

DETERMINATION AND STATEMENT OF REASONS

SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	08 September 2021
PANEL MEMBERS	Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Ross Walker and David White
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 27 August 2021.

MATTER DETERMINED

PPSSNH-215 – Hornsby - DA/850/2011/B, Lot 22 DP 851940 Nos. 330-334 Galston Road, Galston, Modification to an existing approved Seniors Living development resulting in a development consisting of 88 independent living units, comprising 40 single storey villas and 48 apartments over basement car parking (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.

Development Application

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

The decision was unanimous.

REASONS FOR THE DECISION

The Panel considered Council's Assessment Reports, was briefed by Council and the Applicant and approved the modification for the reasons set out below and in Council's Assessment Reports.

The Panel concurs with Council that the proposed modification is substantially the same as the original approved development.

The proposed modification generally complies with the requirements of the relevant environmental planning instruments and the Hornsby Development Control Plan 2013.

The proposed modification does not create unreasonable environmental impacts to adjoining development with regard to visual bulk, traffic, overshadowing, solar access, amenity or privacy and generally reduces the impacts when compared to the original approved development.





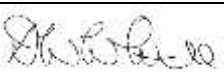
The development generally meets the desired outcomes of Council's planning controls and is satisfactory having regard to the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

CONDITIONS

The Modification Application was approved subject to the modified conditions in the Assessment Report with further amendment to the proposed Conditions 33(d) and (f) and Condition 56 in Council's Supplementary Report dated 2 September 2021.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered 4 written submissions made during public exhibition. Issues of concern included: Access to Nancy Place; Activation of Original Consent; Setbacks; Traffic; Sewerage; Rural Character; and Notification. The Panel considers community concerns were adequately addressed in the Assessment Reports.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Julie Savet Ward
 Brian Kirk	 Ross Walker
 David White	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSNH-215 – Hornsby - DA/850/2011/B
2	PROPOSED DEVELOPMENT	Modification to an existing approved Seniors Living development resulting in a development consisting of 88 independent living units, comprising 40 single storey villas and 48 apartments over basement car parking
3	STREET ADDRESS	Lot 22 DP 851940 Nos. 330-334 Galston Road, Galston
4	APPLICANT/OWNER	Applicant - Planik Pty Ltd Owner - Galston Land Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Modification 4.55(2)
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 or People with a Disability) 2004 (SEPP) 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 (Vegetation in Non-Rural Areas) 2017 Sydney Regional Environmental Plan No. 20 Hawkesbury-Nepean River (No. 2 - 1997) State Environmental Planning Policy (State and Regional Development) 2011 Hornsby Local Environmental Plan 2013 Draft environmental planning instruments: Nil

		<ul style="list-style-type: none"> ○ Draft Remediation of Land State Environmental Planning Policy • 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: 27 August 2021 • Council supplementary report: 2 September 2021 • Written submissions during public exhibition: 4 (two in support and two raising concerns) •
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Final briefing to discuss council's recommendation: 8 September 2021 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Ross Walker and David White ○ <u>Council assessment staff</u>: Cassandra Williams and Matthew Miles ○ <u>Applicant Representatives</u>: Nicole Lennon, Graham Hobbs, Jason Sack and Gail Eyres.
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report