

DETERMINATION AND STATEMENT OF REASONS

SYDNEY WEST CENTRAL PLANNING PANEL

DATE OF DETERMINATION	Monday, 17 July 2017
PANEL MEMBERS	Edward Blakely (Chair), Mary-Lynne Taylor and Paul Mitchell
APOLOGIES	Michael Edgar and Stewart Seale
DECLARATIONS OF INTEREST	None

Electronic meeting held between 7 July 2017 and 17 July 2017

MATTER DETERMINED

2016SYW233 – The Hills – 735/2017/JP AT 1 Hillview 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 proposed development will add to the supply and choice of housing within the West Central Metropolitan Subregion and The Hills local government area in a location with ready access to the services and amenities in the neighbourhood centre and the general locality.
2. The proposed development, subject to the conditions imposed, will have no unacceptable adverse impacts on the natural or built environments, including amenity of adjacent and nearby residential premises or the operation of the local road system.
3. The Panel has considered the applicant's request to vary the development standard contained in the State Environmental Planning Policy (Sydney Region Growth Centres) 2006 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 compliance with the standard would be unreasonable and unnecessary in the circumstances of this case as the variation allows a consistent two-storey development across the site and improves the urban form of the development. It will not result in development inconsistent with this locality as it is consistent with recently approved developments in the vicinity of the site. The development as designed remains consistent with the underlying intent of the standard and the objectives of the zone. The Panel is therefore satisfied that the Applicant's clause 4.6 variation request has adequately addressed the matters required to be demonstrated and that the proposed development will be in the public interest because it is consistent with the objectives of the building

height control and the objectives for development within the zones in which the development is proposed to be carried out.

4. In consideration of conclusions 1-3 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 conditions in the Council Assessment Report

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

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016SYW233 – The Hills – 735/2017/JP
2	PROPOSED DEVELOPMENT	Demolition of existing structures and construction of a multi-dwelling housing development of 110 townhouse style dwellings comprising 8 x 2 two bedroom townhouses, 91 x 3 three bedroom townhouses and 11 x 4 four bedroom town houses in three stages
3	STREET ADDRESS	Lot 101 DP 1199554, No. 1 Hillview Road, Kellyville
4	APPLICANT/OWNER	Combine Projects (Kellyville) No 2 Pty Ltd/Mr J and Mrs M Vella
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • 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 • Draft Amendment to State Environmental Planning Policy (Sydney Region Growth Centres) 2006 (North West Priority Growth Area Land Use and Infrastructure Implementation Plan) • 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 • 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	<ul style="list-style-type: none"> • Council assessment report: 3 July 2017 • Written submissions during public exhibition: nil
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection and briefing meeting on 16 February 2017
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report