

DETERMINATION AND STATEMENT OF REASONS
SYDNEY WESTERN CITY PLANNING PANEL

DATE OF DETERMINATION	Monday, 9 September 2021
PANEL MEMBERS	Justin Doyle (Chair), Louise Camenzuli, Nicole Gurran, Judy Clark and Jeff Organ
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 25 August 2021.

MATTER DETERMINED

PPSSWC-106 – Hawkesbury City Council – S960074/20 at 182 Boundary Road, Glossodia 2756 – Modification of Development Consent - DA0820/15 - Intensive Plant Agriculture - Construction of growing rooms associated internal access roads, drainage, dam and tree removal (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 4.55 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 generally outlined in the council assessment report.

The application proposes to modify an approval of the panel dated 28 September 2016 for the expansion of the mushroom growing operations.

The Panel notes that the original mushroom farm on the site was approved by Council under Development Consent No. D0118/89 on 14 July 1989. This consent approved the construction of the mushroom farm in multiple stages which has been modified over time via subsequent approvals and modification applications since the issue of the original consent, including the expansion consent for DA0820/15, approved in 2016.

The current modification application proposes changes to the existing consent that will upgrade the layout, amenities and servicing within the site and incorporate updated technology within the modified mushroom growing buildings. The modification will also result in a reduction in the overall building floor area and building height. The Panel has considered the proposed changes and they do not vary the reasons given for the consent of the 2016 determination now sought to be modified.

CONDITIONS

The development application was approved subject to the conditions in the council assessment report with the following amendments.

- Insertion of a new condition of consent requiring that trucks using the site are to comply with the circulation route shown on the Truck Movement Plan dated July 2021, and for the entrance and the exit to the site to be clearly sign posted accordingly as recommended by a

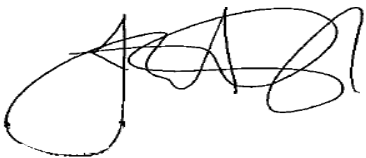
qualified traffic engineer prior to the issue of any Occupation Certificate for buildings to be constructed as part of Stage 3 of the approved development.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel considered written submissions made during public exhibition. The panel notes that issues of concern included:

- Traffic
- Noise
- Scale of the development
- Impacts on adjacent development
- Amenity of the locality/visual appearance
- Landscaping
- Water run off

The panel considers that concerns raised by the community have been adequately addressed in the assessment report and via the proposed conditions of consent.

PANEL MEMBERS	
 Justin Doyle (Chair)	 Louise Camenzuli
 Nicole Gurrán	 Judy Clark
 Jeff Organ	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSWC-106 – Hawkesbury City Council – S960074/20
2	PROPOSED DEVELOPMENT	Modification of Development Consent - DA0820/15 - Intensive Plant Agriculture - Construction of growing rooms associated internal access roads, drainage, dam and tree removal
3	STREET ADDRESS	182 Boundary Road GLOSSODIA NSW 2756 Legal Description: Lot 12 DP 1256826 (Formerly Lot 1 and 2 in DP 603811.)
4	APPLICANT/OWNER	Premier Mushrooms Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(2) Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP) - State Environmental Planning Policy (Coastal Management) 2018 (Costal Management SEPP) - State Environmental Planning Policy No. 33 – Hazardous and Offensive Development (SEPP No. 33) - State Environmental Planning Policy No. 55 – Remediation of Land (SEPP No. 55) - State Environmental Policy 2021 (Koala Habitat Protection) - Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (SREP No. 20) - Hawkesbury Local Environmental Plan 2012 (LEP) - Draft State Environmental Planning Policy (Remediation of Land) - Draft State Environmental Planning Policy (Environment) - Draft environmental planning instruments: Nil - Development control plans: - Hawkesbury Development Control Plan 2002 (DCP) - 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	- Council assessment report: 25 August 2021 - Written submissions during public exhibition: 4
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	- Site Visit: Thursday, 2 September 2021 - Panel member: Judy Clark - Final briefing to discuss council's recommendation: Monday, 6 September 2021 <u>Panel members</u>: Justin Doyle (Chair), Louise Camenzuli, Nicole Gurran, Judy Clark and Jeff Organ <u>Council assessment staff</u>: William Pillon and Cristie Evenhuis
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report and as amended by this Determination.