

DETERMINATION AND STATEMENT OF REASONS

SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	13 July 2023
DATE OF PANEL DECISION	13 July 2023
DATE OF PANEL BRIEFING	6 July 2023
PANEL MEMBERS	Abigail Goldberg (Chair), Steve Murray, Brian Kirk, Jarrod Murphy, Robert Buckham
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 28 June 2023.

MATTER DETERMINED

PPSSCC-417 – The Hills – 1117/2023/JP – 1-6 Vivien Place, 1, 3, 5 and 7 Gay Street and 12 Gilham Street, Castle Hill - Demolition of Existing Structures and Construction of Residential Flat Building and Multi Dwelling Development under the Provisions of SEPP Housing 2021

PANEL CONSIDERATION AND DECISION

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

Development application

The Panel determined to refuse 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 refuse the application for the reasons outlined in the Council Assessment Report.

CONDITIONS

As the Council Assessment Report has recommended refusal, no draft conditions of consent have been provided.

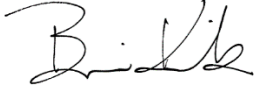
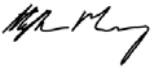
CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered ten written submissions made during the public exhibition, seven of which were unique submissions mainly raising concerns regarding:

- Increased density in the area and impacts on infrastructure and services
- Increased traffic in the area
- Parking impacts.

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

PANEL MEMBERS	

 Abigail Goldberg (Chair)	 Brian Kirk
 Steve Murray	 Jarrod Murphy
 Robert Buckham	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-417 – The Hills – 1117/2023/JP
2	PROPOSED DEVELOPMENT	Demolition of Existing Structures and Construction of Residential Flat Building and Multi Dwelling Development under the Provisions of SEPP Housing 2021
3	STREET ADDRESS	1-6 Vivien Place, 1, 3, 5 and 7 Gay Street and 12 Gilham Street, Castle Hill
4	APPLICANT/OWNER	Applicant: Minto Planning Services Pty Ltd Owner: Castle 7 Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - State Environmental Planning Policy (Planning Systems) 2021 - State Environmental Planning Policy (SEPP) No. 65 – Design Quality of Residential Apartment Building; - State Environmental Planning Policy (Resilience and Hazards) 2021 - State Environmental Planning Policy (Housing) 2021 - State Environmental Planning Policy (Transport and Infrastructure) 2021 - State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 - The Hills Local Environmental Plan 2019 - Draft environmental planning instruments: Nil - Development control plans: - The Hills Development Control Plan 2012 - Planning agreements: Nil - 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 - 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	- Council assessment report: 28 June 2023 - Written submissions during public exhibition: 10 - Total number of unique submissions received by way of objection: 7
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	- Kick Off Briefing: 6 April 2023 <u>Panel members</u>: Abigail Goldberg (Chair), David Ryan, Steve Murray, Robert Buckham, Jarrod Murphy <u>Council assessment staff</u>: Sanda Watts, Paul Osborne, Cameron McKenzie <u>Applicant representatives</u>: The applicant declined to attend the Kick-off Briefing. Advance notice was not provided. - Final briefing to discuss council's recommendation: 6 July 2023 <u>Panel members</u>: Abigail Goldberg (Chair), David Ryan, Steve Murray, Robert Buckham, Jarrod Murphy <u>Council assessment staff</u>: Cynthia Dugan, Cameron McKenzie <u>Applicant representatives</u>: The applicant declined to attend the final briefing.
9	COUNCIL RECOMMENDATION	Refusal

10	DRAFT CONDITIONS	Not applicable
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