

## DETERMINATION AND STATEMENT OF REASONS

### SYDNEY CENTRAL CITY PLANNING PANEL

<b>DATE OF DETERMINATION</b>	16 April 2020
<b>PANEL MEMBERS</b>	Abigail Goldberg (Chair), David Ryan, Ken McBryde, Mark Colburt and Chandi Saba
<b>APOLOGIES</b>	Gabrielle Morrish
<b>DECLARATIONS OF INTEREST</b>	Nil

Public meeting held by public teleconference on 16 April 2020, opened at 12.00pm and closed at 1.05pm.

#### MATTER DETERMINED

2018CCIO26 – The Hills Shire – DA709/2017/JP/A - Section 4.55(2) to an approved multi-unit housing development, Lot 96 DP 10157 (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 briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

#### Development application

The Panel determined to approve the development application pursuant to section 4.55 of the *Environmental Planning and Assessment Act 1979*.

The decision was **unanimous**.

#### REASONS FOR THE DECISION

The Panel generally agreed with the recommendations and balance of considerations in Council's report, noting:

- The proposal is in the public interest
- Concerns raised by speakers at the meeting have been addressed through the inclusion of an additional condition no. 22D.

#### CONDITIONS

The development application was approved subject to conditions listed in Council assessment report with a new condition 22D relating to bushfire.

#### Additional condition NO. 22D – Bushfire to read as follows –

The development shall be undertaken in accordance with the recommendations outlined in Section 4.2 of the Bushfire Report, by Travers, dated February 2019 (REF: 18BATH09).

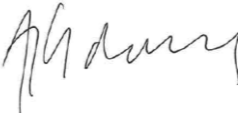

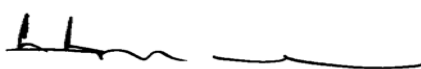


#### CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition and heard from all those wishing to address the Panel. The Panel notes that issues of concern included:

- Undesirable development which will reduce value of surrounding developments;
- Negative entrance into Hynds Road;
- Reduced landscaping;

- Traffic;
- Low cost housing estate out of character with the neighbourhood.

The Panel considers that concerns raised by the community have been adequately addressed in the assessment report and that no new issues requiring assessment were raised during the public meeting. The Panel notes that in addressing these issues, appropriate conditions have been imposed addressing the issues raised in the council assessment report.

PANEL MEMBERS	
 Abigail Goldberg (Chair)	 Ken McBryde
 Chandi Saba	 Mark Colburt
 David Ryan	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018CCIO26 – The Hills Shire – DA709/2017/JP/A
2	PROPOSED DEVELOPMENT	An approved multi-unit housing development
3	STREET ADDRESS	Lot 96 DP 10157
4	APPLICANT/OWNER	Universal Property Group Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55 modification
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• Environmental planning instruments:               <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy (Sydney Region Growth Centres) 2006</li> <li>○ State Environmental Planning Policy No. 55- Remediation of Land</li> <li>○ Sydney Regional Environmental Plan No. 20 – Hawkesbury Nepean River (No.2 – 1997)</li> <li>○ State Environmental Planning Policy – Building Sustainability Index (BASIX) 2009</li> <li>○ Draft amendments to SEPP (Sydney Region Growth Centres) 2006 (North West Priority Growth Area Land Use and Infrastructure Implementation Plan)</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans:</li> </ul>

		<ul style="list-style-type: none"> <li>○ Central City District Plan</li> <li>○ Box Hill Development Control Plan 2017</li> <li>○ The Hills Development Control Plan 2012</li> <li>● Planning agreements: Nil</li> <li>● Provisions of the Environmental Planning and Assessment Regulation 2000.</li> <li>● Coastal zone management plan: [Nil]</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	<b>MATERIAL CONSIDERED BY THE PANEL</b>	<ul style="list-style-type: none"> <li>● Council assessment report: April 2020</li> <li>● Written submissions during public exhibition: 1</li> <li>● Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>○ In support – Nil</li> <li>○ In objection – Michael Ryan</li> <li>○ Council assessment officer – Kate Clinton, Benjamin Hawkins, Paul Osborne and Cameron McKenzie</li> <li>○ On behalf of the applicant – Vandana Vandana</li> </ul> </li> </ul>
8	<b>MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL</b>	<ul style="list-style-type: none"> <li>● Briefing – 20 December 2018 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Paul Mitchell (Acting Chair), Mary-Lynne Taylor, Peter Brennan and Mark Colburt</li> <li>○ <u>Council assessment staff</u>: Kate Clinton and Paul Osborne</li> </ul> </li> <li>● Site inspection: Site inspections have been curtailed due to COVID-19. Where relevant, Panel members undertook site inspection individually.</li> <li>● Final briefing to discuss council's recommendation, 16 April 2020, 11.00am (teleconference) Attendees: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Abigail Goldberg (Chair), David Ryan, Ken McBryde, Mark Colburt and Chandi Saba</li> <li>○ <u>Council assessment staff</u>: Kate Clinton, Benjamin Hawkins, Paul Osborne and Cameron McKenzie</li> </ul> </li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Approval subject to conditions
10	<b>DRAFT CONDITIONS</b>	Submitted with council assessment report