

DETERMINATION AND STATEMENT OF REASONS
SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	11 April 2022
DATE OF PANEL DECISION	11 April 2022
PANEL MEMBERS	Abigail Goldberg (Chair), Roberta Ryan, David Ryan
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 1 April 2022.

MATTER DETERMINED

PPSSCC-241 – The Hills Shire - DA 1541/2021/JP, 40 Solent Circuit Norwest, Mixed Use Development
Comprising of Two Residential Flat Buildings Containing 196 Apartments, Retail, Business, Indoor
Recreation and Medical Uses and Basement Car parking.

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 listed at item 8 in Schedule 1.

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, as amended and noted in the Council Memo dated 7 April 2022. The Panel notes that Conditions 1, 7 and 35 were disputed by the Applicant. Council provided discussion on these conditions in the Memo, the Panel accepted Council's position and agreed to retain these conditions.

The Panel also agreed to delete Deferred Commencement Condition A and include an appropriate condition in the *Prior to work commencing on site* section of the conditions of consent. As the Applicant provided advice from Endeavour Energy, on 8 April 2022, that design and reports are required for review/approval prior to construction works taking place within the easement. Council stated that they supported the changes in conditions.




CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered five written submissions made during public exhibition. The issues of concern included:

- The height of buildings in comparison with the immediate vicinity of the development.
- The suitability of the scale of the development for the precinct.
- The residential density in comparison with the immediate vicinity of the development.
- Commercial operations in a residential zone.
- The aesthetic design of the buildings in comparison with the buildings on Spurway Drive.

- Traffic congestion related to the commercial uses.
- Parking availability for commercial uses.
- Vehicular access and safety concerns from Spurway Drive into Fairway Drive, and from Natura Rise.
- Construction vehicle access and movement in Solent Circuit.
- Detail and inconsistency in the Traffic and Parking Report regarding construction workers and tree removal.
- Status of Spurway Drive in the submitted documentation.
- Confirmation of all heavy vehicle movement to be limited to Solent Circuit.
- Necessity of an on-site detention system.

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

PANEL MEMBERS	
 Abigail Goldberg (Chair)	 Roberta Ryan
 David Ryan	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-241 – The Hills Shire - DA 1541/2021/JP
2	PROPOSED DEVELOPMENT	Mixed Use Development Comprising of Two Residential Flat Buildings Containing 196 Apartments, Retail, Business, Indoor Recreation and Medical Uses and Basement Car parking.
3	STREET ADDRESS	40 Solent Circuit Norwest
4	APPLICANT/OWNER	Mulpha Norwest Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<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 • The Hills Development Control Plan 2012 <ul style="list-style-type: none"> ○ Part B Section 5 – Residential Flat Building ○ Part B Section 6 – Business ○ Part C Section 1 – Parking ○ Part C Section 3 – Landscaping ○ Part D Section 8 – Norwest Town Centre Residential Development • Any relevant planning agreement that has been entered into under section 7.4 • Voluntary Planning Agreement
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council Assessment Report: 31 March 2022 • Council Memo: 7 April 2022 • Applicant & Council email regarding Deferred Commencement Condition: 8 April 2022 • Written submissions during public exhibition: 5 • Total number of unique submissions received by way of objection: 5
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing: 22 July 2021 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Abigail Goldberg (Chair), David Ryan, Noni Ruker, Mark Colburt ○ <u>Council assessment staff</u>: Cameron McKenzie, Paul Osborne, Cynthia Dugan ○ <u>DPE</u>: George Dojas, Suzie Jattan
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report, as amended