

DETERMINATION AND STATEMENT OF REASONS
SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	17 June 2022
DATE OF PANEL DECISION	17 June 2022
DATE OF PANEL MEETING	16 June 2022
PANEL MEMBERS	Abigail Goldberg (Chair), Roberta Ryan, Brian Kirk, Cynthia Dugan, Megan Munari
APOLOGIES	None
DECLARATIONS OF INTEREST	Roberta Ryan: The planning consultant for the applicant, worked with her at Urbis and she has commissioned him to do private planning work.

Public meeting held by teleconference on 16 June 2022, opened at 2:00pm and closed at 2:25pm.

MATTER DETERMINED

PPSSCC-328 – The Hills Shire – 1040/2022/JP - 3-5 Rosario Place, Rouse Hill – Construction of a Transport Depot and Associated Workshop and Office Building.

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 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 amendment to address the practical implementation of Condition 23 relating light pollution to an adjoining residential property.

Amended condition 23:

Subject to the relevant landowner's approval, new planting is to be implemented adjacent to the rear of No. 38 Mailey Circuit opposite the entry point of the site. This planting is to be of sufficient length, height and density to provide effective screening to that property from bus head lights, consistent with AS 4282:2019 - Control of the Obtrusive Effects of Outdoor Lighting.

Evidence of consultation with the owner of the public transport corridor, seeking its approval for the planting to take place on its land, is to be provided to Council prior to the issuing of an occupation certificate.


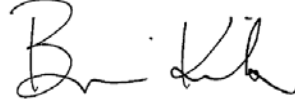



Where approval of that or any other relevant landowner is obtained to satisfy the required outcome, the planting shall be implemented prior to the commencement of the bus depot use.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition and heard from all those wishing to address the Panel. The Panel notes that issues of concern included:

- Noise pollution
- Air pollution from diesel buses
- Light pollution
- Pedestrian safety

The Panel considers that concerns raised by the community have been adequately addressed in the assessment report and that no new issues requiring assessment were raised during the public meeting.

PANEL MEMBERS	
 Abigail Goldberg (Chair)	 Brian Kirk
 Roberta Ryan	 Megan Munari
 Cynthia Dugan	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-328 – The Hills Shire – 1040/2022/JP
2	PROPOSED DEVELOPMENT	The Development Application is for the construction of a transport depot and associated workshop and office building. The proposal is essentially a rearrangement of a previously approved transport depot on the subject site (DA 992/2019/HC) to facilitate the decommissioning of the diesel-powered bus fleet to electric buses.
3	STREET ADDRESS	3-5 Rosario Place, Rouse Hill
4	APPLICANT/OWNER	Evolution Planning/ Factory Central P/L, ComfortDelGro Corporation Australia P/L
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Section 4.15 (EP&A Act) – Satisfactory • State Environmental Planning Policy (Transport and Infrastructure) 2021 – Satisfactory • State Environmental Planning Policy (Resilience and Hazards) 2021 – Satisfactory • State Environmental Planning Policy (Industry and Employment) 2021 – Satisfactory • The Hills LEP 2019 – Satisfactory • The Hills Development Control Plan 2012 • Part B Section 7 - Industrial – Variation, see Report • Part C Section 1 – Parking – Satisfactory • Part C Section 2 – Signage – Satisfactory • Part C Section 3 – Landscaping – Satisfactory
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report: 2 June 2022 • Written submissions during public exhibition: 12 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Caroline Low ○ Council assessment officer – Paul Osborne, Rodney Pavitt ○ On behalf of the applicant – Tony Robb • Total number of unique submissions received by way of objection: 12
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Kick Off Briefing: 10 February 2022 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Abigail Goldberg (Chair) ○ <u>Council assessment staff</u>: Claro Patag, Matthew Gray, Cameron McKenzie, Paul Osborne • Council & Applicant Assessment Briefing: 24 March 2022 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Abigail Goldberg (Chair), David Ryan, Roberta Ryan ○ <u>Council assessment staff</u>: Cameron McKenzie, Paul Osborne, Claro Patag ○ <u>Applicant representatives</u>: Logendra Pillay, Trevor McNally, Matthew Gray • Final briefing to discuss council's recommendation: 16 June 2022 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Abigail Goldberg (Chair), David Ryan, Roberta Ryan, Megan Munari, Cynthia Dugan ○ <u>Council assessment staff</u>: Cameron McKenzie, Paul Osborne, Claro Patag, Rodney Pavitt

		<p>Matters discussed:</p> <ul style="list-style-type: none">• Light spill associated with buses exiting onto Withers Road affecting adjoining dwelling house• Design and responsibility for roundabout and transport corridor• Status of existing consent
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report