

LOCAL PLANNING PANEL – THE HILLS SHIRE COUNCIL

MINUTES OF THE LOCAL PLANNING PANEL MEETING HELD AT THE HILLS SHIRE COUNCIL ON WEDNESDAY, 19 SEPTEMBER 2018

PRESENT:

Richard Pearson	Chair
Heather Warton	Expert
Marcia Doheny	Expert
Rohan Toner	Community Representative

COUNCIL STAFF:

Cameron McKenzie	Group Manager – Development & Compliance
Paul Osborne	Manager – Development Assessment
Andrew Brooks	Manager – Subdivision & Development Certification
Stewart Seale	Manager – Forward Planning

TIME OF COMMENCEMENT:

1.12pm

(Meeting was adjourned at 1.25pm to enable the Panel to further consider decisions on Items 1, 5, 6, 7 and 8 and recommenced at 1.55pm)

TIME OF COMPLETION:

2:18pm

APOLOGIES:

Nil

DECLARATIONS OF INTEREST:

Panel Member Marcia Doheny declared a conflict of interest for Item 6 as the ex-husband of her sister is likely to be associated with or the principal of the developer of the site referred to in the Planning Proposal, EJ Cooper & Son and will not take part in the decision on this matter.

MINUTES OF LAST MEETING:

The Minutes of the Local Planning Panel Meeting of 15 August 2018 have been confirmed by the Panel Chair.

ITEM 1 **DA 217/2019/HA – DETACHED SECONDARY DWELLING
PURSUANT TO SEPP (AFFORDABLE RENTAL HOUSING) 2009 –
LOT 18 DP 259388, NO. 9 AMPHITHEATRE CIRCUIT, BAULKHAM
HILLS**

SPEAKERS:

Nil

DECISION:

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

REASON:

The Panel generally agrees with the reasons in the Council Officer's report.

VOTING:

Unanimous

ITEM 2 **DA 1666/2016/HB/C – SECTION 4.55(1A) MODIFICATION TO AN
APPROVED RESIDENTIAL FLAT BUILDING DEVELOPMENT –
PROPOSED LOT 11 IN A SUBDIVISION OF LOT 3 DP 23258 AND
LOTS 40, 41 AND 42 DP 1193771, NOS. 19 – 21 WITHERS ROAD,
NORTH KELLYVILLE**

SPEAKERS:

Nil

DECISION:

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

REASON:

The Panel generally agrees with the reasons in the Council Officer's report.

VOTING:

Unanimous

ITEM 3 **DA 1722/2017/ZD - SUBDIVISION CREATING FIVE COMMUNITY TITLE RURAL RESIDENTIAL LOTS AND ONE ASSOCIATION LOT – LOT 2 DP 1189317 AND LOT 2 DP 587185 NOS. 312A AND 317 PITT TOWN ROAD, KENTHURST**

SPEAKERS:

Nil

DECISION:

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

REASON:

The Panel generally agrees with the reasons in the Council Officer's report.

VOTING:

Unanimous

ITEM 4 **DA 1937/2017/ZB – SUBDIVISION CREATING 18 RESIDENTIAL LOTS, THREE RESIDUE LOTS AND ONE STORMWATER MANAGEMENT LOT – LOT 7 DP 230092, LOT 8 DP 230092 AND LOT 4 DP 1223975, 3 – 5 BOUNDARY ROAD, BOX HILL**

SPEAKERS:

Nil

DECISION:

1. That the Hills Shire Local Planning Panel approve a variation to the minimum required residential density as prescribed in clause 4.1B in the SEPP Sydney Region Growth Centres 2006 (Appendix 11) as it is satisfied that the applicant's written request has adequately addressed the matters required to be demonstrated by Clause 4.6 in Appendix 11 of that Plan and the proposed development would be in the public interest because it is consistent with the objectives of that development standard and with the objectives of the zone.
2. The application be approved subject to conditions as set out in the report.

REASON:

The Panel generally agrees with the reasons in the Council Officer's report.

VOTING:

Unanimous

ITEM 5 **DA 998/2018/ZD – SUBDIVISION CREATING SIX COMMUNITY
TITLE RURAL RESIDENTIAL LOTS AND ONE ASSOCIATION LOT
(MAXIMUM LOT YIELD) – LOT 2 DP 787301 NO. 4098 OLD
NORTHERN ROAD, MAROOTA**

SPEAKERS:

Mr Tony Draper (Assisting the owner/applicant)
Ms Lyn McAdam (Owner/applicant)

DECISION AND REASONS:

1. The Panel is not satisfied that the Clause 4.6 request is satisfactory in the manner in which it has addressed the objectives of the RU2 Rural Landscape Zone minimum lot size development standard.
2. This matter be deferred to enable the submission of a revised request pursuant to Clause 4.6 of the Hills Local Environmental Plan 2012 to adequately address the requirements of Clause 4.6 (3):
 - (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case; and
 - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.

VOTING:

Unanimous

ITEM 6: **PLANNING PROPOSAL – 10, 12 AND 14 RED GABLES ROAD,
BOX HILL (2/2019/PLP)**

SPEAKERS:

Nil

DECISION AND REASONS:

- (1) The matter is deferred to a future meeting of the Hills Local Planning Panel at which a written report by Council Officers is to be presented following a full assessment by Council staff of the planning proposal. Such written report to include conclusions and a recommendation on whether the planning proposal should proceed to Gateway or not, in accordance with the Department of Planning & Environment's Guidelines.
- (2) The written report shall be the draft of the written report proposed to be reported to Council on the planning proposal save that it will not include the advice of the Local Planning Panel.
- (3) The Panel has provided preliminary verbal comment to Council staff on the Planning Proposal.

VOTING:

3 – 0 (Marcia Doheny not in attendance in accordance with her conflict of interest declaration).

**ITEM 7: PLANNING PROPOSAL TO AMEND CLAUSE 9.7(1) OF LEP 2012
(3/2019/PLP)**

SPEAKERS:

Nil

DECISION AND REASONS:

- (1) The matter is deferred to a future meeting of the Hills Local Planning Panel at which a written report by Council Officers is to be presented following a full assessment by Council staff of the planning proposal. Such written report to include conclusions and a recommendation on whether the planning proposal should proceed to Gateway or not.
- (2) The written report shall be the draft of the written report proposed to be reported to Council on the planning proposal save that it will not include the advice of the Local Planning Panel.
- (3) The Panel has provided preliminary verbal comment to Council staff on the Planning Proposal.

VOTING:

Unanimous

**ITEM 8 PLANNING PROPOSAL – 21-23 LEXINGTON DRIVE, BELLA
VISTA (1/2019/PLP)**

SPEAKERS:

Nil

DECISION AND REASONS:

- (1) The matter is deferred to a future meeting of the Hills Local Planning Panel at which a written report by Council Officers is to be presented following a full assessment by Council staff of the planning proposal. Such written report to include conclusions and a recommendation on whether the planning proposal should proceed to Gateway or not.
- (2) The written report shall be the draft of the written report proposed to be reported to Council on the planning proposal save that it will not include the advice of the Local Planning Panel.
- (3) The Panel has provided preliminary verbal comment to Council staff on the Planning Proposal.

VOTING:

Unanimous