

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at The Hills Shire Council on Thursday 20 November 2014 at 11.00 am

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

Apologies: None - Declarations of Interest: None

Determination and Statement of Reasons

2014SYW023 – The Hills Shire – DA579/2014 – Construction of seven (7) residential flat buildings containing two hundred and twenty six (226) dwellings and associated works, Lot 39 DP 10702, 19 Balmoral Road, Kellyville

Date of determination: 20 November 2014

Decision:

The panel unanimously determined to approve 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.

Reasons for the panel decision:

The Panel unanimously determined to approve the application for the following reasons:

1. The proposed development will add to the supply and choice of housing in the Northwest Metropolitan Subregion and The Hills Shire in a location near to local and regional transport services, including the Northwest Rail System currently under construction, and to the services and facilities offered by the Northwest Sector.
2. The scale, architectural treatment and landscape treatment, adopted for the proposal are consistent with the planned future of the sector of the locality in which it is placed.
3. The proposed development amendments will have no significant additional adverse impacts on the natural or built environment.
4. The proposed development provides satisfactory compliance with the relevant planning provisions including SEPP 65, The Hills LEP 2012 and The Hills DCP 2012. Having considered the applicant's request to vary the development standard contained in Clause 4.3 Height of Buildings of The Hills LEP 2012 the Panel considered that compliance with the standard is unnecessary in the circumstances of this proposal as the variation sought is minor and there are sufficient environmental planning grounds to justify the requested variation and as the proposed development is consistent with the objectives of the standard and the objectives of the R4 Density Zone in which the subject site is located.
5. In consideration of conclusions 1-4 above the Panel considers the proposal is in the public interest.

Panel members:

 Mary-Lynne Taylor (Chair)	 Bruce McDonald	 Paul Mitchell
 Dave Walker	 Stewart Seale	

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SCHEDULE 1	
1	JRPP Reference – 2014SYW023, LGA – The Hills Shire Council, DA 579/2014
2	Proposed development: Construction of seven (7) residential flat buildings containing two hundred and twenty six (226) dwellings and associated works.
3	Street address: Lot 39 DP 10702 Balmoral Road, Kellyville
4	Applicant/Owner: Merfad Group Holdings
5	Type of Regional development: Capital Investment Value > \$20M
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. ◦ Residential Flat Design Code ◦ SEPP State and Regional Development 2011 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ◦ The Hills DCP 2012 • 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: The development application was considered by the Panel on 7 August 2014 when the Panel unanimously decided that the application be deferred pending finalised plans and further notification. Council assessment report considered at the panel meeting on 7 August 2014, Further Council assessment report considered at the panel meeting on 20 November 2014. Locality plan, aerial photograph, zoning plan and DCP road layout, site analysis plan, basement plans, part ground floor plans, part level 1 to 3 plans, part upper floor plans, elevations and sections, shadow diagrams and Office of Water General Terms of Approval. Written submissions during public exhibition: N/A Verbal submissions at the panel meeting: Support- Adam Byrnes; On behalf of the applicant- Against - None
8	Meetings and site inspections by the panel: 6 February 2014 – Briefing meeting, 7 August 2014 – Site inspection and Final briefing meeting and 20 November 2014 – Final briefing meeting.
9	Council recommendation: Approval
10	Conditions: Attached to council assessment report.