

MINUTES OF LOCAL PLANNING PANEL MEETING

Held at COUNCIL CHAMBERS, HORNSBY
on Wednesday 25 March 2020
at 6:30PM



PRESENT

Chairperson - Garry Fielding

Expert Panel Member - Juliet Grant

Expert Panel Member - Linda McClure

Community Member - Brian Scarsbrick

Community Member - Jerome Cox

Community Member - Barbra Wynn

Staff Present

Director, Planning and Compliance - James Farrington

Manager, Development Assessments - Rod Pickles

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."

APOLOGIES / LEAVE OF ABSENCE

Nil

DECLARATIONS OF INTEREST

Nil

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

None

None

Ms Toni Reeves

Jan Primrose

Stuart and Trish Brown

Neil Turrell

Peter Robinson

The Panel Chair closed the public meeting at 7:16pm for deliberation, voting and determination.

LOCAL PLANNING PANEL

1 LPP4/20 Development Application - Torrens Title Subdivision of an Existing Multi-Unit Housing Development - 23 Westwood Street, Pennant Hills

(DA/1100/2019)

OFFICER'S 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/1100/2019 for Torrens title subdivision of an approved multi-unit housing development comprising two detached dwellings into two lots at Lot 3 DP 35906, No. 23 Westwood Street, Pennant Hills subject to the conditions of consent detailed in Schedule 1 of LPP Report No. LPP4/20.

PANEL'S CONSIDERATION AND DETERMINATION

The Panel considered the Clause 4.6 submission and is satisfied that the applicant's written request has adequately addressed the matters required to be demonstrated by clause 4.6(3) of HLEP 2013 and is satisfied that the proposed development will be in the public interest because it is consistent with the objectives of the minimum lot size standard and the objectives for development within the zone in which the development is proposed to be carried out.

The Panel resolved to adopt the assessment report recommendation and approve the proposed development, subject to the conditions contained in Schedule 1 of the report.

The reasons for this decision are:

- The proposal results in an appropriate scale of development and satisfactorily complies with the requirements of the relevant environmental planning instruments and the Hornsby Development Control Plan 2013 and is satisfied that the proposed development will be in the public interest because it is consistent with the objectives of the minimum lot size standard and the objectives for development within the zone in which the development is proposed to be carried out.
- The request under Clause 4.6 of the *Hornsby Local Environmental Plan 2013* to vary the minimum subdivision lot size development standard 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 impact.

VOTING OF THE PANEL MEMBERS

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

AGAINST: Nil

2 LPP5/20 Development Application - Hornsby Library Refurbishment - Hornsby Central Library, 28 - 44 George Street, Hornsby

(DA/1042/2019)

OFFICERS`S RECOMMENDATION

THAT Development Application No. DA/1042/2019 for the refurbishment and reconfiguration of the Hornsby Central Library including external façade improvements and signage at Lot 1 DP 795575 and Lot 1 DP 517285, No. 28-44 George Street, Hornsby be approved subject to the conditions of consent detailed in Schedule 1 of LPP Report No. LPP5/20

PANEL`S CONSIDERATION AND DETERMINATION

The Panel considered the matters raised in the written submissions and concluded that the proposed conditions of consent would address the issues of concern.

The Panel resolved to adopt the consultant planner's assessment report recommendation and approve the proposed development.

The reasons for this decision are:

- The proposed development complies with the requirements of the relevant environmental planning instruments and the Hornsby Development Control Plan 2013.
- The proposed development does not create unreasonable environmental impacts to adjoining development with regard to design and characteristics of the continued use.

VOTING OF THE PANEL MEMBERS

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

AGAINST: Nil

3 LPP6/20 Development Application - Change of Use to a Retail Premises - 354-356 Galston Road, Galston

(DA/26/2020)

OFFICER`S RECOMMENDATION

THAT Development Application No. 26/2020 for change of use to a retail premises and food and drink premises at Lot 6 DP 1042134, Nos. 354-356 Galston Road Galston be approved subject to the conditions of consent detailed in Schedule 1 of LPP Report No. LPP6/20.

PANEL`S CONSIDERATION AND DETERMINATION

The Panel considered the matters raised in the submissions including oversupply of coffee shops in the locality, loss of parking, waste generation, footpath obstruction, and notification procedure. .

The Panel resolved to adopt the assessment report recommendation and approve the proposed development, subject to the conditions contained in Schedule 1 of the report with the following amendments:

Condition No. 6 to include the following note::

Note: The concrete floor in the waste storage area must be sealed and a hand wash basin must be within 5 metres of the coffee machine.

Condition No. 7 be amended by deletion of the note.

Condition No. 7 be amended to read:

7. Mechanical ventilation

To effectively prevent air pollution in accordance with the *Protection of the Environment Operations Act 1997*:

- a) Mechanical ventilation is required if any single apparatus in the kitchen has:
 - i) a total maximum electrical power input exceeding 8 kilowatts (kW), or
 - ii) a total gas power input exceeding 29 megajoules per hour (MJ/h), or
 - iii) the total maximum power input to more than one apparatus exceeds:
 - a. 0.5kW electrical power for each 1m² of floor area of the room or enclosure, or
 - b. 1.8MJ gas for each 1m² of floor area of the room or enclosure.
- b) Mechanical ventilation is to be designed and installed in accordance with the requirements of *AS1668.2-2002 The use of ventilation and air conditioning in buildings*.
- c) A certificate from a suitably qualified mechanical engineer is to be submitted to Council and the PCA to certify the mechanical ventilation has been installed in accordance with the requirements of *AS1668.2-2002 The use of ventilation and air conditioning in buildings*.

The reasons for this decision are:

- The proposed development complies with the requirements of the relevant environmental planning instruments and the Hornsby Development Control Plan 2013.
- The proposed development provides a positive social impact by providing additional retail uses and food and drink premises in the locality.

VOTING OF THE PANEL MEMBERS

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

AGAINST: Nil

SUPPLEMENTARY REPORT

4 LPP7/20 Development Application - Section 4.55 (2) - Alterations and Additions to a Dwelling House - No. 18 Welham Street, Beecroft

(DA/624/2018/B)

OFFICER'S RECOMMENDATION

THAT pursuant to Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*, Development Application No. DA/624/2018 for alterations and additions to a dwelling house at Lot 2 DP 569459, No. 18 Welham Street, Beecroft be modified as detailed in Schedule 1 of LPP Report No. LPP7/20.

PANEL'S CONSIDERATION AND DETERMINATION

The Panel considered the matters raised in the submissions including heritage conservation area impacts, insufficient front setback, and construction compliance issues.

The Panel resolved to adopt the assessment report recommendation and approve the proposed modification, subject to the conditions contained in Schedule 1 of the report with the following amendments.

The reasons for this decision are:

- While the Panel does not condone the actions of the applicant in making a 'misrepresentation' of the front setback dimension in the approved DA, it is considered that the amended design is acceptable having regard to the independent heritage assessment and the relevant planning controls.
- The proposed modification would be generally sympathetic to the streetscape of Welham Street and the retention of the bay window and front verandah provide articulation which would break up an otherwise plain and unsympathetic street facade.

VOTING OF THE PANEL MEMBERS

FOR: Garry Fielding, Linda McClure, Juliet Grant, Barbra Wynn

AGAINST: Nil

The Panel's meeting concluded at 8.10pm.

Chairperson

