

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at **Hornsby Shire Council** on **Thursday 14 July 2016 at 11.00 am**

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

Apologies: None

Declarations of Interest: None

Determination and Statement of Reasons

2015SYW063 – Hornsby Shire Council, DA/213/2015. Demolition of existing structures and construction of a part 13 and part 14 storey mixed use development comprising 76 units and commercial floor space, 94-98 George Street, Hornsby.

Date of determination: 14 July 2016

Decision: Approval.

The Panel unanimously 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. The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

Reasons for Panel Decision:






1. The proposed development will add to the future 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 available from Hornsby Railway Station and the amenities and services available within Hornsby Town Centre. The proposed development will also contribute significant additional commercial capacity to the Centre.
2. The Panel has considered the applicant's request to vary the development standards contained in Clause 4.3 (Height of Buildings) Hornsby LEP 2013 and considers that compliance with the standard is unreasonable and unnecessary in the circumstances of this case as the variation responds to the slope of the site, the building is consistent in bulk and scale with that planned for the locality and the Floor Space Ratio standard is not exceeded. It is considered the development remains consistent with the objectives of the standards and the applicable B2 Local Centre zoning of the subject site and deals satisfactory with the amenity of its neighbours.
3. The proposed development adequately satisfies the relevant State Environmental Planning Policies including, SEPP 55 Remediation of Land, SEPP (Infrastructure) 2007 and SEPP 65 – Design Quality of Residential Flat Development and its associated Residential Flat Design Code. In this regard to SEPP 65 the assessment of the application recognizes that the site is located within a dense urban environment.
4. The proposal adequately satisfies the provisions and objectives of Hornsby LEP 2013 and Hornsby DCP 2010. In this regard the Panel particularly notes that the proposal has been assessed as achieving design excellence and accordingly satisfies the requirements of Clause 6.8 of the LEP.
5. The proposed development, subject to the conditions imposed, 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, the supply of public parking or the significance of the adjoining heritage item.

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6. In consideration of conclusions 1-5 above the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

Conditions: The development application is approved subject to the conditions in the council assessment report and the concurrence of the Secretary be issued under Clause 4.6 to vary the provisions of Clause 4.3.

Panel members:

		
Mary-Lynne Taylor	Bruce McDonald	Paul Mitchell
		
David White	Michael Smart	

SCHEDULE 1

1	JRPP Reference – 2015SYW063, LGA – Hornsby Shire Council, DA/213/2015
2	Proposed development: Demolition of existing structures and construction of a part 13 and part 14 storey mixed use development comprising 76 units and commercial floor space.
3	Street address: 94-98 George Street, Hornsby.
4	Applicant/Owner: L & C's Foundation Pty Ltd.
5	Type of Regional development: Capital Investment Value >\$20 million
6	Relevant mandatory considerations <ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ Hornsby Local Environmental Plan 2013 ○ State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) ○ State Environmental Planning Policy No. 65 – Design Quality Apartment Development ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ○ State Environmental Planning Policy (Infrastructure) 2007 ○ SREP 20 – Hawkesbury-Nepean Rivers • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Hornsby Development Control Plan 2013 ○ Hornsby Shire Council Section 94 Development Contributions Plan 2012-2021 • Planning agreements: Nil • 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.

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	<ul style="list-style-type: none"> Any submissions made in accordance with the EPA Act or EPA Regulation. The public interest, including the principles of ecologically sustainable development.
7	<p>Material considered by the panel: Council assessment report, Recommended conditions of consent, Location plan, Site plan, Site photos, Floor plans, Elevations, Sections, Solar access diagrams, Landscape plans, Design verification statement, Clause 4.6 – Exceptions to development standards – Height of buildings (Clause 4.3), BASIX certificate, Schedule of materials and finishes and written submissions.</p> <p>Verbal submissions at the panel meeting:</p> <ul style="list-style-type: none"> Craig Schwartz on behalf of Avanti Apartments Setty Grandhi Peter Davis
8	<p>Meetings and site inspections by the Panel: 14 July 2016 – Site Inspection and Final Briefing meeting.</p>
9	<p>Council recommendation: Approval</p>