

**MINUTES OF THE SYDNEY WEST REGION
JOINT REGIONAL PLANNING PANEL MEETING
HELD AT THE HILLS SHIRE COUNCIL ON
THURSDAY 18 JULY 2013 AT 10.00 AM**

PRESENT:

Mary-Lynne Taylor	Chair
Bruce McDonald	Panel Member
Paul Mitchell	Panel Member
Michael Edgar	Panel Member
Stewart Seale	Panel Member

COUNCIL STAFF IN ATTENDANCE:

Cameron MacKenzie
Paul Osborne
Claro Patag

APOLOGY: NIL

1. The meeting commenced at 11.05 am

2. **Declarations of Interest - Nil**

3. **Business Items**

Item 1 - 2012SYW106 - The Hills - 562/2010/JP/A - Section 96(2) modification to an approved mixed use development, Lots 1-3 DP 398482, Lot 5 DP 8001, Lot B DP 90046, Nos. 2-8 James Street, Carlingford

5. **Public Submission -**

Item 1 –

Addressing the Panel in favour of the item –

- Warwick Gosling
- Aleks Jelacic
- Tony Merhi

6. **The Panel's Decision**

2012SYW106 - The Hills - 562/2010/JP/A - Section 96(2) modification to an approved mixed use development, Lots 1-3 DP 398482, Lot 5 DP 8001, Lot B DP 90046, Nos. 2-8 James Street, Carlingford

The Panel's decision by a majority of 3 votes to 2 is to approve the Section 96(2) modification application for the reasons given in Council's planning report. Those voting in favour of the decision were: Mary-Lynne Taylor, Paul Mitchell and Bruce McDonald. Those voting against the decision were: Michael Edgar and Stewart Searle.

The Panel was provided before the Meeting with additional legal case history that considered the provisions of S96 in relation to changes of the mix of unit types in amended proposals.

During the meeting the Panel extensively discussed the amended proposal's satisfaction of the provisions of Section 96(2), the weight to be given to DCP 2012, and compliance with SEPP 65 principles. The applicant addressed the panel advising that, according to his market research, one bedroom units were the way in which, in this area, first homebuyers could enter the market and pointed to the compliance with SEPP 65 unit sizes.

The members who opposed the proposal considered:

- The application did not meet the conditions of Section 96(2) on the basis that it was not substantially the same development as previously approved, given that the extent of changes to the unit mix, particularly the reduction in the number of 3 bedroom units and the increase in the number of 1 bedroom unit mix now proposed, resulting in substantially altered qualitative elements relative to unit choice and post development household composition. Further, on that basis they considered the proposal did not now adequately respond to Council's planned social objectives for Carlingford's urban renewal.
- The application did not comply with DCP2012-Carlingford Precinct with regard to apartment sizes.
- The proposal did not adequately reflect the requirements of SEPP 65, particularly in regard to the proposed mix of unit types.
- Increase in traffic and loss of retail space were also unsatisfactory elements according to one member

The meeting concluded at 12.15 pm

Endorsed by:



Mary-Lynne Taylor
Chair
Sydney West Region
Joint Regional Planning Panel
Date: 24 July 2013