

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Electronic Meeting held between 29 April and 3 May 2016

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

Apologies: David White Declarations of Interest: none

Determination and Statement of Reasons

2015SYW185 – Hornsby – DA1234/2015 [449C Pennant Hills Road, Pennant Hills] as described in Schedule 1.

Date of determination: 3 May 2016

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.

Reasons for the panel decision:





The Panel approved the application, subject to the conditions imposed and with an amended condition, for the following reasons:

1. The Panel agrees that the proposed development will add to the educational and social facilities available to students and the school community.
2. The Panel considers that compliance with the height standard contained in Cl. 4.3 of the HLEP to be unreasonable and unnecessary in the circumstances of this case.
3. The proposal is adequately consistent with the provisions and requirements of the Rural Fires Act 1977, the applicable State Environmental Planning Policies, Hornsby LEP 2013 and Hornsby DCP 2013.
4. The proposal will have no significant impacts on the environment including the amenity of residences in the locality, the terrestrial biodiversity including the on-site Blue Gum High Forest, the integrity of the nearby heritage items, the Beecroft Cheltenham Conservation Zone or the performance of the local road network.
5. In conclusion of 1-4 above, the Panel considers the proposal is a suitable use of the site and in the public interest.

Conditions: The Panel approves the application, subject to the conditions in the Council Assessment Report, and subject to the below condition amendment:

Condition 15 (Environmental Site Management Plan) amended to include addressing measures to ensure the safety of students, staff and others attending the site during the construction period.

Panel members:

		
Mary-Lynne Taylor	Bruce McDonald	Paul Mitchell
		
Michael Smart		

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SCHEDULE 1

1	JRPP Reference – LGA – Council Reference: 2015SYW185 – Hornsby – DA1234/2015
2	Proposed development: Construction of a Performing Arts Centre at an existing educational establishment
3	Street address: 449C Pennant Hills Road, Pennant Hills
4	Applicant: Paynter Dixon Constructions Pty Ltd Owner: Sisters of the Good Samaritan
5	Type of Regional development: CIV >\$5 million private infrastructure and community facilities
6	Relevant mandatory considerations: <ul style="list-style-type: none"> • Environmental Planning and Assessment Act 1979 • Hornsby Local Environmental Plan 2013 • State Environmental Planning Policy No. 44 - Koala Habitat • State Environmental Planning Policy No. 55 -Remediation of Land • State Environmental Planning Policy (Infrastructure) 2007 • Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 • Hornsby Development Control Plan 2013 • Hornsby Section 94A Contributions Plan 2012- 2021 • 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 Environmental Planning and Assessment Act 1979 or EPA Regulation. • The public interest, including the principles of ecologically sustainable development.
7	Material considered by the panel: Council Assessment Report Dated 15 April 2016 Written submissions during public exhibition: nil
8	Meetings and site inspections by the panel: Electronic Determination 29 April – 4 May 2016
9	Council recommendation: Approval
10	Draft conditions: As per Assessment Report