



<b>DATE OF DETERMINATION</b>	17 March 2022
<b>DATE OF PANEL DECISION</b>	17 March 2022
<b>DATE OF PANEL MEETING</b>	17 March 2022
<b>PANEL MEMBERS</b>	Abigail Goldberg (Chair), Roberta Ryan, Brian Kirk
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Papers circulated electronically on 15 March 2022.

#### **MATTER DETERMINED**

PPSSCC-273 – The Hills - 130/2022/JPZ, 35 – 39 Terry Road, Box Hill, Subdivision creating six residue/development lots, one stormwater management lot and three road widening lots over two stages including demolition, dam dewatering and new road.

#### **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 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, noting in particular:

- The proposed development is generally consistent with the provisions of the SRGC SEPP and the DCP, in which the site is suitable for the intended residential use as outlined by the zoning of the site and the Indicative Layout Plan of the DCP.
- The proposed development is unlikely to generate any except negligible impacts on the natural and built environments (subject to conditions) and is considered to be in the public interest.
- The proposed development is recommended for a deferred commencement approval subject to the conditions of consent contained in Attachment A of the Council report. The deferred commencement condition requires the construction of stormwater basins to remove the flood extent from the subject site prior to an operational consent being issued.

#### **CONDITIONS**

The development application was approved subject to the conditions in the Council assessment report with the following amendment, which updates the legal reference:

##### **Condition 41. Erection of Signage – Supervision of Subdivision Work**

In accordance with the Environmental Planning and Assessment Regulation 2021, a sign is to be erected in a prominent position displaying the following information:



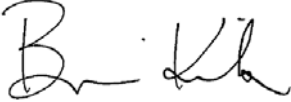
- The name, address and telephone number of the Principal Certifier (Council);

- The name and telephone number (including after hours) of the person responsible for carrying out the works;
- That unauthorised entry to the work site is prohibited.

This signage must be maintained while the subdivision work is being carried out and must be removed upon completion.

As per the Environmental Planning and Assessment Act 1979, only Council can issue a Subdivision Certificate which means only Council can be appointed as the Principal Certifier for subdivision works.

In coming to its decision, the panel notes that no written submissions were made during public exhibition and therefore no issues of concern were raised.

PANEL MEMBERS	
 Abigail Goldberg (Chair)	 Roberta Ryan
 Brain Kirk	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-273 – The Hills - 130/2022/JPZ
2	PROPOSED DEVELOPMENT	Subdivision creating six residue/ development lots, one stormwater management lot and three road widening lots over two stages including demolition, dam dewatering and new road
3	STREET ADDRESS	39 Terry Road, Box Hill
4	APPLICANT/OWNER	Universal Property Group Pty Ltd (UPG134 Pty Ltd)/ Baranch Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• State Environmental Planning Policy (State and Regional Development) 2011</li> <li>• State Environmental Planning Policy (Precincts – Central River City) 2021 – Appendix 10</li> <li>• The Hills Growth Centre Precincts Plan</li> <li>• State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>• Draft SEPP (Sydney Region Growth Centres) 2006 – North West Priority Growth Area</li> <li>• Sydney Regional Environmental Plan No 20 – Hawkesbury-Nepean River (No 2 – 1997)</li> <li>• Box Hill Growth Centre Precincts Development Control Plan 2018</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Council assessment report: 10 March 2022</li> <li>• Written submissions during public exhibition: Zero</li> <li>• Total number of unique submissions received by way of objection: Zero</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Briefing: 19 August 2021 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Abigail Goldberg (Chair)</li> <li>○ <u>Council assessment staff</u>: Cameron McKenzie, Ben Hawkins, Jacob Kiner</li> </ul> </li> <li>• Site inspection: Panel members visited the site individually on different days due to Covid-19 precautions.</li> <li>• Applicant Kick Off Briefing: 19 August 2021 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Abigail Goldberg (Chair)</li> <li>○ <u>Applicant representatives</u>: Vandana Vandana</li> </ul> </li> <li>• Final briefing to discuss council’s recommendation: 17 March 2022 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Abigail Goldberg (Chair), Roberta Ryan, Brian Kirk</li> <li>○ <u>Council assessment staff</u>: Cameron McKenzie, Ben Hawkins, Jacob Kiner</li> <li>○ <u>Applicant representatives</u>: Vandana Vandana</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report