

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at The Hills Shire Council on Thursday 19 May 2016 at 11.00 am

Panel Members: Mary-Lynne Taylor (Chair), Bruce McDonald, Stuart McDonald, Stewart Seale

Apologies: Dave Walker Declarations of Interest: none

Determination and Statement of Reasons

2015SYW170 – The Hills – DA576/2016/JP [Lot 12 DP 1169214, York Road Kellyville] as described in Schedule 1.

Date of determination: 19 May 2016

Decision:

The panel unanimously determined to refuse 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 will refuse the application here today. The council has assessed the application and found it to be of a density and scale inconsistent with the suite of local planning controls which results in a number of units and persons on the site greater than is anticipated under these controls and which is excessive and out of context with its existing and anticipated future character. The panel agrees with the conclusions reached in the council assessment report and considers the development not to be in the public interest.

Conditions: none

Panel members:

 Mary-Lynne Taylor (Chair)	 Bruce McDonald	 Stuart McDonald
 Stewart Seale		

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SCHEDULE 1

1	JRPP Reference – LGA – Council Reference: 2015SYW170 – The Hills – DA576/2016/JP
2	Proposed development: Three lot subdivision, construction of an extension to York Road and Alessandra Drive and construction of three residential flat buildings (340 units) and child care centre (100 places).
3	Street address: Lot 12 DP 1169214, York Road Kellyville
4	Applicant/Owner: Namul Pty Ltd (C:/ Ross Kelly)
5	Type of Regional development: Capital Investment Value >\$20 million
6	Relevant mandatory considerations: <ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ 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 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ The Hills Local Environment Plan 2012 • Planning agreements: Nil • 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 <i>Environmental Planning and Assessment Act 1979</i> or EPA Regulation. • The public interest, including the principles of ecologically sustainable development.
7	Material considered by the panel: Council Assessment Report Dated 6 May 2016 Written submissions during public exhibition: 47 Verbal submissions at the panel meeting: Support- none; Against- Ralph Stone, Nathan Kingston, Vanessa Searle; On behalf of the applicant- Rick Alloggia, Stephen White, Andrew Talbot
8	Meetings and site inspections by the panel: Site inspection: 26 November 2015 Briefing Meeting: 26 November 2015 & 19 May 2016
9	Council recommendation: Refusal
10	Draft conditions: Not applicable