

DATE OF DETERMINATION	6 August 2026
DATE OF PANEL DECISION	6 August 2026
PANEL MEMBERS	Abigail Goldberg (Chair), Natasha Harras, Steve Murray
APOLOGIES	None
DECLARATIONS OF INTEREST	David Ryan declared a conflict of interest as the company he works for acts for Landcom on other matters not related to the sites.

Papers circulated electronically on 19 June 2026.

MATTER DETERMINED

PPSSCC-768 – The Hills Shire – 341/2026/JPZ – Lot 6-10 DP 1244850, 13-23 Mawson Avenue, Bella Vista - Subdivision creating six residential development lots, four open space lots and three residue lots including tree removal, demolition, roads and a variation to a development standard.

PANEL CONSIDERATION AND DECISION

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

Application to vary a development standard:

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

- a) compliance with cl. 4.1 (Clause 4.1 Minimum lot size) is unreasonable or unnecessary in the circumstances as the proposed lot size is of a size and shape that will facilitate orderly and economic development, and is consistent with the zone objectives; and
- b) there are sufficient environmental planning grounds to justify contravening the development standard as the proposed variation is consistent with the future character of the precinct.

Development application

The panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

This development application has been considered in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulation 2021 as outlined in this report. Following a thorough assessment of the relevant planning controls and the key issues identified in this report it is considered that the development application can be supported.

The proposed development is generally in accordance with the provisions of The Hills Local Environmental Plan 2019 and The Hills Development Control Plan 2012 and is generally consistent with the approved masterplan for the Bella Vista Station Precinct. The proposed development facilitates the future development of the Bella Vista Station Precinct and establishes the site for future residential development that is in accordance with the future intended character of the Precinct.

The Clause 4.6 Variation to the minimum lot size for proposed Lot 200 was considered in detail against the objectives and requirements of the LEP. The proposal remains consistent with the objectives of the development standard and the broader objectives of the R4 High Density Residential Zone. Compliance with the minimum lot size was considered unreasonable or unnecessary for the subject development as it facilitates the creation of lots that will enable the development of the land in accordance with the

masterplan established for the Bella Vista Station Precinct. It is therefore considered that there are sufficient environmental planning grounds to justify the variation.

It is considered that the key issues as outlined in Section 5 have been resolved satisfactorily in the recommended draft conditions.

The decision was unanimous.

REASONS FOR THE DECISION

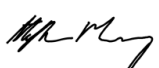
The panel determined to uphold the Clause 4.6 variation to Clause 4.1 Minimum lot size; and approve the application for the reasons outlined in the council assessment report.

CONDITIONS

The development application was approved subject to the conditions in the council assessment report.

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	
Abigail Goldberg (Chair) 	Natasha Harras 
Steve Murray 	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-768 – The Hills Shire – 341/2026/JPZ
2	PROPOSED DEVELOPMENT	Subdivision creating six residential development lots, four open space lots and three residue lots including tree removal, demolition, roads and a variation to a development standard.
3	STREET ADDRESS	Lot 6-10 DP 1244850, 13-23 Mawson Avenue, Bella Vista
4	APPLICANT/OWNER	Applicant: Landcom Owner: Sydney Metro/Office of Strategic Lands
5	TYPE OF REGIONAL DEVELOPMENT	Crown development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	• Environmental planning instruments: ○ State Environmental Planning Policy (Planning Systems) 2021 ○ State Environmental Planning Policy (Biodiversity and Conservation) 2021 ○ State Environmental Planning Policy (Resilience and Hazards) 2021 ○ State Environmental Planning Policy (Transport and Infrastructure) 2021 ○ The Hills Local Environmental Plan 2019 • Draft environmental planning instruments: Nil • Development control plans: ○ 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	• Council assessment report: 9 June 2026 • Clause 4.6 variation request: Clause 4.1 Minimum lot size • Written submissions during public exhibition: Nil
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	• Council Briefing: 5 March 2026 ○ <u>Panel members</u>: Abigail Goldberg (Chair), Natasha Harras, Steve Murray ○ <u>Council assessment staff</u>: David Munday, Andrew Johnston, Savithri Vishru, Cameron McKenzie • Council/Applicant Briefing: 16 March 2026 ○ <u>Panel members</u>: Abigail Goldberg (Chair), Natasha Harras, Steve murray ○ <u>Council assessment staff</u>: David Munday, Andrew Johnston, Savithri Vishru, Cameron McKenzie ○ <u>Applicant representatives</u>: Mathew Vitucci, Callan Wharfe, Ro Iyer, Charlie Robinson, Arcangelo, Antoniazzi, Ella Freire -Yale, Toby Meredith, Zac van den Dolder
9	COUNCIL RECOMMENDATION	Approval

10	DRAFT CONDITIONS	Attached to the council assessment report
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