

DETERMINATION AND STATEMENT OF REASONS SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	30 April 2018
PANEL MEMBERS	Paul Mitchell (Acting Chair), Lindsay Fletcher and Stuart McDonald
APOLOGIES	Mary-Lynne Taylor, Sameer Pandey and Steven Issa
DECLARATIONS OF INTEREST	None

Electronic meeting held between 23 April 2018 and 30 April 2018.

MATTER DETERMINED

2017SWC147 – City of Parramatta Council – DA/1009/2017 AT 87-129 Pennant Hills Road, NORTH PARRAMATTA (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 listed at item 8 in Schedule 1.

The Panel determined to uphold the Clause 4.6 variation request and approve the development application as described in Schedule 1 pursuant to section 4.16 (previously 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 Panel has considered the Applicant's request to vary the development standard contained in Clause 4.3 Height of Buildings of The Hills Local Environmental Plan 2012 and considers that:
 - i. the applicant's submission adequately addresses the matters required under cl.4.6;
 - ii. the development remains consistent with the objectives of the standard and the objectives of the zone;
 - iii. there are sufficient environmental planning grounds to justify the variation; and
 - iv. compliance with the standard is unreasonable and unnecessary in the circumstances of this case as the proposed variation is acceptable from a streetscape perspective, will not generate unacceptable impacts on adjoining or nearby properties and will not result in development inconsistent in form and scale with that existing and planned for the locality.

For the above reasons, the Panel is satisfied that the variation from the LEP development standard is in the public interest.
2. The proposed development will assist in the ongoing provision of educational facilities serving the local and regional community.

3. The proposed development will not create any unacceptable adverse impacts on the local amenity or on the natural or built environment.
4. For the reasons given above, the Panel considers that approval of the development is in the public interest

CONDITIONS

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

PANEL MEMBERS	
 Paul Mitchell OAM (Chair)	 Lindsay Fletcher
 Stuart McDonald	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SWC147 – City of Parramatta Council – DA/1009/2017
2	PROPOSED DEVELOPMENT	Alterations and additions to two (2) existing boarding houses to create four (4) day houses. The proposal is identified as Integrated Development as Bushfire Safety Authority is required pursuant to Section 100B of the Rural Fires Act 1997.
3	STREET ADDRESS	The Kings School, 87-129 Pennant Hills Road, NORTH PARRAMATTA
4	APPLICANT/OWNER	Mr D Berents; Council of the Kings School
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP) ○ 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

		<ul style="list-style-type: none"> • 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: 29 March 2018 • Written submissions during public exhibition: Nil
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing meeting on 7 March 2018 • Electronic meeting between 23 April 2018 and 30 April 2018
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report