

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at **The Hills Shire Council** on **Thursday 23 June 2016 at 12.00 pm**

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

Apologies: None

Declarations of Interest: None

Determination and Statement of Reasons

2015SYW215 – The Hills Shire Council, DA920/2016, Integrated housing development and subdivision creating 57 community title residential lots/dwellings and one community association lot including new road and demolition over eight stages, 30 Memorial Avenue, Kellyville.

Date of determination: 17 March 2016

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 matters observed at site inspections listed at item 8 in Schedule 1.





Reasons for Panel Decision:

1. The proposed development will add to the supply and choice of housing within the Norwest Growth Centre and the Hills local government area by the provision of additional housing in a location planned for residential development.
2. The proposed development adequately satisfies the relevant State Environmental Planning Policies including SEPP 55 Remediation of Land, SEPP 64 Advertising and Signage.
3. The proposal adequately satisfies the applicable provisions and objectives of the Hills LEP 2012 and the Hills DCP 2015.
4. The proposed development is considered to be of appropriate scale and form adequately consistent with the planned character of the locality in which it is placed.
5. The proposed development, subject to the conditions imposed, will have no unacceptable adverse impacts on the natural or built environments including the amenity on the natural or built environments including the amenity of future residential premises or the operation of the local road system or the development potential of adjoining lands.
6. In consideration of conclusions 1 – 5 above, the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

Conditions: The development application was approved subject to the recommended conditions in the Council assessment report with an amendment to Condition 46 to read as follows:

- An appropriately qualified acoustic consultant shall be engaged to certify that the design of the traffic noise affected portions of each dwelling comply with the NSW Road Noise Policy by Department of Climate Change and Water. A copy of this certification shall be submitted.

Panel members:

 Mary-Lynne Taylor	 Bruce McDonald	 Paul Mitchell
 Stewart Seale	 Michael Edgar	

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SCHEDULE 1

1	JRPP Reference – 2015SYW215, LGA – The Hills Shire Council, DA920/2016
2	Proposed development: Integrated housing development and subdivision creating 57 community title residential lots/dwellings and one community association lot including new road and demolition over eight stages.
3	Street address: 30 Memorial Avenue, Kellyville.
4	Applicant/Owner: Mr and Mrs Spiteri
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"> ○ SEPP 55 Remediation of lands ○ SEPP 64 Advertising and Signage ○ SEPP Building Sustainability Index: BASIX ○ SEPP (State and Regional Development) 2001 ○ SREP 20 Hawkesbury / Nepean River ○ The Hills Local Environmental Plan 2012 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Part D Section 7 – Balmoral Road Release Area ○ Part D Section 5 – Kellyville / Rouse Hill Release Area • 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, including the principles of ecologically sustainable development.
7	Material considered by the panel: Council assessment report, recommended conditions of consent and written submissions. Verbal submissions at the panel meeting: Nil
8	Meetings and site inspections by the Panel: 23 June 2016 – Final Briefing meeting.
9	Council recommendation: Approval