

DETERMINATION AND STATEMENT OF REASONS

SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	20 December 2021
DATE OF PANEL DECISION	16 December 2021
PANEL MEMBERS	Abigail Goldberg (Chair), David Ryan, Sandra Hutton, Chandi Saba and Mark Colburt
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 30 November 2021.

MATTER DETERMINED

PPS-2019CCI032 - 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 (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 briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

Development application

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined to approve the application for the reasons outlined in the Council Assessment Report.

CONDITIONS

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

Replace Condition 4 with the below Condition

The footprint and extent of vegetation clearing, biodiversity impact and conservation measures are not approved under this consent in the absence of a final Biodiversity Development Assessment Report that is to the satisfaction of Council, and shall be for further consideration under future development applications. The full requirements of Part 7 of the *Biodiversity Conservation Act 2016 (NSW)* ('Act') apply to future development applications and all future applications must include Biodiversity Development Assessment Report/s to the satisfaction of the consent authority. In satisfying the full requirements of Part 7 of the Act, the general locations of development otherwise shown on the approved masterplan may vary and are taken as indicative only for the purposes of biodiversity impact assessment.

New Condition regarding Staging

Staging of development is to be undertaken in accordance with the approved staging plan. Intersection and road works are to occur in accordance with the approved staging plan, unless otherwise provided by other

conditions of this consent, and are required to be completed prior to the Subdivision Certificate or Occupation Certificate for the related precinct stage.






CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered three written submissions made during the public exhibition.

The Panel notes that issues of concern in the written submissions included:

- Adverse environmental & biodiversity impacts
- Separation of the residential area from the golf course
- Bushfire and ecology impacts
- Traffic generation and road infrastructure
- Insufficiency of public infrastructure
- Potential noise impacts
- Visual assessment considerations
- Construction management

The Panel considers that concern raised in the submission have been adequately addressed in the Assessment Report.

PANEL MEMBERS	
 Abigail Goldberg (Chair)	 David Ryan
 Sandra Hutton	 Chandi Saba
 Mark Colburt	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2019CCIO32 - 1528/2019/JP - The Hills Shire
2	PROPOSED DEVELOPMENT	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.
3	STREET ADDRESS	Riverside Oaks Golf Course, 74 O'Briens Road, Cattai (Lot 28 in DP 270416)
4	APPLICANT/OWNER	Nanshan Holdings (Aust) Pty Limited
5	TYPE OF REGIONAL DEVELOPMENT	CIV over \$30million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (State and Regional Development) 2011 State Environmental Planning Policy Infrastructure 2007 State Environmental Planning Policy No 55 — Remediation of Land Sydney Regional Environmental Plan No 20—Hawkesbury-Nepean River Biodiversity Conservation Act 2016 State Environmental Planning Policy - Coastal Management 2018 The Hills Local Environmental Plan 2012 Draft environmental planning instruments: <ul style="list-style-type: none"> Draft Environment SEPP Development control plans: <ul style="list-style-type: none"> The Hills Development Control Plan 2012 Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil Coastal zone management plan: Nil 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: November 2021 Masterplan Rev D Plan: November 2021 Council memo dated 10 December 2021 Written submissions during public exhibition: 3
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE	<ul style="list-style-type: none"> Briefing – 19 September 2019

	PANEL	<ul style="list-style-type: none"> • Briefing – 20 August 2020 • Briefing – 17 June 2021 • Site inspection - site inspections have been curtailed due to COVID-19 precautions. Where relevant, Panel members undertook site inspections individually. • Papers circulated electronically on 30 November 2021.
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report with amendments contained in this Determination