

BRIEFING DETAILS

BRIEFING/DATE/TIME	17 June 2021 10.00am to 10.30am
LOCATION	Teleconference

BRIEFING MATTER

2019CCIO32 - 1528/2019/JP - The Hills Shire, Riverside Oaks Golf Course, 74 O'Briens Road, Cattai Concept Masterplan Development Application for the redevelopment of the Riverside Oaks incorporating a Hotel Precinct (150 Rooms), Lodge Precinct (60 Rooms), Subdivision of up to 300 Lots and Associated Works. The Development Application is classified as 'Nominated Integrated Development' pursuant to Clause 4.46 of the Environmental Planning and Assessment Act 1979 requiring referral to the NSW Natural Resource Access Regulator under the provisions of the Water Management Act 2000, Office of Environment and Heritage under the provisions of the National Parks and Wildlife Act 1974, Roads and Maritime Services under the Roads Act 1993 and the NSW Rural Fire Service under the Rural Fires Act 1997

PANEL MEMBERS

IN ATTENDANCE	Abigail Goldberg – Chair David Ryan Noni Ruker Chandi Saba
APOLOGIES	Mark Colburt
DECLARATIONS OF INTEREST	Nil

OTHER ATTENDEES

COUNCIL STAFF	Cameron McKenzie - Group Manager Development and Compliance Paul Osborne – Manager Development Assessment Robert Buckham - Principal Co-ordinator, Development Assessment Danielle Adams-Bennett – Senior Biodiversity Officer
OTHER	Suzie Jattan – Planning Panel Secretariat George Dojas – Planning Panel Secretariat

KEY ISSUES DISCUSSED:

- Key ecological issues are still to be resolved, including:
 - Council is awaiting an updated BDAR from the applicant;
 - Council is awaiting further design work from the applicant associated with significant earthworks proposed within precincts, which, once received, will require assessment and review of its consistency with the submitted bushfire and ecological reports;
 - Consideration of the proposed reduction of the biodiversity credit obligation.
- The Panel will require compelling justification as to why any reduction in the biodiversity credit obligation is warranted.

- The Panel also seeks Council's clarification on procedural requirements relating to DPIE's concurrence role for this reduction request relative to Council's assessment role and the Panel's consent authority role. Also, clarification on how these procedures operate in the context of a Concept DA subject to future staged DAs.
- The Panel notes that further information was recently received from the applicant in relation to flooding and stormwater. This includes the access road being raised by 4 metres and having 65 box culverts to allow flood water flow. The report and the implications of this road design are currently under review by Council.
- Advice from Council is requested on any implications for this DA associated with the NSW government's recently exhibited Flood Prone Land Package.
- Council is awaiting a Heritage Impact Statement from the applicant addressing the impacts of the relocated hotel development on the low scale heritage item in its vicinity.
- Clarification is also sought on the status of the Planning Agreement that the applicant has advised Council it is in the process of preparing. This includes whether a Planning Agreement is in fact to be submitted, whether it is considered fundamental to the assessment of any aspect of this DA and if so, the expected timing of its lodgement, public notification and the resulting impact on the timing of the reporting of the DA to the Panel.
- The Panel notes that this is the third briefing on this application since its lodgement more than 2 years ago.
- Despite this, the substantive ecology, flooding, heritage and other issues described above remain unresolved and awaiting further information from the applicant. Based on the uncertainty of the timing of receipt of this information and of the outcomes of its assessment by Council, the Panel is concerned about a further indeterminate but inevitably lengthy delay in the Panel's determination of the DA.
- In these circumstances, the Panel suggests that Council invites the applicant to withdraw the DA and to lodge it as a new DA once all outstanding information has been obtained and incorporated into the design and a comprehensive application package.