

DATE OF DETERMINATION	Wednesday 13 March 2019
PANEL MEMBERS	Peter Debnam (Chair), John Roseth, Julie Savet Ward, Ross Walker, David White
APOLOGIES	None
DECLARATIONS OF INTEREST	Sue Francis declared a non-pecuniary conflict as her firm prepared the Statement of Environmental Effects for the application.

Public meeting held at Christie Conference Centre, 100 Walker Street North Sydney on 13 March 2019, opened at 1.35pm and closed at 2.15pm.

MATTER DETERMINED

2018SNH057 – Hornsby – DA1613/2015/C at 9 Jasmine Road Normanhurst (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(2) of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel approved the modifications for the following reasons:

1. The amended proposal is substantially the same as the original.
2. The increase in the number of independent units and the decrease in respite care beds as well as the relocation of the café are minor changes and have no material impact on the surroundings.
3. The development, as amended, meets the desired outcomes of the applicable planning controls.

CONDITIONS






The development application was approved subject to the conditions in the Council Assessment Report with the following amendments:

- New condition 4(e) is added: "To comply with council's Street Tree Strategy, street trees are to be provided along Frith Avenue and Pennant Hills Road. Details are to be provided in an amended landscape plan."
-
- Condition 4(e) becomes 4(f).

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition and heard from one objector who addressed the Panel and whose main concern related to the process of notification. The concern was largely a result of misunderstanding and was clarified during the meeting.

The Panel considers that concerns raised by the community have been adequately addressed in the assessment report and the conditions of consent.

PANEL MEMBERS	
 Peter Debnam (Chair)	 John Roseth
 Julie Savet Ward	 David White
 Ross Walker	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SNH057 – Hornsby – DA1613/2015/C
2	PROPOSED DEVELOPMENT	Section 4.55(2) Modification Staged Seniors Living Development.
3	STREET ADDRESS	Lot 1 DP 1242746, No. 9 Jasmine Road, Normanhurst (formally known as 40-50 Pennant Hills Road and 1-17 Frith Avenue Normanhurst)
4	APPLICANT/OWNER	The Uniting Church In Australia Property Trust
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 Infrastructure ○ State Environmental Planning Policy Housing for Seniors or People with a Disability ○ State Environmental Planning Policy No.65 Design Quality of Apartment Development ○ State Environmental Planning Policy BASIX ○ Sydney Regional Environmental Plan No.20 Hawkesbury Nepean River (Deemed SEPP) ○ Hornsby Local Environmental Plan • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Hornsby Development Control Plan • 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: 26 February 2019 • Written submissions during public exhibition: 4 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ In objection – William Blunt ○ Council assessment officer – Rodney Pickles ○ On behalf of the applicant – Mel Krzus, Adrian Ciano
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Final briefing to discuss council's recommendation, 13 March 2019 at 1pm. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Peter Debnam (Chair), John Roseth, Julie Savet Ward, Ross Walker, David White ○ <u>Council assessment staff</u>: Stephen Dobbs, Rodney Pickles
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report