lynne Taylor



JRPP member
Bruce McDonald



JRPP member
Paul Mitchell



JRPP member
Michael Smart



JRPP member
David White