

DETERMINATION AND STATEMENT OF REASONS

SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	18 October 2018
PANEL MEMBERS	Paul Mitchell (Acting Chair), Mary-Lynne Taylor, Stuart McDonald and Chandi Saba
APOLOGY	Nil
DECLARATIONS OF INTEREST	<p>Stuart McDonald advised that the business for which he works undertakes planning work for a separate business of Sekasui House in a separate area in South West Sydney, which has another business as a neighbor to the DA site. A planning consultant has lodged an objection on behalf of the Sekasui business associated with the subject DA and until reading the submission was unaware of any Sekasui land ownership or interest. He has no direct, pecuniary or other interest and remained on the Panel.</p> <p>Mark Colburt did not participate in the consideration of this matter and advised that he was a member of the design excellence Panel which considered this proposal in February.</p>

Public meeting held at the Hills Shire Council on Thursday 18 October 2018 opened at 1.11pm and closed at 1.47pm.

MATTER DETERMINED

Panel Ref – 2017SWC105 - LGA – The Hills Shire, DA282/2018/JP, Address – Lot 2 DP 1210647, 98-102 Fairway Drive, Norwest (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 meeting and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the application as described in Schedule 1 subject to the recommended conditions pursuant to section 4.55 of the Environmental Planning and Assessment Act 1979.

REASONS FOR THE DECISION

The applicant has submitted a written request to vary the maximum building height standard by 2.7m (Clause 4.3 of HELP).

The Panel considers that the submission demonstrates that compliance with the standard is unnecessary in this instance because its objectives will still be met. Further, the submission demonstrates that there are sufficient environmental planning grounds to justify the variation being a superior design which will result in an iconic built form and enable use of the roof-top as communal open space.

The Panel finds that the application to vary the height standard is in the public interest because the objectives of the standard are still achieved by the development and it will enable development that is consistent with the zone objectives. Overall, the Panel finds the request to be satisfactory and upholds it.

The Panel approves the application for the following reasons:

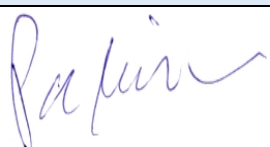


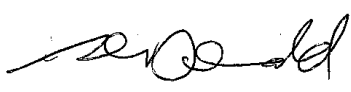
1. The proposal demonstrates design excellence.
2. The proposal provides a density of development that is consistent with the R4 high density residential zone objectives.
3. The proposal complies with all but one of the applicable development standards, the exception being building height where the variation is satisfactory.
4. The proposal will not have material adverse impacts on any surrounding land use or on any infrastructure including the local road network.
5. The proposal will provide a range of residential apartments thus improving housing choice and affordability.
6. The site is suitable for the proposed development especially given its proximity to the new Norwest train station.
7. For the reasons given above the Panel considers that approval of the application is in the public interest.

The decision was unanimous.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report with an additional condition to read as follows:

Prior to works commencing on site, documentary evidence from Endeavour Energy and/or NSW Land Registry Services is to be submitted to Council confirming that the existing electricity transmission easement has been released. Further, evidence from Endeavour Energy is to be provided demonstrating that satisfactory arrangements have been made for the supply of electricity to the site and that the design of the substation is satisfactory.

PANEL MEMBERS	
 Paul Mitchell, OAM (Acting Chair)	 Mary-Lynne Taylor
 Chandi Saba	 Stuart McDonald

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	Panel Ref – 2017SWC105 - LGA – The Hills Shire, DA282/2018/JP
2	PROPOSED DEVELOPMENT	Construction of 4 x seven to twelve storey Residential Flat Buildings comprising 217 Units and 3 levels of Basement Car Parking.
3	STREET ADDRESS	Lot 2 DP 1210647, 98-102 Fairway Drive, Norwest
4	APPLICANT/OWNER	Arden CH NSW Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	CIV exceeding \$30million
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 2008 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 <ul style="list-style-type: none"> <i>Environmental Planning and Assessment Regulation 2000</i>: 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 – 18 October 2018 Written submissions during public exhibition: 23 Verbal submissions at the public meeting: <ul style="list-style-type: none"> Support – Nil Object – Christopher Davies On behalf of the applicant – Doug Southwell, Steven White and Martin Mambraku On behalf of Council – Paul Osborne and Cynthia Dugan
8	MEETINGS AND SITE INSPECTIONS BY THE	<ul style="list-style-type: none"> Site Inspection – 18 October 2018 Final Briefing Meeting – 18 October 2018 from 11.30am to

	PANEL	<p>12.15pm</p> <ul style="list-style-type: none"> Public Meeting – 18 October 2018 <p>Attendees:</p> <ul style="list-style-type: none"> <u>Panel members</u>: Paul Mitchell (Acting Chair), Mary-Lynne Taylor, Stuart McDonald and Chandi Saba <u>Council assessment staff</u>: Paul Osborne and Cynthia Dugan
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Submitted with report