




SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at 4.30pm on Thursday 12 March 2015 at Hawkesbury City Council		
Panel Members: Mary-Lynne Taylor (Chair), Paul Mitchell, Bruce Clarke, Peter Jackson and Matt Owens		
Apologies: None Declarations of Interest: None		
Determination and Statement of Reasons		
2014SYW005 – Hawkesbury – DA0703/13 [8 Groves Ave, Mulgrave] as described in Schedule 1.		
Date of determination: 12 March 2015		
Decision: The panel determined to refuse the development application as described in Schedule A pursuant to section 80 of the <i>Environmental Planning and Assessment Act 1979</i> .		
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 incorporate council reasons for refusal: <ol style="list-style-type: none"> 1. The Roads and Maritime Services do not support the proposed shared median turning lane within Groves Avenue on road safety and traffic efficiency grounds. 2. The development will generate unreasonable traffic safety, road congestion and parking impacts for the locality. 3. The proposal does not represent orderly development and therefore fails to satisfy the objectives of the Hawkesbury Local Environmental Plan 2012. 4. The proposal represents an overdevelopment of the site. 5. The development will create land use conflicts with adjoining properties. 6. Owners' consent for access, parking and stormwater arrangements has not been provided in accordance with Clause 49(1)(a) of the of the Environmental Planning and Assessment Regulation 2000. 7. Inadequate information has been provided to allow for a full and proper assessment of the development: In addition the Panel has the following specific concerns: <ol style="list-style-type: none"> 1. The application involves development on lands for which owner's consent has not been obtained and as such the application is incomplete as it does not meet the requirements of Clause 49(1)(a) of the EPA Regulations. 2. The application relies to a significant extent on access from an informal roadway – 1A Curtis Road. This 'road' has not been legally established as a public road. 3. The application is likely to adversely affect traffic flows and safety on Groves Road. In this regard, the Panel has given particular weight to the views of the RMS and notes that this Agency has not given its concurrence to proposed works on a road under its ownership. 4. The application provides insufficient onsite parking to accommodate the probable demands from future patrons. 		
Panel members:		
		
Mary-Lynne Taylor (Chair)	Paul Mitchell	Bruce Clarke
Approved by email	Approved by email	
Peter Jackson	Matt Owens	

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SCHEDULE 1

1	JRPP Reference – LGA- Council Reference: 2014SYW005 – Hawkesbury – DA0703/13
2	Proposed development: United Cinemas - Construction of a multi-storey building consisting of an entertainment facility, recreation facility (indoor), pub, bulky goods premises, shop, restaurants/cafes and associated parking.
3	Street address: 8 Groves Avenue, Mulgrave
4	Applicant/Owner: Applicant: Montgomery Planning Solutions Owner: Planet Warriewood Pty Ltd
5	Type of Regional development: Capital investment value > \$20M Council Interest
6	Relevant mandatory considerations <ul style="list-style-type: none"> • Hawkesbury Local Environmental Plan 2012 (HLEP 2012) • State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP) • State Environmental Planning Policy No. 55 – Remediation of Land (SEPP No. 55) • State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP No. 64) • Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (SREP No. 20) • Hawkesbury Development Control Plan 2002 (HDCP 2002) • 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 dated 27 February 2015 Written submissions during public exhibition: 9 Submissions Verbal submissions at the panel meeting: No verbal submissions
8	Meetings and site inspections by the panel: 1 Site Inspection and 1 Final briefing and 1 Public Meeting - 12 March 2015.
9	Council recommendation: Refusal