

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

<b>DATE OF DETERMINATION</b>	11 October 2017
<b>PANEL MEMBERS</b>	Bruce McDonald (Chair), Stuart McDonald, Lindsay Fletcher, Matt Owens, Mary Lyons-Buckett
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held at Hawkesbury City Council on 11 October 2017, opened at 5.00pm and closed at 7.20 pm.

### MATTER DETERMINED

Panel Reference: 2016SYW232 - LGA: Hawkesbury, DA Number: 0685/16, Address: 213 Commercial Road, Vineyard (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 the matters observed at site inspections listed at item 8 in Schedule 1.




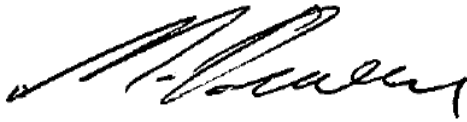
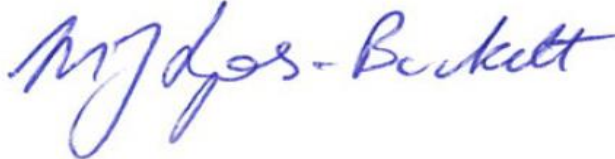
The Panel determined to refuse the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

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

The decision was unanimous

### REASONS FOR THE DECISION

- The Panel considers the proposal is appropriately categorised as Housing for Seniors which is not a permitted use on this site
- The proposal is not compliant with the objectives of the RU4 Primary Production Small Lots zoning under Hawkesbury LEP 2012
- The proposal is inconsistent with the existing character of the rural locality in which the site is placed
- The proposal unacceptably impacts on the amenity of adjacent premises due to the scale and intensity of the proposed built form in this rural setting
- The nature, scale and intensity of the proposed use has the potential to generate conflict with the existing and potential future primary industries in this location
- Accordingly, the Panel considers the proposed development is not a suitable use of the site and approval would not be in the public interest.

PANEL MEMBERS	
 Bruce McDonald (Chair)	 Stuart McDonald
 Lindsay Fletcher	 Matt Owens
 Mary Lyons-Bucketts	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016SYW232 – Hawkesbury City Council - DA0685/16
2	PROPOSED DEVELOPMENT	Caravan Park – Staged alterations, additions and expansion of the caravan park
3	STREET ADDRESS	213 Commercial Road, Vineyard 217 Commercial Road, Vineyard 227 Commercial Road, Vineyard 22 Bocks Road, Oakville 38 Bocks Road, Oakville 184 Stahls Road, Oakville 194 Stahls Road, Oakville 204 Stahls Road, Oakville 214 Stahls Road, Oakville 1 Menin Road, Oakville
4	APPLICANT/OWNER	Applicant -INA Operations Pty Ltd  Owners – INA Operations Pty Ltd (213-217 Commercial Road, 22-38 Bocks Road, 184-194 Stahls Road and 1 Menin Road), Mrs R McErlane, Mr J McErlane and Mr F Novella (204 and 214 Stahls Road)

5	<b>TYPE OF REGIONAL DEVELOPMENT</b>	General development over \$20 million
6	<b>RELEVANT MANDATORY CONSIDERATIONS</b>	<ul style="list-style-type: none"> <li>• Environmental planning instruments: State Environmental Planning Policy No. 21 – Caravan Parks; State Environmental Planning Policy No 44—Koala Habitat Protection; State Environmental Planning Policy No. 55 – Remediation of Land; State Environmental Planning Policy (Infrastructure) 2007; State Regional Environmental Plan No. 20 – Hawkesbury-Nepean River; and Hawkesbury Local Environmental Plan 2012; State Environmental Planning Policy to Amend State Environmental Planning Policy (Sydney Region Growth Centres) 2006</li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: Hawkesbury Development Control Plan 2002</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	<b>MATERIAL CONSIDERED BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Council assessment report: 13 September 2017</li> <li>• Written submissions during public exhibition: 45</li> <li>• Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>○ Support – Nil</li> <li>○ Object – Daniella Tidman Peter Norris Paul Morton</li> </ul> </li> </ul>

		<p>GM Johnson</p> <p>Dale Carn</p> <p>John Fairfield</p> <p>Councillor Nathan Zamprongno</p> <p>Michael Tidman</p> <p>Lyn Batson</p> <p>Vince Hardy</p> <p>Sylvia Morton</p> <p>Greg Miles on behalf of Carolena Wilson</p> <p>○ On behalf of the applicant –</p> <p>Ed Wortman</p> <p>Kirk Osborne</p> <p>Craig Anderson</p> <p>Janene Eagleton</p>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Site inspection and briefing meeting 11 October 2017</li> <li>• Final briefing meeting to discuss council's recommendation, 11 October 2017, 4.00 pm to 5.00 pm.</li> <li>• Attendees: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Bruce McDonald (Chair), Stuart McDonald, Lindsay Fletcher, Matt Owens, Mary Lyons-Bucket</li> </ul> </li> </ul> <p><u>Council assessment staff:</u></p> <ul style="list-style-type: none"> <li>○ Andrew Johnson</li> </ul>
9	COUNCIL RECOMMENDATION	<b>Approval</b>
10	DRAFT CONDITIONS	Attached to the council assessment report