

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at **Hornsby Shire Council** on **Wednesday 2 December 2015 at 2.30 pm**

Panel Members: Bruce McDonald (Acting Chair), Bruce Clarke, Stuart McDonald, David White and Michael Smart.

Apologies: None

Declarations of Interest: None

Determination and Statement of Reasons

2014SYW172 – Hornsby Shire Council, DA/1440/2014, Demolition of existing structures and construction of four, five-storey residential flat buildings comprising 76 units with basement car parking, Lot B DP 358811, Lot 7 DP 663403,, Lot 8 Sec 5 DP 758390 and Lot 1 DP 10511, Nos. 15, 17 and 19 Essex Street, Epping.

Date of determination: 2 December 2015

Decision:

The panel unanimously 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 matters observed at site inspections listed at item 8 in Schedule 1.

Reasons for the panel decision:

1. The proposed development will add to the supply and choice of housing within the North Metropolitan Subregion and the Hornsby local government area in a location with ready access to metropolitan transport services provided by Epping Rail Station and to the services, amenities and employment provided by Epping Town Centre.
2. The Panel has considered the applicant's request to vary the development standard contained in Clause 4.3 (Height of Buildings) the Hornsby LEP 2013 and considers that compliance with the standard would be unreasonable and unnecessary in the circumstances of this case as the variation will not result in a building that is inconsistent with the scale of buildings planned for this locality and the development remains consistent with the underlying intent of the standard and the objectives of the LEP.
3. The proposed development adequately satisfies the relevant State Environmental Planning Policies including SEPP 32 (Redevelopment of Urban Land), SEPP 65 (Design Quality of Residential Flat Development) and its associated Residential Flat Design Code, SEPP 55 Remediation of Land and SEPP (Infrastructure) 2007.
4. The proposal adequately satisfies the provisions and objectives of Hornsby LEP 2013 and Hornsby DCP 2013.
5. The proposed development is consistent in scale and character of development anticipated and planned for within the Epping Town Centre Urban Activation Precinct in which this site is located.
6. The proposed development will have no unacceptable adverse impacts on the natural or built environments including the amenity of nearby residential premises, or the operation of the local road system.
7. In consideration of conclusions 1-6 above the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

Panel members:

 Bruce McDonald	 Bruce Clarke	 David White
 Michael Smart		

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	Stuart McDonald	
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SCHEDULE 1

1	JRPP Reference – 2014SYW172, LGA – Hornsby Shire Council, DA/1440/2014
2	Proposed development: Demolition of existing structures and construction of four, five-storey residential flat buildings comprising 76 units with basement car parking.
3	Street address: Lot B DP 358811, Lot 7 DP 663403,, Lot 8 Sec 5 DP 758390 and Lot 1 DP 10511, Nos. 15, 17 and 19 Essex Street, Epping.
4	Applicant/Owner: Applicant: Jinyan Development Management Pty Ltd. Owners: Owen Michael Harrison and Patricia Elizabeth Harrison (Nos. 15 and 17), Keith Frudd and Jennifer Thomson (No. 19).
5	Type of Regional development: CIV over \$20 million.
6	Relevant mandatory considerations <ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy No. 32 – Urban Consolidation (Redevelopment of Urban Land) (SEPP 32) ○ State Environmental Planning Policy No. 55 – Remediation of Land ○ State Environmental Planning Policy No. 65 – Design Quality Residential Flat Development ○ State Environmental Planning Policy No. 65 – Design Quality Residential Flat Development (Amendment No. 3) ○ State Environmental Planning Policy (Building and Sustainability Index: BASIX) 2004 ○ Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 ○ Hornsby Local Environmental Plan 2013 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Hornsby Development Control Plan 2013 • Planning agreements: Hornsby Shire Council 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 deferred commencement approval, Locality plan, Basement levels 1-2, Level 1-6, Roof plan, Elevations, Sections, Landscape plans, Shadow diagrams, Solar Access Analysis and written submissions. Written submissions prior to panel meeting: <ul style="list-style-type: none"> • Olivia and Richard Shorten Verbal submissions at the panel meeting: <ul style="list-style-type: none"> • Xiao Yong Ma • Stephen Kerr
8	Meetings and site inspections by the panel: 2 December 2015 – Final Briefing Meeting.
9	Council recommendation: Approval subject to deferred commencement conditions.
10	Reasons: Attached to council assessment report