

DETERMINATION AND STATEMENT OF REASONS
SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	14 December 2016
PANEL MEMBERS	John Roseth (Chair), Sue Francis, Susan Budd, David White
APOLOGIES	Michael Smart
DECLARATIONS OF INTEREST	None

Public meeting held at Christie Conference Centre, 3 Spring Street Sydney on Wednesday, 14 December 2016, opened at 12pm and closed at 12:30pm.

MATTER DETERMINED

2016SYW046 – Hornsby – DA/1676/2015 – 18-22 Lords Avenue Asquith (AS DESCRIBED IN SCHEDULE 1)

PANEL CONSIDERATION AND DECISION

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.

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*. The decision was unanimous.





REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- The proposal complies with all relevant planning controls, except for a minor exceedance in height.
- The variation of height has been justified by a submission under cl 4.6 of the Hornsby LEP 2013.
- The Panel notes that the height variation is 450mm, not 170mm as indicated in the assessment report.
- The proposal fits into the desired future character of the area.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report.

PANEL MEMBERS	
 John Roseth (Chair)	 Sue Francis
 Susan Budd	 David White

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016SYW046 – Hornsby – DA/1676/2015
2	PROPOSED DEVELOPMENT	Demolition of existing structures, lot consolidation and construction of two, five storey residential flat buildings comprising 95 dwellings with basement car parking
3	STREET ADDRESS	18-22 Lords Avenue Asquith
4	APPLICANT/OWNER	Northern Group Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Council related development over \$5 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 (HLEP) ○ State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) ○ State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development (SEPP 65) ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ○ State Environmental Planning Policy (Infrastructure) 2007 ○ Sydney Regional Environmental Plan No. 20 Hawkesbury-Nepean River (No. 2 – 1997) ○ Draft environmental planning instruments: Nil ○ Development control plans: <ul style="list-style-type: none"> ○ Hornsby Development Control Plan 2013 (HDCP) ○ Hornsby Shire Council Section 94 Development Contributions Plan 2014-2024 ○ Planning agreements: Nil ○ <i>Environmental Planning and Assessment Regulation 2000</i>: Nil ○ 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 <i>Environmental Planning and Assessment Act 1979</i> or regulations ○ The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report: 1 December 2016 • Written submissions during public exhibition: Two • Verbal submissions at the panel meeting: <ul style="list-style-type: none"> ○ Support – Nil ○ Object – Nil ○ On behalf of the applicant – Adam Byrnes
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing meeting on 26 May 2016
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report