

## DETERMINATION AND STATEMENT OF REASONS

### SYDNEY CENTRAL CITY PLANNING PANEL

<b>DATE OF DETERMINATION</b>	27 July 2018
<b>PANEL MEMBERS</b>	Paul Mitchell (Chair), Stuart McDonald and Michael Edgar
<b>APOLOGIES</b>	Mary-Lynne Taylor and Stewart Seale
<b>DECLARATIONS OF INTEREST</b>	None

Electronic meeting held between 18 July 2018 and 27 July 2018.

#### MATTER DETERMINED

2018SWC007 – The Hills – DA 1018/2018/JP at Lot 4 DP 1231258, 35 Goodison St, Kellyville (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 the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

#### REASONS FOR THE DECISION

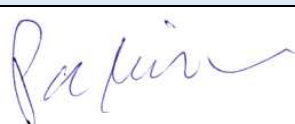
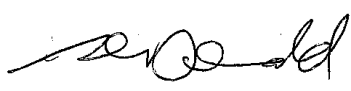

The Panel accepted the applicant's written request to vary the building standard under Clause 4.3 Height of buildings under SEPP (Sydney Region Growth Centres) 2006 as:

- It is well founded; and
- Compliance with the standard is unnecessary or unreasonable in this instance; and
- The proposal results in a better planning outcome.

The Panel determined to approve the application for the reasons outlined in the council assessment report.

#### CONDITIONS

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

PANEL MEMBERS	
 Paul Mitchell OAM (Chair)	 Stuart McDonald
 Michael Edgar	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SWC007 – The Hills – DA 1018/2018/JP
2	PROPOSED DEVELOPMENT	Child care centre
3	STREET ADDRESS	Lot 4 DP 1231258, 35 Goodison St, Kellyville
4	APPLICANT/OWNER	Moran Australia (Rouse Hill) P/L
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
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 (State and Regional Development) 2011</li> <li>State Environmental Planning Policy (Sydney Region Growth Centres) 2006</li> <li>State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017</li> <li>State Environmental Planning Policy No 55 – Remediation of Land</li> <li>Sydney Regional Environmental Plan No 20 – Hawkesbury-Nepean River</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>North Kellyville Development Control Plan</li> <li>The Hills Development Control Plan: <ul style="list-style-type: none"> <li>Part B Section 6 – Business</li> <li>Part C Section 1 – Parking</li> <li>Part C Section 3 - Landscaping</li> </ul> </li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</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	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Council assessment report: 18 July 2018</li> <li>Written submissions during public exhibition: none</li> </ul>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Briefing report send to Panel on 8 March 2018</li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report