

DATE OF DETERMINATION	18 November 2016
PANEL MEMBERS	Mary-Lynne Taylor (Chair), Paul Mitchell, Bruce McDonald, David White and Michael Smart
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Electronic meeting from 16 November 2016 to 18 November 2016.

MATTER DETERMINED

2016SYW148 – DA818/2016, Hornsby Shire Council, Removal and relocation of demountable buildings, demolition of a building, refurbishment of classrooms, installation of a two storey demountable and erection of a two storey building for an educational establishment, Lots 1 & 2 DP 712372, Lot 11 & 12 773674, Nos. 28-60 Purchase Road, Cherrybrook

PANEL CONSIDERATION AND DECISION

The panel considered: the matters listed at item 6, the material listed at item 7 and listed at item 8 in Schedule 1.






The Panel unanimously approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

REASONS FOR THE DECISION

- The Panel has considered the request to vary the height standard contained in Hornsby LEP 2013 and considered the variation acceptable, in this case, as the proposed variation will not generate unacceptable environmental impacts and the proposal remains consistent with the objectives of the standard. Further, the variation responds to the sloping characteristic of the site so minimising excavation and preserving the natural topography.
- The proposal adequately satisfies all relevant State and local planning instrument and provisions and the development will provide a more effective education facility for the district.
- The proposal will have no unacceptable impacts on the environment including the amenity of nearby residences or the local ecology and is a suitable use of the site.

CONDITIONS

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

PANEL MEMBERS	
 Mary-Lynne Taylor (Chair)	 Paul Mitchell
 Bruce McDonald	 David White
 Michael Smart	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016SYW148 – DA818/2016, Hornsby Shire Council
2	PROPOSED DEVELOPMENT	Removal and relocation of demountable buildings, demolition of a building, refurbishment of classrooms, installation of a two storey demountable and erection of a two storey building for an educational establishment
3	STREET ADDRESS	Lots 1 & 2 DP 712372, Lot 11 & 12 773674, Nos. 28-60 Purchase Road, Cherrybrook
4	APPLICANT/OWNER	NSW Department of Education
5	TYPE OF REGIONAL DEVELOPMENT	Crown Development
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 (Infrastructure) 2007 State Environmental Planning Policy No. 44 – Koala Habitat State Environmental Planning Policy No. 55 – Remediation of Land Sydney Regional Environmental Plan - Sydney Regional Environmental Plan No. 20

		<ul style="list-style-type: none"> • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Hornsby Development Control Plan 2013 • Planning agreements: Hornsby Section 94A Contributions Plan 2012-2021 • Regulations: 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 <i>Environmental Planning and Assessment Act 1979</i> and 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 with recommended conditions, site plan, floor plans, elevations & sections, landscape plan and shadow diagrams. • Clause 4.6 variation request: Yes • Written submissions during public exhibition: None
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Electronic meeting – 16 November 2016 to 18 November 2016
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report