

DETERMINATION AND STATEMENT OF REASONS
SYDNEY WEST CENTRAL PLANNING PANEL

DATE OF DETERMINATION	6 September 2017
PANEL MEMBERS	Edward Blakely (Chair), Mary-Lynne Taylor, Paul Mitchell and Michael Edgar
APOLOGIES	Stewart Seale
DECLARATIONS OF INTEREST	None

Electronic meeting held between Wednesday, 30 August 2017 and Wednesday, 6 September 2017.

MATTER DETERMINED

2016SYW235 - The Hills – 694/2017/JP AT 7-9 Terry Rd, 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 Panel determined the application by way of deferred commencement approval for the following reasons:

1. The Panel approves the variations to the building height controls for the site, being satisfied that the applicant's written request has adequately addressed the matters required to be demonstrated by Clause 4.6 of 'Appendix 11 The Hills Growth Centre Precincts Plan' of State Environmental Planning Policy (Sydney Region Growth Centres) 2006, and the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone.
2. Apart from the above height exceedance, the development is generally compliant with the relevant controls and planning instruments.
3. The development is consistent with the planned future character of the area.
4. The development will add to the supply and availability of housing in the West Central District and The Hills local government area, and will therefore contribute to housing affordability.
5. With the imposition of the proposed conditions of consent, the development will have no unacceptable adverse impacts on the natural or building environments, including the amenity of nearby residential premises, or the operation of the local road system.
6. In consideration of conclusions 2 – 5 above, and with the approval of the variation request, the Panel considers that 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	 Michael Edgar

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016SYW235 - The Hills – 694/2017/JP
2	PROPOSED DEVELOPMENT	Seven storey residential flat building containing 103 residential units and basement parking for 128 vehicles
3	STREET ADDRESS	Lots 139B & 139C DP 10157 – Nos. 7-9 Terry Road, Box Hill
4	APPLICANT OWNER	Zhinar Architects Moore United Ground Pty Ltd and Mr and Mrs Mark and Sharon Barnes
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 2017 • The Hills Development Control Plan 2012 Part C Section 1 – Parking • The Hills Development Control Plan 2012 Part C Section 3 – Landscaping • Draft Amendment to SEPP (Sydney Region Growth Centres) 2006 (North West Priority Growth Area Land Use and Infrastructure Implementation Plan) • 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: 28 August 2017 • Written submissions during public exhibition: none
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	• Site inspection and briefing meeting on 15 December 2016
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report