

## DETERMINATION AND STATEMENT OF REASONS

### SYDNEY CENTRAL CITY PLANNING PANEL

|                                 |   |
|---------------------------------|---|
| <b>DATE OF DETERMINATION</b>    | 20 February 2020  |
| <b>PANEL MEMBERS</b>            | Abigail Goldberg (Chair), Garry Fielding and David Ryan   |
| <b>APOLOGIES</b>                | Gabrielle Morrish and Stewart Seale   |
| <b>DECLARATIONS OF INTEREST</b> | Chandi Saba and Mark Colburt advised of conflict as The Hills Shire Council is the owner of the land for this site, |

Public meeting held at Rydalmere Operations Centre on 20 February 2020, opened at 1.00pm and closed at 2.00pm.

#### MATTER DETERMINED

PPSSCC-49 – The Hills Shire – DA696/2020/JP, 14-44 Mileham Avenue, Baulkham Hills – Alternate Address – 41Z-43Z Roxborough Park Road - Redevelopment of Waves Fitness and Aquatic Centre (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

1. The proposed development is satisfactory having regard to relevant considerations under Section 4.15.
2. The proposed development will result in an enhanced public facility and will therefore promote the public interest.
3. The issues raised in the submissions have been appropriately addressed in the assessment report.

#### CONDITIONS

The development application was approved subject to the conditions in the council assessment report with the amendment to Condition 1 relating to approved Plans 18507-NBRS-L-LDA400 as below –

#### Amended Condition

**PPSSCC-49 – DA696/2020/JP**

**41Z-43Z Roxborough Park Road, Baulkham Hills**

#### 1 Development in Accordance with Submitted Plans

The development being carried out in accordance with the following approved plans and details, stamped and returned with this consent except where amended by other conditions of consent.

#### REFERENCED PLANS AND DOCUMENTS

| DRAWING NO.         | DESCRIPTION     | REVISION | DATE       |
|---------------------|-----------------|----------|------------|
| 18507-NBRS-A-DA-002 | Demolition Plan | B        | 11/12/2019 |

|                     |  |                |                          |
|---------------------|--|----------------|--------------------------|
| 18507-NBRS-A-DA-003 | Site Plan  | B              | 11/12/2019               |
| 18507-NBRS-A-DA-100 | Basement Plan                                    | B              | 11/12/2019               |
| 18507-NBRS-A-DA-101 | Ground Floor Plan                                | B              | 11/12/2019               |
| 18507-NBRS-A-DA-102 | Roof Plan  | B              | 11/12/2019               |
| 18507-NBRS-A-DA-200 | Elevations                                       | B              | 11/12/2019               |
| 18507-NBRS-A-DA-210 | Sections   | B              | 11/12/2019               |
| 18507-NBRS-A-DA-300 | External Colours and Finishes                    | A              | 14/11/2019               |
| 18507-NBRS-L-LDA000 | Cover Page                                       | B              | 11/12/2019               |
| 18507-NBRS-L-LDA100 | Landscape Plan                                   | B              | 11/12/2019               |
| 18507-NBRS-L-LDA101 | Detailed Plan Entry                              | A              | 13/11/2019               |
| 18507-NBRS-L-LDA102 | Detailed Plan Splash Pad                         | A              | 13/11/2019               |
| 18507-NBRS-L-LDA103 | Detailed Plan Seating Areas and Multi Use Courts | A              | 13/11/2019               |
| 18507-NBRS-L-LDA200 | Sections   | A              | 13/11/2019               |
| 18507-NBRS-L-LDA201 | Sections   | A              | 13/11/2019               |
| 18507-NBRS-L-LDA300 | Planting Palette                                 | B              | 11/12/2019               |
| 18507-NBRS-L-LDA301 | Landscape Planting Plan                          | A              | 09/12/2019               |
| 18507-NBRS-L-LDA400 | Demolition and Tree Removal Plan                 | B <sup>C</sup> | 11/12/2019<br>23/01/2020 |
| 18507-NBRS-L-LDA401 | Existing Tree Location Plan                      | A              | 11/12/2019               |




No work (including excavation, land fill or earth reshaping) shall be undertaken prior to the issue of the Construction Certificate, where a Construction Certificate is required.

#### 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:

- Timeline for works
- Parking
- Traffic

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   |  |
|---|--|
| <br>Abigail Goldberg (Chair) | <br>Garry Fielding |
| <br>David Ryan               |  |

| SCHEDULE 1 |                                   |   |
|------------|-----------------------------------|---|
| 1          | PANEL REF – LGA – DA NO.          | PPSSCC-49 – The Hills Shire – DA696/2020/JP   |
| 2          | PROPOSED DEVELOPMENT              | Redevelopment of Waves Fitness and Aquatic Centre   |
| 3          | STREET ADDRESS                    | 14-44 Mileham Avenue, Baulkham Hills – Alternate Address – 41Z-43Z Roxborough Park Road   |
| 4          | APPLICANT/OWNER                   | The Hills Shire Council   |
| 5          | TYPE OF REGIONAL DEVELOPMENT      | Council related development with a CIV of over \$5million   |
| 6          | RELEVANT MANDATORY CONSIDERATIONS | <ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy (State and Regional Development) 2011</li> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ State Environmental Planning Policy No. 19 – Bushland in Urban Areas</li> <li>○ State Environmental Planning Policy No. 33 – Hazardous and Offensive Development</li> <li>○ State Environmental Planning Policy No. 55- Remediation of Land</li> <li>○ State Environmental Planning Policy No. 64 – Advertising and Signage</li> <li>○ State Environmental Planning Policy 9Vegetation in Non-Rural Areas) 2017</li> <li>○ The Hills Local Environmental Plan 2019</li> <li>○ The Hills Local Environmental Plan 2012</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ The Hills Development Control Plan 2012</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</li> <li>• Coastal zone management plan: [Nil]</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>• The suitability of the site for the development</li> <li>• Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul> |
| 7          | MATERIAL CONSIDERED BY THE PANEL  | <ul style="list-style-type: none"> <li>• Council assessment report: 20 January 2020</li> <li>• Written submissions during public exhibition: 2</li> <li>• Verbal submissions at the public meeting:</li> </ul>  |

|    |   |  |
|----|---|--|
|    |   | <ul style="list-style-type: none"> <li>○ In support – Nil</li> <li>○ In objection – Nil</li> <li>○ Council assessment officer – Ellen Robertshaw, DFP Planning, Independent Planning Consultant on behalf of The Hills Shire Council</li> <li>○ On behalf of the applicant – Paul Osborne, Cameron McKenzie and Robert Buckham</li> </ul>  |
| 8  | MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL | <ul style="list-style-type: none"> <li>• Site inspection: 20 February 2020 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Abigail Goldberg (Chair), Garry Fielding and David Ryan</li> <li>○ <u>Council assessment staff</u>: Paul Osborne, Cameron McKenzie and Robert Buckham</li> </ul> </li> <li>• Final briefing to discuss council's recommendation, 20 February 2020, 11.30am. Attendees: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Abigail Goldberg (Chair), Garry Fielding and David Ryan</li> <li>○ <u>Council assessment staff</u>: Paul Osborne, Cameron McKenzie and Robert Buckham</li> </ul> </li> </ul> |
| 9  | COUNCIL RECOMMENDATION                                | Approval   |
| 10 | DRAFT CONDITIONS                                      | Attached to the council assessment report  |