

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at The Hills Shire Council on Thursday 5 February 2014
at 1.30 pm (meeting adjourned till 5.00 pm)

Panel Members: Mary-Lynne Taylor (Chair), Bruce McDonald and Paul Mitchell

Apologies: Dave Walker and Michael Edgar - Declarations of Interest: None

Determination and Statement of Reasons

2013SYW106 – The Hills Shire Council – DA636/2014 – Demolition of existing buildings, erection of two mixed use buildings being 20 storeys (Block A) and 21 storeys (Block B) containing 378 apartments (95 x 1 bedroom, 275 x 2 bedroom and 8 x 3 bedroom units), 1,612M² of retail at ground level, new through site link between Old Northern Road and Terminus Street and five (5) levels of basement car parking for 550 vehicles, Lot 23 DP 785110, Lot 1 DP 701677, Lot A DP 151502, Lot 18 & 19 DP 821398 and Part Road nos. 299-309 Old Northern Road, Castle Hill

Date of determination: 5 February 2015

Decision:

The panel approved the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

Panel consideration:

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

Panel consideration:

Since at least 2010, the Hills Shire Council and the NSW Government have been examining closely Castle Hill's potential role as a major metropolitan sub-centre of Sydney. Concurrent with this there has been provision of significant infrastructure such as the new rail link and an increase in the intensity of the Centre's development. Recent amendments to Council's LEP reflect this strategic approach taken by both levels of government. .

New statutory instruments have emerged from this planning process and, together with ongoing initiatives of the NSW Government and the Council, they will direct the future character of Castle Hill. These changes will increase the scale of development to a form that is consistent with that proposed in this application.

The Panel is of the opinion that this development will initially be prominent in both the local and district contexts as it will be the first new building of this larger scale. Notwithstanding, in the foreseeable future, other new developments will be of a larger size and scale, making the subject development compatible with its future context.

Variation of development standard

Having considered the application to vary the height standard given in clause 4.6 of the Hills LEP, the Panel believes that strict compliance with this standard is unnecessary. The panel believes that there will be no material adverse impacts from the greater building height, that it will enable an attractive roof form to be provided and that there will be important environmental planning benefits associated with the project as proposed; these benefits are described in reason number 2 below.

The Panel therefore unanimously determines that the proposed development should be approved for the following reasons:

1. The development is effectively compliant with the current provisions recently introduced into The Hills LEP and DCP applying to this site.
2. The development will add to the supply and choice of housing within the North West Metropolitan Sub Region in a location that is serviced by the facilities provided in the Castle Hill Centre and access to regional

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transport services including the North West Rail Link currently under construction.

3. The proposed development will not have unacceptable impacts on the natural or built environments, including solar access and traffic.

4. The Panel has specifically considered the advice relating to traffic impacts in the council staff planning report and verbal advice from Council's traffic engineer and further notes that the application has been found to be acceptable to Roads and Maritime Service.

5. The proposed conditions in the council report adequately address the requirements of Sydney Trains relating to the construction of the North West Rail Link and the Panel notes that there is no statutory requirement to refer this application to any civil aviation authority but that council has required, as a condition of this consent, that the applicant must contact the relevant aviation authority prior to construction certificate and provide for any safety measures the authority might require during and after construction.

6. For the above reasons the Panel considers this application to be in the public interest.

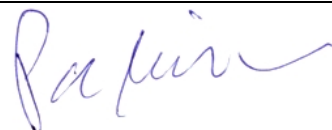
Panel members:



Mary-Lynne Taylor (Chair)



Bruce McDonald



Paul Mitchell

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SCHEDULE 1

1	JRPP Reference – 2013SYW106, LGA – The Hills Shire Council, DA636/2014
2	Proposed development: Demolition of existing buildings, erection of two mixed use buildings being 20 storeys (Block A) and 21 storeys (Block B) containing 378 apartments (95 x 1 bedroom, 275 x 2 bedroom and 8 x 3 bedroom units), 1,612M ² of retail at ground level, new through site link between Old Northern Road and Terminus Street and five (5) levels of basement car parking for 550 vehicles.
3	Street address: Lot 23 DP 785110, Lot 1 DP 701677, Lot A DP 151502, Lot 18 & 19 DP 821398 and Part Road nos. 299-309 Old Northern Road, Castle Hill
4	Applicant/Owner: Krikis Tayler Architects
5	Type of Regional development: CIV of over \$20 million
6	Relevant mandatory considerations <ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ◦ The Hills Local Environmental Plan 2012 ◦ State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development. ◦ State Environmental Planning Policy (State and Regional Development) 2011. ◦ State Environmental Planning Policy No. 55 – Remediation of Land. ◦ State Environmental Planning Policy (Infrastructure) 2007. • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ◦ DCP 2012 Part D Section 15 – Crane Road Precinct ◦ DCP 2012 Part B Section 5 – Residential Flat Buildings ◦ DCP 2012 Part C Section 1 - Parking • Planning agreements: Nil • Regulations: <ul style="list-style-type: none"> ◦ Environmental Planning and Assessment Regulation 2000 • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality. • The suitability of the site for the development. • Any submissions made in accordance with the EPA Act or EPA Regulation. • The public interest.
7	Material considered by the panel: Council assessment report and written submissions. Verbal submissions at the panel meeting: <ul style="list-style-type: none"> • Leonard Shelton • John Matthews • Don Williams • Jennifer Keenan • Richard Claxton • Nick Krikis • Larissa Brennan
8	Meetings and site inspections by the panel: 6 February 2014 – Briefing meeting, 5 February 2015 – Site inspection and Final briefing meeting.
9	Council recommendation: Approval subject to deferred commencement
10	Conditions: Attached to council assessment report.