

MINUTES OF THE SYDNEY WEST REGIONAL PANEL MEETING HELD AT THE HILLS SHIRE COUNCIL ON THURSDAY, 5 AUGUST AT 12:00 PM

PANEL PRESENT:

Janet Thomson	Chairperson
Bruce MacDonald	Panel Member
Paul Mitchell	Panel Member
Dave Walker	Panel Member
Michael Edgar	Panel Member

COUNCIL STAFF IN ATTENDANCE

Cameron McKenzie	Group Manager - Environment & Planning Services
Paul Osborne	Manager - Development Assessment Services
Gavin Cherry	Development Assessment Co-ordinator
Kristine McKenzie	Principal Executive Planner
Greg Samardzic	Senior Town Planner

The meeting commenced at 12.05 PM

1 Declarations of Interest

There were no declarations of interest.

2. Business Item No. 1: JRPP 2009SYW028 – The Hills Shire Council DA No. 891/2010/JP - Bulky Goods Retail Development, No. 14 Victoria Avenue, Castle Hill

The Chairperson confirmed that The Hills Shire Council had provided a memorandum dated 4 August 2010 to the Joint Regional Planning Panel amending recommended Condition No. 40 and 64.

In addition The Hills Shire Council tabled a further memorandum also dated 4 August 2010 outlining the rationale behind the requested amendment to Condition No. 40 and reduction in requested traffic contribution from \$400,000.00 to \$100,000.00.

3. Public Submissions

Nil

4. Business Item Recommendations

Business Item No. 1: JRPP 2009SYW028 – The Hills Shire Council DA No. 891/2010/JP - Bulky Goods Retail Development, No. 14 Victoria Avenue, Castle Hill

Moved Paul Mitchell and seconded by Dave Walker that:

The Development Application was determined to be approved subject to the amendment of Condition Nos. 40 and 64 as outlined within the memorandum dated 4 August 2010.

MOTION CARRIED, ALL IN FAVOUR

5. Business Item No. 2: JRPP 2009SYW029 – The Hills Shire Council DA No. 853/2010/JP - Bulky Goods Retail Development, 352 Annangrove Road, Rouse Hill

The Chairperson confirmed that The Hills Shire Council had provided a memorandum dated 4 August 2010 to the Joint Regional Planning Panel amending recommended Condition Nos. 3, 6, 29, 39, 41, 44 and 75. The Chairperson raised concern however with the requested amended wording regarding Condition No. 41. As a result a further amended memorandum was tabled dated 5 August 2010 providing amendment to Condition No. 41 in accordance with the Panel's request.

6. Declarations of Interest

There were no declarations of interest.

7. Public Submissions

Nil

8. Business Item Recommendations

Business Item No. 2: JRPP 2009SYW029 – The Hills Shire Council DA No. 853/2010/JP - Bulky Goods Retail Development, 352 Annangrove Road, Rouse Hill

Moved by: Bruce MacDonald seconded by Paul Mitchell that:

The Development Application was determined to be approved subject to the amendment of Condition Nos. 3, 6, 29, 39, 41, 44 and 75 as detailed within the further memorandum dated 5 August 2010.

The amendment was put and defeated 4 votes to 1 vote

Against: Dave Walker

For: Janet Thomson, Bruce McDonald, Paul Mitchell, Michael Edgar

The original motion was then carried four votes to one and Walker voting against.

Motion Carried

The meeting concluded at 12.25 PM.

Endorsed by

Janet Thomson
Chair, Sydney West Region Planning Panel
19 August 2010

MEMORANDUM TO THE JRPP

TO: JOINT REGIONAL PLANNING PANEL REPRESENTATIVES
JOINT REGIONAL PLANNING PANEL SECRETARIATE

FROM: GAVIN CHERRY – DEVELOPMENT ASSESSMENT COORDINATOR

SUBJECT: REQUEST FOR AMENDED CONDITIONS OF CONSENT
DEVELOPMENT APPLICATION 891/2010/JP – PROPOSED BUNNINGS
BULKY GOODS RETAIL DEVELOPMENT
No. 14 VICTORIA AVENUE, CASTLE HILL

DATE: 04 AUGUST 2010

COPIES TO: MANAGER - DEVELOPMENT ASSESSMENT
GROUP MANAGER - ENVIRONMENT & PLANNING SERVICES

In response to further discussions with the applicant on 30 July 2010, the following amended conditions of consent are proposed for inclusion within the recommendation for approval concerning Development Application 891/2010/JP: -

Recommended Condition No. 40 within the JRPP Planning Report be deleted and replaced with the following amended recommended condition:-

"40. Cash Contribution Requirements

A cash contribution to the sum of \$100,000.00 in restricted reserve is to be submitted to Council prior to the issue of the Construction Certificate. This contribution is for the replacement of the roundabout at the intersection of Victoria Avenue and Salisbury Road, Castle Hill with traffic signals.

The cash contribution is to be reimbursed to the applicant if these works have not been undertaken by 31 December 2014.

Note: *Council's Manager – Infrastructure Planning will be required to appropriately modify the apportionment during the next five (5) years as a result of any future approved developments in the vicinity of the intersection."*

Recommended Condition No. 64 within the JRPP Planning Report be deleted and replaced with the following amended recommended condition:-

"64. Hours of Trading

The hours of trading being restricted to the following: -

- 7.00am – 9.00pm Monday to Friday;
- 8.00am – 6.00pm Saturday, Sunday and Public Holidays; and

- *Deliveries are permitted between 7.00am and 10.00pm Monday to Friday only.*

Activities such as night filling, stock movement and similar, generally occurring within the Warehouse, and not audible from nearby residential properties can occur outside of trading hours.

Any alteration to the above restricted hours of trading will require the further approval of Council."

A handwritten signature in blue ink, appearing to read 'Gavin Cherry', with a stylized flourish at the end.

GAVIN CHERRY

DEVELOPMENT ASSESSMENT COORDINATOR

MEMORANDUM TO THE JRPP

TO: JOINT REGIONAL PLANNING PANEL REPRESENTATIVES
JOINT REGIONAL PLANNING PANEL SECRETARIATE

FROM: GREG SAMARDZIC – SENIOR TOWN PLANNER

SUBJECT: REQUEST FOR AMENDED CONDITIONS OF CONSENT
DEVELOPMENT APPLICATION 853/2010/JP – PROPOSED BUNNINGS
BULKY GOODS RETAIL DEVELOPMENT
No. 352 ANNANGROVE ROAD, ROUSE HILL

DATE: 05 AUGUST 2010

COPIES TO: MANAGER - DEVELOPMENT ASSESSMENT
GROUP MANAGER - ENVIRONMENT & PLANNING SERVICES

In response to further discussions with the applicant on 30 July 2010, the following amended conditions of consent are proposed for inclusion within the recommendation for approval concerning Development Application 853/2010/JP: -

Recommended Condition No. 3 within the JRPP Planning Report be deleted and replaced with the following amended recommended condition:-

"3. Compliance with NSW Police Service Requirements

The proposed development is to be undertaken in accordance with the requirements of the NSW Police – Local Area Command dated 17 March 2010 comprising the following: -

- *Use of CCTV coverage to monitor the store inside and undercover car park area.*
- *The underground car parking areas be painted white to help reflect light.*
- *Access control or gates to be used in the car park area to allow it to be closed off after hours.*
- *The use of sensor lights and a security company to monitor the site while construction is in progress."*

Recommended Condition No. 6 within the JRPP Planning Report be deleted and replaced with the following amended recommended condition:-

"6. Provision of Parking Spaces

The development is required to be provided with 409 off-street car parking spaces including 9 disabled parking spaces, 5 parents with prams spaces, 5 motorcycle spaces, 14 bicycle spaces. These car parking spaces shall be available for off street parking during trading hours."

Recommended Condition No. 29 within the JRPP Planning Report be deleted and replaced with the following amended recommended condition:-

"29. Works Adjacent to Piped Drainage Easement

Buildings and structures (including footings and brick fences) adjacent to the easement must be located wholly outside the easement and be designed by a structural engineer to ensure that no load is imparted on the pipe in the easement."

Recommended Condition No. 39 within the JRPP Planning Report be deleted and replaced with the following amended recommended condition:-

"39. Acquisition of an Easement on Adjoining Downstream Property

The creation of all necessary easements over the downstream property (Lot 43 DP 834049) generally as shown on the engineering design prepared by C&M Consulting Engineers (Drawing 00452_C201 Revision G and Drawing 00452_C202 Revision F) and in accordance with the requirements of the landowner (Sydney Water). Written evidence of Sydney Water's agreement to such an easement must be submitted to Council prior to the Issue of a Construction Certificate. These easements must be created prior to the issuing of an Occupation Certificate.

All costs incurred must be borne by the applicant."

Recommended Condition No. 41 within the JRPP Planning Report be deleted and replaced with the following amended recommended condition:-

"41. Security Bond – Traffic

Approval of right turn movements from Annangrove Road into and out of the development are approved as an interim arrangement only. This access arrangement will be subject to review by the Local Traffic Committee annually or if the right turn queue lengths extends through the signalised Windsor Road intersection or if any other adverse situations arise in the Council's opinion. Should it be required, restriction of access to left in/left out by extending the existing concrete median island in an easterly direction for a distance of approximately 42m may be required Re-instatement of the existing approved driveway configuration is to occur if access to the development is restricted to left in/ left out.

A \$10,000 bond is to be submitted to Council covering the cost of construction of 42m of central concrete median island in the event that it is found to be necessary."

Recommended Condition No. 44 within the JRPP Planning Report be deleted and replaced with the following amended recommended condition:-

"44. Engineering Works and Design

The design and construction of all the engineering works outlined below must be provided for in accordance with the following documents and requirements:

- a) Council's Design Guidelines Subdivisions/ Developments*
- b) Council's Works Specifications Subdivisions/ Developments*

Copies of the above documents can be found on Council's website:

<http://www.thehills.nsw.gov.au/Engineering-Specifications.html>

Any variance from the above require separate approval from Council.

Works on existing public roads or reserves and any land under the care and control of Council require an Engineering Construction Certificate (ECC) in accordance with the

Roads Act 1993 and/ or the Local Government Act 1993. An ECC can only be issued by Council. The proposed works fall into this category.

For Council to issue an ECC the following must be provided:

- i. A completed application form.
- ii. Four (4) copies of the design plans and specifications.
- iii. Payment of the appropriate application fee.
- iv. Payment of the appropriate inspection fee.

The following engineering works are required:

i. Access Arrangements – Annangrove Road

Right turn movements from Annangrove Road into and out of the development will be permissible on a conditional basis in accordance with the proposal identified in the traffic consultants report submitted with the DA.

This access arrangement must be constructed in accordance with the requirements of Council's traffic team.

ii. Stormwater Extension

A separate piped/ overland flow path stormwater drainage connection between Annangrove Road and Second Ponds Creek (Lot 43 DP 834049) through the development site must be constructed generally in accordance with the engineering design prepared by C&M Consulting Engineers (Drawing 00452_C201 Revision G and Drawing 00452_C202 Revision F) with the following amendments:

- The layout of the stormwater pipeline must be amended to reflect the location of the existing headwall at the sites Annangrove Road boundary.
- All overland flow is to be directed towards the proposed formed overland flow path located generally along the sites northern boundary. The easement associated with the same must encompass the area affected by the 1 in 100 ARI storm event.
- Bends approaching ninety degrees in pipelines to be dedicated to Council are to be avoided wherever possible.

iii. Stormwater Connection to Second Ponds Creek

All works on the adjoining downstream property (Lot 43 DP 834049) must be designed and carried out generally as shown on the general arrangement plan (Drawing 00452_C202 Revision F) prepared by C&M Consulting Engineers and in accordance with the requirements of the landowner (Sydney Water)."

Recommended Condition No. 75 within the JRPP Planning Report be deleted and replaced with the following amended recommended condition:-

"75. Hours of Trading

The hours of trading being restricted to the following: -

- 7.00am – 9.00pm Monday to Friday
- 8.00am – 6.00pm Saturday, Sunday and Public Holidays
- Deliveries are permitted between 7.00am and 10.00pm Monday to Friday only.

Any alteration to the above hours of operation will require the further approval of Council.

Activities such as night filling, stock movement and similar, generally occurring within the Warehouse, and not audible from nearby residential properties, can occur outside of trading hours."



GREG SAMARDZIC
SENIOR TOWN PLANNER