

DATE OF DETERMINATION	Wednesday 10 April 2019
PANEL MEMBERS	Peter Debnam (Chair), Sue Francis, John Roseth, Felicity Findlay, David White
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held at Christie Conference Centre, 100 Walker Street North Sydney on 10 April 2019, opened at 12pm and closed at 12.42pm.

MATTER DETERMINED

2018SNH031 – Hornsby – DA227/2017/A at 18 Waitara Avenue Waitara for modifications to an approved application (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 briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

The Panel determined to approve the development application pursuant to section 4.55 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel unanimously approved the application for the following reasons:

1. The amended application is substantially the same as the original proposal.
2. The moving of the emergency access to Waitara Avenue reduces the impact on nearby residents.
3. The communal open space is moved to an improved location in the north-east of the site.
4. On balance, the shadow impact remains the same. Adjoining development will maintain at least 2 hours of solar access at mid-winter.
5. The additional 800mm height to the main roof will have no material impact to adjoining properties.






CONDITIONS

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

- New condition 4c) to read as follows:
The height of the building is restricted to a maximum of 12 storeys above the top of the basements.

CONSIDERATION OF COMMUNITY VIEWS

There were two written submissions to the application, both of them in support. There were no objectors at the public meeting.

PANEL MEMBERS	
 Peter Debnam (Chair)	 John Roseth
 Sue Francis	 Felicity Findlay
 David White	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SNH031 – Hornsby – DA227/2017/A
2	PROPOSED DEVELOPMENT	Section 4.55(2) Application to modify the approved concept development for seniors housing by altering the building envelope.
3	STREET ADDRESS	18 Waitara Avenue Waitara
4	APPLICANT/OWNER	Applicant: EPM Projects Pty Ltd Owner: The Vasey Housing Association NSW
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(2) Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy No. 55 – Remediation of Land State Environmental Planning Policy (Housing or Seniors and People with a Disability) 2004 State Environmental Planning Policy No.65 – Design Quality of Residential Flat Building Sydney Regional Environmental Plan No. 20 – Hawkesbury Nepean (No.2 -1997) (Deemed SEPP) Hornsby Local Environmental Plan 2013 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Hornsby Development Control Plan YYYY Hornsby Shire Council Section 94 Contributions 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: 27 March 2019 Written submissions during public exhibition: 2 Verbal submissions at the public meeting: <ul style="list-style-type: none"> On behalf of the applicant – Dan Brindle, Julian Venning, Graham Hooper, Ryan Mooney
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY	<ul style="list-style-type: none"> Briefing: 12 September 2018 Final briefing to discuss council's recommendation, 10 April 2019 at 11.30am. Attendees: <ul style="list-style-type: none"> Panel members: Peter Debnam (Chair), Sue Francis, John Roseth, Felicity Findlay, David White Council assessment staff: Caroline Maeshian, Rodney Pickles
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report