

DETERMINATION AND STATEMENT OF REASONS SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	30 July 2019
PANEL MEMBERS	Paul Mitchell OAM (Acting Chair), Mary-Lynne Taylor, Stuart McDonald, Mark Colburt and Chandi Saba
APOLOGIES	Nil
DECLARATIONS OF INTEREST	Nil

Public meeting held at The Hills Shire Council on 30 July 2019, opened at 12.47pm and closed at 1.30pm.

MATTER DETERMINED

2018SWC098 - The Hills Shire – DA320/2019 at Lot 24 DP 255722, Lot 25 DP 255722, Lot 26 DP 255722 and Lot 27 DP 255722, 29-35 Dawes Avenue, Castle Hill (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 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 proposed development is consistent with the R4 zone objectives and will provide well designed residential development in a location that is close to high frequency public transport services.
2. The proposed development complies with all applicable development standards and most guidelines. Variations to the latter are generally minor and inconsequential. Overall, the proposal exhibits design excellence.
3. The proposal will add to the stock and range of housing available in the locality thus contributing to improved housing choice and affordability and being socially beneficial.
4. The proposed development will have no material adverse impacts on neighbouring properties, nor on local infrastructure including the road network.
5. The Panel has carefully considered the issues raised in the objection and finds that most have been resolved by design amendments or conditions that will be imposed. No unresolved issue is of sufficient magnitude to justify refusal of the application.
6. For the reasons given above approval of the application is in the public interest.

CONDITIONS




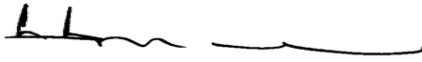

The development application was approved subject to the council assessment report.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered the written submission made during public exhibition. The following issues were raised:

- Overshadowing and overlooking;
- Excessive construction noise;
- Structural damage;
- Need for local traffic management;
- Parking constraints.

The Panel considers that concerns raised by the public have been adequately addressed in the assessment report and that no new issues requiring assessment were raised during the public meeting. The Panel believes that these issues raised are either inconsequential or have been addressed by design amendments and/or appropriate conditions imposed on the consent.

PANEL MEMBERS	
 Paul Mitchell OAM (Acting Chair)	 Stuart McDonald
 Mary-Lynne Taylor	 Chandi Saba
 Mark Colburt	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SWC098 - The Hills Shire – DA320/2019
2	PROPOSED DEVELOPMENT	Demolition of existing structures and construction of a residential flat building containing 78 units and basement parking.
3	STREET ADDRESS	Lot 24 DP 255722, Lot 25 DP 255722, Lot 26 DP 255722 and Lot 27 DP 255722, 29-35 Dawes Avenue, Castle Hill
4	APPLICANT/OWNER	CBD Core Pty Ltd / Dawescastle Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Capital investment value (CIV) over \$30 million.

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 (Building Sustainability Index: BASIX) 2004 ○ The Hills Local Environmental Plan 2012 ○ Apartment Design Guide • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ DCP 2012 Part C Section 1 – Parking ○ DCP 2012 Part C Section 3 – Landscaping ○ DCP 2012 Part D Section 19 – Showground Precinct • Planning agreements: Nil • Provisions of the Environmental Planning and Assessment Act Regulation 2000. • 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: 30 July 2019 • Written submissions during public exhibition: 2 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ In support – Nil ○ In objection – Nil ○ Council assessment officer – Cynthia Dugan and Paul Osborne ○ On behalf of the applicant – James McBride
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY	<ul style="list-style-type: none"> • Briefing – 20 December 2018 • Site inspection: 30 July 2019 • Final briefing to discuss council’s recommendation, 30 July 2019, 12.00pm. Attendees:

		<ul style="list-style-type: none"> ○ <u>Panel members:</u> Paul Mitchell OAM (Acting Chair), Mary-Lynne Taylor, Stuart McDonald, Mark Colburt and Chandi Saba ○ <u>Council assessment staff:</u> Cynthia Dugan and Paul Osborne
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Submitted with Council assessment report