

## DETERMINATION AND STATEMENT OF REASONS

### SYDNEY WEST CENTRAL PLANNING PANEL

<b>DATE OF DETERMINATION</b>	31 March 2017
<b>PANEL MEMBERS</b>	Paul Mitchell (Chair), Stuart McDonald, Lindsay Fletcher, Dave Walker and Michael Edgar
<b>APOLOGIES</b>	Edward Blakely and Mary-Lynne Taylor
<b>DECLARATIONS OF INTEREST</b>	None

Electronic meeting held between 28 March 2017 and 31 March 2017

#### MATTER DETERMINED

2017SWC012 – The Hills – DA1560/2015/JP/A AT 40 Solent Circuit Baulkham Hills (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 96 of the *Environmental Planning and Assessment Act 1979*. The decision was unanimous.

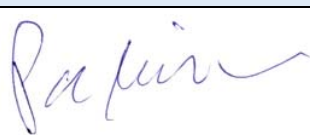
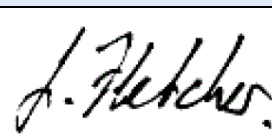
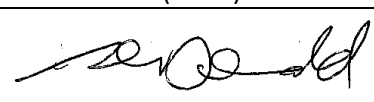


#### REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- The modified application is substantially the same as that which was originally approved, as required by the provisions of section 96 (2) (a) of EP&A Act.
- The modification will have no material adverse environmental impacts.
- Off-site amenity and shadow impacts arising from the extra height are satisfactory given that the site has an orientation to North.
- The modified proposal will add to the availability and supply of housing at a suitable location and in a well-designed development. Accordingly, approval is in the public interest.

#### CONDITIONS

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

PANEL MEMBERS	
 Paul Mitchell (Chair)	 Lindsay Fletcher
 Stuart McDonald	 Dave Walker
 Michael Edgar	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SWC012 – The Hills Shire – 1560/2015/JP/A
2	PROPOSED DEVELOPMENT	Section 96 (2) Modification to an Approved Residential Flat Building
3	STREET ADDRESS	Lot 2105 DP 1201899 - 40 Solent Circuit, BAULKHAM HILLS
4	APPLICANT/OWNER	David Lovato
5	TYPE OF REGIONAL DEVELOPMENT	Section 96 (2) modification to a development application which was determined by a planning panel.
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development</li> <li>• The Hills Local Environmental Plan 2012</li> <li>• State Environmental Planning Policy (State and Regional Development) 2011</li> <li>• Development Control Plan 2012 Part D Section 8 – Norwest Residential Precinct</li> <li>• Development Control Plan 2012 Part B section 5 – Residential Flat Buildings</li> <li>• Development Control Plan 2012 Part C Section 1 – Parking</li> <li>• Development Control Plan 2012 Part C Section 3 - Landscaping</li> <li>• Environmental Planning and Assessment Regulation 2000</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>• The suitability of the site for the development</li> <li>• Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Council assessment report: 27 March 2017</li> </ul>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Site visit by Lindsay Fletcher on 30 March 2017</li> <li>• Electronic discussion between 28 March 2017</li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report