

DETERMINATION AND STATEMENT OF REASONS
SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	2 September 2022
DATE OF PANEL DECISION	1 September 2022
DATE OF PANEL MEETING	1 September 2022
PANEL MEMBERS	Abigail Goldberg (Chair), Roberta Ryan, Brent Woodhams, Jarrod Murphy
APOLOGIES	None
DECLARATIONS OF INTEREST	David Ryan advised that his company undertakes work with the applicant and his is accordingly conflicted for this matter.

Papers circulated electronically on 24 August 2022.

MATTER DETERMINED

PPSSCC-134 - The Hills Shire - DA 270/2021/JP - Lot 5 DP 30916 Commercial Road, Rouse Hill - Staged Construction of Four Residential Flat Buildings containing 330 units and Retail Floor Space.

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.

Development application

The panel determined to approve the development application for deferred commencement pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

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 with the following amendment to Condition 9 relating to signage:

- **9. Separate application for signs**
A separate application is to be submitted to, and approved by, Council prior to the erection of any advertisements or advertising structures.

CONSIDERATION OF COMMUNITY VIEWS

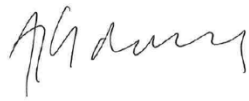
In coming to its decision, the panel considered written submissions made during public exhibition and heard from all those wishing to address the panel. The panel notes that issues of concern included:

- Traffic and road safety
- Design and construction of the new road (Green Hills Drive)
- Impact on services in the area
- Overall scale of the development.

The panel considers that concerns raised by the community have been adequately addressed in the assessment report.

PANEL MEMBERS

Abigail Goldberg (Chair)



Roberta Ryan



Jarrod Murphy



Brent Woodhams



SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-134 - The Hills Shire - DA 270/2021/JP
2	PROPOSED DEVELOPMENT	Staged Construction of Four Residential Flat Buildings containing 330 units and Retail Floor Space.
3	STREET ADDRESS	Lot 5 DP 30916 Commercial Road, Rouse Hill
4	APPLICANT/OWNER	Universal Property Group Pty Ltd/ Bathla
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ SEPP (Planning Systems) 2021 – Formerly SEPP (State and Regional Development) 2011 ○ SEPP (Resilience and Hazards) 2021 – Formerly SEPP 55 – Remediation of Land ○ SEPP (Transport and Infrastructure) 2021 – Formerly SEPP (Infrastructure) 2007 ○ SEPP (Biodiversity and Conservation) 2021 – Formerly Sydney Regional Environmental Plan 20 – Hawkesbury – Nepean River No.2 1997 ○ SEPP 65 – Design Quality of Residential Apartment Development ○ SEPP (BASIX) 2004 ○ SEPP (Industry and Employment) 2021 – Formerly SEPP 64 – Advertising Signage ○ The Hills Local Environmental Plan 2019 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ The Hills Development Control Plan 2012 ○ Part D Section 5 Kellyville Rouse Hill Release Area ○ Part B Section 5 Residential Flat Building ○ Part C Section 1 Parking ○ Part C Section 2 - Signage ○ Part C Section 3 Landscaping • Planning agreements: <ul style="list-style-type: none"> ○ Council entered into a Voluntary Planning Agreement with Norlex Holdings Pty Ltd on 25 July 2017 which related to the construction and dedication of a new road through the site (extension of Green Hills Drive), turfing and dedication of land for a new pocket park (passive open space), and payment of monetary contributions to Council by the Developer. • Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> • 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

		<ul style="list-style-type: none"> 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: 23 August 2022 Written submissions during public exhibition: Seven (7) Total number of unique submissions received by way of objection: Six (6)
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: 19 November 2020 <ul style="list-style-type: none"> <u>Panel members</u>: David Ryan (Acting Chair), Susan Budd, Mark Colbert, Gabrielle Morrish <u>Council assessment staff</u>: Harrison Depczynski, Paul Osborne, Cameron McKenzie Briefing: 8 December 2021 <ul style="list-style-type: none"> <u>Panel members</u>: Roberta Ryan (Acting Chair), Noni Ruker <u>Council assessment staff</u>: Harrison Depczynski, Paul Osborne, Cameron McKenzie Final briefing to discuss council's recommendation: 1 September 2022 <ul style="list-style-type: none"> <u>Panel members</u>: Abigail Goldberg (Chair), Roberta Ryan, Brent Woodhams, Jarrod Murphy <u>Council assessment staff</u>: Amanda Hawkins, Robert Buckham, Paul Osborne
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report