



DETERMINATION AND STATEMENT OF REASONS
SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	Wednesday 6 September 2017
PANEL MEMBERS	Sue Francis (Acting Chair), John Roseth, Julie Savet Ward, Michael Smart, David White
APOLOGIES	Deborah Dearing
DECLARATIONS OF INTEREST	None

Public meeting held at Christie Conference Centre, 100 Walker Street North Sydney on 6 September 2017, opened at 10:30 am and closed at 10:35am.

MATTER DETERMINED

2016SYW183 – Hornsby – DA1072/206 at 284 Castle Hill Road and 146-200 David Road Castle Hill (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 Panel considered the Clause 4.6 variation request to vary height and considered that it was well founded for the following reasons:






- The non-compliance of the building with the 8.5m building height limit is mainly due to the topography of the land which falls towards the east and north east;
- The proposed spire would be the same height as the existing Chapel spire;
- The proposed location of the proposed spire is similar to the existing spire's location and has been designed to address the main forecourt.
- The proposed spire has been architecturally designed to provide a contemporary version of the original structure;
- The proposed spire would not obstruct views from nearby buildings or public spaces;
- The proposed spire does not add to the floor space; and
- The proposal would not set a precedent.

The Panel considers that there are sufficient environmental planning grounds to vary the height non-compliance.

The proposal has merit and is a use that will not create any unacceptable amenity impacts.

Conditions

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

PANEL MEMBERS	
 Julie Savet Ward (Chair)	 Julie Savet Ward
 John Roseth	 David White
 Michael Smart	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016SYW183 – Hornsby – DA1072/2016
2	PROPOSED DEVELOPMENT	Demolition of an existing Chapel and hall and construction of a new Chapel and hall and associated landscaping works
3	STREET ADDRESS	284 Castle Hill Road and 146-200 David Road Castle Hill
4	APPLICANT/OWNER	Anglican Community Services C/- DFP Planning Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy No.44 – Koala Habitat State Environmental Planning Policy No.55 – Remediation of Land State Environmental Planning Policy No.20 – Hawkesbury-Nepean River State Environmental Planning Policy (Housing for Seniors or People with a Disability) Hornsby Local Environmental Plan 2013 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Hornsby Development Control Plan 2013 Hornsby Shire Council Section 94A Development Contribution Plan 2014-2024 Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil Coastal zone management plan: 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: 6 September 2017 Written submissions during public exhibition: 1 Verbal submissions at the public meeting: David Kettle
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing meeting: 8 March 2017, 14 June 2017 Final briefing meeting to discuss council's recommendation, 6 September 2017 at 10:00am. Attendees: <ul style="list-style-type: none"> <u>Panel members</u>: Sue Francis (Acting Chair), John Roseth, Julie Savet Ward, David White <u>Council assessment staff</u>: Caroline Maeshian, Rodney Pickles
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report