

<b>DATE OF DETERMINATION</b>	21 May 2025
<b>DATE OF PANEL DECISION</b>	7 May 2025
<b>PANEL MEMBERS</b>	Abigail Goldberg (Chair), David Ryan, Steve Murray
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Papers circulated electronically on 1 May 2025.

#### **MATTER DETERMINED**

**PPSSCC-566 – The Hills Shire – 1525/2024/JP** - 7-23 Cadman Crescent & 18-24 Hughes Avenue Castle Hill - Amending Concept Development Application for a Seniors Housing Development and a Neighbourhood Shop

**PPSSCC-593 – The Hills Shire – 110/2025/JP** - 7-23 Cadman Crescent & 18-24 Hughes Avenue Castle Hill - Demolition of Existing Structures and Construction of a Seniors Living Development Comprising of 217 Independent Living Units 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 in Schedule 1.

#### **Application to vary a development standard PPSSCC-566:**

Following consideration of a written request from the applicant, made under cl 4.6 (3) of the Hills LEP 2019 the Panel is satisfied that the applicant has demonstrated that:

- a) compliance with State Environmental Planning Policy (Housing) 2021 Part 5, Division 3, Section 87(2)(c) building height and Schedule 4, Part 1, Section 4, Subsection 2(c) car parking is unreasonable or unnecessary in the circumstances; and
- b) there are sufficient environmental planning grounds to justify contravening the development standard.

#### **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 uphold the Clause 4.6 variation to building height and car parking; and approve the application for the reasons outlined in the council assessment report which are replicated below:

**PPSSCC-566 – The Hills Shire – 1525/2024/JP** - This Development Application has been considered in accordance with the requirements of the EP&A Act and the Regulations as outlined in this report. Following a thorough assessment of the relevant planning controls, issues raised in submissions and the key issues identified in this report, it is considered that the application can be supported.

The Applicant's Clause 4.6 written requests to vary Part 5, Division 3, Section 87(2)(c) Maximum Height to permit additional FSR and Schedule 4, Part 1, Section 4, Subsection 2(c) Car Parking of The SEPP (Housing)

2021 can be supported as they adequately justify the contravention of the development standards having regard to the requirements of Clause 4.6(3). It is considered that the variation can be supported as compliance with the standards are unreasonable or unnecessary in this instance and there are sufficient environmental planning grounds to justify the contravention. The development is consistent with the objectives of the standard.

The Development Application has been assessed against the relevant heads of consideration under Section 4.15 and 4.22 of the Environmental Planning and Assessment Act, 1979, State Environmental Planning Policy (Planning Systems) 2021, State Environmental Planning Policy (Biodiversity and Conservation) 2021, State Environmental Planning Policy (Housing) 2021, State Environmental Planning Policy (Resilience and Hazards) 2021, State Environmental Planning Policy (Transport and Infrastructure) 2021, State Environmental Planning Policy (Sustainable Buildings) 2022, The Hills Local Environmental Plan 2019, and The Hills Development Control Plan 2012 and is considered satisfactory..

**PPSSCC-593 – The Hills Shire – 110/2025/JP - 7-23 Cadman Crescent & 18-24 Hughes Avenue Castle Hill -**

This Development Application has been considered in accordance with the requirements of the EP&A Act and the Regulations as outlined in this report. Following a thorough assessment of the relevant planning controls, issues raised in submissions and the key issues identified in this report, it is considered that the application can be supported.



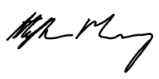
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**CONDITIONS**

The development application was approved subject to the conditions in the council assessment report for both applications where applicable.

**CONSIDERATION OF COMMUNITY VIEWS**

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

PANEL MEMBERS	
Abigail Goldberg (Chair) 	David Ryan 
Steve Murray 	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-566 – The Hills Shire - DA 1525/2024/JP PPSSCC-593 – The Hills Shire – DA 110/2025/JP
2	PROPOSED DEVELOPMENT	PPSSCC-566 - Amending Concept Development Application for a Seniors Housing Development and a Neighbourhood Shop PPSSCC-593 - Seniors Housing Development and a Neighbourhood Shop
3	STREET ADDRESS	7-23 Cadman Crescent & 18-24 Hughes Avenue Castle Hill
4	APPLICANT/OWNER	Applicant: Levande Pty Ltd Owner: Levande Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
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 (Planning Systems) 2021</li> <li>State Environmental Planning Policy (Biodiversity and Conservation) 2021</li> <li>State Environmental Planning Policy (Resilience and Hazards) 2021</li> <li>State Environmental Planning Policy (Transport and Infrastructure) 2021</li> <li>State Environmental Planning Policy (Sustainable Buildings) 2022</li> <li>State Environmental Planning Policy (Housing) 2021</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>The Hills Development Control Plan 2012</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i>: Nil</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> <li>The suitability of the site for the development</li> <li>Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Council assessment report: 30 April 2025</li> <li>Clause 4.6 variation request: Building Height and Car Parking</li> <li>Written submissions during public exhibition for PPSSCC-566 and PPSSCC-593: 0</li> </ul>
8	COUNCIL RECOMMENDATION	Approval
9	DRAFT CONDITIONS	Attached to the council assessment report