

MINUTES OF LOCAL PLANNING PANEL MEETING

Held at COUNCIL CHAMBERS, HORNSBY
on Wednesday 27 March 2019

at 6:30pm



PRESENT

Chairperson – Garry Fielding

Expert Panel Member – Linda McClure

Expert Panel Member – Juliet Grant

Community Member – Brian Scarsbrick

Community Member – Jerome Cox

Staff Present

Executive Manager – James Farrington

Manager, Development Assessments – Rod Pickles

Senior Town Planner – Caroline Maeshian

Senior Town Planner – Stephen Dobbs

Town Planner – Thomas Dales

The Meeting commenced at 6.30pm.

AUDIO 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 / leave of absence

Nil

Declarations of Interest

Nil

ADDRESSES TO THE PANEL

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

- 1 LPP4/19 Development Application - Construction of three buildings comprised of a total of 10 townhouses and 46 multi dwelling housing - 172-174B Sherbrook Road, Asquith**
Rhonda Aloisio - Against

Jan Primrose (On Behalf of Protecting Your Suburban Environment Inc.) - Against

Gary Schroder - Against

Trevor Schokman - Against

Adam Byrnes (Town Planner) - For

Johnny Dahar (Applicant) - For

2 LPP6/19 Development Application - Demolition of a dwelling house and construction of a two storey 72 place child care centre with basement car parking and associated landscaping

Lauren Radford - Against

David Williams - Against

Jan Primrose (On Behalf of Protecting Your Suburban Environment Inc.) - Against

3 LPP7/19 Development Application - The demolition of all existing structures, the construction of 2 x two storey boarding house buildings comprising a total of 8 rooms accommodating 15 lodgers, and the construction of a carport

Ian Bray - Against

Elizabeth Faux - Against

Josie El-Daher (Speaking on behalf of Mary Tavernese) - Against

Josie El-Daher (Speaking on behalf of Pasquale Tavernese) - Against

Zac Huang (Applicant) - 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 8:00pm for deliberation, voting and determination.

LOCAL PLANNING PANEL

- 1 **LPP4/19 Development Application - Construction of three buildings comprised of a total of 10 townhouses and 46 multi dwelling housing - 172-174B Sherbrook Road, Asquith**

(DA/1338/2016)

OFFICERS' RECOMMENDATION

THAT Development Application No. DA/1338/2016 for construction of three buildings comprised of a total of 10 townhouses and 46 multi-dwelling housing with basement car parking at Lots 1 and 3 DP 747423 and Lots 1, 2 and 3 DP 883943, Nos. 172, 172A, 174, 174A and 174B Sherbrook Road Asquith be refused for the reasons detailed in Schedule 1 of LPP Report No. LPP4/19.

PANEL'S CONSIDERATION AND DETERMINATION

The Panel considered the matters raised by the objectors at the meeting including bulk and scale, solar access, overshadowing, car parking, traffic, landscaping, loss of trees and non-compliances.

The Panel noted that there remains uncertainty as to whether the site has secured an appropriate drainage easement over the adjoining site.

The Panel resolved to adopt the officers' recommendation and refuse the proposed development for the following reasons:

1. The proposed development does not comply with the Height of Buildings development standard pursuant to Clause 4.3 of *Hornsby Local Environmental Plan 2013*. A Clause 4.6 variation request has not been submitted.
2. The proposed development is unsatisfactory in the following respects having regard to the provisions of Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*:
 - 2.1 The proposal has a bulk, form and scale which is unsatisfactory having regard to the desired future precinct character and does not demonstrate a high standard of architectural and urban design quality;
 - 2.2 The proposal is inadequately setback from neighbouring properties and has a compromised landscape setting;
 - 2.3 The proposal contains insufficient setbacks to allow deep soil planting whilst accommodating onsite detention, pathways, driveways etc. This will create adverse impacts on landscape character, privacy and amenity;
 - 2.4 The proposed dwellings do not achieve the required amenity in respect of solar access, privacy and circulation;
 - 2.5 The proposed development fails to comply with over 60% of the prescriptive requirements and the objectives within the HDCP which is the primary design guideline document applying to the proposal.

VOTING OF THE PANEL MEMBERS

FOR: Garry Fielding, Linda McClure, Juliet Grant, Brian Scarsbrick

AGAINST: Nil

- 2 LPP6/19 Development Application - Demolition of a dwelling house and construction of a two storey 72 place child care centre with basement car parking and associated landscaping**

(DA/653/2018)

OFFICERS' RECOMMENDATION

THAT Development Application No. DA/653/2018 for the demolition of a dwelling house and construction of a two storey 72 place child care centre with basement car parking and associated landscaping at Lot 141 DP 790351, No. 19 Old Berowra Road Hornsby be refused for the reasons detailed in Schedule 1 of LPP Report No. LPP6/19.

PANEL'S CONSIDERATION AND DETERMINATION

The Panel considered the matters raised by the objectors at the meeting including car parking, traffic, landscaping, loss of trees, location of the outdoor play areas and noise.

The Panel resolved to adopt the officers' recommendation and refuse consent to the proposed development.

VOTING OF THE PANEL MEMBERS

FOR: Garry Fielding, Linda McClure, Juliet Grant, Brian Scarsbrick

AGAINST: NIL

- 3 LPP7/19 Development Application - The demolition of all existing structures, the construction of 2 x two storey boarding house buildings comprising a total of 8 rooms accommodating 15 lodgers, and the construction of a carport**

(DA/933/2018)

OFFICERS' RECOMMENDATION

THAT Development Application No. DA/933/2018 for the demolition of all existing structures, the construction of 2 x two storey boarding house buildings comprising a total of 8 rooms accommodating 15 lodgers, and the construction of a carport structure at Lot 4 DP 101099, No. 4 Northcote Road Hornsby be approved subject to the conditions of consent detailed in Schedule 1 of LPP Report No. LPP7/19.

PANEL'S CONSIDERATION AND DETERMINATION

The Panel considered the matters raised by the objectors at the meeting including car parking, traffic, privacy, fencing, character of the area, noise and amenity, and compliance with SEPP (Affordable Rental Housing) 2009 and the BCA.

The Panel is satisfied that the proposal meets each of the standards for boarding houses under Clause 30 of SEPP (Affordable Rental Housing) 2009. Pursuant to Clause 30A of the SEPP, the Panel considers that the design of the development is compatible with character of the local area.

The Panel resolved to approve the proposed development as a deferred commencement consent subject to the additional conditions below:

Deferred Commencement

1. The plan of management dated 26 March 2019 be revised as follows:
 - a) The owner and or site manager be contactable between 7:00am to 10:00pm 7 days a week;
 - b) The owners or site managers details including contact number be permanently displayed at the front of the property and visible from the public road;
 - c) To clarify that any amendment to the Plan of Management would require the further approval of Council;
 - d) To clarify the kitchen area is to provide with a dining table and four chairs.
2. Submission of an amended landscape plan which addresses the following:
 - a) The bin storage area to be relocated within the drive-thru garage;
 - b) The bin area along the eastern side boundary be landscaped;
 - c) The pavers along the western side boundary be deleted and replaced with landscaping;
 - d) To provide a dense screen of evergreen trees and shrubs with a minimum growth height of 4-5 metres along the eastern and western side boundaries;
 - e) Provision of an outdoor clothes drying area.
3. Plans to be amended plans which address the following and submitted to Council for approval:
 - a) The bicycle and motorbike parking area be relocated adjoining the carport;
 - b) To relocate the disabled parking to carspace 1.
4. Condition No. 39 to be modified as follows:

An additional 300mm of lattice to be erected on top of the 1.8m high fence adjacent to the dwelling house at No.2 Northcote Road.
5. Condition No.50 to be modified as follows Boarding House Management

The use of the premises must at all times be managed in accordance with the Plan of Management as approved under this development consent.

VOTING OF THE PANEL MEMBERS

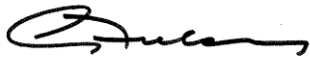
FOR: Garry Fielding, Linda McClure, Juliet Grant, Jerome Cox

AGAINST: NIL

PANEL'S PUBLIC ANNOUNCEMENT OF DECISIONS

The Panel returned to the Council Chamber at 9:35pm where the Chair announced the Panel's decisions regarding the development applications.

The Panel's meeting concluded at 9:50pm



Chairperson