

DETERMINATION AND STATEMENT OF REASONS

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

DATE OF DETERMINATION	Thursday, 27 October 2016
PANEL MEMBERS	Mary-Lynne Taylor (Chair), Paul Mitchell, Bruce McDonald, Dave Walker and Michael Edgar
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Electronic meeting held between Wednesday, 19 October 2016 and Thursday, 27 October 2016.

MATTER DETERMINED

2016SYW123 - The Hills Shire - 1997/2016/JP AT 178-180 Hezlett Road, Kellyville (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:

1. The proposal is consistent with the form of development planned for the locality;
2. Having reviewed the applicant's request to vary the development standard relating to height contained in Cl. 4.3 of SEPP (Sydney Region Growth Centres) the variation is acceptable as it responds to the sloping characteristic of the site and is primarily related to the lift overrun serving rooftop open space and will have no negative impacts;
3. The proposal adequately satisfies the relevant State and local planning provisions. In this regard, the departures relating to building separation, setbacks and Indicative Layout Plan changes are acceptable.

CONDITIONS

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

PANEL MEMBERS	
 Mary-Lynne Taylor (Chair)	 Paul Mitchell
 Bruce McDonald	 Dave Walker
 Michael Edgar	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016SYW123 - The Hills Shire - 1997/2016/JP
2	PROPOSED DEVELOPMENT	A four storey residential flat building development containing 92 units
3	STREET ADDRESS	178-180 Hezlett Road, Kellyville
4	APPLICANT/OWNER	Think Planners/Foxall Land P/L
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 • North Kellyville Development Control Plan 2008 • 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 • 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: 18 October 2016 • Written submissions during public exhibition: none (0)
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	• Briefing meeting and site visit on 20 July 2016 • Electronic discussion between 19 October 2016 and 27 October 2016
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report