

DETERMINATION AND STATEMENT OF REASONS
SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	13 June 2025
DATE OF PANEL DECISION	13 June 2025
DATE OF PANEL BRIEFING	12 June 2025
PANEL MEMBERS	Steve Murray (Acting Chair), David Ryan, Joe Woodward
APOLOGIES	Abigail Goldberg
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 6 June 2025.

MATTER DETERMINED

PPSSCC-629 – The Hills Shire – 856/2025/JP – 13 Terry Road, Box Hill - Amending Development Application to an Approved Residential Flat Building Development (Under Development Application 846/2016/JP) which includes Additional Levels, an Increase in Units to 148 Units and 24 Affordable Housing Units.

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.

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

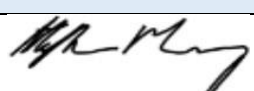
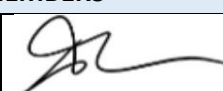
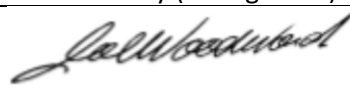
The panel determined to refuse the application for the reasons outlined in the council assessment report.

The panel confirmed its support for the provision of additional housing and affordable housing, but cannot support the application in its current form because:

- inadequate evidence was provided to satisfy the panel that suitable servicing (sewerage) could be provided to service the additional dwellings
- the required additional information, as requested by council, was not provided by the applicant for the panel to consider.

CONSIDERATION OF COMMUNITY VIEWS

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	
 Steve Murray (Acting Chair)	 David Ryan
 Joe Woodward	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-629 – The Hills Shire – 856/2025/JP
2	PROPOSED DEVELOPMENT	Amending Development Application to an Approved Residential Flat Building Development (Under Development Application 846/2016/JP) which includes Additional Levels, an Increase in Units to 148 Units and 24 Affordable Housing Units.
3	STREET ADDRESS	13 Terry Road, Box Hill
4	APPLICANT/OWNER	Applicant: Utech Pty/WSDC Box Hill Primitus Development Pty Ltd Owner: WSDC Box Hill Primitus Development Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Precincts – Central River City) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Sustainable Buildings) 2022 State Environmental Planning Policy (Housing) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 The Hills Local Environmental Plan 2019 Apartment Design Guide 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 2021</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: 4 June 2025 Clause 4.6 variation request: Height of Building Written submissions during public exhibition: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Final briefing to discuss council's recommendation: 12 June 2025 <ul style="list-style-type: none"> <u>Panel members</u>: Steve Murray (Acting Chair), David Ryan, Joe Woodward <u>Council assessment staff</u>: Kate Clinton, Robert Buckham <u>Planning Panels</u>: Timothy Mahoney
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	Not applicable

