

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at **Hornsby Shire Council** on **Wednesday 17 December 2014 at 5.00 pm**

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

Apologies: None

Declarations of Interest: None

Determination and Statement of Reasons

2014SYW128 – Hornsby, DA/1006/2014, Construction of a mixed use commercial and residential development comprising a supermarket, specialty shops, commercial premises and 122 dwellings, Nos. 87-91 and 95 Beecroft Road and Nos. 16-24 Hannah Street, Beecroft.

Date of determination: 17 December 2014

Decision:

The panel determined to approve the development application as described in Schedule 1 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.

Standard Variation

Having considered the applicant's request to vary the development standards Clause 4.3 Height of Buildings contained in the Hornsby LEP 2013 the Panel considers that compliance with the standard is unnecessary in the circumstances of this proposal as the variation sought is minor and there are sufficient environmental planning grounds to justify the requested variation and as the proposed development is consistent with the objectives of the standard and the objectives of the B2 Local Centre Zone.

Based on the material provided to the Panel by the applicant, the owner of 93 Beecroft Road and the Council, the Panel is satisfied that the Planning Principles of Cornerstone Property Pty Ltd Vs Wahroonga Council (2004) NSWLEC189, the requirements of Hornsby DCP 2013 have been met.

Reasons for the panel decision:

1. The proposed development will add to the supply and choice of housing in the Northwest Metropolitan Subregion and Hornsby in a location accessible to the services, amenity and transport facilities offered by Beecroft Village.
2. The proposal will add to the retail and commercial services offered to the local community by Beecroft Village and has been designed to integrate with the existing commercial and community activity of the Village.
3. The proposed development adequately complies with the provisions of the relevant State Environmental Planning Policies including SEPP 65 Design Quality Residential Flat Buildings and associated Residential Flat Design Code, SEPP 55 Remediation of Land, SEPP Infrastructure 2007 and SEPP 32 Urban Consolidation (Redevelopment of Urban Land).
4. Given that the Panel has agreed to vary the development standards contained in Clause 4.3 of Hornsby LEP 2013 the proposal is considered to adequately satisfy the provisions of the LEP.
5. The proposed development will not have significant adverse impact on the natural or built environment including the Beecroft/Cheltenham Conservation Area, nearby residential development and the operation of the local road network.
6. In consideration of the points in 1-5 above the Panel considers approval of the development is in the public interest.

Conditions: The development application was approved subject to the conditions in Appendix A of the Council Assessment Report with three (3) new conditions as follows:






- A. The development shall setback from the Northern boundary 1.2 metres clear of any structures or retaining works. Details are to be provided to the Group Manager, Planning Division prior to the lodgement of any construction certificate.

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B. An electronic sign displaying parking availability by number of spaces shall be installed prominently at the entry to the car park to provide advice to drivers approaching in Hannah Street.

C. The ornamental pear tree growing in the street in Hannah Street shall be retained.

Panel members:

 Mary-Lynne Taylor (Chair)	 Bruce McDonald	 Stuart McDonald
 David White	 Michael Smart	

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SCHEDULE 1

1	JRPP Reference – 2014SYW128, LGA – Hornsby Shire Council, DA/1006/2014
2	Proposed development: Construction of a mixed use commercial and residential development comprising a supermarket, specialty shops, commercial premises and 122 dwellings.
3	Street address: Nos. 87-91 and 95 Beecroft Road and Nos. 16-24 Hannah Street, Beecroft.
4	Applicant/Owner: GAT & Associates/Sony Brothers Pty Ltd
5	Type of Regional development: Capital Investment Value > \$20M
6	Relevant mandatory considerations <ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ◦ Hornsby Shire Local Environmental Plan 2013 ◦ State Environmental Planning Policy No. 55 – Remediation of Land ◦ State Environmental Planning Policy No. 65 – Design Quality Residential Flat Development ◦ State Environmental Planning Policy (Building and Sustainability Index: BASIX) 2004 ◦ State Environmental Planning Policy (Infrastructure) 2007 ◦ State Environmental Planning Policy - Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ◦ Hornsby Development Control Plan 2013 • Planning agreements: Section 94 Contributions Plan 2012 - 2021 • Regulations: <ul style="list-style-type: none"> ◦ Environmental Planning and Assessment Regulation 2000 • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality. • The suitability of the site for the development. • Any submissions made in accordance with the EPA Act or EPA Regulation. • The public interest.
7	Material considered by the panel: Council Assessment Report with conditions, Architectural plans, Landscape plans, Urban design report, Landscape design report and written submissions. Verbal submissions at the panel meeting: <ul style="list-style-type: none"> • Ross Walker – Vice President on behalf of the Beecroft-Cheltenham Civic Trust • Margaret McLelland • Ian Woodward • Gerard Turisi –GAT & Association, Koos de Keijzer - dKO Architecture Pty Ltd, Karla Castellanos – GM Urban Design, Patrick Holland - McCullough Robertson, Tim Gavan- Hill PDA, Nicholas Byrne and Raymond Mah on behalf of the applicant.
8	Meetings and site inspections by the panel: 16 October 2014 – Briefing Meeting, Site Inspection and Final Briefing Meeting on 17 December 2014.
9	Council recommendation: Approval
10	Conditions: Attached to council assessment report