

**MINUTES OF THE SYDNEY WEST  
JOINT REGIONAL PLANNING PANEL MEETING  
HELD AT BLUE MOUNTAINS CITY COUNCIL HEADQUARTERS,  
2 CIVIC PLACE, KATOOMBA  
ON THURSDAY, 14 MARCH 2013 at 11.30 AM**

Present:

Mary-Lynne Taylor –Chair  
Paul Mitchell – Panel Member  
Bruce McDonald – Panel Member  
Councillor Chris Van Der Kley – Panel Member  
Councillor Mick Fell – Panel Member

Blue Mountain City Council staff in attendance:

Lee Morgan (Director Development, Health & Customer Service)  
Kim Barrett - Senior Town Planner  
Paul Koen - Executive Principal, Environmental & Engineering Services

Sydney Catchment Authority Staff in attendance:

Greg Greene (A/Manager, Planning and Assessments)  
Dr Bob Banens (Team Leader Assessments) and  
Dr Girja Sharma (Senior Assessment Officer)

Apologies: Nil

**1. The meeting commenced at 12.00 pm**

The Chair welcomed everyone to the Sydney West Regional Panel Meeting.

Lee Morgan – Director of Development, Health and Customer Service gave an overview of the proposal and Council Officers answered questions during the meeting. In particular Senior Town Planner - Kim Barrett advised what assessment and enquiries Council had made of Native Title and Aboriginal Heritage Issues.

Representatives of Sydney Catchment Authority addressed the panel on their concerns as a concurrence authority.

**2. Declarations of Interest –**

Councillor Chris Van Der Kley declared that he had a non-pecuniary interest as he is the Chairman of Bushfire Management Committee, but he did not feel that he had a conflict of interest that would affect his decision making.

**3. Business Item -**

**Item 1** - 2013SYW015 - Blue Mountains City Council - X/900/2011 - Fire Brigade Station for NSW Rural Fire Service - Crown Development, 117-123 Shipley Road Blackheath

#### **4. Public Submissions –**

##### **Addressing the Panel against the item**

- Florian Weller
- Tyswan Slater on behalf of local residents
- Jan Thornley on behalf of 5 members of her family
- Christine Storry

##### **Addressing the Panel in favour of the item**

- Peter Poulos – Shipley Volunteer Fire Brigade
- David Jones – on behalf of the Rural Fire Service
- John Banks – Senior Project Manager on behalf of Department of Public Works

#### **5. Panel Decision**

This is a crown application that has been referred to the JRPP in the circumstances that the Crown authority - the Rural Fire Services (RFS) - does not agree with the imposition of some of the conditions required by the council and the Sydney Catchment Authority (SCA). The decision has been held up for many months because the parties have reached an impasse and such delay is of great concern. The RFS have set out the conditions they wish changed or deleted -for the purpose of reducing the cost to RFS, despite the fact that Council have offered to bear some of those costs.

During the meeting the Council and the SCA explained the planning and technical reasons for these conditions but the RFS were, at the meeting, unable to agree to changes not having sufficient authority present to do so. Further, the RFS could give no planning or technical reasons for not agreeing with these conditions which related, inter alia, to safety of road surface.

Having heard from local residents and fire fighters, the applicant – (RFS), Sydney Catchment Authority, the Council, the Panel entered into discussion regarding compromise conditions.

The following changes were discussed:

- Deferred commencement conditions 2 and 4 to be deleted.
- Deferred commencement condition 1 to be amended with the agreement of Sydney Catchment Authority.
- Deferred commencement condition 3 to be made an operative condition.
- Deferred commencement condition 5 to be amended to require only an application to be made prior to the consent becoming operative.
- In regard to condition 16, containing a standard for internal pavement, as the only justification for amendment of this condition was RFS's concern it was too costly (but no evidence was given as to costing), the Panel could find no planning reason for

amending a condition to do with traffic safety as suggested and this condition is retained.

- The Council was prepared to amend Conditions 25b to allow MRV design vehicle instead of HRV because of the information provided by RFS as to the likely use of the site.
- Condition 8 to be amended by agreement with RFS to define the appropriate colour schedule (to be consistent with the bushland setting).
- Condition 24 to be amended to define when appropriate plans need to be submitted for works on the council road.
- Condition 26 to be amended to deal with the concerns of residents in relation to loss of significant vegetation because of the need to maintain an inner protection area in accordance with RFS requirements. The Panel believes condition 26 now meets the concerns of residents as to privacy by screen landscaping. (In addition to the proposed amendment to condition 43 landscaping).
- Condition 43 to be amended to require additional landscaping to deal with visual impact.

Accordingly the Panel now believes that the development with the proposed amended conditions and especially including retention of condition 25c now meets the concerns of residents and complies with Council's planning controls satisfactorily, and will provide an important piece of infrastructure in the area of the Blue Mountains. The Council and Sydney Catchment Authority agree with the suggested changes.

The Panel unanimously approves the application with the amended conditions. The amended conditions are attached to the minutes.

**6. Meeting closed at 2.30 pm**

Endorsed by



Mary-Lynne Taylor  
Chair  
Sydney West Region  
Joint Regional Planning Panel  
Date: 20 March 2013