

**DETERMINATION AND STATEMENT OF REASONS**  
SYDNEY WESTERN CITY PLANNING PANEL

<b>DATE OF DETERMINATION</b>	Monday 2 December 2019
<b>PANEL MEMBERS</b>	Justin Doyle (Chair), Bruce McDonald, Julie Savet Ward and Lara Symkowiak
<b>APOLOGIES</b>	Nicole Gurran, Michael Morrison, Theresa Fedeli and Paul Farrow
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held at Camden Council, 70 Central Avenue, Oran Park on 2 December 2019, opened at 1.16pm and closed at 3.40pm.

**MATTER DETERMINED**

PPSSWC-20 – Camden – DA2019/573/1 at 362 and 396 Narellan Road, Mount Annan.  
Demolition of existing hard stand areas, services and a car park, construction of a new National Herbarium of NSW comprising a research station and associated site 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.

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

**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 will provide a herbarium replacing that now located within Sydney Botanical Gardens and offering increased capacity for the collection of plant specimens. The facility will also add to the provision of employment within the Sydney Western City District.
2. The proposed development subject to the conditions imposed adequately satisfies the relevant State legislation and State Environmental Planning Policies, SEPP (Infrastructure) 2007, SEPP 55 (Remediation of Land), SEPP 33 Hazardous and Offensive Development, and State Regional Environmental Plan No20- Hawkesbury Nepean River.
3. The proposal adequately satisfies the provisions of Camden LEP 2010 and Camden Development Control Plan 2011. It is noted that while the proposed development is not a permitted use within the SPI Special Activities (Environmental Facility) and SP2

Infrastructure zones applying to the subject site, the use is permitted under the provisions of SEPP (Infrastructure) 2007.

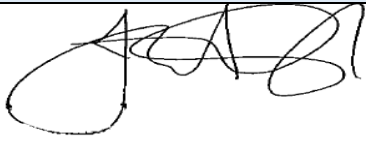



4. The proposed development subject to the conditions imposed will have no unacceptable adverse impacts on the natural or built environments including visual impact on the surrounding context which is characterised by the Mt. Annan Botanical Garden setting, the integrity of the Water NSW Upper Canal heritage Item located on site, or overflow parking on the local road system.
5. The proposed development is considered to be of a scale and form consistent with the element of the Mt. Annan Botanical Gardens in which it is placed.
6. In consideration of conclusions 1-5 above the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

### CONDITIONS

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

### CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel notes that no written submissions were made during public exhibition and therefore no issues of concern were raised.

PANEL MEMBERS	
 Justin Doyle (Chair)	 Bruce McDonald
 Julie Savet Ward	 Lara Symkowiak

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSWC-20 – Camden – DA2019/573/1
2	PROPOSED DEVELOPMENT	Demolition of existing hard stand areas, services and a car park, construction of a new National Herbarium of NSW comprising a research station and associated site works
3	STREET ADDRESS	362 and 396 Narellan Road, Mount Annan
4	APPLICANT/OWNER	Royal Botanic Gardens and Domain Trust /Royal Botanic Gardens and Domain Trust and Water NSW.
5	TYPE OF REGIONAL DEVELOPMENT	Crown development CIV over \$5 million
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. 33 – Hazardous and Offensive Development</li> <li>○ State Environmental Planning Policy No 55 – Remediation of Land</li> <li>○ Sydney Regional Environmental Plan No 20- Hawkesbury-Nepean River</li> <li>○ Camden Local Environmental Plan 2010</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Camden Development Control Plan 2011</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: November 2019</li> </ul>

		<ul style="list-style-type: none"> <li>• Written submissions during public exhibition: Nil</li> <li>• Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>○ In support – Nil</li> <li>○ In objection – Nil</li> <li>○ Council assessment officer – Ryan Pritchard</li> <li>○ On behalf of the applicant – Nil</li> </ul> </li> </ul>
8	<b>MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Briefing: 30 September 2019 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Justin Doyle (Chair), Bruce McDonald and Lara Symkowiak</li> <li>○ <u>Council assessment staff</u>: Ryan Pritchard, Stephen Pratt and Jamie Erken</li> </ul> </li> <li>• Site inspection: 30 September 2019 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Justin Doyle (Chair), Bruce McDonald and Lara Symkowiak</li> <li>○ <u>Panel member</u> – (Julie Savet Ward inspected the site on 2 December 2019)</li> <li>○ <u>Council assessment staff</u>: Ryan Pritchard, Stephen Pratt and Jamie Erken</li> </ul> </li> <li>• Final briefing to discuss council's recommendation, 2 December 2019, 12.45pm. Attendees: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Justin Doyle (Chair), Bruce McDonald, Julie Savet Ward and Lara Symkowiak</li> <li>○ <u>Council assessment staff</u>: Ryan Pritchard</li> </ul> </li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Approval
10	<b>DRAFT CONDITIONS</b>	Attached to the council assessment report