

MINUTES OF THE SYDNEY WEST JOINT REGIONAL PLANNING PANEL MEETING HELD AT THE HILLS SHIRE COUNCIL ON THURSDAY 7 AUGUST 2014 AT 4.30 PM

PRESENT:

Mary-Lynne Taylor	Chair
Bruce McDonald	Panel Member
Lindsay Fletcher	Panel Member
Michael Edgar	Panel Member
Dave Walker	Panel Member

COUNCIL STAFF IN ATTENDANCE:

Kristine McKenzie
Robert Buckham
Cameron McKenzie
Paul Osborne
Henry Burnett
Shannon Butler

MEETING COMMENCED AT 2:00 PM

APOLOGIES: None

DECLARATIONS OF INTEREST: Bruce McDonald declared that Mr Brian Griffith, who had made a submission objecting to the proposal 2013SYW029 – The Hills Shire DA824/2013, was known to him as he had been a long time fellow employee at Penrith City Council. Mr McDonald indicated this would not influence his assessment of the planning report.

Business Items

ITEM 1: 2013SYW031 - The Hills, 883/2013/JP, Demolition of existing buildings and construction of two x nine storey residential flat buildings containing 147 residential units, Lots 24 & 25 DP 8001, Lots X & Y DP 102830, Lot A DP 371036, and Lots B & C DP 367737, Nos. 16-24 Thallon Street and 27-29 Jenkins Road, Carlingford

ITEM 2: 2014SYW023 - The Hills, 579/2014/JP, Residential Flat Building Development comprising 226 units, 19 Balmoral Road, Kellyville

ITEM 3: 2012SYW059 - The Hills, 1278/2012/JP, Mixed Use Development Comprising 234 Residential Apartment Units and 5,110m² of Retail Space, Lot 21 DP 588810, Lot 1 DP 619055, Lot 18 DP 659904 & Lot 9 DP 28197, Nos. 346-350 Windsor Road, 2 Seven Hills Road & 27 Yattendon Crescent, Baulkham Hills

ITEM 4: 2013SYW029 - The Hills, 824/2013/JP, Residential Development comprising 8 Residential Flat Buildings (233 apartments), two levels of basement car parking, landscaping & communal facilities, 28 Fairway Drive, Kellyville

ITEM 5: 2014SYW032 - The Hills, 936/2014/JP, Residential flat building development - The Development Application is for the Construction of Two Residential Flat Buildings being 9 storeys

(Block A2) and 8 storeys (Block A1) in height containing 100 apartments (17 x 1 bedroom, 59 x 2 bedroom and 24 x 3 bedroom units) and 2 levels of basement car parking for 213 vehicles, Lot 2103 DP 1176614 Solent Circuit, Baulkham Hills

Public Submission

ITEM 1: no submissions

ITEM 2: Jonathon Wood addressed the panel on behalf of the applicant

ITEM 3: Warwick Gosling addressed the panel on behalf of the applicant. A local real estate agent attended to speak about the concerns of the adjoining owners but did not speak as the Chair read out in full his client's recently received further written submission (made because he could not attend the meeting) and he agreed that it covered all he wished to say.

ITEM 4: Peter Lee and Jonathon Wood addressed the panel on behalf of the applicant

ITEM 5: Yianni Athanasopoulos addressed the panel against the application

Outcomes:

ITEM 1: The Panel reached a decision, as set out in the attached copy of the Determination and Statement of Reasons.

ITEM 2: The Panel unanimously decided to defer the determination of the development application for the reasons set out in the council assessment report.

ITEM 3: The Panel reached a decision, as set out in the attached copy of the Determination and Statement of Reasons.

ITEM 4: The Panel unanimously decided that the matter be deferred pending finalised plans and further notification.

ITEM 5: The Panel reached a decision, as set out in the attached copy of the Determination and Statement of Reasons.

MEETING CLOSED AT 3:00 PM

Endorsed by:



Mary-Lynne Taylor
Chair
Sydney West Joint Regional Planning Panel
12 August 2014

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at The Hills Shire Council on Thursday 7 August 2014 at 2.00 pm

Panel Members: Mary-Lynne Taylor (Chair), Bruce McDonald, Lindsay Fletcher, Dave Walker and Michael Edgar

Apologies: None - Declarations of Interest: None

Determination and Statement of Reasons

2014SYW032 – The Hills Shire – DA936/2014 – Construction of two residential flat buildings, Lot 2103 DP 1176614 Solent Circuit, Baulkham Hills

Date of determination: 7 August 2014

Decision:

The panel determined to approve the development application as described in Schedule A pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

Panel consideration:

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

Reasons for the panel decision:

The panel considers that the applicants request under the provisions of Clause 4.6 of The Hills LEP 2012, seeking variation to the development standard relating to Height of Buildings contained in Clause 4.3 of the LEP, to be justified.

1. The proposed development will add to the supply and choice of housing within the metropolitan Northwest Subregion and The Hills Shire in a location that offers ready access to a wide range of services and amenities and to regional transport links including the North West Metropolitan Rail link currently under construction.
2. The proposed development is considered to be of a scale and built form consistent with the planned intention of The Hills LEP 2012, the Norwest Residential Precinct Masterplan and the amendment to the eastern Residential Precinct recently approved by the JRPP and with DCP Part D Section 8 Norwest Residential Precinct adopted by Council in respect of the site.
3. The development is consistent in terms of design and scale with its contextual setting.
4. The proposed development will not adversely impact on the amenity of adjoining or nearby residential development
5. The Panel considers the development constitutes appropriate use of the land and that it will not adversely impact on the natural or built environments.

Conditions: The development application was approved subject to the conditions in Appendix A of the Council Assessment Report as amended at the meeting.

Panel members:

		
Mary-Lynne Taylor (Chair)	Bruce McDonald	Lindsay Fletcher
		
Dave Walker	Michael Edgar	

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

SCHEDULE 1

1	JRPP Reference – 2014SYW032, LGA – The Hills Shire Council, DA 936/2014
2	Proposed development: Construction of two residential flat buildings, Lot 2103 DP 1176614 Solent Circuit, Baulkham Hills
3	Street address: Lot 2103 DP 1176614 Solent Circuit, Baulkham Hills
4	Applicant/Owner: Think Planners Pty Ltd
5	Type of Regional development: Capital Investment Value > \$20M
6	Relevant mandatory considerations <ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ The Hills Local Environmental Plan 2012 ○ State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development. ○ State Environmental Planning Policy (State and Regional Development) 2011 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ DCP 2012 Part D Section 8 – Norwest Residential Precinct ○ DCP 2012 Part B Section 5 – Residential Flat Buildings ○ DCP 2012 Part C Section 1 – Parking ○ DCP 2012 Part C Section 3 - Landscaping • Planning agreements: Nil • Regulations: <ul style="list-style-type: none"> ○ Environmental Planning and Assessment Act Regulation 2000 • 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 EPA Act or EPA Regulation. • The public interest.
7	Material considered by the panel: Council Assessment Report Received: 31 July 2014 Written submissions during public exhibition: one Verbal submissions at the panel meeting: On behalf of the applicant- Peter Lee, Jason Pittman and Jonathon Wood
8	Meetings and site inspections by the panel: Briefing Meeting 15 May 2014 and site inspection on 7 August 2014.
9	Council recommendation: Approval
10	Draft conditions: Attached to council assessment report

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at The Hills Shire Council on Thursday 7 August 2014 at 2.00 pm

Panel Members: Mary-Lynne Taylor (Chair), Bruce McDonald, Lindsay Fletcher, Dave Walker and Michael Edgar

Apologies: None - Declarations of Interest: None

Determination and Statement of Reasons

2012SYW059 – The Hills Shire – DA1278/2012 – Mixed use development, Lot 21 DP 588810, Lot 1 DP 619055, Lot 18 DP 659904 and Lot 9 DP 28197, No. 2 Seven Hills Road, Nos. 344 and 350 Windsor Road and No. 27 Yattenden Crescent (Corner of Windsor Road and Seven Hills Road), Baulkham Hills

Date of determination: 7 August 2014

Decision:

The panel determined to approve the development application as described in Schedule A pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

Panel consideration:

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

Reasons for the panel decision:

1. The proposed development will add to the supply and choice of housing within the Metropolitan Northwest Subregion and The Hills Shire in a location that offers ready access to a wide range of services and amenities and to regional transport links.
2. Development of the site with the composition and extent of uses proposed will act to rejuvenate the sector of Baulkham Hills town centre in which the site is located.
3. The proposed development is considered to be of a scale and built form consistent with the planned intention of the sites development as expressed in the relevant LEPs relating to the site and the site Specific Target Site DCP adopted by Council in respect of the site.
4. The Panel considers the development exhibits design excellence as an outcome of the design process undertaken and to be consistent in terms of design and scale with its contextual setting.
5. The proposed development will not unreasonably impact on the traffic conditions in the locality or on the amenity of adjoining residential areas.
6. In consideration of the above the Panel considers the development constitutes appropriate use of the land and that it will not adversely impact on the natural or built environments.
7. Maintenance of access to Nos 4-8 Seven Hills Road has been addressed by appropriate conditions.

Conditions: The development application was approved subject to the conditions in Appendix A of the Council Assessment Report as amended at the meeting.

Panel members:

 Mary-Lynne Taylor (Chair)	 Bruce McDonald	 Lindsay Fletcher
 Dave Walker	 Michael Edgar	

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

SCHEDULE 1

1	JRPP Reference – 2012SYW059, LGA – The Hills Shire Council, DA 1278/2012
2	Proposed development: Mixed use development.
3	Street address: Lot 21 DP 588810, Lot 1 DP 619055, Lot 18 DP 659904 and Lot 9 DP 28197, No. 2 Seven Hills Road, Nos. 344 and 350 Windsor Road and No. 27 Yattendon Crescent (Corner of Windsor Road and Seven Hills Road), Baulkham Hills
4	Applicant/Owner: Hills Shoppingtown Pty Ltd
5	Type of Regional development: Capital Investment Value > \$20M
6	Relevant mandatory considerations <ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ The Hills Local Environmental Plan 2005 ○ Draft LEP 2010 ○ DCP Part E Section 24 – Target Site Corner of Windsor Road and Seven Hill Road ○ State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development. ○ SEPP State and Regional Development 2011 ○ Residential Flat Design Code • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ The Hills DCP 2012 • Planning agreements: Nil • Regulations: <ul style="list-style-type: none"> ○ Environmental Planning and Assessment Act Regulation 2000 • 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 EPA Act or EPA Regulation. • The public interest.
7	Material considered by the panel: Council Assessment Report Received: 31 July 2014 Written submissions during public exhibition: 1 letter in support, 5 letters against and a petition against the proposal signed by 27 people. Verbal submissions at the panel meeting: On behalf of the applicant - Warwick Gosling
8	Meetings and site inspections by the panel: 1 st Briefing Meeting 6 September 2012, 2 nd Briefing meeting on 13 March 2014 and site inspection on 7 August 2014.
9	Council recommendation: Approval
10	Draft conditions: Attached to council assessment report

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at The Hills Shire Council on Thursday 7 August 2014 at 2.00 pm

Panel Members: Mary-Lynne Taylor (Chair), Bruce McDonald, Lindsay Fletcher, Dave Walker and Michael Edgar

Apologies: None - Declarations of Interest: None

Determination and Statement of Reasons

2013SYW031 – The Hills Shire - DA883/2013 – Demolition of existing structure and construction of two residential flat buildings containing 112 units – Lots B & C DP 367737, Lot A DP 371036, Lots X & Y DP 102830, Lots 24 & 25 DP 8001 – 27 – 29 Jenkins Road & 16 – 24 Thallon Street, Carlingford.

Date of determination: 7 August 2014

Decision:

The panel determined to refuse the development application as described in Schedule A pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.






Panel consideration:

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

Reasons for the panel decision:

The development does not comply with the unit typologies on Page No. 69 of the Residential Flat Design Code, in addition, the development does not comply with the apartment size requirements of DCP 2012 Part D section 12- Carlingford Precinct and is considered unsatisfactory, resulting in a poor level of amenity for future residents.

Panel members:

		
Mary-Lynne Taylor (Chair)	Bruce McDonald	Lindsay Fletcher
		
Dave Walker	Michael Edgar	

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

SCHEDULE 1

1	JRPP Reference – 2013SYW031, LGA – The Hills Shire Council, DA 88/2013
2	Proposed development: Demolition of existing structures and construction of two residential flat buildings containing 112 units
3	Street address: 27-29 Jenkins Road & 16-24 Thallon Street, Carlingford
4	Applicant/Owner: Decon Australia Pty Ltd
5	Type of Regional development: Capital Investment Value > \$20M
6	Relevant mandatory considerations <ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ The Hills Local Environmental Plan 2012 ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development. • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ DCP 2012 Part D, Section 12 – Carlingford Precinct ○ DCP 2012 Part B, Section 5 – Residential Flat Buildings ○ DCP 2012 Part C, Section 1 – Parking ○ DCP 2012 Part C, Section 3 – Landscaping • Planning agreements: Nil • Regulations: <ul style="list-style-type: none"> ○ Environmental Planning and Assessment Act Regulation 2000 • 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 EPA Act or EPA Regulation. • The public interest.
7	Material considered by the panel: Council Assessment Report Received: 31 July 2014 Written submissions during public exhibition: one Verbal submissions at the panel meeting: None
8	Meetings and site inspections by the panel: Briefing Meeting 28 March 2013 and site inspection on 7 August 2014.
9	Council recommendation: Refusal
10	Reasons: Attached to council assessment report