



DETERMINATION AND STATEMENT OF REASONS
SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	11 June 2020
PANEL MEMBERS	Abigail Goldberg (Chair), David Ryan, Mark Colburt and Chandi Saba
APOLOGIES	Nil
DECLARATIONS OF INTEREST	Gabrielle Morrish advised that her company was involved in a site within 2 blocks of this site as the urban designers (Cadman Cres and Hughes Ave) so she thinks that might be perceived as a conflict as her company prepared the urban design strategy for the site and are now looking into the DA for the client.

Papers circulated electronically between 4 June 2020 and 11 June 2020.

MATTER DETERMINED

2018CCI028 – The Hills Shire – DA688/2019/JP - 3-9 Fishburn Crescent, 14-16 Middleton Avenue and 37-45 Dawes Avenue, Castle Hill, Demolition of Existing Structures and Construction of four 8-10 storey Residential Flat Buildings comprising 296 units (69 x 1 bedroom, 167 x 2 bedroom and 70 x 3 bedroom) and 407 car parking spaces within a basement car park (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 listed at item 8 in Schedule 1.

Application to vary a development standard

Following consideration of a written request from the applicant, made under cl 4.6 (3) of the Hills Local Environmental Plan 2012 (LEP), that has demonstrated that:

- a) compliance with cl. 4.3 is unreasonable or unnecessary in the circumstances; and
- b) there are sufficient environmental planning grounds to justify contravening the development standard

The Panel is satisfied that:

- a) the applicant's written request adequately addresses the matters required to be addressed under cl 4.6 (3) of the LEP; and
- b) the development is in the public interest because it is consistent with the objectives of cl. 4.3 of the LEP and the objectives for development in the R4 High Density Residential zone; and
- c) the concurrence of the Secretary has been assumed.

The Panel determined to approve the development application pursuant to section 4.16 of the Environmental Planning and Assessment Act 1979 for the reasons outlined in the conclusion of the Council Assessment Report.

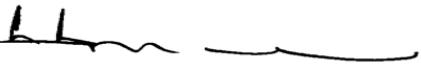
The decision was unanimous.

CONDITIONS

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

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel notes that they were no written submissions made during public exhibition.

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

SCHEDULE 1

1	PANEL REF – LGA – DA NO.	2018CCI028 – The Hills Shire – DA688/2019/JP
2	PROPOSED DEVELOPMENT	Demolition of Existing Structures and Construction of four 8-10 storey Residential Flat Buildings comprising 296 units (69 x 1 bedroom, 167 x 2 bedroom and 70 x 3 bedroom) and 407 car parking spaces within a basement car park
3	STREET ADDRESS	3-9 Fishburn Crescent, 14-16 Middleton Avenue and 37-45 Dawes Avenue, Castle Hill
4	APPLICANT/OWNER	Applicant - Bridgestone Projects Pty Ltd Owners - Mr J M Parsons, Mrs G S Parsons, Mr P S Hindring, Mrs C M E Hindring, Mr P A Cross, Mrs D Cross, Mrs J A Tindale, Mr W G Tindale, Mrs N Bertrand, Mr D W Hall, Mrs S Hall, Mr S Sroba, Mrs Z Sroba, Mr M A Gilchrist, Mrs M G Gilchrist, Mr S J Armsworth, Mrs D A Armsworth, Mrs M Scuglia, Mr V Scuglia and Mr Z Liu
5	TYPE OF REGIONAL DEVELOPMENT	CIV over \$30million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> ● Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ State Environmental Planning Policy No. 55 – Remediation of Land ○ State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development ○ State Environmental Planning Policy No. 64 – Advertising and Signage ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ○ The Hills Local Environmental Plan 2012 ○ Draft environmental planning instruments: Draft Environment SEPP ○ Development control plans: <ul style="list-style-type: none"> ○ The Hills Development Control Plan 2012

		<ul style="list-style-type: none"> ○ Apartment Design Guide ○ Planning agreements: Nil ○ Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Clause 92(1)(b) ○ 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: June 2020 ● A written submission Clause 4.6 ● Written submissions during public exhibition: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY	<ul style="list-style-type: none"> ● Record of briefing – 23 May 2019 ● Papers were circulated electronically between 4 June 2020 and 11 June 2020.
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report