



DATE OF DEFERRAL	Thursday, 19 July 2018
PANEL MEMBERS	Mary-Lynne Taylor (Chair), Paul Mitchell and Lindsay Fletcher
APOLOGIES	None
DECLARATIONS OF INTEREST	Michael Edgar declared a conflict of interest as he was involved in the rezoning of the land to allow greater density. Stewart Seale declared a conflict of interest as he was involved in the rezoning of the land to allow greater density. Mr Seale is also the Chairperson of The Hills Shire Council’s Design Excellence Panel, which has considered the application.

Public meeting held at The Hills Shire Council on 19 July 2018, opened at 11:20 am and closed at 12:35 pm.

MATTER DEFERRED

2017SWC088 – The Hills Shire Council – 46/2018/JP at Lot 101 DP 1176747, Lot 32 and 33 DP 247442, Spurway Drive, BAULKHAM HILLS (as described in Schedule 1)

REASONS FOR DEFERRAL

1. The proposal provides an appropriate density of residential development and range of apartment types in a location that is close to Norwest Metro station. As such the proposal has dual planning benefits, being provision of additional conveniently located housing and the ability to supply transit oriented development.
2. The proposal is consistent with the previously approved masterplan for this site.
3. The variations to development standards in building height, Floor Space Ratio and apartment mix are well founded and consistent with the earlier approved variations given for the masterplan DA. As such, the detailed reasons given for approval of those variations remain equally applicable to this application.
4. The assessment report provides careful consideration of the issues raised by objectors. It finds that the issues are addressed by conditions, or not of sufficient consequence to warrant modification or refusal or not relevant. The Panel agrees with these conclusions.
5. Overall, the Panel finds that the proposal will provide positive planning outcomes and that its approval is in the public interest.

However, the Panel believes there is capacity to further reduce private vehicular use and that this would be an appropriate outcome given proximity to Norwest Metro station which is likely to be operational prior to occupation of these buildings. The Panel is minded to approve the application with parking in accordance with the Roads and Maritime Services guideline but will defer the application to allow the applicant to make a submission nominating and justifying any other parking rate that it considers to be appropriate.

Upon receipt of that submission, the Panel requests further Council assessment be prepared so that the Panel can make a final determination, which could be by electronic meeting.

The decision to defer the matter was unanimous.

PANEL MEMBERS	
 Mary-Lynne Taylor (Chair)	 Paul Mitchell OAM
 Lindsay Fletcher	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SWC088 – The Hills Shire Council – 46/2018/JP
2	PROPOSED DEVELOPMENT	A 9-13 storey residential flat building development comprising 330 units with basement parking for 539 vehicles and associated community title subdivision
3	STREET ADDRESS	Lot 101 DP 1176747, Lot 32 and 33 DP 247442, Spurway Drive, BAULKHAM HILLS
4	APPLICANT OWNER	Sekisui House Australia Pty Ltd SH Orchards Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy No 55 – Remediation of Land ○ The Hills Local Environmental Plan 2012 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ The Hills Development Control Plan 2012 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil • Coastal zone management plan: Nil • 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: 19 July 2018 • Written submissions during public exhibition: ten with one submission including a petition with 28 signatures • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Object – Ron Challenor ○ On behalf of the applicant – Greg Dowling, Dan Szwaj, Brett Maynard and Peter Villeau
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection on 19 July 2018 • Final briefing meeting to discuss council’s recommendation, 19 July 2018, 11:00 am. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Mary-Lynne Taylor (Chair), Paul Mitchell and Lindsay Fletcher ○ <u>Council assessment staff</u>: Andrew King, Robert Buckham and Paul Osborne
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report