

DETERMINATION AND STATEMENT OF REASONS
 SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	2 December 2021
DATE OF PANEL DECISION	2 December 2021
PANEL MEMBERS	Abigail Goldberg (Chair), David Ryan, Roberta Ryan and Mark Colburt
APOLOGIES	None
DECLARATIONS OF INTEREST	Chandi Saba advised that she reviewed a VPA at this address for the resident and will not participate in determination of this application.

Papers circulated electronically on 26 November 2021.

MATTER DETERMINED

PPSSCC-221 - 1154/2021/JP – The Hills Shire Council, 7 Maitland Place, Norwest, proposal for construction of a 6-8 storey commercial office building with ground floor and roof top food and drink premises (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.

Application to vary a development standard

Following consideration of a written request from the applicant, made under cl 4.6 (3) of The Hills Local Environmental Plan 2019 (LEP), that has demonstrated that:

- a) compliance with Cl. 4.3 is unreasonable or unnecessary in the circumstances; and
- b) there are sufficient environmental planning grounds to justify contravening the development standard

The Panel is satisfied that:

- a) the applicant’s written request adequately addresses the matters required to be addressed under Cl 4.6 (3) of the LEP; and
- b) the development is in the public interest because it is consistent with the objectives of cl. 4.3 of the LEP and the objectives for development in the B7 Business Park zone; and
- c) the concurrence of the Secretary has been assumed.

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

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.





CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered one written submission made during the public exhibition.

The Panel notes that issues of concern in the written submission included:

- Traffic and parking concerns during construction.

The Panel considers that concerns raised in the submission have been adequately addressed in the Council Assessment Report.

PANEL MEMBERS	
 Abigail Goldberg (Chair)	 David Ryan
 Roberta Ryan	 Mark Colburt

SCHEDULE 1

1	PANEL REF – LGA – DA NO.	PPSSCC-221 - 1154/2021/JP – The Hills Shire Council
2	PROPOSED DEVELOPMENT	A 6-8 Storey commercial office building with ground floor and roof top food and drink premises
3	STREET ADDRESS	7 Maitland Place, Norwest
4	APPLICANT/OWNER	Haitchin Commercial Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	CIV over \$30million
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 Infrastructure 2007 • State Environmental Planning Policy No 55 — Remediation of Land • 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 • 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 2021 • Written submissions during public exhibition: One • Plans • Clause 4.6 written submission • Design Review Panel Report
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing – 19 August 2021 • Site inspection - site inspections have been curtailed due to COVID-19 precautions. Where relevant, Panel members undertook site inspections individually. • Papers circulated electronically on 26 November 2021.

9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report