

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at **Wollondilly Shire Council** on **Friday 21 November 2014 at 12.00 pm**

Panel Members: Bruce McDonald (Chair), Lindsay Fletcher, Luke Johnson and Col Mitchell

Apologies: Mary-Lynne Taylor

Declarations of Interest: Col Mitchell declared that he had previously been involved in the determination of a previous application for the same site for land filling as a Councillor or Wollondilly Shire Council but did not consider this to be a conflict of interest

Luke Johnson declared that he had previously been involved in the assessment of a previous application for the same site for land filling as Deputy General Manager of Wollondilly Shire Council but did not consider this to be a conflict of interest

Determination and Statement of Reasons

2014SYW033 - Wollondilly, DA010.2013.00000737.001, Waste Management Facility (Land Filling) and associated Depot, Lot 51 DP 702395, No. 70 Monks Lane, Mount Hunter

Date of determination: 21 November 2014

Decision: The panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

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:

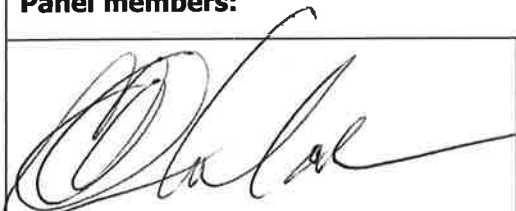


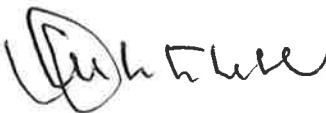
1. The proposed use will result in the restoration of degraded rural land by restoring the residue quarry excavations now on site to their original landform in turn reinstating the rural character and utility of the site.
2. The proposed development is consistent with the relevant Acts, Regulations and State Environmental Planning Policies that apply.
3. The proposed development arrangements will result in the remediation of the site rendering it free of pollutants.
4. The proposal is considered to not unreasonably impact on the operation of the adjacent and nearby road system.
5. The proposal is considered to have acceptable impacts on the natural and built environments, including acoustic impacts on residential development in the locality and water quality impacts on the natural drainage and waterway system.
6. In consideration of conclusions 1-5 above the panel considers the proposal is in the public interest.

Reasons/Conditions: The development application was approved subject to the conditions in the Council Assessment Report with the following amendments to the conditions which were made at the meeting.

1. Condition (1) was deleted (and transferred to the heading)
2. Condition 1(3) was modified by adding the words "except where varied by other conditions of the consent" after the word report.
3. Condition 1(8) was deleted
4. Condition 1 (11) was modified by replacing the word "is" in the first sentence with the words "following remediation and the proposed filling will be"
5. Condition 1 (12) is modified by adding after the word "clearing" the words "outside the area on which the depot is to be constructed, the roadway, the sediment ponds or in the filling area"
6. Condition 3(3) is deleted
7. Condition 9(5) is deleted
8. Condition 13 (3) is replaced with the condition: "13(3) The pre-start clearing inspection required by condition 13(5) shall identify any hollow bearing trees that are required to be removed as part of the development. If the hollow bearing trees identified are found to currently provide for foraging, shelter, roosting or nesting then an ecologist shall be engaged to ensure the safe removal of the species from the hollow"
9. The duplication in the number of condition 13(4) was corrected
10. Condition 17 (4) was modified by changing "5pm" to "6pm"
11. Condition 17 (5) was deleted and the words in that condition instead placed in the advice section of the conditions
12. Condition 17(16) was modified to state "The depot shall be used only for the storage of plant, machinery, equipment, vehicles and the like that are associated with the activities related to landfilling under the ownership of the land owner. The provision of workers amenities and employee car parking is also permitted within the proposed depot area"

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Panel members:

		
Bruce McDonald (Chair)	Lindsay Fletcher	
		
Luke Johnson	Col Mitchell	

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SCHEDULE 1

1	JRPP Reference – 2014SYW033, LGA – Wollondilly Shire Council, DA010.2013.00000737.001
2	Proposed development: Waste Management Facility (Land Filling) and associated Depot.
3	Street address: Lot 51, DP 702395, No. 70 Monks Lane, Mount Hunter.
4	Applicant/Owner: Charlie Glinka
5	Type of Regional development: Clause 8 Particular designated development, Subclause (c) waste management facility
6	Relevant mandatory considerations <ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ Protection of the Environment Operations Act 1997 ○ Environmental Planning and Assessment Act 1979 ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy No 33 – Hazardous and Offensive Development (SEPP 33) ○ State Environmental Planning Policy No 44 – Koala Habitat Protection ○ State Environmental Planning Policy No. 55 – Remediation of Land ○ Sydney Regional Environmental Plan No 20 – Hawkesbury Nepean River • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Wollondilly Local Environmental Plan 2011 • Planning agreements: Nil • Regulations: <ul style="list-style-type: none"> ○ Environmental Planning and Assessment Regulation 2000 • 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, Recommended conditions of consent, EPA General Terms of Approval, Locality Plan, Site Plan, Elevations and Written Submissions. Verbal submissions at the panel meeting: Against – No one addressed the panel against the application • Support – Tim Ward addressed the panel in support of the application •
8	Meetings and site inspections by the panel: Site Inspection on 21 November and Final Briefing meeting on 21 November 2014.
9	Council recommendation: Approval
10	Conditions: Attached to council assessment report