

<b>DATE OF DETERMINATION</b>	Wednesday, 4 April 2018
<b>PANEL MEMBERS</b>	Mary-Lynne Taylor (Chair), Lindsay Fletcher, Stuart McDonald and Sameer Pandey
<b>APOLOGIES</b>	Paul Mitchell and Steven Issa
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held at Rydalmere Operations Centre on Wednesday, 4 April 2018, opened at 2:10 pm and closed at 4:15 pm.

#### **MATTER DETERMINED**

2017SWC104 – City of Parramatta – DA/754/2017 AT 27-33 Pembroke Street, EPPING (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 Clause 4.6 variation request to vary the height standard and approve the development application as described in Schedule 1 pursuant to section 4.16 (previously section 80) of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

#### **REASONS FOR THE DECISION**

Reasons for Panel decision to approve the Clause 4.6 variation request:

The Panel has considered the applicant's request to vary the development standard contained in Clause 4.3 Height of Buildings of Hornsby Local Environmental Plan 2013 and considers that:

- the applicant's submission adequately addresses the matters required under Clause 4.6;
- the development remains consistent with the objectives of the standard and the objectives of the zone;
- there are sufficient environmental planning grounds to justify the variation; and
- compliance with the standard is unreasonable and unnecessary in the circumstances of this case as the proposed variation is acceptable from a streetscape perspective, will not generate unacceptable impacts on adjoining or nearby properties and will not result in development inconsistent in form and scale with that planned for the locality.

For the above reasons, the Panel is satisfied that the variation from the Hornsby Local Environmental Plan 2013 development standard is in the public interest.

Reasons for Panel decision to approve the development application:




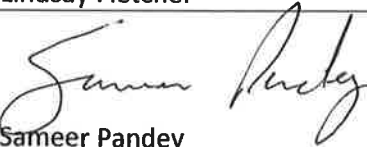
1. The provision of upgraded and expanded school facilities will have beneficial social effects for the community generally and particularly the Epping community
2. The site is considered suitable for the proposed use.
3. The proposed development adequately satisfies the relevant State Environmental Planning Policies and the applicable objectives and provisions of the Hornsby Local Environmental Plan 2013, noting that the height variation is considered acceptable.
4. The proposed development, subject to the conditions imposed, will have no unacceptable adverse impacts on the natural or built environments, including amenity of adjacent and nearby residential premises or the operation of the local road system.

5. In consideration of conclusions 1-4 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 was approved subject to the conditions in the Council Assessment Report with the following amendments:

- Condition to be added to require the payment of s94A contributions for drainage, as calculated in the Council Assessment Report.

PANEL MEMBERS	
 Mary-Lynne Taylor (Chair)	 Lindsay Fletcher
 Stuart McDonald	 Sameer Pandey

### SCHEDULE 1

<b>1</b>	<b>PANEL REF – LGA – DA NO.</b>	2017SWC104 – City of Parramatta – DA/754/2017
<b>2</b>	<b>PROPOSED DEVELOPMENT</b>	Demolition of three buildings on site; removal of 8 trees, removal of one portable building; construction of a three storey building comprising an educational establishment with a library, learning rooms and amenities, alterations and change of use of rooms within existing building A. The proposed numbers of students will be increased to 736 (from 414)
<b>3</b>	<b>STREET ADDRESS</b>	27-33 Pembroke Street, EPPING
<b>4</b>	<b>APPLICANT OWNER</b>	TSA Management – Ian Guthrie NSW Department of Education
<b>5</b>	<b>TYPE OF REGIONAL DEVELOPMENT</b>	Crown development over \$5 million
<b>6</b>	<b>RELEVANT MANDATORY CONSIDERATIONS</b>	<ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017</li> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ State Environmental Planning Policy No 55 – Remediation of Land</li> <li>○ State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017</li> <li>○ State Environmental Planning Policy (State and Regional Development) 2011</li> <li>○ Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP)</li> <li>○ Hornsby Local Environmental Plan 2013</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Does not apply</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</li> <li>• Coastal zone management plan: Nil</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>• The suitability of the site for the development</li> <li>• Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul>
<b>7</b>	<b>MATERIAL CONSIDERED BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Council assessment report: 1 March 2018</li> <li>• Written submissions during public exhibition: five (5)</li> <li>• Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>○ Object – Margaret McCartney on behalf of Save Epping's Forest Parks</li> <li>○ On behalf of the applicant – Brad Delapierre, Michael Abbott and Ian Guthrie</li> </ul> </li> </ul>
<b>8</b>	<b>MEETINGS AND SITE INSPECTIONS BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Site inspection on 4 April 2018</li> <li>• Final briefing meeting to discuss council's recommendation, Wednesday, 4 April 2018, 1:20 pm. Attendees: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Mary-Lynne Taylor (Chair), Lindsay Fletcher, Stuart McDonald and Sameer Pandey</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>○ <u>Council assessment staff:</u> Johnathan Cleary, Anthony Blood, Alex McDougall, Wendy Wang, Liam Frayne, Ché Wall, Nabil Alaeddine, Steve Chong and Myfanwy McNally</li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Approval
10	<b>DRAFT CONDITIONS</b>	Attached to the council assessment report