

ITEM-3 **PLANNING PROPOSAL - 15 NELSON ROAD, BOX HILL**
(10/2019/PLP)

THEME: Shaping Growth

OUTCOME: 5 Well planned and liveable neighbourhoods that meets growth targets and maintains amenity.

STRATEGY: 5.1 The Shire's natural and built environment is well managed through strategic land use and urban planning that reflects our values and aspirations.

MEETING DATE: 17 APRIL 2019
LOCAL PLANNING PANEL

AUTHOR: TOWN PLANNER
JONATHAN TOLENTINO

RESPONSIBLE OFFICER: **ACTING MANAGER FORWARD PLANNING**
NICHOLAS CARLTON

Proponent	COUNCIL INITIATED
Owner	THE HILLS SHIRE COUNCIL
Site Area	3,724m²
List of Relevant Strategic Planning Documents	GREATER SYDNEY REGION PLAN CENTRAL CITY DISTRICT PLAN S 9.1 MINISTERIAL DIRECTIONS THE HILLS SHIRE LOCAL STRATEGY
Political Donations	NOT APPLICABLE
Recommendation	THE PLANNING PROPOSAL PROCEED TO GATEWAY DETERMINATION

EXECUTIVE SUMMARY

This report recommends that the Planning Proposal applicable to land at 15Z Nelson Road, Box Hill (Lot 1 DP 136174) proceed to Gateway Determination. The proposal seeks to reclassify Council-owned land at 15Z Nelson Road from 'community' to 'operational'. Council was approached by the Developer of the adjoining Nelson Road Village Centre with respect to the potential sale of the site and in March 2019, Council resolved to initiate the planning proposal.

The reclassification and subsequent sale of the site would enable the land to be incorporated into the redevelopment of the Nelson Road Village Centre and would promote an orderly development outcome at this location. The funds from the sale of the site would be used to provide a new and improved community facility on Council land at a nearby location.

STATE ENVIRONMENTAL PLANNING POLICY (SYDNEY REGION GROWTH CENTRES) 2006

	Existing	Proposed by Proponent
Zone:	B2 Local Centre	No change
Minimum Lot Size:	600m ²	No change
Maximum Height:	16m	No change
Maximum Floor Space Ratio:	1:1	No change

HISTORY

18/04/1986	Land (now known as 15z Nelson Road) was acquired by Council.
10/03/2009	The site was reclassified from 'operational land' to 'community land', in response to a request received by Council from a resident at that time.
15/01/2018	Approval issued for development on adjoining land at 17 Nelson Road, Box Hill for the demolition of existing structures and construction of a mixed use development including shop top housing and child care centre.
02/08/2018	Council approached by the Developer of 17 Nelson Road with respect to the potential sale of the community centre land, to enable incorporation of the land into the broader Nelson Road Village development outcome.
12/03/2019	The potential sale of the land was considered by Council and Council resolved to initiate a Planning Proposal, to facilitate reclassification of the land from 'community' to 'operational' and facilitate subsequent negotiations with respect to the sale of the land. The Council report and resolution are provided as Attachment 1 and 2 to this report.

REPORT

The purpose of this report is to present the planning proposal for land at 15Z Nelson Road, Box Hill (Lot 1 DP 136174) to the Local Planning Panel for advice, in accordance with Section 2.19 of the Environmental Planning and Assessment Act 1979.

THE SITE

The subject site is the Box Hill Nelson Community Centre located at 15Z Nelson Road, Box Hill. The land has an area of 3,724m², is zoned B2 Local Centre and is classified as 'community' land. The land was acquired by Council on 18 April 1986 and Council resolved to classify the land as 'community' land in December 2008.



Figure 1
Aerial of Subject Site (red) and 17 Nelson Road (blue)

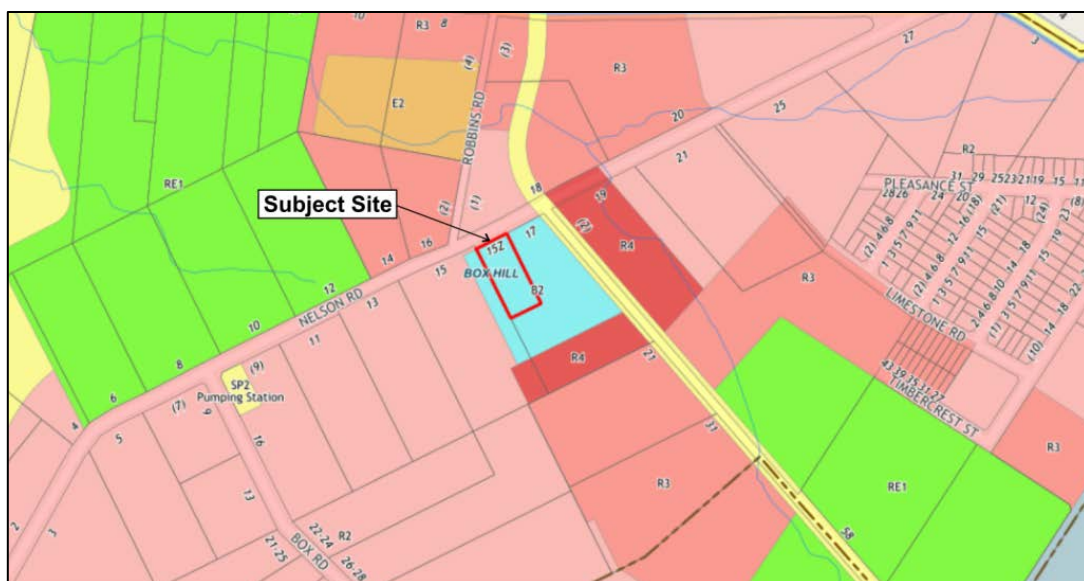


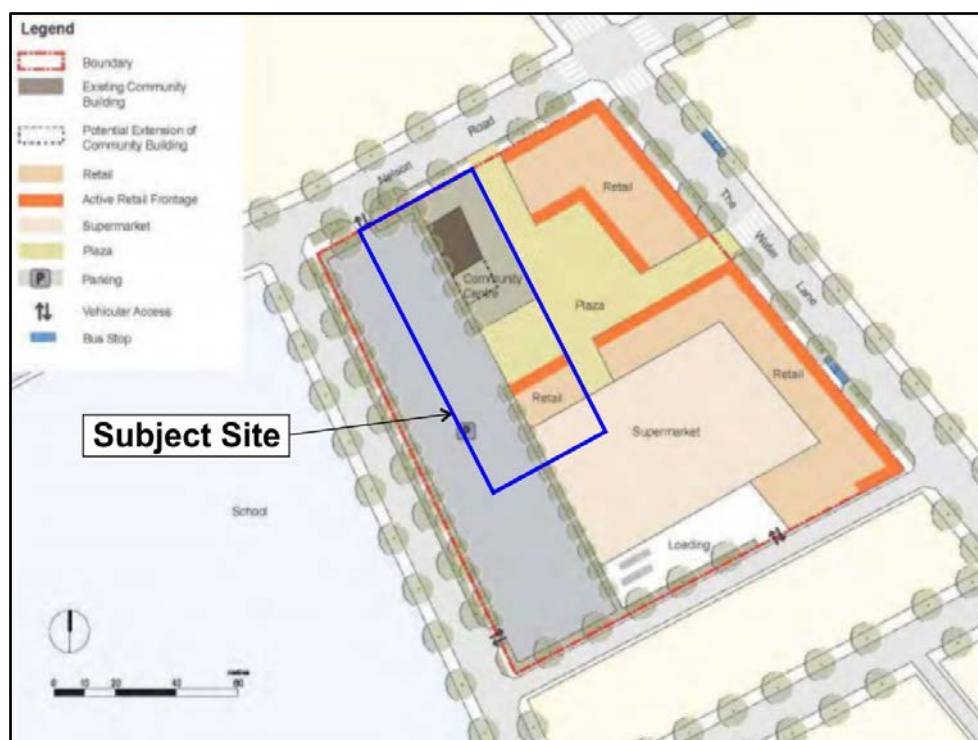
Figure 2
Zoning of Subject Site

DESCRIPTION OF PLANNING PROPOSAL

The planning proposal seeks to reclassify the land at 15Z Nelson Road, Box Hill from 'community' to 'operational', with a view to enabling the potential sale of this land to the developer of the adjoining Nelson Road Village Centre, NRVI Pty Ltd (subject to separate negotiations) (see Figure 3). To achieve this outcome, the proposal would amend Schedule 4 of Appendix 11 of State Environmental Planning Policy (Sydney Region Growth Centres) 2006 to identify the site as being reclassified as 'operational' land.

**Figure 3**

15Z Nelson Road and Approved Upper Ground Floor Plan for 17 Nelson Road, Box Hill

**Figure 4**

Nelson Road Village Indicative Layout Plan (Box Hill Growth Centre Precincts – Development Control Plan 2018)

MATTERS FOR CONSIDERATION

The planning proposal requires consideration of the following matters:

- a) Strategic Context
- b) Promotion of orderly development outcomes
- c) Provision of community facilities within the Box Hill Precinct
- d) Re-classification process

a) Strategic Context

- Greater Sydney Region Plan

The relevant objectives of the Greater Sydney Region Plan are Objectives 1, 2, 3, and 4.

The Plan promotes the delivery of services and infrastructure that supports and aligns with forecasted housing growth (Objective 1 and 2), including community service facilities that meet the future needs and demand for use (Objective 3). Additionally, the better utilisation of existing infrastructure assets is necessary to avoid the need to fund additional infrastructure (Objective 4).

The planning proposal would satisfy the intentions of these objectives as it seeks to enable an improved outcome with respect to the delivery of services and infrastructure to service anticipated growth within the Box Hill Precinct. In particular, as the existing community facility is aging and insufficient to cater for the needs of the future additional population, it is

responsible for Council to consider the opportunity to dispose of this asset in order to fund a new and improved facility at a nearby location which would be better equipped to serve the existing and future community. The proposal represents prudent management of Council's assets, for the benefit of the existing and future community.

- Central City District Plan

The Plan encourages infrastructure growth across the District to align with the forecasted growth such as that anticipated within the Box Hill Precinct. Planning and investment in infrastructure is essential to enhancing the liveability of existing and new communities with improved access to parks, sporting fields, schools and community facilities.

The sale of the subject lot would enable funding for the construction of new and improved community facilities on Council owned land in close proximity to the site. The potential new community facility would better meet the needs of existing and future residents in the Box Hill Precinct. In addition, the proposal would also promote superior development outcomes within the Nelson Road Village Centre, enabling better utilisation of this land for commercial and retail development to service the future population.

- Ministerial Direction 1.1 Business and Industrial Zones

This Direction seeks to encourage employment growth in suitable locations, protect employment land in business and industrial zones and support the viability of identified centres. A planning proposal must retain the areas and locations of existing business zones and not reduce the total potential floor space area for employment uses and related public services in business zones.

The planning proposal would not decrease the potential for commercial and retail floor space. Rather, relocation of the community centre from B2 Local Centre zoned land onto nearby RE1 Public Recreation zoned land would increase the capacity of the B2 zoned area to support the intended commercial uses. The planning proposal and potential sale of the land would also promote an orderly outcome on the Village Centre site by allowing for a more holistic and coordinated development outcome.

- Ministerial Direction 6.2 – Reserving Land for a Public Purpose

The objectives of this Direction are to facilitate the provision of public services and facilities by reserving land for public purposes and to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.

The subject land is zoned B2 Local Centre which enables a range of retail, business, entertainment and community uses that serve the needs of people who currently and will live in, work in and visit the surrounding area. The reclassification would not impact on, create, alter or reduce the zoning of land for a public purpose and as such, the proposal is consistent with this Direction.

The existing facility has limited potential to service the anticipated future population of the Box Hill Precinct. Accordingly, the disposal of this asset in order to contribute to the funding of a new and improved community facility within nearby open space (zoned RE1 Public Recreation) represents the prudent management of Council's assets and efficient use of land already zoned for a public purpose.

- Ministerial Direction 7.4 – Implementation of North West Growth Area Land Use and Infrastructure Implementation Plan

The objectives of this Direction are to ensure that development within the North West Priority Growth Area is consistent with the North West Priority Growth Area Land Use and Infrastructure Strategy (the Strategy). A key objective within the Strategy is to identify and coordinate the delivery of infrastructure that will support housing and employment growth to ensure there is an ongoing supply of development-ready land in Sydney's northwest.

The planning proposal is consistent with the Strategy as it would contribute to Council's ability to deliver appropriate community infrastructure to service the future residential population in Box Hill. Having regard to the anticipated residential population as identified within the Strategy, the existing community centre would be insufficient and the proposal would facilitate a more suitable community infrastructure outcome, tailored to servicing the needs of the existing and future population. Consequently, the proposal is consistent with the objectives of this Direction.

- Local Strategy - Centres Direction and Environment and Leisure Direction

The Local Strategy is the principal document for communicating the future planning of the Shire and includes long term objectives on seven key areas of direction. The relevant Directions are the Centres Direction and the Environment and Leisure Direction.

The Centres Direction aims to create vibrant, accessible centres that meet the needs of the community, are attractive to visit and improve the functioning and viability of existing centres through revitalisation and redevelopment. The Direction also aims to encourage a range of transport options to support the vital role and connectivity of centres. It is noted that the Box Hill Town Centre and smaller village centres (such as the Nelson Road Village Centre) were not envisaged as part of the Local Strategy which was formulated in 2008.

Notwithstanding this, the proposal is consistent with the intent of the Direction as the reclassification and potential sale of the site would promote an orderly outcome on the Village Centre site by allowing for a more holistic and coordinated development outcome. This would ultimately facilitate a superior outcome with respect to the character of the future Nelson Road Village.

The Environment and Leisure Direction provides a vision of Council's desired approach for the planning, protection and management of the Shire's environment and leisure spaces. The Direction aims to ensure that high quality spaces are provided for community recreation and enjoyment. Additionally, the Direction aims to provide public domain spaces that encourage community interaction.

Direction 4 of the Environment and Leisure Direction encourages improvements to make the public domain attractive and for the promotion of community interaction. The existing site contains a community centre that serves the existing population but does not have the capacity to cater for the forecasted population within the Box Hill Release Area. The proposal and potential sale of the land will assist in the delivery of a new community centre on nearby land, which will facilitate and enhance community interaction. Further, the proposal will enable inclusion of the current site into an amalgamated and holistic development outcome for the Nelson Road Village Centre, likely to facilitate improved public domain and character outcomes.

b) Promotion of orderly development outcomes

NRVI Pty Ltd currently has development consent for a mixed use development within the Nelson Road Village Centre (see Figure 3). The layout of the approved development is largely consistent with the Indicative Layout Plan for the Village Centre within the Box Hill Development Control Plan (see Figure 4).

In comparison to the Indicative Layout Plan and currently approved (but not yet constructed) development outcome, the amalgamation of 15Z Nelson Road with the adjoining land would enable the development of the Village Centre as one consolidated development site. This would promote more orderly and consistent development outcomes including the potential for improved site planning, access and maintenance efficiencies, cohesive built form and design, improved contribution to the public realm, superior plaza spaces and clearer delineation of future management and maintenance responsibilities.

c) Provision of community facilities within the Box Hill Precinct

The existing Box Hill Nelson Community Centre offers 130m² of function space with a maximum seating capacity of 100 persons. While the existing centre has historically been suitable to service the *then* rural areas of Box Hill and Nelson, the rezoning of the Box Hill Precinct for urban development by the NSW Government in 2006 has created the need for new community facilities, with greater capacity and functionality than the existing building. In particular, the NSW Government's Precinct Planning for the Box Hill Precinct identifies the need for a new community facility to service in excess of 10,000 additional dwellings anticipated within the Precinct.

Unfortunately, Council has been unable to secure funding for the delivery of such a facility through Contributions Plan No. 15 – Box Hill Precinct as community facility costs have been deleted from the plan by IPART and the Department of Planning and Environment, on the basis that community facilities are “non-essential works”. Accordingly, despite the identified need for a new community facility to service the Box Hill Precinct, Council is unable to rely on the existing contribution's framework to fund such a facility.

The sale of 15Z Nelson Road has the potential to generate substantial funds which could be applied to the delivery of a new and significantly larger community facility to service the Box Hill Precinct. In particular, there is opportunity for such a facility to be located within the future Bligh Reserve sporting complex, which is in close proximity to the site of the existing community centre (see below). While detailed designs are yet to be prepared for this future sporting complex, preliminary concepts indicate that there is adequate space and flexibility to co-locate a community centre in this location with an area of approximately 1,200m².



Figure 5
Location of Council owned land

d) Reclassification Process

All public land is classified as either 'community' or 'operational', which sets the rights and responsibilities of Council in dealing with that land and provides for transparency in Council's strategic asset management. 'Community' land is not to be sold, exchanged or otherwise disposed of and therefore reclassification of the subject property is required should Council resolve to sell the property (subject to separate negotiations).

The re-classification of Council land must be undertaken in accordance with the Local Government Act 1993, Environmental Planning and Assessment Act 1979 and Practice Note PN09-003 issued by the Department of Planning and Environment (June 2009).

The mechanism to re-classify land is by way of a planning proposal to amend the applicable Environmental Planning Instrument (in this case, the Growth Centres SEPP) to identify the land as reclassified to 'operational' land. An independently facilitated public hearing is required to be held as part of the community consultation process for any planning proposal seeking to re-classify land from 'community' to 'operational'.

As part of the planning proposal, Council will be required to address the following considerations:

- The reasons why the planning proposal is being prepared including the planning merits of the proposal (in particular the intention of Council to dispose of the land);
- The reasons for the reclassification including how this relates to Council's strategic framework, the proposed future use of the land, proposed zones, any site specific requirements, anticipated physical or operational changes resulting from the reclassification;
- The nature of Council's interest in the land, e.g. ownership or lease; and
- An indication, as a minimum, of the magnitude of any financial gain or loss from the reclassification and of the type(s) of benefit that could arise.

The above considerations can be satisfactorily addressed and will form part of a written statement which will be included within the planning proposal. In accordance with the Department of Planning's timeframes it is anticipated that this proposal would be completed within 12 months.

CONCLUSION

The Planning Proposal is consistent with the relevant strategic policies relating to the site and would facilitate a superior development outcome within the Nelson Road Village Centre. Further, the proposal and potential sale of the land would assist in the provision of new community infrastructure within nearby open space, which is better suited to cater for the anticipated growth within the Box Hill Precinct.

RECOMMENDATION

The planning proposal to reclassify 15Z Nelson Road from 'community' to 'operational' be forwarded to the Department of Planning and Environment for a Gateway Determination.

ATTACHMENTS

1. Council Report - 12 March 2019
2. Council Resolution – 12 March 2019

ATTACHMENT 1

ORDINARY MEETING OF COUNCIL

12 MARCH, 2019

ITEM-2	RECLASSIFICATION PLANNING PROPOSAL - 15Z NELSON ROAD, BOX HILL (FP183)
THEME:	Delivering & Maintaining Infrastructure.
OUTCOME:	8 Infrastructure meets the needs of our growing Shire.
STRATEGY:	8.1 Provide new and refurbished infrastructure in a timely manner that meets the needs of our growing Shire.
MEETING DATE:	12 MARCH 2019 COUNCIL MEETING
GROUP:	SHIRE STRATEGY, TRANSFORMATION AND SOLUTIONS
AUTHOR:	TOWN PLANNER JONATHAN TOLENTINO
RESPONSIBLE OFFICER:	ACTING MANAGER FORWARD PLANNING NICHOLAS CARLTON

EXECUTIVE SUMMARY

This report recommends that Council initiate a planning proposal seeking to reclassify land at 15Z Nelson Road, Box Hill (The Box Hill Nelson Community Centre) from 'community' to 'operational' in order to enable the potential sale of the site.

The land occupies part of the future Nelson Road Village Centre and the owner and developer of the remaining land within the Village Centre has approached Council with a view to commencing negotiations to purchase Council's land. Reclassification and sale of the site would enable for the land to be incorporated into the redevelopment of the Nelson Road Village Centre and would promote orderly development outcomes at this location.

The sale of the land (subject to negotiations) also has the potential to generate funds for the provision of a new community facility in close proximity to the site. Council is unable to fund the construction of planned community facilities within Box Hill Precinct through the existing contributions framework as IPART and the Department of Planning and Environment classify community facilities as "non-essential" infrastructure. Accordingly, proceeds from the sale of this land could, in part, enable the delivery of the community facilities required to support development within the Box Hill Precinct.

The reclassification of the land, to enable its potential sale, is considered to be in the public interest as it will promote orderly development outcomes within the Nelson Road Village Centre and assist Council in partially funding the provision of new infrastructure required to service the Box Hill Precinct.

ORDINARY MEETING OF COUNCIL

12 MARCH, 2019

BACKGROUND AND THE SITE

The Box Hill Nelson Community Centre is located at 15Z Nelson Road, Box Hill. The land has an area of 3,724m², is zoned B2 Local Centre and is classified as 'community' land. The land was acquired by Council on 18 April 1986 for the purpose of providing, controlling and managing the land for public purposes and the benefit of the local community. Council resolved to classify the land as 'community' land in December 2008 in response to a request received from a resident at that time.

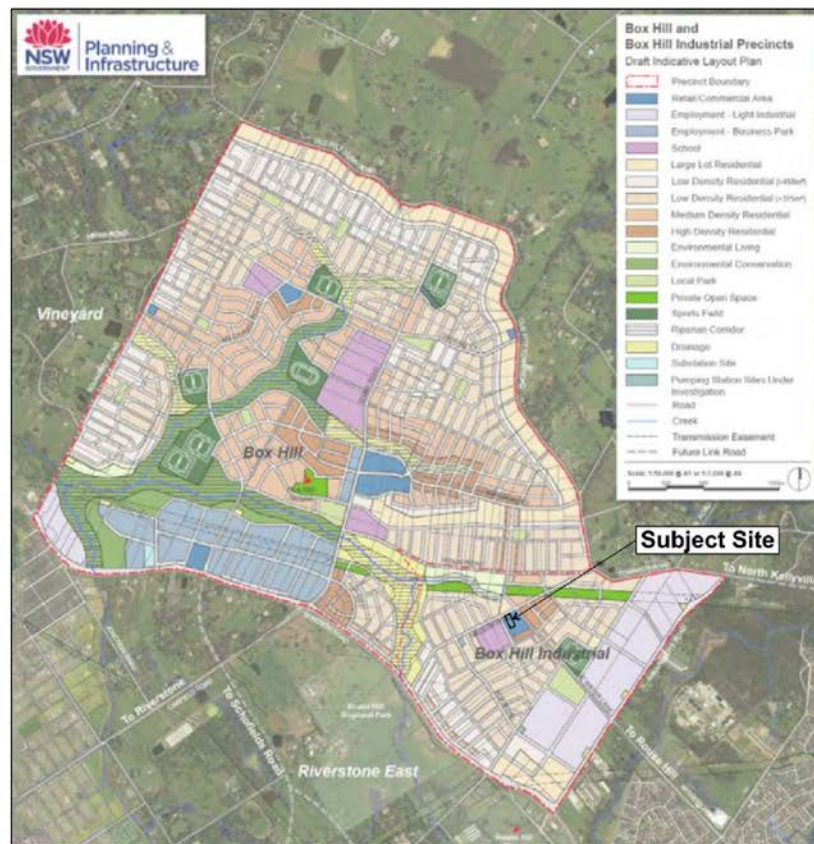


Figure 1
Box Hill Precinct Indicative Layout Plan



Figure 2
Aerial of Subject Site (red) and 17 Nelson Road (blue)



Figure 3
Zoning of Subject Site

The site currently contains a small community hall with outbuilding and at-grade car parking which is utilised by the Nelson Progress Association. Reclassification to operational land would facilitate the potential sale of the land as a mixed use development lot.



Figure 4
Existing Community Centre

Council received a letter on 2 August 2016 from Nelson Road Village Investments Pty Ltd (NRVI) expressing an interest in purchasing the Council owned property. NRVI Pty Ltd is the owner of the adjacent property at 17 Nelson Road, Box Hill and at the time were preparing a Development Application for the Nelson Road Village Centre. NRVI chose not to pursue the purchase of 15Z Nelson Road at that time and instead progressed with an alternate development concept which excludes the community centre land (see Figure 5).



Figure 5
15Z Nelson Road and Approved Upper Ground Floor Plan for 17 Nelson Road, Box Hill

ORDINARY MEETING OF COUNCIL

12 MARCH, 2019

NRVI Pty Ltd has now commenced the preparation of a new Development Application and has re-commenced discussions with Council officers with a view to purchasing 15Z Nelson Road, Box Hill and incorporating the land into the Nelson Road Village development. In order to proceed with any sale of the land Council must first reclassify the land from 'community' to 'operational', by way of a planning proposal.

REPORT

The purpose of this report is to propose that Council initiate a planning proposal to reclassify land at 15Z Nelson Road, Box Hill from 'community' to 'operational', with a view to enabling the potential sale of this land to Nelson Road Village Investments Pty Ltd (subject to separate negotiations). The planning proposal would amend Schedule 4 of LEP 2012 to identify the site as being reclassified as 'operational' land.

MATTERS FOR CONSIDERATION

The following matters are relevant to the consideration of whether or not to initiate a planning proposal to reclassify the land:

- a) Promotion of orderly development outcomes within Nelson Road Village Centre
- b) Provision of community facilities within the Box Hill Precinct
- c) Re-classification process

a) Promotion of orderly development outcomes;

NRVI Pty Ltd currently has development consent for a mixed use development within the Nelson Road Village Centre comprising a supermarket, retail space, shop top housing and a child care centre (see Figure 5 above). The layout of the approved development is largely consistent with the Indicative Layout Plan for the Village Centre within the Box Hill Development Control Plan (see Figure 6), which is predicated on the retention of Council's existing community centre.

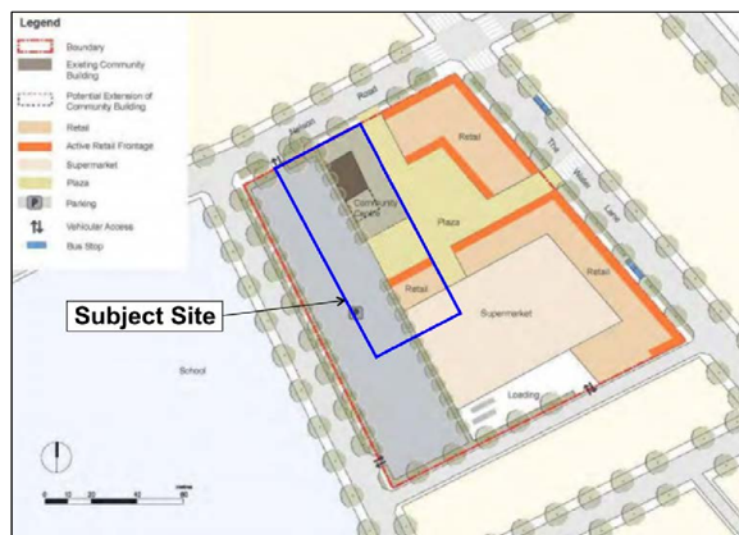


Figure 6
Nelson Road Village Indicative Layout Plan

ORDINARY MEETING OF COUNCIL

12 MARCH, 2019

In comparison to the Indicative Layout Plan and currently approved (but not yet constructed) development outcome, the amalgamation of 15Z Nelson Road with the adjoining land would enable the development of the Village Centre as one consolidated development site. This would promote more orderly and consistent development outcomes including the potential for improved site planning, access and maintenance efficiencies, cohesive built form and design, improved contribution to the public realm, superior plaza spaces and clearer delineation of future management and maintenance responsibilities.

b) Provision of community facilities within the Box Hill Precinct;

The existing Box Hill Nelson Community Centre offers 130m² of function space with a maximum seating capacity of 100 persons. While the existing centre has historically been suitable to service the *then* rural areas of Box Hill and Nelson, the rezoning of the Box Hill Precinct for urban development by the NSW Government in 2006 has created the need for new community facilities, with greater capacity and functionality than the existing building. In particular, the NSW Government's Precinct Planning for the Box Hill Precinct identifies the need for a new community facility to service in excess of 10,000 additional dwellings anticipated within the Precinct.

Unfortunately, Council has been unable to secure funding for the delivery of such a facility through Contributions Plan No. 15 – Box Hill Precinct as community facility costs have been deleted from the plan by IPART and the Department of Planning and Environment, on the basis that community facilities are "non-essential works". Accordingly, despite the identified need for a new community facility to service the Box Hill Precinct, Council is unable to rely on the existing contributions framework to fund such a facility.

The sale of 15Z Nelson Road has the potential to generate substantial funds which could be applied to the delivery of a new and significantly larger community facility to service the Box Hill Precinct. In particular, there is opportunity for such a facility to be located within the future Bligh Reserve sporting complex, which is in close proximity to the site of the existing community centre (see below). While detailed designs are yet to be prepared for this future sporting complex, preliminary concepts indicate that there is adequate space and flexibility to co-locate a community centre in this location with an area of approximately 1,200m².



Figure 7
Location of Council owned land

ORDINARY MEETING OF COUNCIL

12 MARCH, 2019

c) Re-classification process

All public land is classified as either 'community' or 'operational', which sets the rights and responsibilities of Council in dealing with that land and provides for transparency in Council's strategic asset management. 'Community' land is not to be sold, exchanged or otherwise disposed of and therefore reclassification of the subject property is required should Council resolve to sell the property (subject to separate negotiations).

The re-classification of Council land must be undertaken in accordance with the Local Government Act 1993, Environmental Planning and Assessment Act 1979 and Practice Note PN09-003 issued by the Department of Planning and Environment (June 2009).

The mechanism to re-classify land is by way of a planning proposal to amend Schedule 4 of LEP 2012, to identify the land as reclassified to 'operational' land. An independently facilitated public hearing is required to be held as part of the community consultation process for any planning proposal seeking to re-classify land from 'community' to 'operational'.

As part of the planning proposal, Council will be required to address the following considerations:

- The reasons why the planning proposal is being prepared including the planning merits of the proposal (in particular the intention of Council to dispose of the land);
- The reasons for the reclassification including how this relates to Council's strategic framework, the proposed future use of the land, proposed zones, any site specific requirements, anticipated physical or operational changes resulting from the reclassification;
- The nature of Council's interest in the land, e.g. ownership or lease; and
- An indication, as a minimum, of the magnitude of any financial gain or loss from the reclassification and of the type(s) of benefit that could arise.

The above considerations can be satisfactorily addressed and will form part of a written statement which will be included within the Planning Proposal. In accordance with the Department of Planning's timeframes it is anticipated that this proposal would be completed within 12 months.

IMPACTS**Financial**

Should Council resolve to initiate a planning proposal, it will be required to engage an independent facilitator to conduct a public hearing as part of the community consultation process.

Subject to the outcomes of a planning proposal and separate negotiations with NRV1, the sale of the Box Hill Nelson Community Centre has potential to generate funds that Council could apply towards the provision of a new community facility co-located within the future Bligh Reserve Sporting Complex on Nelson Road.

Strategic Plan - Hills Future

The proposed changes will help achieve the Hills Future Vision of managing Council's assets effectively to achieve higher levels of service for the community.

ORDINARY MEETING OF COUNCIL**12 MARCH, 2019**

RECOMMENDATION

A planning proposal to amend Schedule 4 of LEP 2012 to reclassify 15Z Nelson Road, Box Hill from 'community' to 'operational' land in accordance with the Local Government Act 1993 be forwarded to the Department of Planning and Environment for a Gateway Determination.

ATTACHMENTS

Nil.

MINUTES of the duly convened Ordinary Meeting of The Hills Shire Council held in the Council Chambers on 12 March 2019

A MOTION WAS MOVED BY COUNCILLOR DR GANGEMI AND SECONDED BY COUNCILLOR COLLINS OAM THAT the Recommendation contained in the report be adopted.

RESOLUTION

Being a planning matter, the Mayor called for a division to record the votes on this matter

Mayor Dr M R Byrne
 Cllr A N Haselden
 Cllr Dr P J Gangemi
 Cllr B L Collins OAM
 Cllr R Jethi
 Cllr M G Thomas
 Cllr E M Russo
 Cllr S P Uno
 Cllr F P De Masi
 Cllr A J Hay OAM
 Cllr R M Tracey
 Cllr J Jackson

None

Clr R A Preston

LOCAL PLANNING PANEL – THE HILLS SHIRE COUNCIL

MINUTES OF THE LOCAL PLANNING PANEL MEETING HELD AT THE HILLS SHIRE COUNCIL ON 17 APRIL 2019

PRESENT:

Garry Fielding	(Chair)
Penny Holloway	(Expert)
Richard Thorp AM	(Expert)
Rohan Toner	(Community Representative)

COUNCIL STAFF:

Cameron McKenzie	Group Manager – Development & Compliance
David Reynolds	Group Manager – Shire Strategy, Transformation & Solutions
Paul Osborne	Manager – Development Assessment
Cynthia Dugan	Development Assessment Co-ordinator
Nicholas Carlton	Acting Manager – Forward Planning
Megan Munari	Principal Co-ordinator – Forward Planning

TIME OF COMMENCEMENT:

1:05pm

TIME OF COMPLETION:

1:15pm

DECLARATIONS OF INTEREST:

The Chair Garry Fielding declared a conflict of interest for Item 2.

The Community Representative Rohan Toner also declared a conflict of interest for Item 2.

The Chair advised that, owing to his conflict of interest, the Chairing of the meeting in respect of Item 2 would be conducted by Penny Holloway.

These members left the Chamber for this item.

ITEM 1: **DA 345/2019/HC – ERECTION OF A TEMPORARY STAGE AND OPERATION OF CONCERT EVENTS IN ASSOCIATION WITH THE STAGE FOR A FIVE YEAR DURATION UNTIL 31 DECEMBER 2023 – BELLA VISTA FARM PARK RESERVE NO. 202, 22 ELIZABETH MACARTHUR DRIVE, BELLA VISTA**

SPEAKERS:

Nil

COUNCIL OFFICER'S RECOMMENDATION:

The Development Application be approved subject to conditions as set out in the report.

LOCAL PLANNING PANEL DECISION:

The officer's recommendation adopted subject to Condition 12 to read as follows:

12. Signage and Temporary Car Parking Structures

All temporary signage and car parking structures including parrawebbing, direction signage and warning signs are to be removed within 14 days of each event. This excludes events within the months of December and January.

REASONS:

The Panel were satisfied that the proposed development was appropriate having regard to the heads of consideration under Section 4.15 of the EP&A Act.

The Panel was satisfied with the recommended conditions of consent subject to an amendment to Condition 12 regarding temporary car parking structures.

The Panel felt that the proposal as outlined in the assessment report was in the public interest.

VOTING:

Unanimous

**ITEM 2: PLANNING PROPOSAL – CASTLE RIDGE RESORT – 350 OLD
NORTHERN ROAD, CASTLE HILL (7/2019/PLP)**

COUNCIL OFFICER’S RECOMMENDATION:

That the Planning Proposal not proceed to Gateway determination.

LOCAL PLANNING PANEL DECISION:

As a result of the Conflicts of Interest in this matter declared by Garry Fielding and Rohan Toner, the Acting Chair Penny Holloway advised the meeting did not have a quorum for this item.

As a result the Acting Chair deferred the matter to be dealt with electronically by a reconstituted Panel in a timely manner.

**ITEM 3: PLANNING PROPOSAL – 15 NELSON ROAD, BOX HILL
(10/2019/PLP)**

SPEAKERS:

Nil

COUNCIL OFFICER’S RECOMMENDATION:

The Planning Proposal proceed to Gateway determination.

DECISION:

The Panel adopted the officer’s recommendation.

REASON:

The Panel considered the Planning Proposal was consistent with the relevant strategic policies relating to the site and would facilitate a superior development outcome within the Nelson Road Village Centre

VOTING:

Unanimous

END MINUTES