

## SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at **Hornsby Shire Council** on **Thursday 18 September 2014 at 10.00 am**

Panel Members: Bruce McDonald (Acting Chair), Mary-Lynne Taylor, Stuart McDonald, Michael Smart and David White

**Apologies:** Paul Mitchell and Jason Perica

**Declarations of Interest:** Mary-Lynne Taylor advised that she knew Robert Wilcher, who was representing the Anglican Church, but she didn't have any conflicts of interest with Church and didn't think her acquaintance with Mr Wilcher would affect her decision.

### Determination and Statement of Reasons

**2014SYW029 – Hornsby, DA/81/2014,** Demolition of existing structures and construction of four x five storey residential flat buildings containing 92 units and basement car par, subdivision of two lots into two (Heritage Item) and strata title subdivision, Lots 1-5 DP 508531 and Lot 12 Dec 6 DP 758074, Nos. 7, 7A, 7B, 7C Chapman Avenue and Nos. 81 and 83 Beecroft Road, Beecroft.

**Date of determination:** 18 September 2014

#### **Decision:**

The panel determined to approve the development application as described in Schedule A pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

#### **Panel consideration:**

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

#### **Reasons for the panel decision:**

At its meeting at Hornsby Shire Council on 14 August 2014, the Panel considered Council's Planning Report and public submissions concerning this application. The Panel deferred determination of the application and requested further information on the heritage, ecological and landscape values of the White Mahogany tree located on No. 83 Beecroft Road in order to better inform it on the merits of retaining that tree. The Panel also requested the applicant to consider development of design alternatives that involve retention of the White Mahogany tree.

At its meeting at Hornsby Shire Council on 18 September 2014, the Panel considered Council's Supplementary Report including additional 9a relating to the existing use of 83 Beecroft Road and public submissions.

A majority of the Panel (Mr B McDonald, Mr S McDonald and Mr M Smart) determined that application be approved as recommended for the following reasons:

1. The development of the land by demolition of the existing onsite dwelling house and construction of residential units of the scale and extent proposed is consistent with its planned intent of securing an element of Hornsby Shires adopted housing strategy as expressed by the R4 (High Density Residential) zoning of the site provided in the recently adopted HELP 2013.
2. The proposed development is generally consistent with the provisions of HDCCP-Part 9.6 Beecroft Heritage Precinct, which has been developed to guide integration of new high density development planned for that precinct as an element of Hornsby Shires adopted housing strategy and is generally consistent with the provisions of SEPP 65-Design Quality of Residential Flat Development.
3. The proposed development has the potential to provide additional housing supply and choice in a location with ready access to bus and rail public transport services and ready access to the facilities, services and amenity offered by Beecroft Village.
4. The introduction of additional population within Beecroft Village would strengthen its economic and social role.
5. The removal of the white mahogany tree located at No. 83 Beecroft Road is considered by the majority of the Panel to be justified given its assessment of heritage, ecological and landscape value in the current and future context of this locality, and as its removal will allow development of the rear of that allotment which in turn will act to reduce future incentive for development of No. 83 Beecroft Road.
6. The Panel considers the proposed landscape treatment of the site and planting required by condition in Chapman Avenue Road Reserve will provide a satisfactory streetscape presentation of the site to Chapman Avenue and Beecroft Road, a satisfactory zone interface to Chapman Avenue and facilitate integration of the buildings into their Beecroft Village context.

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7. The Panel has considered the justification offered by the applicant relating to the variation of the development standard relating to height, (Clause 4.6 of HLEP2013). The Panel considers the objection is well founded as the departure from the standard is minor, the variation responds to the particular sloping character of the site, the variation will not impact on the adjoining heritage item and the objectives of the standard are achieved in this instance. Accordingly the Panel supports the variation sought.

Two members of the Panel (M L Taylor and D White) would refuse the application on the plans as drawn because the White Mahogany tree has not been retained and therefore this application does not comply with the desired future character of the recent Hornsby DCP 2013 which promised development footprints that would maintain significant vegetation and mature trees. These members consider that the application should be amended to retain that tree for its historic and landscape value.

Further Mr White considered that further heritage assessment of No. 81 Beecroft should occur before any decision is made on its demolition.

**Conditions:** The development application was approved subject to the conditions in Appendix A of the Council Assessment Report as amended at the meeting.

**Panel members:**

 <b>Bruce McDonald (Acting Chair)</b>	 <b>Mary-Lynne Taylor</b>	 <b>Stuart McDonald</b>
 <b>David White</b>	 <b>Michael Smart</b>	

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## SCHEDULE 1

1	<b>JRPP Reference – 2014SYW029, LGA – Hornsby Shire Council, DA/81/2014</b>
2	<b>Proposed development:</b> Demolition of existing structures and construction of four x five storey residential flat buildings containing 92 units and basement car par, subdivision of two lots into two (Heritage Item) and strata title subdivision.
3	<b>Street address:</b> Lots 1-5 DP 508531 and Lot 12 Dec 6 DP 758074, Nos. 7, 7A, 7B, 7C Chapman Avenue and Nos. 81 and 83 Beecroft Road, Beecroft.
4	<b>Applicant/Owner:</b> Krikis Tayler Architects / Zivena Pty Ltd, Mr R W Neal and Mrs J Neal, CGU Pty Limited
5	<b>Type of Regional development:</b> Capital Investment Value > \$20M
6	<b>Relevant mandatory considerations</b> <ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>Hornsby Local Environmental Plan 2013</li> <li>Water Management Act 2000</li> <li>State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>State Environmental Planning Policy No. 65 – Design Quality Residential Flat Development</li> <li>State Environmental Planning Policy (Building Sustainability Index-BASIX) 2004</li> <li>State Environmental Planning Policy (Infrastructure) 2007</li> <li>State Environmental Planning Policy – Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Hornsby Development Control Plan 2013</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Regulations: <ul style="list-style-type: none"> <li>Environmental Planning and Assessment Act Regulation 2000</li> </ul> </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 EPA Act or EPA Regulation.</li> <li>The public interest.</li> </ul>
7	<b>Material considered by the panel:</b> Council Supplementary Report, Panel Meeting Minutes, Planning Ingenuity letter dated 1 September 2014, Planning Ingenuity dated 3 September 2014, Council Planning Report with attachments dated 14 August 2014. Written submissions: 31 submissions. Verbal submissions at the panel meeting: <b>Against –</b> <ul style="list-style-type: none"> <li>Greg Smith, MP for Epping</li> <li>Dave Wilson on behalf of North Side residents of Chapman Avenue</li> <li>Wendy Wilson</li> <li>Robert Wilcher on behalf of St John's Church Beecroft</li> <li>Carolyn Watt – a representative of the Beecroft Cheltenham Civic Trust</li> <li>Councillor Michael Hutchence</li> <li>Peter Hewett</li> <li>Kent Ross on behalf of the Cheltenham Civic Trust</li> </ul> <b>Support -</b> <ul style="list-style-type: none"> <li>Jeff Mead – Planner</li> </ul>
8	<b>Meetings and site inspections by the panel:</b> Briefing Meeting – 15 May 2014, Site Inspection on 14 August 2014 and 18 September 2014, Final Briefing meeting on 14 August 2014 and 18 September 2014.
9	<b>Council recommendation:</b> Approval
10	<b>Conditions:</b> Attached to council assessment report