# NSW PLANNING ASSESSMENT COMMISSION

# ANNUAL REPORT 2008-2009



# **CONTENTS**

- 1. Letter To The Minister
- 2. Chairman's Statement
- 3. Introduction
- 4. Functions Of The NSW Planning Assessment Commission
- 5. Commission Members
- 6. Year In Review
- 7. Determination
- 8. Independent Advice/Review
- 9. Review with Public Hearing
- 10. Summary Of Affairs

**Planning Assessment Commission** 2008/2009 Annual Report **ISBN** 978-0-9806592-4-5

# **LETTER TO THE MINISTER**

October 2009

The Hon Kristina Keneally MP Minister for Planning Minister for Redfern Waterloo

Dear Minister

It is with pleasure that I submit to you the first Annual Report for the NSW Planning Assessment Commission for the financial year 2008-09.

This report outlines the extent of the activities of the Commission during the year since its inception in November 2008. In brief, the Commission determined 2 major development applications under delegation, provided independent advice to you on 13 occasions on major development applications and planning matters, and undertook expert review and conducted public hearings for two Part 3A major developments.

My fellow Commission members and I look forward to the next year of fruitful contribution.

Yours Sincerely

Gabrielle Kibble

Chairman

NSW Planning Assessment Commission

jabrilla Libble

## **CHAIRMAN'S STATEMENT**

The past year has been both challenging and rewarding. Since commencing in November 2008 the Commission has

- determined 2 major development applications under Ministerial delegation;
- provided independent expert advice on 13 project applications and planning matters to the Minister;
- undertaken expert review and conducted public hearings on two Part 3A major developments;
- · adopted a Code of Conduct for Commission members; and
- set up a website to provide public access on information about the Planning Assessment Commission and matters that are or have been before the Commission.

The Commission was expected to be effective and efficient in performing its roles. The monitoring results illustrated that the Commission's performance has met the expectation.

On average, the Commission provided advice to the Minister within 14 days following receipt of request except for the review of four sites in Oxford Falls Valley for urban development which required seeking submissions from landowners, council and other stakeholders.

The Commission determined the Red Cross research facility project and the IKEA concept plan application.

I wish to thank my fellow Commission members and the Panel Secretariat for their highly committed and professional approach to their work during the year.

We look forward to continue to provide high level of independent expert advice to the Minister and fair and thorough public hearing process to stakeholders so as to achieve well balanced and quality outcomes for the challenges of the year ahead.

Gabrielle Kibble Chairman

jabrille Libble

### INTRODUCTION

The NSW Planning Assessment Commission is a statutory body established under the Environmental Planning and Assessment Act 1979 (the EP&A Act) as part of the NSW Government's planning reforms. The Commission began operations on 3 November 2008.

The Commission plays an important role in improving transparency and independence in the planning and decision making process. It provides an additional level of expert scrutiny reviewing or determining some major development proposals, particularly those where a potential or perceived conflict of interest exists.

The Commission is independent of the Government, the Minister and the Department of Planning.

Although Commission members are appointed by the Minister, they are not subject to the direction or control of the Minister, except in relation to its administrative procedures.

'THE COMMISSION
IS INDEPENDENT OF
THE GOVERNMENT,
THE MINISTER AND
THE DEPARTMENT
OF PLANNING'

# FUNCTIONS OF THE NSW PLANNING ASSESSMENT COMMISSION

The functions of the Commission are detailed under Section 23D of the EP&A Act. Broadly speaking these include acting as a consent authority under delegation, providing independent expert advice to the Minister in relation to planning matters and undertaking expert review of major development.

#### **Determination**

On 18 November 2008, the Minister for Planning delegated to the Planning Assessment Commission the function as a consent authority to determine certain project applications under section 75J and 75JA of the Act if the application has a reportable political donation; is within the electoral district of the Minister for Planning; or in which the Minister has a pecuniary interest.

The Commission does not determine project applications which have been declared critical infrastructure.

The Minister may delegate her determination power to the Commission outside the standing delegation on a case-by-case basis.

#### **Independent Advice**

Section 23D of the Act allows the Minister to request the Commission to provide independent advice on a range of planning and development matters, environmental planning instrument, or the administration of implementation of the provisions of the Act. The Commission can also act as a Joint Regional Planning Panel, an independent hearing and assessment panel, or a planning assessment panel if directed by the Minister.

#### Expert review of major development/planning matters

In relation to expert review, the Act provides that the Commission can review all or any environmental aspects of a proposed development the subject of a development application or an activity (or part of it) referred to in section 112(1). It can review a proposal to constitute, alter or abolish a development area under Section 132 or 133 of the Act. The Minister may also request the Commission to review any planning matters. Such expert review may include the holding of public hearings.

# **COMMISSION MEMBERS**

Commission members are appointed by the Minister and selected from a broad range of disciplines with experience in planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering, tourism or government and public administration.

The Act provides the Commission to consist of a Chair and up to 8 members. Current members include:

- Ms Gabrielle Kibble, AO, Chairman
- Ms Donna Campbell
- Mr John Court
- Mr Lindsay Kelly
- Mr Garry Payne, AM
- Dr Neil Shepherd, AM
- Professor Kevin Sproats
- Ms Janet Thomson
- Mr Richard Thorp

From time to time, the Minister may appoint casual members to carry out specific tasks. A casual member is not required to have expertise in an area referred to above but should have expertise in the area relevant to that specific task.

For 2008-2009, the Minister appointed 7 casual members to assist in expert reviews of two major developments. They were:

- Professor Jeffery Bennett
- Ms Barbara Crossley
- Mr Peter Dundon
- Emeritus Professor Jim Galvin
- Dr Col Mackie
- Dr Judith Smith
- Dr John Tilleard

# YEAR IN REVIEW

Since November 2008, the
Commission has determined 2
applications under delegation,
provided independent advice/review
to the Minister on 13 development
applications/planning matters and
undertaken expert review and
conducted public hearings on
two major developments.



#### **Determination**

- · Red Cross Medical Research and Development Project
- 630-726 Princes Highway, Tempe (The IKEA Project)

#### Advice/Review

- Oakdale Central Concept Plan and DHL Logistics Hub Project
- CUB site concept plan modification
- Shoalhaven Starches Expansion
- Review of 4 sites in Oxford Falls Valley for urban development
- Alteration and additions to Star City Complex
- Barangaroo concept plan modification
- Draft Sydney Regional Environmental Plan No 30 Amendment 2 St Marys
- Draft Fairfield LEP 1994 Amendment 122
- · Rural residential subdivision, Tinonee
- Hunter Economic Zone Precinct 1
- Draft South Sydney LEP 1998 Amendment 19 Green Square Town Centre
- Precinct Acceleration, South West Growth Centre
- · Residential subdivision, Dolphin Point

#### **Expert Review with Public Hearings**

- Metropolitan Coal Project
- Riverside development at Tea Gardens

The following sections provide a brief summary of these activities.



# **RED CROSS MEDICAL RESEARCH AND DEVELOPMENT PROJECT** 20 Feb 09 to 23 Feb 09

The proposal was to establish a laboratory, warehouse and office building for the Australian Red Cross Blood Service at Alexandria in the City of Sydney. The Director General of the Department of Planning referred the application to the Commission for determination as it is within the Minister's electoral district, thus meets the terms of delegation issued by the Minister on 18 November 2008.

The Commission considered the application and associated documents including the Director General's report, public submissions to the Environmental Assessment Report and the proponent's response to submissions and statement of commitment. The Commission discussed whether affordable housing contribution should apply to the project noting that it is a not-for-profit application and for medical and social purposes. The Department of Planing acknowledged the community benefit of the project and recommended a 50% discount on the affordable housing contribution with a requirement for the proponent to demonstrate the savings be passed on to the Red Cross Blood Service. The Commission agreed with the Department's recommendation and the application was approved with conditions.

#### 630-726 PRINCES HIGHWAY, TEMPE (THE IKEA PROJECT)

#### 16 Apr 09 to 27 Apr 09

The proposal was a concept plan application to construct a bulky goods retailing showroom and warehouse for IKEA with associated parking and office facilities. It is located within the Minister's electorate district. The general terms of delegation issued by the Minister excludes concept plan applications. On 15 April 2009, the Minister delegated her powers and functions as an approval authority for the application to the Commission for determination.

The Commission considered the key issues canvassed in the Director General's report and agreed that the proposal would have positive local and regional economic and employment benefits as well as assisting in rejuvenating the area. The Commission's consideration focused on potential traffic impact on the amenity of neighbouring residential areas, the use of s94 contribution and site contamination.

It was noted that the proposed amelioration works to reduce traffic impact on residential area were limited to improvements along the Highway and the proponent's commitment to provide funding to the Council to investigate the "before" and "after" development traffic generation in the local streets. The Commission was concerned that there was no dedicated funding to implement recommended works to alleviate the impacts. It amended the relevant condition to reflect its view that the proponent's s94 contribution for traffic management be reserved to implement recommended works within the local and adjacent areas.

The Commission discussed the contamination and remediation issue in terms of liability for future claims if contamination becomes an issue of claims. It was noted that the site had been appropriately remediated by Marrickville Council and a site contamination audit was carried out. The site was made suitable for the proposed development and met the requirements of SEPP55. The Commission was satisfied that the issues had been adequately addressed. Application was approved subject to conditions.



#### OAKDALE CENTRAL CONCEPT PLAN AND DHL LOGISTICS HUB PROJECT

#### 12 Dec 08 to 18 Dec 08

The Concept Plan for Oakdale Central is for a new regional industrial estate in the Western Sydney Employment Hub (WSEH). The DHL Logistics Hub Project Application is to implement the first stage of the Oakdale Central Concept Plan. The Commission considered the Department had done a thorough job in assessing the concept plan and project application and the Director General's report was reasonable. However, the Commission found the proposal highlighted the urgent need to provide certainty for landuse planning in the region as well as to ensure adequate infrastructure and services would be available to support the anticipated employment generating developments in the region. The Commission believed the draft SEPP for the WSEH should be finalised as soon as possible to facilitate orderly and coordinated development in the area. The Commission also recommended modifications to the concept plan and project application to address issues relating to stormwater management and sewage treatment.

#### **CUB SITE CONCEPT PLAN MODIFICATION**

#### 12 Dec 08 to 22 Jan 09

The proposed modifications included an increase of FSR from 4.06:1 to 4.37:1; revised building envelopes, revised land use mix; increase the size of the public park; reduction of car parking spaces; minor increase in site area and modification of planning agreements including increase affordable housing contribution. The Commission considered the proposed modification would provide improved outcomes beyond that of the approved concept plan. The Department had comprehensively assessed the modified concept plan and the recommendations in the DG's report were reasonable subject to further modification to protect the local heritage items as recommended by the Commission. The proposal should be modified to ensure an appropriate elevation to Broadway and Abercrombie Street so as to protect the heritage significance of the Australian Hotel and the adjoining terraces. This should be demonstrated to the Department's satisfaction prior to the lodgement of the first application for development on the site.

#### SHOALHAVEN STARCHES EXPANSION PROJECT

#### 30 Dec 08 to 13 Jan 09

The existing factory at Bomaderry processes grain, flour and mill feed into starch, gluten and glucose for the food, beverage and paper industries. The factory started operations in 1979 and currently operates under multiple development consents. The proposed development involves a complex array of modifications to existing odour and wastewater controls for both the factory and environmental farm, increased ethanol production capacity, additional odour and wastewater controls and ancillary works including access and transport. The Commission concurred with the Department's view that the project's benefits significantly outweigh any residual costs and that it is in the public interest that the project should be approved subject to conditions. The Commission also provided comments on some of the conditions, particularly related to odour and wastewater for the Director General's consideration.

#### ALTERATIONS AND ADDITIONS TO STAR CITY CASINO COMPLEX

#### 16 Jan 09 to 21 Jan 09

The proposal involved the development of a 13 storey 5-star hotel on the Switching Station site, redevelopment of the Pirrama Road frontage of the existing casino, alteration of the internal pedestrian arcade, extending the existing car park into the Switching Station site and upgrading the exterior of the existing casino tower. The Commission considered the DG's report comprehensive in assessing a wide range of issues relevant to the proposal. However, its advice focused on two particular issues, namely building height and noise related amenity issue. The Commission was satisfied that the Department's recommended height limitations would reduce the visual dominance of the corner building, potential overshadowing and the scale of the development is contextually appropriate. As to the issue of noise, the Commission recommended the Noise Management Plan be prepared in consultation with the City of Sydney and the trial period for extended hours of operation could proceed if compliance of noise limits set for these hours could be achieved.

#### REVIEW OF 4 SITES IN OXFORD FALLS VALLEY FOR URBAN DEVELOPMENT

#### 13 Jan 09 to 30 Apr 09

The Minister requested the Commission to advise whether any of the 4 sites in the Oxford Falls Valley are capable of urban development and of sufficient size to function as an urban release area. The four sites are Oxford Falls West, Red Hill, Lizard Rock and Cromer Golf Club. In carrying out the review, the Commission should also take into account the sustainability criteria in the Metropolitan Strategy, the relationship with existing urban development, and current and potential servicing capacity and transport services. The Ministerial terms of reference to the Commission also requested the Commission to invite submissions from relevant landowners and Warringah Council and other stakeholders where appropriate.

Thirty two (32) parties made written submissions to the Commission including 11 public agencies, 2 councils and 19 from landowners, residents, community groups and businesses.

#### The Commission found:

- The area has not been identified for urban development in the Metropolitan Strategy or included in the Metropolitan Development program for release;
- None of the site substantially meets the sustainability criteria;
- Potential land use conflict with the Earth Satellite station; and
- Sites are too small and dispersed to justify increased public transport and local services, hence too small to function as release areas.

The Commission also concluded that the potential for urban release of any land within the Oxford Falls Valley, including the four sites, requires an assessment of the future of the Oxford Falls Valley catchment area as a whole, particularly cumulative impacts on water quality of the Narrabeen Lagoon, bushfire hazard, transport links and visual impacts. The Commission identified some further studies that need to be undertaken to assess these cumulative impacts and to determine the urban capability of the area as a whole. These studies should be completed over the next five years so that their conclusions may be taken into consideration in the next review of the North East Subregional Strategy.

The Commission concluded, on the basis of information available to it for each site, that none of the sites would be capable of urban development for at least ten years. This conclusion was reached after assessing the sites against the sustainability criteria in the Metropolitan Strategy and against the draft North East Subregional Strategy. The sites do not substantially meet the sustainability criteria, particularly in relation to transport, access, housing diversity and some environmental and land use conflict constraints.

#### BARRANGAROO CONCEPT PLAN MODIFICATION 2

#### 23 Jan 09 to 6 Feb 09

The approved concept plan for the Barrangaroo site provided for a mixed use development involving commercial, residential, tourist and community uses. The modification application sought approval to increase the maximum commercial floor space with no changes to the approved floorspace for other land uses. The Commission considered the Department's assessment and recommendation were reasonable given the importance of providing for expansion of the Sydney CBD with a site which will allow large commercial floorplates to be developed. The Commission also noted that a considerable amount of work will be required and must be continued on the design of individual buildings at the project application stage that meets the design principles.

#### DRAFT SYDNEY REGIONAL ENVIRONMENTAL PLAN 30 AMENDMENT 2 - ST MARYS

#### 12 Feb 09 to 17 Feb 09

The focus of the proposed amendment was to consolidate the Employment Zone in the Central Precinct and ensure better access and linkage from the Dunheved Industrial Estate to the Central Precinct. The Commission noted the consolidation of employment land by relocating land zoned from other Precinct to the Central Precinct did not involve any changes to the total amount of land zoned for employment across the whole site. The proposed amendment was supported by the St Marys Employment Development Strategy Committee. Key issues raised in submissions had been satisfactorily addressed. The proposed amendment provides a simpler urban form but the Commission noted that the relocation of Employment Zone in the Western Precinct would remove a buffer between future urban development and the Northern Road, the main arterial road in the area. Future detailed planning in this area will require special consideration particularly on traffic noise. A buffer zone may be required to address the traffic noise issue.

#### DRAFT FAIRFIELD LEP 1994 AMENDMENT NO 122

#### 12 Mar 09 to 2 Apr 09

The proposal was stage 1 of a 3 stage plan to provide a link road for rear lane access to properties fronting Canley Vale Road. Fairfield City Council requested the Minister to make the draft plan to reclassify land from community to operational to permit construction of an access road and to rezone part of that land from 6(a) existing and proposed recreation to 3(c) local business centre to allow sale of that part of land to fund construction of the access road. The Commission found the justification for the proposed rezoning in the section 69 report extremely weak. The Commission's key concerns were the alienation of public land for commercial uses and the disaggregation of the proposed commercial use lots from the existing centre by the proposed access road. The Commission also questioned the needs for the proposed access road in the absence of a traffic study and assessment of potential impacts on existing and future residents and shoppers. .Given these concerns, the Commission was not convinced that the proposed amendment of the LEP was justified.

#### **RURAL RESIDENTIAL SUBDIVISION AT TINONEE**

#### 20 Mar 09 to 31 Mar 09

The proposal was to subdivide a site into 137 rural residential lots to be developed in 6 stages. The site is zoned part rural residential, part open space and part environmental protection under the Greater Taree LEP 1995, thus the proposed development is permissible with consent. The Commission considered the Department's assessment was comprehensive and thorough, particularly on environmental issues. However, the justification for non-compliance with the minimum lot size was considered inadequate. The Commission sought further information from Departmental staff on the issue of non-compliance. Following a briefing meeting and the reasons given to support non compliance, the Commission was satisfied the justifications were reasonable.

#### **HUNTER ECONOMIC ZONE PROJECT**

#### 31 Mar 09 to 6 Apr 09

The project included a concept plan for subdivision of Precinct 1 of the HEZ Estate and associated infrastructure including the Pelaw Main Bypass and extension of Station Street and a project application for the creation of Lot 290 for the development of a large industrial building (WIPS Facility). The Commission identified two key issues, namely biodiversity and strategic planning. The Commission considers the Department's recommended conditions of consent were sufficient in ensuring the protection of biodiversity on the site. As to strategic planning, the Commission noted that the lack of strategic planning framework for the site presented difficulties in the Department's assessment of the project. Given the circumstances, the Department's recommendations were considered reasonable. The Commission considered that given the significance of the HEZ, it would be preferable that a SSS for the entire HEZ Estate (with the exception of Precinct 1) be submitted to the Department prior to the lodgement of any further application(s) for development within the HEZ (except Precinct 1).

# **DRAFT SOUTH SYDNEY LEP 1998 AMENDMENT NO 19 – GREEN SQUARE TOWN CENTRE**4 May 09 to 25 May 09

The draft plan was to allow development of a communal car park and retail facilities beneath the Civic and Neighbourhood Plazas within a specific area in the Green Square Town Centre as the current zoning does not allow such uses. Following a review of the draft amendment plan, the Section 69 report prepared by Council under delegation and various documents, the Commission found the intention of the plan was not clear and there was insufficient information on the proposed allocation system, particularly how it was to operate and its management regime to ensure the draft plan would not create unintended consequences. The Commission met with Council staff to seek clarification on the issues of concern. In brief, the car park would be built by one developer and other site owners would make arrangements with the developer for their parking allocation when their site is developed. Some developments may not get their full "entitlement" for private use when the area is fully developed as public use of the car park will have priority over private use. Given the advice from Council staff, the Commission considered the draft amendment was reasonable and would assist the implementation of the Green Square Town Centre masterplan.

#### PRECINCT ACCELERATION, SOUTH WEST GROWTH CENTRE

#### 7 May 09 to 27 May 09

In 2005, the Growth Centres Commission (GCC) was established to oversee the release of land within the growth centres of South West and North West Sydney. In November 2008, the GCC was integrated into the Department.

The first precincts to be released in the South West Growth Centre were announced in June 2006. At about the same time the Cabinet Standing Committee on the Budget endorsed the Precinct Acceleration Protocol which allows for the earlier release of additional land for urban development within a Growth Centre if the acceleration would not result in additional cost to the Government. Proposals for the release of land under the Protocol must also comply with Government planning and environmental policy. The Minister requested the Commission to advise on the reasonableness of the Department's recommendations for the acceleration of precinct releases in Lowes Creek and East Leppington in Sydney's South West Growth Centre.

The Commission acknowledged that the proposed precinct accelerations were consistent with the adopted South West Centres Structure Plan and considered the Department's revised recommendations to be reasonable and consistent with the Government's Precinct Acceleration Protocol.

#### RESIDENTIAL SUBDIVISION AT DOLPHIN POINT, SHOALHAVEN

#### 25 Jun 09 to Current

The proposal is to subdivide the site for 132 residential lots with 1 residual lot for a conservation reserve as well as provision of roads and public reserves. The Commission is considering the proposal.

# **REVIEW WITH PUBLIC HEARING**

#### METROPOLITAN COAL PROJECT

14 Nov 08 to 29 May 09

#### **COMMISSION MEMBERS**

- DR NEIL SHEPHERD, CHAIR
- EMERITUS PROFESSOR JIM GALVIN
- DR COL MACKIE
- PROFESSOR JEFFERY BENNETT
- DR JOHN TILLEARD

In undertaking their review, the Minister for Planning requested the Commission to hold a public hearing and to:

- a) Carry out a review of the potential subsidence related impacts of the Metropolitan Coal Project on the values of Sydney's drinking water catchment, and in particular its impact on the Waratah Rivulet and Woronora Reservoir, taking into consideration the recommendations of the Southern Coalfield Inquiry;
- b) Advise on the significance and acceptability of these potential impacts, and to recommend appropriate measures to avoid, minimise, or offset these impacts; and
- c) Identify and comment on any other significant issues raised in submissions regarding the Metropolitan Coal Project or during the public hearings;

The Metropolitan Coal Mine is one of the oldest working collieries in NSW and is the first mine in the Southern Coal Field to be assessed under Part 3A of the Act since the Southern Coalfield Inquiry report was released in 2008.

The Metropolitan Colliery involves the continual extraction of the Bulli Seam using longwall mining. The depth of cover ranges from 400m to 560m which makes it a relatively deep coal mine by Australian Standards. Longwall widths range from 133m to 163m.

The Commission proceeded by way of meetings, review of submissions and other records and documents, three field inspections including below and at ground level and from the air, requests for additional information, public hearings and meeting with officers from government agencies and the Proponent to seek clarification of information before the Commission.

A Public Hearing was held in March 2009 over two days. Seventeen parties addressed the Commission and raised issues of concern. In keeping with the TOR and the Commission's consideration of all the material provided to it, potential subsidence impacts related to the following matters were considered in detail:

- surface waters including the Waratah Rivulet, Eastern Tributary and the Woronora Reservoir;
- groundwater including both shallow and deep groundwater systems and the management of mine water;
- swamps;

- · ecological communities and threatened species;
- · cliff lines and overhangs; and
- · Aboriginal heritage.

During the Commission's deliberations, the Proponent submitted a Preferred Project Report including a revised mine plan to the Department. The Commission assessed the revised proposal and concluded that it could proceed subject to several conditions designed to protect significant features within the project area from the impacts of subsidence.

The Commission's recommendation had regard to the features of the mine, namely its comparative depth and narrow longwall panels. The Commission was satisfied that the subsidence impacts were predicted to be low enough to ensure that conditional approval and substantial monitoring would keep risks to an acceptable level.

In the instances where the Commission considered that the predicted subsidence impacts on a natural feature were unacceptable, they specified the outcomes that would need to be achieved for the feature. This ensured that the Proponent was required to prove to the consent authority and regulators that its strategies would achieve the required outcomes.

In addition, the Commission developed methods for applying the Southern Coalfield Inquiry findings to a substantial proposal. These methods involved the provision of an expanded risk framework for natural features and set out approaches for assessing relative significance of natural features and acceptability of subsidence induced impacts and consequences for those features.

#### RIVERSIDE DEVELOPMENT AT TEA GARDENS

#### 9 Mar 09 to Current

#### COMMISSION MEMBERS

- DR NEIL SHEPHERD, CHAIR
- MS BARBARA CROSSLEY,
- MR PETER DUNDON
- DR JUDY SMITH

The Minister issued a request in March 2009 for the Planning Assessment Commission to undertake an expert review of the proposed development including a request to conduct public hearings. The terms of reference focused the review on two main areas: the ecological constraints of the site and the hydrological issues associated with groundwater, the SEPP14 wetland and flooding.

The proponent sought approval for the concept plan and stage 1 project application for a mixed residential, commercial and tourist development at the Riverside site. The concept plan proposed a residential development to accommodate about 1045 dwellings in various lot sizes, an extension of the existing Myall Quays shopping centre; a 2ha extension of the existing lake; creation of three new freshwater detention basins and numerous additional ponds; an additional channel connecting to the Myall River to enhance water quality management; an open space network including 127ha of land for public recreation, stormwater management, wildlife corridor, conservation areas and community facilities; and associated infrastructures, road works and landscaping. The project application involved the creation of 348 residential lots, extension of the lake, creation of new freshwater detention basins and ponds and the channel; and construction of roads, community and recreation facilities.

A total of 28 submissions were referred to the Commission by the Department of Planning. The Commission also invited written submission through notices of the public hearing independent of the Department's exhibition notice. As a result of the public notices, the Commission received submissions from 19 parties. Public hearing was held on 7 April 2009 at the Hawks Nest Golf Club. A total of 7 parties made presentations to the Commission at the hearing.

#### Freedom of Information Request

The Commission received no Freedom of Information Application this year.

#### **Consultants**

No consultants were engaged during the year.

#### **Overseas Travel**

No overseas travel was undertaken during the year.

#### **Commission Expenditure**

The total expenditure by the Planning Assessment Commission from 3 November 2008 to 30 June 2009 was \$702,600 excluding cost of administration supports provided by the Department of Planning.

#### **Further Information**

The Commission's website (www.pac.nsw.gov.au) includes a register of matters that have been referred to the Commission.

NSW PLANNING ASSESSMENT COMMISSION LEVEL 13, 301 GEORGE STREET, SYDNEY NSW 2000 PHONE (02) 9383 2100 FAX: (02) 9299 9835 EMAIL PAC@PAC.NSW.GOV.AU WWW.PAC.NSW.GOV.AU