

DETERMINATION AND STATEMENT OF REASONS

SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	Thursday, 19 March 2020
PANEL MEMBERS	Abigail Goldberg (Chair), David Ryan, Mark Colburt, Chandi Saba and Julie Savet Ward (teleconference)
APOLOGIES	Gabrielle Morrish
DECLARATIONS OF INTEREST	None

Public meeting held at The Hills Shire Council, Administration Centre, 3 Columbia Court, Norwest on 19 March 2020, opened at 1.00pm and closed at 2.02pm.

MATTER DETERMINED

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).

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 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

1. The proposal is a permissible use in the R3 Medium Density Residential Zone, is consistent with relevant zone objectives and complies with the applicable development standards.
2. The proposal will add to the stock of housing available and broaden housing choice. It will thus contribute to improved housing affordability and be socially beneficial.
3. The proposal is satisfactory in relation to its consistency with local planning guidelines. While there is some inconsistency with the ILP's road layout, the alternative proposed will provide satisfactory access to the development site and adjoining allotments. Concerns expressed by a neighbour in relation to the originally proposed road layout which involved additional variations to the ILP appear to have been adequately resolved by the amended layout.
4. The site will have access to all necessary infrastructure and services, and is suitable for the proposed development.
5. Whilst there are lots that back onto Nelson Road and Palazzo View, proposed fencing and landscape arrangements provide a satisfactory streetscape presentation to those roads.
6. All the reasons for the deferral by the previous meeting of the Panel have been satisfactorily addressed in the amended proposal.
7. For the reasons given above approval of the application is in the public interest.

CONDITIONS

The development application was approved subject to the conditions in the Council assessment report.




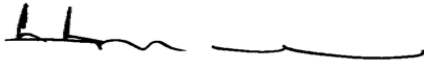

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel 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:

- Width of the required public road.

No further submissions were received in relation to the amended proposal.

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.

PANEL MEMBERS	
 Abigail Goldberg (Chair)	 David Ryan
 Julie Savet Ward (teleconference)	 Chandi Saba
 Mark Colburt	

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 39 community title residential lots containing 13 detached dwellings, 22 attached dwellings and four semi-detached dwellings and one association lot including new road and demolition over three stages.
3	STREET ADDRESS	Lot 105 DP 658289 and Lot 1 DP 136172, 14-16 Nelson Road, Box Hill
4	APPLICANT/OWNER	Applicant - Senoc Pty Limited C/-Mr Rudi Valla Owner – 14 Nelson Road, Senoc Pty Limited 16 Nelson Road - 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"> Original council assessment report: November 2019 Addendum report – 19 March 2020

		<ul style="list-style-type: none"> • Written submissions during public exhibition: 1 to the original proposal, 0 submissions to the amended proposal. • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ In support – Nil ○ In objection – Nil ○ Council assessment officer – Gannon Cuneo, Ben Hawkins, Paul Osborne 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 • Public meeting: 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 • Site inspection: 19 March 2020 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Abigail Goldberg (Chair), David Ryan ○ Chandi Saba and Mark Colburt conducted their site inspections prior to 19 March 2020. ○ <u>Council assessment staff</u>: Gannon Cuneo, Ben Hawkins and Cameron McKenzie • Final briefing to discuss council's recommendation, 19 March 2020, 11.00am. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Abigail Goldberg (Chair), David Ryan, Julie Savet Ward (teleconference), Chandi Saba and Mark Colburt ○ <u>Council assessment staff</u>: Gannon Cuneo, Ben Hawkins, Paul Osborne and Cameron McKenzie
9	COUNCIL RECOMMENDATION	Deferred commencement approval
10	DRAFT CONDITIONS	Attached to the council assessment report