

## DETERMINATION AND STATEMENT OF REASONS

### SYDNEY CENTRAL CITY PLANNING PANEL

|                                 |   |
|---------------------------------|---|
| <b>DATE OF DETERMINATION</b>    | 31 March 2021   |
| <b>PANEL MEMBERS</b>            | Abigail Goldberg (Chair), David Ryan, Gabrielle Morrish, Chandi Saba and Mark Colburt |
| <b>APOLOGIES</b>                | Nil   |
| <b>DECLARATIONS OF INTEREST</b> | Nil   |

Papers circulated electronically on 16 March 2021.

#### MATTER DETERMINED

PPSSCC-203 – The Hills Shire – DA1946/2016/JP/B, Lot 101 DP 1146629 and Lot A DP 158531, Nos. 51-53 and 55 Old Castle Hill Road, Castle Hill, Section 4.55 (2) Modification to an Approved Residential Flat Building Development (as described in Schedule 1).

#### PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at items 7 and 8 in Schedule 1.

The Panel determined to approve the development application pursuant to section 4.55 of the Environmental Planning and Assessment Act 1979 for the reasons outlined in the Council Assessment Report.

The decision was **unanimous**.

#### 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 two written submissions made during the public exhibition. The Panel notes that issues of concern in the written submissions included:

- Footpath construction
- Worker behaviour
- Parking impacts
- Number of units.

The Panel considers that concerns raised by the community have been adequately addressed in the Assessment Report.

| PANEL MEMBERS   |   |
|---|---|
| <br>Abigail Goldberg (Chair) | <br>David Ryan  |
| <br>Mark Colburt             | <br>Chandi Saba |
| <br>Gabrielle Morrish        |   |

| SCHEDULE 1 |                                   |  |
|------------|-----------------------------------|--|
| 1          | PANEL REF – LGA – DA NO.          | PPSSCC-203 – The Hills Shire – DA1946/2016/JP/B,   |
| 2          | PROPOSED DEVELOPMENT              | Section 4.55 (2) Modification to an Approved Residential Flat Building Development   |
| 3          | STREET ADDRESS                    | Lot 101 DP 1146629 and Lot A DP 158531, Nos. 51-53 and 55 Old Castle Hill Road, Castle Hill  |
| 4          | APPLICANT/OWNER                   | Toplace Pty Ltd  |
| 5          | TYPE OF REGIONAL DEVELOPMENT      | Section 4.55 (2) Modification  |
| 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 No. 65 - Design Quality of Residential Apartment Development</li> <li>State Environmental Planning Policy Infrastructure 2007</li> <li>State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>State Environmental Planning Policy Building Sustainability Index: BASIX 2004</li> <li>The Hills Local Environmental Plan 2019</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>DCP Part D Section 2 – Pennant Street Target Site</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the Environmental Planning and Assessment Regulation 2000</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> </ul> |

|    |   |   |
|----|---|---|
|    |   | <ul style="list-style-type: none"> <li>• The suitability of the site for the development</li> <li>• Any submissions made in accordance with the Environmental Planning and Assessment Act 1979 or regulations</li> <li>• The public interest, including principles of ecologically sustainable development</li> </ul> |
| 7  | <b>MATERIAL CONSIDERED BY THE PANEL</b>   | <ul style="list-style-type: none"> <li>• Council Assessment Report – March 2021</li> <li>• Written submissions during public exhibition: 2</li> </ul>   |
| 8  | <b>MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY</b> | <ul style="list-style-type: none"> <li>• Briefing – 18 February 2021</li> <li>• Site inspection - site inspections have been curtailed due to COVID-19 precautions. Where relevant, Panel members undertook site inspections individually.</li> <li>• Papers circulated electronically on 16 March 2021.</li> </ul>   |
| 9  | <b>COUNCIL RECOMMENDATION</b>   | Approval subject to conditions  |
| 10 | <b>DRAFT CONDITIONS</b>   | Attached to the Council Assessment Report   |