

## DETERMINATION AND STATEMENT OF REASONS

### SYDNEY NORTH PLANNING PANEL

<b>DATE OF DETERMINATION</b>	13 March 2025
<b>DATE OF PANEL DECISION</b>	12 March 2025
<b>PANEL MEMBERS</b>	Peter Debnam (Chair), Sue Weatherley, Mark McCrindle
<b>APOLOGIES</b>	Nicole Gurran
<b>DECLARATIONS OF INTEREST</b>	Brian Kirk declared a conflict of Interest as a relative is an owner in the complex.

Papers circulated electronically on 5 March 2025.

#### MATTER DETERMINED

PSSNH-547 – Hornsby – DA/1024/2021/B at 284 Castle Hill Road, Castle Hill, 411-415 Old Northern Road, Castle Hill & 417-419 Old Northern Road, Castle Hill – Section 4.55(2) application to modify an approved Seniors housing development by constructing a temporary road, modifying external facades, adding solar panels and staging the construction works. (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 listed at item 8 in Schedule 1.

#### Application for modification of consent

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 determined to approve the application for the reasons below and in Council's Assessment Report.

The Panel notes key issues were resolved satisfactorily through amendments to the proposal and/or in the recommended draft conditions.

The Panel agrees the application has been properly assessed in accordance with relevant planning controls and is consistent with the objectives of the DCP as well as the aims and zone objectives of the LEP.

The Panel also concurs with Council that the modified development is substantially the same as the approved development and the modifications do not materially impact the amenity of surrounding properties, the approves design nor do they impact the natural environment.

The amended seniors housing development is considered to appropriately respond to its context and setting and represents a development that is appropriate for the constraints of the site and the surrounding built environment




The Panel believes the modified proposal is in the community interest as it would create modern seniors housing stock to cater for market demand in a manner that has minimal impacts on the surrounding building environment, including onsite residential living units.

**CONDITIONS**

The Development Application was approved subject to the conditions in the Council's Assessment Report.

**CONSIDERATION OF COMMUNITY VIEWS**

In coming to its decision, the Panel notes that no written submissions were made during public exhibition and therefore no issues of concern were raised.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Sue Weatherley
 Mark McCrindle	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSNH-547 – Hornsby – DA/1024/2021/B
2	PROPOSED DEVELOPMENT	<p>Section 4.55(2) modification to:</p> <ul style="list-style-type: none"> <li>• Enable staging of construction in five stages.</li> <li>• The construction of a temporary road for construction purposes.</li> <li>• Slightly modify the alignment of the Stage 1 drainage lines.</li> <li>• Slightly modify the external facades of several approved buildings to provide for louvred vents</li> <li>• Mechanical ventilation to the residential apartments; and</li> <li>• Modify the architectural drawings to show the modified extent of rooftop photovoltaic panels.</li> </ul>
3	STREET ADDRESS	284 Castle Hill Road, Castle Hill, 411-415 Old Northern Road, Castle Hill & 417-419 Old Northern Road, Castle Hill
4	APPLICANT OWNER	Timothy Li - Anglican Community Services Anglican Community Services
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(2) Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy No. 55 Remediation of Land</li> <li>○ State Environmental Planning Policy (State and Regional Development) 2011</li> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ State Environmental Planning Policy No. 65 Design Quality of Residential Apartment Building</li> <li>○ State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</li> <li>○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> <li>○ State Environmental Planning Policy (Vegetation in Nonrural Areas) 2017</li> <li>○ Hornby 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>○ Hornsby Development Control Plan 2024</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i></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>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Council Assessment Report: 26 February 2025</li> <li>• Written submissions during public exhibition: 0</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Final briefing to discuss council's recommendation: 12 March 2025 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Peter Debnam (Chair), Brian Kirk, Sue Weatherley, Mark McCrindle</li> <li>○ <u>Council assessment staff</u>: Katrina Maxwell</li> <li>○ <u>Department staff</u>: Nikita Lange, Jade Buckman</li> </ul> </li> </ul>

9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report.