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| DATE OF DEFERRAL | Tuesday 11 February 2020 |
| PANEL MEMBERS | Peter Debnam (Chair), Brian Kirk, Sue Francis, David White, Ross Walker (OAM) |
| APOLOGIES | Julie Savet Ward |
| DECLARATIONS OF INTEREST | None |

Public meeting held at Hornsby Shire Council, 296 Peats Ferry Road Hornsby, on 11 February 2020, opened at 12.38pm and closed at 2.40pm.

MATTER DEFERRED

2018SNH033 – Hornsby – DA235/2018 at 461-473 Pacific Highway Asquith – Seniors Living Development (as described in Schedule 1)

REASONS FOR DEFERRAL

The Panel considers that the application before it is an overdevelopment of the site by virtue of excessive Gross Floor Area (GFA), building footprint, loss of significant trees, poor and unresolved access and parking, a lack of transition from the higher density zone to the south and the 'townhouse' zone to the north.

Further, the Panel is not in a position to approve the application in the absence of cl 4.6 variation requests in respect of height, cl 26 (accessibility) and the development standards contained in Schedule 3.

The Panel read submissions received and also heard from a community representative who raised similar issues identified by the council and the Panel.


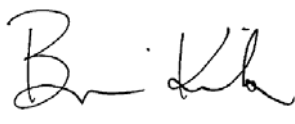



Having discussed the matter with Council staff and the applicant, the Panel agreed to defer the determination of the matter to resolve the number of unacceptable planning and design issues, including:

- Compliance with or provision of written request to vary, all relevant development standards in both the Seniors State Environmental Planning Policy and Hornsby Local Planning Plan;
- Site landscaping including the retention of as many indigenous trees as possible, including avoiding encroachment into the TPZs for the trees to be retained, on both the site and those on adjoining council land;
- Basement design, size and parking configuration and parking numbers;
- Staff numbers (full time equivalent) and carparking need / demand;
- Vehicular access and Roads and Maritime concurrence;
- Accessibility both within the site and external to services and facilities;
- Assessment of site hydraulics and stormwater drainage and required easements alongside their impact on trees both on site and on council land
- Assessment of the hydrology of the site and its effect on adjoining public land;
- Setbacks to be increased (particularly front set back)
- Scale of development should transition in context with adjoining development to the north and to the south
- Confirmation and evidence of Social Housing Provider status.

The applicant should endeavour to provide amended plans and further documentation to council addressing the above issues within 2 months of the date of this decision. When this information has been

received, and council has assessed the information, the Panel will hold another public determination meeting.

The decision to defer the matter was unanimous. The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

| PANEL MEMBERS | |
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|  Peter Debnam (Chair) |  Brian Kirk |
|  Sue Francis |  Ross Walker (OAM) |
|  David White | |

| SCHEDULE 1 | | |
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| 1 | PANEL REF – LGA – DA NO. | 2018SNH033 – Hornsby – DA235/2018 |
| 2 | PROPOSED DEVELOPMENT | Demolition of existing dwellings and structures, construction of a 3 storey residential aged care facility comprising 100 beds and 3 storey residential building containing 13 independent living units with basement car parking. |
| 3 | STREET ADDRESS | Nos. 461-473 Pacific Highway Asquith |
| 4 | APPLICANT/OWNER | Chinese Australian Services Society Ltd c/o Urbis Pty Ltd |
| 5 | TYPE OF REGIONAL DEVELOPMENT | General development over \$30 million |
| 6 | RELEVANT MANDATORY CONSIDERATIONS | <ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004 ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ○ State Environmental Planning Policy No. 55 – Remediation of Land ○ State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development ○ Sydney Regional Environmental Plan No. 20 – Hawkesbury Nepean River ○ Hornsby Local Environmental Plan 2013 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Hornsby Development Control Plan 2013 • 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: 29 January 2020 • Conditions without prejudice: 7 February 2020 • Applicant submission: 7 February 2020 • Written submissions during public exhibition: 15 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ In objection – Jan Primrose ○ Council assessment officer – Rodney Pickles, Stephen Dobbs ○ On behalf of the applicant – Dorothy Hung, Jacqui Parker |
| 8 | MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL | <ul style="list-style-type: none"> • Site inspection: 11 February 2020 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Peter Debnam (Chair), Brian Kirk, Sue Francis, David White, Ross Walker ○ <u>Council assessment staff</u>: Stephen Dobbs • Final briefing to discuss council's recommendation, 11 February 2020, 11am. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Peter Debnam (Chair), Brian Kirk, Sue Francis, David White, Ross Walker ○ <u>Council assessment staff</u>: Stephen Dobbs |

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| 9 | COUNCIL RECOMMENDATION | Refusal |
| 10 | DRAFT CONDITIONS | Attached to the council assessment report |