

DETERMINATION AND STATEMENT OF REASONS

SYDNEY WEST PLANNING PANEL

DATE OF DETERMINATION	Thursday, 22 December 2016
PANEL MEMBERS	Sean O'Toole (Chair), Mary-Lynne Taylor, Paul Mitchell, Mary Lyons-Buckett and Matt Owens
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held at Hawkesbury City Council on Thursday, 22 December 2016, opened at 1:15 pm and closed at 2:45 pm.

MATTER DETERMINED

2016SYW076 – Hawkesbury – DA0216/16 AT 96 Grose Vale Road, North Richmond (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




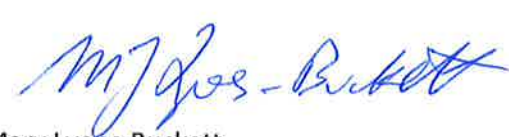

The reasons for the decision of the Panel were:

1. The Panel notes the application is for integrated development as it requires development consent and approval under the Water Management Act 2000 and the Heritage Act 1977, and that General Terms of Approval (GTAs) have been provided by the Department of Primary Industries – Water, Rural Fire Service and the Heritage Council.
2. The Panel further notes that the application has been referred to the Roads and Maritime Service, Sydney Water and the Rural Fire Service, all of whom either support or do not object to the proposal.
3. The proposal will add to the availability of fully serviced residential land in the locality and thus assists with the supply of housing.
4. The proposal has been designed to either avoid or mitigate impacts on the site's important cultural and ecological features. As such, the Panel believes that the proposal's impacts on the natural and built environmental will be acceptable.
5. The proposal is accompanied by a Voluntary Planning Agreement (VPA) which requires upgrading of parts of the affected road network and provision of other infrastructure and facilities. Therefore, the Panel believes the necessary infrastructure will be available.
6. The development site was identified for residential use in Hawkesbury City Council's strategic planning and is part of a broader area that makes a substantial contribution to local housing supply. Accordingly, the Panel believes that the site is suitable for the proposed development.
7. For the reasons given above (1-6) the Panel believes the proposal is in the public interest.
8. The Panel has amended a number of conditions to make them more specific and easier to implement and monitor.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report with the following amendments.

- Condition 5: substitution of the words "NSW EPA accredited site auditor" in lieu of "an appropriately qualified person".
- Condition 20: add the words "to the certifying authority" after the word "submitted" in line 2.
- Condition 20(a): add sentence to the end of the condition as follows: The baseline, during construction and post-construction water quality monitoring results are to be published on Council's website.
- Condition 64(c): insert the word "protected" in front of "fauna species".
- Condition 64(f): after "trees" insert the words "(e.g. logs)"
- Condition 94: substitution of the words "NSW EPA accredited site auditor" in lieu of "an appropriately qualified person".

PANEL MEMBERS	
 Sean O'Toole OAM (Chair)	 Mary-Lynne Taylor
 Paul Mitchell	 Mary Lyons-Buckett
 Matt Owens	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016SYW076 – Hawkesbury – DA0216/16
2	PROPOSED DEVELOPMENT	Redbank - Yeomans Precinct - Subdivision - Earthworks, alterations to four dams, the construction of roads and a Torrens title subdivision to create 244 residential lots, one neighbourhood centre lot, six open space lots, two super lots and two residue lots
3	STREET ADDRESS	96 Grose Vale Road, North Richmond
4	APPLICANT OWNER	North Richmond Joint Venture BD NSW (MR) Pty Limited (99 Arthur Phillip Drive) and Hawkesbury City Council (92A Pecks Road – Peel Park)
5	TYPE OF REGIONAL DEVELOPMENT	<ul style="list-style-type: none">• General development with a CIV in excess of \$20 million; and• Council is the owner of part of the land and the development has a CIV in excess of \$5 million

6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy No. 44 – Koala Habitat Protection • State Environmental Planning Policy No. 55 – Remediation of Land • State Regional Environmental plan No. 20 – Hawkesbury-Nepean River • Hawkesbury Local Environmental Plan (LEP) 2012 • Hawkesbury Development Control Plan 2002 • Voluntary Planning Agreement between Hawkesbury City Council, Roads and Maritime Services, Eric Nominees Australia Pty Ltd atf the Redbank Unit Trusst, Mararch Dev (Richmond) Pty Ltd, Wengor Dev (Richmond) Pty Ltd, Hatt Pty Ltd and BD NSW (MR) Project O007 Pty Ltd atf BD NSW (MR) Project O007 Unit Trust dated 20 August 2014 • 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 dated 13 December 2016 • Written submissions during public exhibition: five (5) • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Object – Michael Want on behalf of North Richmond District Community Action Association ○ On behalf of the applicant – Mark Regent
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site visit and briefing meeting on 22 December 2016
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report