

DATE OF DETERMINATION	1 December 2016
PANEL MEMBERS	Edward Blakely (Chair), Mary-Lynne Taylor and Paul Mitchell
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Electronic meeting held between 22 November 2016 and 1 December 2016.

MATTER DETERMINED

2015SYW208 – The Hills Shire – 846/2016/JP – Lot 122A DP 11104, 13 Terry Road, Box Hill (AS DESCRIBED IN SCHEDULE 1)

PANEL CONSIDERATION AND DECISION

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.

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*. The decision was unanimous.

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- The proposed development is consistent with The Hills Local Environmental Plan 2012, the State Environmental Planning Policy (Sydney Region Growth Centres) 2006, State Environmental Planning Policy (State and Regional Development) 2011, State Environmental Planning Policy No. 55 – Remediation of Land and State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development
- The proposed development is appropriate for the desired future character of the area.
- The proposed development will add to the supply and choice of housing in The Hills local government area and the West Central District of Greater Sydney.
- The Panel has considered the applicant's request to vary the development standard contained in The Hills LEP 2012 Cl. 4.3 relating to height of buildings and is satisfied that the request has adequately addressed the matters to be demonstrated by Clause 4.6 (3). The Panel considers that compliance with the standard would be unreasonable and unnecessary in the circumstances of this case as the variation responds to the sloping characteristic of the site, and will not result in development inconsistent with this locality and the development as designed remains consistent with the underlying intent of the standard and the objectives of the zone.
- The proposed development will not have any unacceptable adverse impacts on the natural or built environment, including the amenity of adjacent and nearby residential premises or the operation of the local road system.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report.

PANEL MEMBERS	
 Edward Blakely (Chair)	 Mary-Lynne Taylor
 Paul Mitchell	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2015SYW208 – The Hills Shire – 846/2016/JP
2	PROPOSED DEVELOPMENT	Demolition of existing structures and construction of a residential flat building containing 121 units and road construction.
3	STREET ADDRESS	Lot 122A DP 11104, 13 Terry Road, Box Hill
4	APPLICANT/OWNER	Idraft Group (NSW) Pty Ltd / WSDC Box Hill Primitus Development Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million
6	RELEVANT MANDATORY CONSIDERATIONS	• State Environmental Planning Policy (Sydney Region Growth Centres) 2006 • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy No. 55 – Remediation of Land • State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development • Box Hill Development Control Plan 2014 • The Hills Development Control Plan 2012 Part C Section 1 – Parking • The Hills Development Control Plan 2012 Part C Section 3 - Landscaping • Environmental Planning and Assessment Regulation 2000 • Clause 4.6 request for variation • 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 regulations

		The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	- Council assessment report received on 16 November 2016 - No written submissions were received
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	Electronic meeting held between 22 November 2016 and 1 December 2016
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report