

DETERMINATION AND STATEMENT OF REASONS

WESTERN REGIONAL PLANNING PANEL

DATE OF DETERMINATION	15 April 2021
PANEL MEMBERS	Garry Fielding (Chair), Sandra Hutton, Graham Brown
APOLOGIES	None
DECLARATIONS OF INTEREST	David Sherley, Monica Morse and Graeme Hanger as Councillors of Bathurst Regional Council have a conflict of interest as council is the landowner of the application.

Papers circulated electronically on 29 March 2021.

MATTER DETERMINED

PPSWES-11 – Bathurst – DA2018/385 at Colville Street Windradyne for a residential subdivision (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, noting also the *Addendum to Assessment Report* received on 14/04/21 which satisfactorily addressed the potential impact on traffic noise on the proposed residential lots adjacent to the Mitchell Highway and provides for a consistent fencing style, colour and material and landscaping forward of that fencing to the interface to the Mitchell Highway (with fencing and landscaping to be installed as part of subdivision works). This is to ensure a more appropriate urban design presentation to this public road.

The Panel noted that the subdivision layout may have benefitted from an interconnecting road that reduced the street block lengths of roads 1 and 2 which are in excess of 350m, and may have been able to connect into road 4 to reduce the length of the cul-de-sac road. Such design would improve neighbourhood permeability and amenity and provide streetscape relief. Notwithstanding, in the circumstances, broader amenity afforded by the perimeter road layout, the proposed pedestrian facilities and the inclusion of the mid block pedestrian strips is satisfactory. Council is encouraged to explore preferred street block length controls in any review of subdivision standards and the circumstances in which road connections as opposed to narrow pedestrian links between side fencing is preferred to achieve permeability.




CONDITIONS

The development application was approved subject to the conditions in the council memo dated 14 April 2021 with the following amendment:

- That the Conditions of Consent are amended to reference determination by the Western Regional Planning Panel.

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	
 Garry Fielding (Chair)	 Sandra Hutton
 Graham Brown	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSWES-11 – Bathurst – DA2018/385
2	PROPOSED DEVELOPMENT	205 lot residential subdivision and associated new roads.
3	STREET ADDRESS	Colville Street, Windradyne
4	APPLICANT/OWNER	Bathurst Regional Council
5	TYPE OF REGIONAL DEVELOPMENT	Council related development over \$5 million
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 ◦ Bathurst Regional Local Environmental Plan 2014 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ◦ Bathurst Regional Development Control Plan 2014 • 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: 25 March 2021 • Council memo & revised conditions: 14 March 2021 • Written submissions during public exhibition: Nil
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing: 24 February 2021 <ul style="list-style-type: none"> ◦ <u>Panel members</u>: Garry Fielding (Chair), Sandra Hutton, Graham Brown ◦ <u>Council assessment staff</u>: Daniel Dwyer, Neil Southorn • Site inspection: 8 and 10 March 2021 <ul style="list-style-type: none"> ◦ <u>Panel member (8 March 2021)</u>: Sandra Hutton ◦ <u>Panel members (10 March 2021)</u>: Garry Fielding (Chair), Graham Brown ◦ <u>Council assessment staff (10 March 2021)</u>: Daniel Dwyer • Final briefing to discuss council's recommendation: 8 April 2021 <ul style="list-style-type: none"> ◦ <u>Panel members</u>: Garry Fielding (Chair), Sandra Hutton, Graham Brown ◦ <u>Council assessment staff</u>: Daniel Dwyer, Neil Southorn ◦ <u>Applicant representatives</u>: Bernard Drum
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report