

# **MINUTES OF LOCAL PLANNING PANEL MEETING**

Held at COUNCIL CHAMBERS, HORNSBY  
on Wednesday 26 May 2021  
at 6:30pm



## **PRESENT**

Chairperson - Jacqueline Townsend (Chair)

Expert Panel Member - Steven Layman

Expert Panel Member - Juliet Grant

Community Member - John Filocamo

## **Staff Present**

Manager, Development Assessments - Rod Pickles

Major Development Manager - Cassandra Williams

Senior Town Planner - Stephen Dobbs

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

## **ADDRESSES TO THE PANEL**

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

**1 LPP13/21 Further Report - DA/43/2021 - Demolition of a Dwelling House, Torrens Title Subdivision of One Lot into Two and Construction of a Dwelling House on each Lot - 1 Taylor Place, Pennant Hills**

|   |         |
|---|---------|
| Debra Bowey                               | Against |
| Susan Carter                              | Against |
| Parusha Vijge                             | Against |
| Rama Kala                                 | Against |
| Jan Primrose (Spokesperson for PYSE Inc)) | Against |
| George Vardas (Champion Homes)            | For     |
| Peter Petkovski (Champion Homes)          | 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 7.08pm.

## **LOCAL PLANNING PANEL**

- 1 LPP13/21 Further Report - DA/43/2021 - Demolition of a Dwelling House, Torrens Title Subdivision of One Lot into Two and Construction of a Dwelling House on each Lot - 1 Taylor Place, Pennant Hills**

**(DA/43/2021)**

## RECOMMENDATION

THAT Development Application No. DA/43/2021 for the demolition of a dwelling house, Torrens title subdivision of one lot into two and construction of a dwelling house on each lot at Lot 1 Sec 10 DP 758836, No. 1 Taylor Place, Pennant Hills be refused for the reasons detailed in Schedule 1 of LPP Report No. LPP13/21.

## PANEL'S CONSIDERATION AND DETERMINATION

The Panel considered the matters raised by the objectors in written submissions and the speakers at the meeting, including undersized lot, overdevelopment of the site, lack of on-street parking, traffic and safety impacts on local streets and removal of trees and habitat.

The Panel considered the Clause 4.6 submission and is not 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 is not satisfied that the proposed development will be in the public interest because it is inconsistent with the objectives of the 'Minimum subdivision 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 recommendation and refuse consent to the proposed development for the reasons detailed below:

1. The proposed development is unsatisfactory having regard to Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979* as the applicant's written request in accordance with Clause 4.6 'Exceptions to development standards' of the *Hornsby Local Environmental Plan 2013* to vary the minimum lot size development standard has not demonstrated that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and has not demonstrated that there are sufficient environmental planning grounds to justify contravening the development standard. Furthermore, the consent authority is not satisfied that the proposed development is in the public interest because it is inconsistent with the objectives of the 'Minimum subdivision lot size' development standard and the objectives for development within the zone in which the development is proposed to be carried out.
2. In accordance with Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*, the proposal does not comply with the following desired outcomes or the prescriptive measures of the Hornsby Development Control Plan 2013:
  - a) In accordance with Part 6.2.1 Residential Lands Subdivision of the Hornsby Development Control Plan 2013, the proposal does not provide for minimum 500m<sup>2</sup> allotments.
  - b) In accordance with Part 3.1.3 Landscaping of the Hornsby Development Control Plan 2013, the proposal does not comply with the requirement for at least 50 percent of the minimum landscaped area to be located behind the building line to the primary road frontage.
3. In accordance with Section 4.15(1)(c) of the *Environmental Planning and Assessment Act*

1979, the site is not suitable for the proposed development.

**The reasons for this decision are:**

- The Panel is not satisfied that the applicant's written submission under Clause 4.6 has justified the contravention of the development standard by demonstrating that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard.
- The development is not in the public interest as the development does not meet the objectives of Clause 4.1 Minimum lot size under the *Hornsby Local Environmental Plan 2013*.

**VOTING OF THE PANEL MEMBERS**

FOR: Jacqueline Townsend, Steven Layman, Juliet Grant, John Filocamo

AGAINST: NIL

**2 LPP15/21 Reporting Development Applications for determination by the Hornsby Local Planning Panel over 180 days**

**RECOMMENDATION**

THAT the contents of LPP Report No. LPP15/21 be received and noted.

In relation to DA/1030/2018, the applicant has 14 days to provide the requested additional information after which the matter will be presented to the Panel for determination on the basis of information currently submitted.

**VOTING OF THE PANEL MEMBERS**

FOR: Jacqueline Townsend, Steven Layman, Juliet Grant, John Filocamo

AGAINST: NIL

The Panel's meeting concluded at 7.50pm.



**Chairperson**