

DATE OF DETERMINATION	Thursday, 21 November 2019
PANEL MEMBERS	Paul Mitchell (Acting Chair), Mary-Lynne Taylor and Julie Savet Ward
APOLOGIES	Mark Colburt, Chandi Saba and Stewart Seale
DECLARATIONS OF INTEREST	None

Public meeting held at The Hills Shire Council, Administration Centre, 3 Columbia Court, Norwest on 21 November 2019, opened at 12.37pm and closed at 2.00pm.

MATTER DEFERRED

2018SWC019 – The Hills Shire Council – DA716/2018/JPZ at 14-16 Nelson Road, Box Hill – Small lot housing development and subdivision (as described in Schedule 1)

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




REASONS FOR DEFERRAL

1. The Panel believes the public should be able to rely on publicly available planning reports such as an Indicative Layout Plan (ILP).
2. The Panel is concerned that this DA proposes the removal of two roads shown in an ILP.
3. The Panel believes removal of such roads may be appropriate for the subject application alone but not for the broader locality and that the development potential of 18 Nelson Road may be constrained as a result of the two roads being removed.
4. Accordingly, the Panel defers this application and invites the applicant to redesign to enable more secure access options for neighbouring properties such as making its proposed northern road a public road that extends to Robins Road or constructing Robins Road to a greater width.

As a result of the above decision, the Panel recommends that the Council consider more fully the development potential of neighbouring properties including 18 Nelson Road, particularly given its heritage significance in Council's LEP. The Panel also recommends that the owners of 18 Nelson Road advance their plans so that more meaningful dialogue with the Council can occur.

When this information has been received, the Panel will hold another public determination meeting.

The decision to defer the matter was unanimous.

PANEL MEMBERS	
 Paul Mitchell (Acting Chair)	 Mary-Lynne Taylor
 Julie Savet Ward	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SWC019 – The Hills Shire Council – DA716/2018/JPZ
2	PROPOSED DEVELOPMENT	Small lot housing development and subdivision creating 40 community title residential lots containing 16 detached dwellings, 22 attached dwellings and two semi-detached dwellings and one association lot including new road and demolition over four stages.
3	STREET ADDRESS	Lot 105 DP 658289 and Lot 1 DP 136172, 14-16 Nelson Road, Box Hill
4	APPLICANT/OWNER	Senoc Pty Limited, Mr Steven John Tsakos and Mrs Sonia Sotiria Tsakos
5	TYPE OF REGIONAL DEVELOPMENT	Capital Investment Value over \$20M (DA lodged before 1 March 2018)
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (Sydney Region Growth Centres) 2006 ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ State Environmental Planning Policy No. 55 – Remediation of Land ○ Sydney Regional Environmental Plan No 20 – Hawkesbury-Nepean River ○ North West Priority Growth Area and Land Use and Infrastructure Implementation Plan • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Box Hill Growth Centre Precincts Development Control Plan • 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 • 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: November 2019 • Written submissions during public exhibition: 1 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ In support – Nil

		<ul style="list-style-type: none"> ○ In objection – Peter Graham on behalf of Blue Moon 8 Pty Ltd ○ Council assessment officer – Gannon Cuneo, Ben Hawkins and Cameron McKenzie ○ On behalf of the applicant – Rudi Valla
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Electronic Briefing: 16 March 2018 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Paul Mitchell (Acting Chair), Mary-Lynne Taylor, Michael Edgar and Stewart Seale ○ <u>Council assessment staff</u>: Simon Turner • Site inspection: 21 November 2019 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Paul Mitchell (Acting Chair), Mary-Lynne Taylor and Julie Savet Ward ○ <u>Council assessment staff</u>: Gannon Cuneo, Ben Hawkins and Cameron McKenzie • Final briefing to discuss council's recommendation, 21 November 2019, 12.00pm. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Paul Mitchell (Acting Chair), Mary-Lynne Taylor and Julie Savet Ward ○ <u>Council assessment staff</u>: Gannon Cuneo, Ben Hawkins and Cameron McKenzie
9	COUNCIL RECOMMENDATION	Deferred commencement approval
10	DRAFT CONDITIONS	Attached to the council assessment report