

MINUTES OF LOCAL PLANNING PANEL MEETING

Held at COUNCIL CHAMBERS, HORNSBY
on Wednesday, 28 November 2018

at 6:30pm



PRESENT

Chairperson – Garry Fielding

Expert Panel Member – Linda McClure

Expert Panel Member – Steven Layman

Community Member – Barbra Wynn (Item 1)

Community Member – Brian Scarsbrick (Item 3)

Staff Present

Group Manager, Planning – James Farrington

Manager, Development Assessments – Rod Pickles

Senior Town Planner – Gary Mahony

Acting Senior Town Planner – Stephen Dobbs

Consultant Town Planner – Neil Kennan (Item 3)

The Meeting commenced at 6.30pm.

RECORDING OF LOCAL PLANNING PANEL MEETING

Statement by the Chairperson:

"I advise all present that tonight's meeting is being video streamed live via Council's website and also 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 audio and video 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."

APOLOGIES

Community Member - Jerome Cox (Item 2)

DECLARATIONS OF INTEREST

NIL

ADDRESSES TO THE PANEL

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

- 1 LPP34/18 Seniors Living Development Comprising 16 Independent Units - Nos 95-97 Copeland Road and No. 14 Hull Road, Beecroft**

Gareth Kindler	Against
Ray Tseng	Against
Ross Walker	Against
Jan Primrose	Against
Cynthia Kardell	Against
Coralie McCullagh	Against
Ian Glendinning	For
Melanie Howden	For

2 LPP38/18 FURTHER REPORT - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE AND CHANGE OF USE TO A 28 PLACE CHILDCARE CENTRE - 34 MALSBURY ROAD, NORMANHURST

Gerard Brandson	Against
Jan Primrose	Against
Stuart Wilmot	Against
Ron Marks	Against
Yilu Lu	For
Chenliang Gu	For

3 LPP39/18 DA/655/2018 - Construction of a Telecommunications Facility - 127x Arcadia Road, Arcadia

Christine Kristensen	Against
William John Dick	Against
Jan Primrose	Against
Rolfe Chrystal	Against
Thomas Lovell	For
Ken Hargraves	For
Doug Cohen	For
Sue Hargraves on behalf of Caroline Donnelly	For
Matt Evans	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 8:30pm for deliberation, voting and determination.

GENERAL BUSINESS

LOCAL PLANNING PANEL

1 LPP34/18 Seniors Living Development Comprising 16 Independent Units - Nos 95-97 Copeland Road and No. 14 Hull Road, Beecroft

(DA/1277/2017)

OFFICERS RECOMMENDATION

THAT the 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/1277/2017 for demolition of one existing dwelling and associated structures, adaptive reuse of an existing dwelling and construction of a Seniors Living development comprising 16 self-contained dwellings with basement parking at Lot 5 DP 4898, Lot 6 DP 4898, Nos. 95-97 Copeland Road and No. 14 Hull Road, Beecroft subject to the conditions of consent detailed in Schedule 1 of Group Manager's Report No. LPP34/18.

PANEL'S CONSIDERATION AND DETERMINATION

The Panel considered the matters raised by the objectors at the meeting including loss of tree canopy, building height, privacy, amenity, heritage, over-development of the site, car parking and traffic safety.

The Panel resolved to defer consideration of the development application in its present form to enable the applicant to redesign the proposal, giving consideration to the following:

1. Maximising the preservation of trees on the site, especially trees No. 10, 11, 12, 14, 30, 31, and 34.
2. Reducing the bulk and scale of Building A, including a reduction in height to comply with the two storey maximum height development standard under SEPP Seniors Living.

VOTING OF THE PANEL MEMBERS

FOR: Garry Fielding, Linda McClure, Steven Layman, Barbra Wynn.

AGAINST: NIL

2 LPP38/18 Further Report - Alterations and Additions to a Dwelling House and Change of Use to a 28 Place Childcare Centre - 34 Malsbury Road, Normanhurst

(DA/526/2017)

OFFICERS RECOMMENDATION

THAT Development Application No. DA/526/2016 for alterations and additions to a dwelling house and change of use to a 28 place child care centre at Lot 2 DP 516775, No. 34 Malsbury Road, Normanhurst be approved pursuant to Section 4.16(3) of the *Environmental Planning and Assessment Act 1979* subject to the conditions of consent detailed in Schedule 1 of LPP Report No. LPP 38/18

PANEL'S CONSIDERATION AND DETERMINATION

The Panel considered the matters raised by the objectors at the meeting including traffic safety, noise, amenity, landscaping and impact on trees.

The Panel resolved to adopt the officers' recommendation and approve the proposed development for the reasons outlined below, subject to the additional condition in 1, below, and an amendments to Condition No. 6 as set out in 2, below:

1. Realign the northern end of car parking spaces P4, P5, P6, P7 to allow for an 800mm landscape strip along the southern boundary within the front setback area and relocate the pathway as shown in red on the approved plans.
2. Amend Condition No. 6 to include tree protection measures for Tree No. 10.

The reasons for the Panels determination are:

- The proposed development generally complies with the requirements of the relevant environmental planning instruments and the Hornsby Development Control Plan.
- The proposal is considered acceptable in regard to traffic safety with approval from the Local Traffic Committee for a road median and no stopping signs.
- The proposed development would provide a positive social contribution to the local community by providing additional child care facilities which is consistent with the objectives of the State Governments "A Metropolis of Three Cities – the Greater Sydney Region Plan" and "North District Plan".

VOTING OF THE PANEL MEMBERS

FOR: Garry Fielding, Linda McClure, Steven Layman.

AGAINST: NIL

**3 LPP39/18 DA/655/2018 - Construction of a Telecommunications Facility - 127x
Arcadia Road, Arcadia**

(DA/655/2018)

RECOMMENDATION BY CONSULTANT TOWN PLANNER

THAT Development Application No. DA/655/2018 for construction of a telecommunications tower, including associated antennas and equipment shelter at Lot 761 DP 1121447, No.127X Arcadia Road, Arcadia be approved subject to the conditions of consent detailed in Schedule 1 of LPP Report No.39/18.

PANEL'S CONSIDERATION AND DETERMINATION

The Panel considered the matters raised by the objectors at the meeting including visual impact, electromagnetic energy, bushfire and impact on trees. The Panel also noted the issues raised by speakers in support of the proposal including the need for improved internet services in the locality.

The Panel resolved to adopt the assessment report's recommendation and approve the proposed development for the reasons outlined below, subject to the following amendments:

1. Amendment to Condition No. 22 to require the planting of four 4 canopy trees.
2. Amendment to Condition No. 10(a) to extend the required fencing further to the south as marked on the plan in order to protect adjacent trees.

The reasons for the Panels determination are:

- The proposed development generally complies with the requirements of the relevant environmental planning instruments and the Hornsby Development Control Plan 2013.
- The proposal would result in some electromagnetic radiation, however, based on the information submitted, the EME exposure falls well within acceptable levels.
- The proposed facility is not considered to be visually intrusive in its setting adjacent to the existing Telstra, Energy Australia and Optus facilities, and the rural residential amenity would be largely retained.

VOTING OF THE PANEL MEMBERS

FOR: Garry Fielding, Linda McClure, Steven Layman, Brian Scarsbrick.

AGAINST: Nil

PANEL'S PUBLIC ANNOUNCEMENT OF DECISIONS

The Panel returned to the Council Chamber at 9:55pm where the Chair announced the Panel's decisions regarding the development applications.

The Panel's meeting concluded at 10:00pm



Chairperson