

<b>DATE OF DETERMINATION</b>	3 June 2024
<b>DATE OF PANEL DECISION</b>	3 June 2024
<b>DATE OF PANEL BRIEFING</b>	28 May 2024
<b>PANEL MEMBERS</b>	Roberta Ryan (Acting chair), Tony McNamara, Sue George
<b>APOLOGIES</b>	Sue Moore
<b>DECLARATIONS OF INTEREST</b>	Alison McCabe declared a conflict of interest as her Consultancy SJB Planning have given advice in relation to this property.

Papers circulated electronically on 23 May 2024.

#### **MATTER DETERMINED**

PPSHCC-268 – Singleton – DA 8/2023/559/1 at 1023 Hermitage Road, Pokolbin 2320 – Tourism Development (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 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.

#### **CONDITIONS**

The development application was approved subject to the conditions in the council assessment report with the following amendments made by the Panel.

1. A new condition dealing with the grapes used for landscaping on the site not be able to used for human consumption as follows:

##### **90. Grape use**

*No grapes grown on the lot are to be used for human consumption.*

*Reason: To ensure waste water does not result in the potential contamination of grapes for human consumption*




2. An advisory note regarding possible future staging of the works if this was to eventuate as follows:

**Advisory note.**

*Should the applicant wish to stage any part of the development through a modification, the staging plan submitted to Council for approval requires the infrastructure is to be in place and function before the occupation of any structure. This includes effluent disposal.*

## 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	
 Roberta Ryan (Acting Chair)	 Tony McNamara
 Sue George	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSHCC-268 – Singleton - DA 8/2023/559/1
2	PROPOSED DEVELOPMENT	Tourism Development
3	STREET ADDRESS	1023 Hermitage Road, Pokolbin 2320
4	APPLICANT/OWNER	Mecone / Zhong Commercial Properties Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 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 (Biodiversity and Conservation) 2021</li> <li>State Environmental Planning Policy (Resilience and Hazards) 2021</li> <li>State Environmental Planning Policy (Planning Systems) 2021</li> <li>State Environmental Planning Policy (Sustainable Buildings) 2022</li> <li>State Environmental Planning Policy (Transport and Infrastructure) 2021</li> <li>State Environmental Planning Policy (Primary Production) 2021</li> <li>State Environmental Planning Policy (Industry and Employment) 2021</li> <li>Singleton Local Environmental Plan 2013</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Singleton Development Control Plan 2014</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i>: Division 1, Part 4 fire safety and structural requirements.</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: 23 May 2024</li> <li>Written submissions during public exhibition: 0</li> <li>Total number of unique submissions received by way of objection: 0</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Preliminary Briefing: 31 January 2024 <ul style="list-style-type: none"> <li><u>Panel members</u>: Roberta Ryan (Acting Chair), Tony McNamara, Sue Moore, Sue George</li> <li><u>Applicant</u>: Gannon Cuneo, Andrew Lau, Michael Gee, Lluís Molins Calvet, Kevin Ng</li> <li></li> <li><u>Council assessment staff</u>: Sarah Boyton, Benjamin Pogson, Ashleigh McTackett, Michelle Reichert</li> </ul> </li> <li>Site inspection: <ul style="list-style-type: none"> <li><u>Panel members</u>: <ul style="list-style-type: none"> <li>Roberta Ryan: Tuesday 7<sup>th</sup> May 2024</li> <li>Tony McNamara: Tuesday 7<sup>th</sup> May 2024</li> </ul> </li> </ul> </li> <li>Final briefing to discuss council's recommendation: 28 May 2024</li> </ul>

		<ul style="list-style-type: none"><li>○ <u>Panel members</u>: Roberta Ryan (Acting Chair), Tony McNamara, Sue George</li><li>○ <u>Applicant</u>: Gannon Cuneo, William Haddis, Andrew Lau, Michael Gee, Lluís Molins Calvet, Kevin Ng</li><li>○ <u>Council assessment staff</u>: Benjamin Pogson</li><li>○ <u>Applicant representatives</u>: Leanne Harris</li></ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report