

Mayoral Minute

Report No. MM16/2022

General Manager's Unit



***MAYORAL MINUTE No. MM14/2022***

***SUBJECT: MODIFICATION 20 TO THE HUNTLEE MAJOR PROJECT APPROVAL***

***RECOMMENDATION***

- 1. That Council write to the Minister for Planning outlining its frustration with the Department of Planning and Environment for having approved the 'Urban One' allotments under Modification 20 to the Huntlee Stage 1 Major Project and that the Minister reverse the Department's decision, as outlined in this Mayoral Minute;**
- 2. That Council forwards a copy of the correspondence to the State Member, Mr Clayton Barr MP, with a request for him to make representations to the NSW Minister for Planning, on Council's behalf.**

***REPORT/PROPOSAL***

The Huntlee Stage 1 Major Project (MP10\_0137) was approved by the Planning Assessment Commission under delegation on 24 April 2013. Since that time, the Huntlee Major Project Approval has been modified by the Department of Planning and Environment (DPE) 17 times at the request of the developer. The most recent modification (Modification 20) was approved by DPE on 31 October 2022.

Among other things, Modification 20 amended the Huntlee subdivision layout to include an additional 185 'Urban One' residential allotments within sub-stages TC2, TC3 and TC5 of the development. The size of the Urban One allotments are between 217m<sup>2</sup> and 354m<sup>2</sup>. The allotments will contain single dwellings that have the appearance of medium density housing.

It is my view that the Urban One allotments should not have been approved by DPE, on the basis that:

- there is insufficient public transport to support medium density living at Huntlee;
- the Urban One allotments are not compatible with the regional/rural context of Huntlee;
- the cost of the fully developed allotments (advertised as \$855,000) are not considered 'affordable' and are more likely to be purchased by investors; and
- no consideration has been given to the provision of on-street car parking to support the medium density dwelling types and associated private car ownership.

I am advised by Council staff that Council may lodge an appeal against the validity of DPE's decision to approve Modification 20, but only if it considers there has been a breach of the *Environmental Planning and Assessment Act 1979* (EP&A Act) in determining the modification. The appeal must be made within 3 months of the decision being notified, i.e. by 31 January 2023.

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I am further advised that it is unlikely an legal appeal from Council would be successful, on the basis it would be difficult to justify that there has been a breach of the EP&A Act in the DPE's determination of Modification 20.

As such, I recommend Council write to the Minister for Planning outlining its frustration with the Department of Planning and Environment for having approved the 'Urban One' allotments under Modification 20 to the Huntlee Stage 1 Major Project and that the Minister reverse the Department's decision. I also recommend that Council forward a copy of the correspondence to the State Member, Mr Clayton Barr MP, with a request for him to make representations to the NSW Minister for Planning, on Council's behalf.

***ENCLOSURES***

There are no enclosures for this report

**MAYORAL MINUTES NO. MM16/2022**

**SUBJECT:      MODIFICATION 20 TO THE HUNTLEE MAJOR PROJECT APPROVAL**

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**MOTION            Moved:**    Councillor Suvaal  
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**RESOLVED**

- 1.      That Council write to the Minister for Planning outlining its frustration with the Department of Planning and Environment for having approved the ‘Urban One’ allotments under Modification 20 to the Huntlee Stage 1 Major Project and that the Minister reverse the Department’s decision, as outlined in this Mayoral Minute;**
- 2.      That Council forwards a copy of the correspondence to the State Member, Mr Clayton Barr MP, with a request for him to make representations to the NSW Minister for Planning, on Council’s behalf.**

<b>FOR</b>	<b>AGAINST</b>
Councillor Jackson	
Councillor Moores	
Councillor Dunn	
Councillor Burke	
Councillor Grine	
Councillor Sander	
Councillor Hill	
Councillor Hawkins	
Councillor Paynter	
Councillor Olsen	
Councillor Jurd	
Councillor Suvaal	
<b>Total (12)</b>	<b>Total (0)</b>

**CARRIED UNANIMOUSLY**