

DETERMINATION AND STATEMENT OF REASONS SYDNEY WEST CENTRAL PLANNING PANEL

DATE OF DETERMINATION	16 February 2017
PANEL MEMBERS	Ed Blakely (Chair), Paul Mitchell and Stewart Seale
APOLOGIES	Mary-Lynne Taylor
DECLARATIONS OF INTEREST	Dave Edgar declared a conflict of interest as Council had recently agreed in principle to sell biodiversity credits which could potentially be purchased by the applicant.

Public meeting held at The Hills Shire Council on Thursday, 16 February 2017, opened at 1:30 pm and closed at 2:00 pm

MATTER DETERMINED

2015SYW013 – The Hills – 860/2015/JP - 878 Wisemans Ferry Road, South Maroota (AS DESCRIBED IN SCHEDULE 1)

PANEL CONSIDERATION AND DECISION

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.

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*. The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution. The decision was unanimous.




REASONS FOR THE DECISION

The Panel determines the application by way of approval for the following reasons and subject to the following amendment of current condition 6:

- The Panel is satisfied that the development is substantially the same as that originally approved.
- The Panel has closely examined reports from Council's officers about their review of the applicant's seven-part test and concludes that there will be no significant impact on items scheduled under the Threatened Species Conservation Act
- The Panel is satisfied with the proposed buffer and offset arrangements but requires these to be implemented as a deferred commencement condition which will ensure that these essential actions are in place before any additional activities occur
- The Panel is satisfied that the application will have no material adverse impacts and be in the public interest

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report, as amended above.

PANEL MEMBERS	
 Ed Blakely (Chair)	 Paul Mitchell OAM
 Stewart Seale	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2015SYW013 – The Hills – 860/2015/JP
2	PROPOSED DEVELOPMENT	Expansion of existing sandstone quarry
3	STREET ADDRESS	Lot 145 DP752039, No. 878 Wisemans Ferry Road, South Maroota
4	APPLICANT/OWNER	PGH Environmental Planning / Basha Investment Group Pty Ltd and T&M Investment Group Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Particular designated development - extractive industries
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 • State Environmental Planning Policy No 55 – Remediation of Land • Sydney Regional Environmental Plan No 20 - Hawkesbury-Nepean River • The Hills Local Environmental Plan 2012 • The Hills Development Control Plan 2012 Part B Section 1 – Rural • Environmental Planning and Assessment Act 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 <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report: 16 February 2017 • Written submissions during public exhibition: two (2) • Memorandum from The Hills Shire Council dated 15 February 2017 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ On behalf of the applicant – Patrick Hurley and Tony Francis
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing meeting on 16 February 2017
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report