



MINUTES

Wollondilly Shire Local Planning Panel Meeting

13 February 2020

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**MINUTES OF WOLLONDILLY SHIRE COUNCIL
WOLLONDILLY SHIRE LOCAL PLANNING PANEL MEETING
HELD AT THE COUNCIL CHAMBER, 62-64 MENANGLE STREET, PICTON NSW 2571
ON THURSDAY, 13 FEBRUARY 2020 AT 5.45 PM**

PRESENT: Chair Keith Dedden, Expert - Planning Mark Carlon, Expert - Planning Elaine Treglown, Community Representative Ian Tait

IN ATTENDANCE: Manager Development Services, Manager Sustainable Growth, Development Assessment Team Leader, Engineering Development Team Leader, Executive Planner – Growth Area, Senior Development Assessment Planner, Senior Environmental Health Officer, Senior Strategic Planner – Growth, Development Engineer and one Administration Officer.

1 OPENING

2 RECORDING OF THE MEETING

The electronic recording of the Local Planning Panel meeting and the use of electronic media during the proceedings is not permitted. This includes devices such as laptops, mobile phones, tape recorders and video cameras.

3 WEBCAST NOTICE

Members of the public are advised, that Local Planning Panel meetings are recorded and webcast live in line with provisions under the Environmental Planning & Assessment Act 1979 No. 203. This notice is made as required under Section 18 of the Privacy and Personal Information Protection Act 1998 (PPIPA). The webcasts are publicly available for viewing on Council's website.

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4 ACKNOWLEDGEMENT OF COUNTRY

The Chair acknowledged the traditional Custodians of the Land:

I would like to pay my respect and acknowledge the traditional custodians of the land on which this meeting takes place, and also pay respect to Elders both past and present.

5 APOLOGIES AND LEAVE OF ABSENCE REQUESTS

Nil

6 DECLARATION OF INTEREST

Nil

7 LOCAL PLANNING PANEL REPORTS – SUSTAINABLE AND BALANCED GROWTH

7.1 430 - 490 DOUGLAS PARK DRIVE, DOUGLAS PARK - CONCEPT DEVELOPMENT APPROVAL FOR A CEMETERY INCLUDING EARTHWORKS, LANDSCAPING, WATER STORAGE, ROADS AND CAR PARKING AND APPROVAL FOR BUILDING ENVELOPES

Reason for LPP Referral:	Ministerial Direction under section 9.1 of the Environmental Planning and Assessment Act 1979-‘Local Planning Panels Direction – Development Applications’ schedule 1(2)(b).
DA No:	DA/2018/780/1
Subject Site:	Lot & DP – 2 & 2503559 –: 430-490 Douglas Park Drive, Douglas Park
Proposal:	Concept development approval for a Cemetery, comprising 27,784 plots, earthworks, landscaping, water storage, roads and car parking and approval for building envelopes
Zoning:	RU2 Rural Landscape
Permissibility:	Permitted With Consent
Cost of Development:	\$20,284,000.00
Applicant:	Benima Pty Ltd
Owner:	Benima Pty Ltd
Notification:	Advertised for 28 Days from the 24 January to the 22 February 2019 and re-notified with amended plans on the 4 to the 19 September to adjoining owners and previous submitters.
Submissions:	53 individual submissions have been received for this proposal.
Variations:	Nil
Site Inspection:	23 January 2019
Recommendation:	Approval subject to conditions of consent

EXECUTIVE SUMMARY

- The purpose of this report is to provide an assessment of the submitted concept development application for the consideration by the Wollondilly Shire Local Planning Panel.
- The applicant seeks approval for a Concept development application for a cemetery including earthworks, landscaping, water storage, roads, car parking and approval for building envelopes.
- A Crematorium is not proposed in the application.
- This application is consistent with the relevant environmental planning instruments.
- 53 individual submissions have been received in relation to this proposal.
- It is recommended that this application be determined by granting consent for the concept proposal.

PUBLIC SUBMISSIONS

The panel was addressed by eight speakers.

PANEL CONSIDERATIONS AND REASONS FOR DECISION

On Thursday 13 February 2020, the Panel inspected the subject site, 430-490 Douglas Park Drive, Douglas Park. The Panel noted that:

1. the Preliminary Review Study and Site Assessment (Red Earth Geosciences, 25 September 2018) indicated insufficient soil depth for burial purposes without further earth works
2. the traffic report was unclear in relation to the distribution of traffic, traffic management and proposed turning movements in the vicinity of the proposed development
3. the detention basin has been provided in relation to the storm water that limits post development flows to pre-development levels.
4. an evacuation strategy was not provided in the bush fire report.

DECISION

The Panel defers Application No. DA/2018/780/1 for 430-490 Douglas Park Drive, Douglas Park for the reasons outlined above and the applicant is required to address the following issues:

1. the Preliminary Review Study and Site Assessment (Red Earth Geosciences, 25 September 2018) report has identified that the site has insufficient soil depth over its entire surface to facilitate a conventional cemetery. While the applicant indicated in relation to the earth works concept application that no filling would be imported for burial purposes, further information is required specifying the onsite sources of the filling, the proposed areas to be filled, the depth of filling and the total volume of fill.
2. the Traffic Impact Assessment (TRAFFIX Traffic and Transport Planners, December 2018), must be revised to address:
 - o likely sources of vehicular traffic
 - o a strategy for managing vehicle movement for mourners attending the cemetery.
 - o potential queuing on Douglas Park Drive including obstruction of the gorge
 - o the suitability of the right turn in only option and the impact this will have on unwanted U-turns at the Mitchell Place intersection or in Mitchell Place.
3. an Evacuation Strategy is required to be determined in the event of a bushfire or extreme and catastrophic conditions.
4. a Staging Plan detailing the scope of works to be completed within each stage of the development is required.
5. confirmation should be provided by the bush fire consultant that the vegetation buffer proposed does not constitute a significant bush fire risk to the proposed cemetery or to the residential properties in Mitchell Place.

VOTING

4/0

7.2 PLANNING PROPOSAL - HORNBY STREET, WILTON

Reason for LPP Referral: The Local Planning Panel Direction – Planning Proposals, issued on 27 September 2018, requires all planning proposals to be referred to the LPP for advice before Council considers whether or not to forward it to the Minister or GSC under s3.34.

Lodged: June 2019 (revised)

Subject Site: Lot & DP – Numerous

Proposal: Hornby Street, Wilton Planning Proposal

Applicant: Michael File of FPD Pty Ltd

EXECUTIVE SUMMARY

- The purpose of this report is to seek the Wollondilly Local Planning Panel's (the Panel) advice about a planning proposal known as Hornby Street, Wilton, which is within the Wilton Growth Area.
- The planning proposal seeks to amend the *Wollondilly Local Environmental Plan 2011* (Wollondilly LEP 2011) by rezoning the various adjacent lots on Hornby and Almond Streets, Wilton from RU2 Rural Landscape and RU4 Primary Production to R2 Low Density Residential, E2 Environmental Conservation, and RE1 Public Recreation.
- The proposal would facilitate approximately 490 residential lots.
- It is recommended that the Panel:
 - Notes the Assessment Report;
 - Notes the recommendation that the proposal not proceed; and
 - Provides advice on this proposal that will be attached to a future report to Council.

PUBLIC SUBMISSIONS

The panel was addressed by five speakers.

PANEL CONSIDERATIONS AND REASONS FOR ADVICE

On Thursday 13 February 2020, the Panel inspected the subject site and noted that the site had strategic merit. However the progression of this planning proposal is somewhat premature for reasons set out in advice to Council below.

ADVICE TO COUNCIL

The site has both strategic merit and site specific merit within the context of the Wilton Urban Growth Area. However, the panel supports the officers conclusion that the rezoning of the site is premature at this stage, particularly having regard to the limited capacity of infrastructure. In this regard the proponent needs to come to an agreement with council and state government through a Voluntary Planning Agreement and undertake to meet the requirements of a future Special Infrastructure Contribution as legislated. The proponent should commence early discussions with Sydney Water in relation to the ability to deal with sewage disposal.

Councils adoption of the Local Strategic Planning Statement (LSPS) has a specific commitment to engage in a collaborative process with the Department of Planning, Industry and Environment to complete strategic planning for the remainder of the Wilton Growth Area, which highlights council's commitment to undertake the necessary planning to support the rezoning of the site. The LSPS gives this a short term (1-5 year) timeframe.

The panel recommends that council bring this work forward so that this Planning Proposal (and others which are likely) can move forward within a reasonable time frame.

The panel is of the view that it is premature to refer the planning proposal to Gateway at this stage.

VOTING

4/0

7.3 PLANNING PROPOSAL - 233 & 239 ARGYLE STREET, PICTON (LAND ADJACENT TO THE MUSHROOM TUNNEL)

The Panel noted the planning proposal was withdrawn at the request of the Applicant.

The public part of the meeting closed at 7.33pm.

The full meeting closed at 9.24pm.

The minutes of this meeting were confirmed by the Chair.

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CHAIRPERSON