



# MINUTES OF LOCAL PLANNING PANEL MEETING

HOSTED AUDIO-VISUALLY VIA ZOOM  
on Wednesday 31 August 2022  
at 2:30pm



## **PRESENT**

Chairperson - Jacqueline Townsend

Expert Panel Member - Juliet Grant

Expert Panel Member - Alison McCabe

Community Member - David White

Community Member - Martin Dargan

## **STAFF PRESENT**

Director, Planning and Compliance - James Farrington

Manager, Development Assessments - Rod Pickles

Major Development Manager - Cassandra Williams

Senior Town Planner - Ben Jones

Senior Town Planner - Madeleine Bayman

Town Planner - Tim Buwalda

The meeting commenced at 2.30pm.

## **APOLOGIES / LEAVE OF ABSENCE**

Nil

## **NON-PUBLIC MEETING ITEMS**

- 1            **LPP42/22    DA/568/2022 - Torrens Title Subdivision of an Existing Strata Title Dual Occupancy into Two Lots - 15 Carlisle Crescent, Beecroft**

**(DA/568/2022)**

### **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/568/2022 for Torrens title subdivision of an existing strata title dual occupancy development into two lots at Lots 1 and 2, SP 41548, No. 15 Carlisle Crescent, Beecroft subject to the conditions of consent detailed in Schedule 1 of LPP Report No. LPP42/22.

### **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 the HLEP and in accordance with clause 4.6(4) of the HLEP, is satisfied that the proposed development will be in the public interest because it is consistent with the objectives of the 'minimum lot size' development 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 officer's 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 request under Clause 4.6 of Hornsby Local Environmental Plan 2013 to contravene the 'minimum lot size' development standard is well founded. Strict compliance with the development standard is considered unreasonable and unnecessary in the circumstances of the case and sufficient environmental planning grounds have been submitted to justify the contravention to the development standard; and
- The proposed development generally 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.

### **VOTING OF THE PANEL MEMBERS**

FOR:            Jacqueline Townsend, Juliet Grant, Alison McCabe, David White

AGAINST:      NIL

**2 LPP43/22 DA/604/2022 - Refurbishment of an Existing Seniors Housing Development - Hopetoun Village - 146-200 David Road, Castle Hill**

**(DA/604/2022)**

**RECOMMENDATION**

THAT Development Application No. DA/604/2022 for refurbishment of an existing seniors housing development at Lot 74 DP 1067989, No. 146-200 David Road, Castle Hill be approved, subject to the conditions of consent detailed in Schedule 1 of LPP Report No. LPP43/22.

**PANEL'S CONSIDERATION AND DETERMINATION**

The Panel resolved to adopt the officer's 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 proposed development generally 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 visual bulk, solar access, amenity or privacy.

**VOTING OF THE PANEL MEMBERS**

FOR: Jacqueline Townsend, Juliet Grant, Alison McCabe, David White

AGAINST: NIL

**3 LPP48/22 DA/1308/2021 - Alterations and Additions to an Existing Industrial Building - 29 Leighton Place, Hornsby**

**(DA/1308/2021)**

**RECOMMENDATION**

THAT the Hornsby 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/1308/2021 for alterations and additions to an existing industrial building at Lot 11 DP 748030, No. 29 Leighton Place, Hornsby subject to the conditions of consent detailed in Schedule 1 of LPP Report No. LPP 48/22.

**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 the HLEP and in accordance with clause 4.6(4) of the HLEP, is satisfied that the proposed development will be in the public interest because it is consistent with the objectives of the 'height of buildings' development 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 officer's 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 request under Clause 4.6 of Hornsby Local Environmental Plan 2013 to contravene the Clause 4.3 Height of Buildings development standard is well founded. Strict compliance with the development standard is considered unreasonable and unnecessary in the circumstances of the case and sufficient environmental planning grounds have been submitted to justify the contravention to the development standard.
- The proposed development generally 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 visual bulk, solar access, amenity or privacy.

**VOTING OF THE PANEL MEMBERS**

FOR: Jacqueline Townsend, Juliet Grant, Alison McCabe, Martin Dargan

AGAINST: NIL

**4 LPP49/22 DA/181/2022 - Demolition of Existing Structures and Construction of a 5 Storey Residential Flat Building Comprising 21 units - 10 and 12 Bellevue Street, Thornleigh**

**(DA/181/2022)**

**RECOMMENDATION**

THAT the Hornsby 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/181/2022 for demolition of existing structures, construction of a 5 storey residential flat building containing 21 residential units over basement parking and associated landscape/civil works at Lot A and B DP 360224, Nos. 10 and 12 Bellevue Street, Thornleigh subject to the conditions of consent detailed in Schedule 1 of LPP Report No. LPP49/22.

**PANEL'S CONSIDERATION AND DETERMINATION**

The panel considered the written submissions including traffic impacts, construction noise, sewage and stormwater blockages, overpopulation of the area, loss of trees and loss of character of the area.

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 the HLEP and in accordance with clause 4.6(4) of the HLEP, is satisfied that the proposed development will be in the public interest because it is consistent with the objectives of the 'height of buildings' development 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 officer's report recommendation and approve the proposed

development, subject to the conditions contained in Schedule 1 of the report and the following amendments:

*Amend condition No.2 Amendment of Plans to read:*

## **2. Amendment of Plans**

The approved plans are to be amended as follows:

- a) Bin storage room on Basement Level 1 is to be amended to show the following:
  - i) Bin carousel or linear track system capable of circulating 3x 660L waste plus room for 1x additional 660L spare waste bin.
  - ii) 1x 660L paper and cardboard bin.
  - iii) 5x 240L FOGO bins.
  - iv) 10x 240L recycle bins.
- b) The temporary bin holding area at ground level is to be amended to show the following bins can be accommodated:
  - i) 15x 240L bins.
  - ii) 3x 660L bins.
- c) The storage area for the mobile bin towing device must be sufficiently dimensioned to accommodate the required equipment.

*Note that this device may require upgrading from the unit referenced in the original waste management plan for use with 240L bins to a unit suitable for use with 660L bins.*

- d) Further details are to be provided regarding the waste management of the development. These details are to form an addendum to WMP and must be submitted for written approval by Councils' Waste Management Team ([devmail@hornsby.nsw.gov.au](mailto:devmail@hornsby.nsw.gov.au)) in accordance with the provisions of the Hornsby Development Control Plan 2013 and prior to the issue of the Construction Certificate. These details are to include:
  - i) Provide updated details consistent with council advice regarding:
    - a. Bin allocations.
    - b. On site management of waste and bins.
    - c. Bin towing device - must be suitable for use with 660L bins.
- e) The approved Landscape Plans (Job Ref. 20/2353, Dwg No. 1-6, Issue E, drawn by Paul Scrivener Landscape, dated 27 July 2022) are to be amended as follows:
  - i) The access steps shown on the landscape plan at the front of the building are to be deleted and the entry is to be consistent with the approved architectural plans.
  - ii) To allow for winter sun to the adjacent units, the proposed *Melaluca quinquenervis* located in the NE front setback of the site is to be replaced by

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an alternative deciduous tree of similar scale and growing pattern.

- f) These amended plans must be submitted with the application for the Construction Certificate.

*New condition No. 28A to read:*

**28A. Electric Vehicle (EV) Ready Connections**

Prior to the issue of the relevant Construction Certificate, the following must be demonstrated to the satisfaction of the certifying authority:

- a) The car park must provide Electric Vehicle (EV) Ready Connections (minimum 'Level 2' electric vehicle circuitry) to at least 25% of allocated on-site parking spaces.

**The reasons for this decision are:**

- The request under Clause 4.6 of Hornsby Local Environmental Plan 2013 to contravene the 'height of building' development standard is well founded. Strict compliance with the development standard is considered unreasonable and unnecessary in the circumstances of the case and sufficient environmental planning grounds have been submitted to justify the contravention to the development standard.
- The proposed development generally 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 visual bulk, solar access, amenity or privacy.

**VOTING OF THE PANEL MEMBERS**

FOR: Jacqueline Townsend, Juliet Grant, Alison McCabe, Martin Dargan

AGAINST: NIL

**SUPPLEMENTARY REPORTS**

**5 LPP51/22 Reporting Development Applications for Determination by the Hornsby Local Planning Panel over 180 Days**

**(F2013/00295-003)**

**RECOMMENDATION**

THAT the contents of LPP Report No. LPP51/22 be received and noted.

**PANEL'S CONSIDERATION AND DETERMINATION**

The Panel resolved to receive and note the report.

**VOTING OF THE PANEL MEMBERS**

FOR: Jacqueline Townsend, Juliet Grant, Alison McCabe, David White, Martin Dargan

AGAINST: NIL

The Panel's meeting concluded at 4.36pm.

A handwritten signature in black ink, appearing to read 'Juliet Grant', written in a cursive style.

**Chairperson**