

**MINUTES OF THE SYDNEY WEST JOINT REGIONAL
PLANNING PANEL MEETING
HELD AT THE HILLS SHIRE COUNCIL
ON THURSDAY, 10 NOVEMBER AT 12:00 PM**

PRESENT

Mary-Lynne Taylor	Chair
Bruce McDonald	Panel Member
Paul Mitchell	Panel Member
Dave Walker	Panel Member
Michael Edgar	Panel Member

IN ATTENDANCE

Kristine McKenzie	Principal Executive Planning
Cameron MacKenzie	Group Manager, Environment and Planning Services
Paul Osborne	Manager, Development Assessment Services
Claro Patag	Development Assessment Coordinator
Robert Buckham	Development Assessment Coordinator
Benjamin Hawkins	Subdivision Coordinator
Simon Turner	Senior Town Planner
Andrew Brooks	Manager, Subdivision and Development Certification

APOLOGY

1. The meeting commenced at 12.20 pm

2. Declarations of Interest

Item 1 - Nil

Item 2 - Nil

Item 3 - Mr Michael Edgar declared an interest for the following reason:
Mr Edgar has recently been involved in the rezoning of the land applying to development application in his role as the Group Manager.

Item 4 - Nil

3. Business Items

Item 1 - JRPP 2010SYW020 - The Hills Shire Council, 1286/2010/JP, 6 - 7 Storey Apartment Building, 1-11 Donald Street, Carlingford

Item 2 - JRPP 2011SYW051 - The Hills Shire Council, 1304/2011/JPZ, An integrated housing development and community title subdivision creating 45 lots/ dwellings

including private roads over three stages, Lot 35 DP 10702, 9-11 Balmoral Road, KELLYVILLE NSW 2155

Item 3 - JRPP 2010SYW083 - The Hills Shire Council 704/2011/JP - Proposed Retail Development (Supermarket) and Associated Works; 73-75 Windsor Road, Baulkham Hills

Item 4 - JRPP 2010SYW102 - The Hills Shire Council, 872/2011/JP, Construction of a School (K-12) including associated parking, playing areas and landscaping, 57-69 Samantha Riley Drive, Kellyville

5. Submissions

Item 1 - JRPP 2010SYW020 - The Hills Shire Council, 1286/2010/JP, 6 - 7 Storey Apartment Building, 1-11 Donald Street, Carlingford

Mr Joe Abboud addressed the Panel on behalf of the applicant

Item 2 - JRPP 2011SYW051 - The Hills Shire Council, 1304/2011/JPZ, An integrated housing development and community title subdivision creating 45 lots/ dwellings including private roads over three stages, Lot 35 DP 10702, 9-11 Balmoral Road, KELLYVILLE NSW 2155

Nil

Item 3 - JRPP 2010SYW083 - The Hills Shire Council 704/2011/JP - Proposed Retail Development (Supermarket) and Associated Works; 73-75 Windsor Road, Baulkham Hills

Ms Christine Convigton addressed the Panel on behalf of the applicant.

Item 4 - JRPP 2010SYW102 - The Hills Shire Council, 872/2011/JP, Construction of a School (K-12) including associated parking, playing areas and landscaping, 57-69 Samantha Riley Drive, Kellyville

Mr Andrew Pender addressed the Panel on behalf of the applicant

Mr Kim Le Gras (Architects) addressed the Panel on behalf of the applicant

Mr Ken Rootsey, Dr Adnan Abdel and Mr Bruce Woolf were in attendance on behalf of the applicant to answer any questions.

6. Business Item Recommendations

Item 1 - JRPP 2010SYW020 - The Hills Shire Council, 1286/2010/JP, 6 - 7 Storey Apartment Building, 1-11 Donald Street, Carlingford

The Panel unanimously resolves to approve the application for the reasons given in the Council planning report and subject to the conditions proposed in that report.

MOTION CARRIED 5:0

Item 2 - JRPP 2011SYW051 - The Hills Shire Council, 1304/2011/JPZ, An integrated housing development and community title subdivision creating 45 lots/ dwellings including private roads over three stages, Lot 35 DP 10702, 9-11 Balmoral Road, KELLYVILLE NSW 2155

The Panel unanimously resolves to approve the application for the reasons given in the Council planning report and subject to the conditions proposed in that report.

MOTION CARRIED 5:0

Item 3 - JRPP 2010SYW083 - The Hills Shire Council 704/2011/JP - Proposed Retail Development (Supermarket) and Associated Works; 73-75 Windsor Road, Baulkham Hills

The Panel by a majority of 3:1 (B McDonald, M L Taylor, D Walker) refuses the application because the design as provided is inadequate for a neighbourhood centre in terms of provision of areas of public congregation and interaction.

The proposed design of the development:

1. is inconsistent with the adopted draft The Hills Local Environmental Plan 2010 by way of being inconsistent with the B1 Neighbourhood Centre Zone objectives:
2. by way of its size and built form is not representative of a neighbourhood centre and does not facilitate accessibility, connectivity to surrounding development or the creation of local identity
3. is not consistent with the requirement of a neighbourhood centre as expressed by the DCP Part C Section 8 of Business 2.2 in terms of meeting the daily convenient needs of residents.

Mr Paul Mitchell would not refuse the application but would defer it again for a revised plan because he believes the proposal meets the needs for retail facilities in the locality; and will not affect adversely Council's proposed centres hierarchy, in particular the role of Kellyville Retail Centre; but finds the design disappointing because of the lack of courtyard space and facilities to serve neighbourhood social functions.

MOTION CARRIED 3:1

Item 4 - JRPP 2010SYW102 - The Hills Shire Council, 872/2011/JP, Construction of a School (K-12) including associated parking, playing areas and landscaping, 57-69 Samantha Riley Drive, Kellyville

The Panel resolves (by a majority of 4:1) (D Walker, M L Taylor, P Mitchell, M McDonald) to approve the application for the reasons given in the Council Planning Report and subject to conditions contained in Council's memorandum of 9 November 2011 with the following changes:

1. Condition 1 – to have following plans noted:
 - DA 101
 - DA 113
 - DA 114
2. Condition 53 – only retain first sentence.
3. Condition 55 – all the sub conditions should make reference to council documents 55a and 55b in the first paragraph of the condition.
4. Condition 60 – the words quote or \$10,000.00, which ever is the greater unquote to be deleted.

Mr Michael Edgar refuses the application but he does not believe that the development in its present form with disputed conditions unsolved does not provide orderly development in accordance with objectives of Environmental Planning and Assessment Act 1979, and is not consistent with the provision of State Environmental Planning Policy Infrastructure.

MOTION CARRIED 4:1

The meeting concluded at 1.45 pm

Endorsed by
Mary-Lynne Taylor
Chair
Sydney West Region
Joint Regional Planning Panel
Date: 11 November 2011