

# **MINUTES OF LOCAL PLANNING PANEL MEETING**

Held at COUNCIL CHAMBERS, HORNSBY

on Wednesday 27 June 2018

at 6:30pm



## **PRESENT**

Chairperson - Garry Fielding

Expert Panel Member – Lynda McClure

Expert Panel Member – Juliet Grant

Community Member – Barbra Wynn (Item 4)

Community Member - Jerome Cox (Items 2 and 3)

## **STAFF PRESENT**

Group Manager, Planning Division - James Farrington

Manager Development Assessments – Rod Pickles

Team Coordinator – Phil Vergison

Senior Town Planner – Matthew Miles

Town Planner – Ben Jones

Town Planner – Tomasz Mojsiejuk

*The Meeting commenced at 6.30pm.*

## **AUDIO RECORDING OF LOCAL PLANNING PANEL MEETING**

Statement by the Chairman:

*"I advise all present that tonight's meeting is being audio recorded for the purposes of providing a record of public comment at the meeting, supporting the democratic process, broadening knowledge and participation in community affairs, and demonstrating Council's commitment to openness and accountability. The recordings of the non-confidential parts of the meeting will be made available on Council's website once the Minutes have been finalised. All speakers are requested to ensure their comments are relevant to the issue at hand and to refrain from making personal comments or criticisms. No other persons are permitted to record the meeting, unless specifically authorised by Council to do so."*

## **DECLARATIONS OF PECUNIARY INTEREST**

There were no declarations of Pecuniary Interest.

## **ADDRESSES TO THE PANEL**

The following members of the public addressed the Panel on items on the agenda:

### **LPP12/18 Development Application - Demolition of a Dwelling and Construction of a 60 place Child Care Centre with Basement Car Parking - 2A Berowra Road, Mount Colah**

Damian Finn - Against

Jan Primrose – Against

Wayne Gersbach (Planner) - For

**LPP18/18 Demolition of existing structures and erection of a 5 storey residential flat building comprising 38 units with a rooftop terrace and basement car park - 21 - 27 Station Street, Thornleigh**

Kathryn Gregson - Against

Jan Primrose – Against

Aleks Jelacic (Architect/urban design) – For

**LPP21/18 Further Report - Alterations and Additions to a Dwelling House - 7 Koorringal Avenue, Thornleigh**

Elizabeth Corderoy - Against

Jan Primrose – Against

Nick Blackwell (Applicant) - For

**LPP22/18 Further Report - Alterations and Additions to a Dwelling House - 7 Koorringal Avenue, Thornleigh**

Bruce Carter - Against

Jan Primrose – Against

Tony Wang - For

**IN ACCORDANCE WITH CLAUSE 3.3(5.b) OF SCHEDULE 1 OF THE OPERATIONAL PROCEDURES DIRECTIONS ISSUED 23 FEBRUARY 2018.**

The Panel Chair closed the public meeting at 7:38pm for deliberation, voting and determination.

## LOCAL PLANNING PANEL

- 1 LPP12/18 Development Application - Demolition of a Dwelling and Construction of a 60 place Child Care Centre with Basement Car Parking - 2A Berowra Road, Mount Colah**

**(DA/712/2017)**

### RECOMMENDATION

THAT Development Application No. DA/712/2017 for demolition of an existing dwelling and construction of a purpose built 56 place child care centre with basement car parking at Lot 11 DP 551828, No.2A Berowra Road, Mount Colah be approved as detailed in Schedule 1 of LPP Report No. LPP12/18.

### PANEL'S DETERMINATION

Recommendation adopted, subject to amended conditions set out below.

- Condition 2. b) i) – the upper floor window in the eastern elevation comprise obscure glazing.

The reasons for the Panel's determination are:

- The proposed development generally complies with the requirements of the relevant environmental planning instruments and development control plan.
- The proposed development would provide a positive social contribution to the local community by providing additional child care options.
- The applicant has amended the proposal from that originally submitted to address issues relating to acoustics, landscaping and design to provide a better outcome for adjoining developments and the functioning of the site.

### VOTING OF THE PANEL MEMBERS

FOR: Garry Fielding, Juliet Grant, Lynda McClure.

AGAINST: NIL

- 2 LPP18/18 Demolition of existing structures and erection of a 5 storey residential flat building comprising 38 units with a rooftop terrace and basement car park - 21 - 27 Station Street, Thornleigh**

**(DA/147/2018)**

### RECOMMENDATION

THAT the Hornsby Shire Council Local Planning Panel assume the concurrence of the Secretary of the Department of Planning and Environment pursuant to Clause 4.6 of the *Hornsby Local Environmental Plan 2013* and approve Development Application No. DA/147/2018 for demolition of existing structures and erection of a 5 storey residential flat building comprising 38 units with a rooftop garden and basement car park at Lots 28 and 29 Sec 3 DP 1854 and Lots 300 and 301 DP 1193643, Nos. 21–27 Station Street, Thornleigh subject to the conditions of consent detailed in Schedule 1 of LPP Report No. LPP18/18.

## PANEL'S DETERMINATION

Recommendation adopted, subject to amended conditions set out below.

- Plans to be amended to include a larger window to bedroom 2 for Units 4, 11, 20 and 29 to improve cross ventilation within the units. The window for Unit 4 shall be a highlight window.
- The planter box for the roof top terrace be extended along the eastern side of the terrace with a minimum width of 1.5 metres.

The reasons for the Panel's determination are:

- The proposal results in an appropriate scale of development and satisfactorily complies with the relevant provisions *SEPP65* and the *HDCP*.
- The request under Clause 4.6 of *Hornsby Local Environmental Plan 2013* to vary to the maximum building height is well founded. Strict compliance with the development standard is unreasonable and unnecessary in the circumstances of the case and there are sufficient environmental planning grounds to justify the variation to the development standard.
- The proposed development does not create unreasonable environmental impacts to adjoining development with regard to visual bulk, overshadowing, solar access, amenity or privacy.

## VOTING OF THE PANEL MEMBERS

FOR: Garry Fielding, Juliet Grant, Lynda McClure, Jerome Cox.

AGAINST: NIL

### **3 LPP21/18 Further Report - Alterations and Additions to a Dwelling House - 7 Koorungal Avenue, Thornleigh**

**(DA/1124/2017)**

## RECOMMENDATION

THAT the Hornsby Shire Local Planning Panel assume the concurrence of the Secretary of the Department of Planning and Environment pursuant to Clause 4.6 of the *Hornsby Local Environmental Plan 2013* and approve Development Application No. DA/1124/2017 for alterations and additions at Lot 61, DP 213986, No.7 Koorungal Avenue Thornleigh, subject to the conditions of consent detailed in Schedule 1 of Local Planning Panel Report No. LPP21/18.

## PANEL'S DETERMINATION

Recommendation adopted.

The reasons for the Panel's determination are:

- The request under Clause 4.6 of *Hornsby Local Environmental Plan 2013* to vary the maximum building height is well founded. Strict compliance with the development standard is unreasonable and unnecessary in the circumstances of the case and there are sufficient environmental planning grounds to justify the variation to the development standard.
- The proposed development does not create unreasonable environmental impacts to adjoining development with regard to visual bulk, overshadowing, solar access, amenity, privacy impacts or natural environment.

## VOTING OF THE PANEL MEMBERS

FOR: Garry Fielding, Juliet Grant, Lynda McClure, Jerome Cox.

AGAINST: NIL

### 4 LPP22/18 Dwelling House - No. 17 Cannan Close, Cherrybrook

(DA/1312/2017)

## RECOMMENDATION

THAT Development Application No. DA/1312/2017 for the construction of a two storey dwelling house at Lot 2 DP 1230664, No. 17 Cannan Close Cherrybrook be approved subject to the conditions of consent detailed in Schedule 1 of LPP Report No. LPP22/18.

## PANEL'S DETERMINATION

Recommendation adopted, subject to amended conditions set out below.

- The sill height of the upper floor bedroom 1 window in the western elevation shall have a minimum sill height of 1.5 metres and may consist of clear glazing.
- The finial roof features shall be installed on each of the 3 gables on the front elevation prior to the issue of the occupation certificate.
- Condition 27 be amended to require replacement planting of 4 trees, with 2 of the trees to be planted in the road reserve in the front of the development site comprising species consistent with other street tree species and 2 evergreen trees be planted in the rear setback of the development site.
- The erosion/analysis plan shall be amended to relocate the site bin and stock pile area a minimum of 5 metres from the western boundary and the consent be conditioned accordingly.

The reasons for the Panel's determination are:

- The proposed development generally complies with the requirements of the relevant environmental planning instruments, the *Hornsby Development Control Plan* and the covenant applying to the site.

## VOTING OF THE PANEL MEMBERS


FOR: Garry Fielding, Juliet Grant, Lynda McClure, Barbra Wynn.

AGAINST: NIL

## PANEL'S PUBLIC ANNOUNCEMENT OF DECISIONS

The Panel returned to the Council Chamber at 8:51pm where the Chair announced the Panel's decisions regarding the development applications.

The Panel's meeting concluded at 9:05pm



CHAIR