

<b>DATE OF DEFERRAL</b>	Monday, 22 February 2021
<b>PANEL MEMBERS</b>	Justin Doyle (Chair), Louise Camenzuli, Nicole Gurran, Judy Clark and Jeff Organ
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held by Public Teleconference on 22 February 2021, opened at 11:15am and closed at 12:33pm.

#### **MATTER DEFERRED**

PPSSWC-89 – Hawkesbury – DA0119/20 at 99 Sargents Road, Ebenezer – Landscaping Material Supplies and Resource Recovery Facility (as described in Schedule 1)

#### **REASONS FOR DEFERRAL**

The majority of the panel agreed to defer the determination of the matter to:

- (a) permit the Applicant to respond to the additional information which the staff assessment report dated 4 February 2021 identifies as being required for a determination (which the panel understands will be renotified at least in relation to adjacent properties and objectors, and then further reported upon by Council assessment staff).
- (b) resolve the position of the RMS in response to the DA.
- (c) allow both the Council assessment staff and the Applicant to address the significant issue of compatibility of the development with the established character of the locality.

The Panel expects that any additional material to be considered in the final determination of this matter will be submitted within 4 weeks from the date of this report, and may proceed to determine the matter on the basis of the material submitted by that time.

The decision to defer the matter was 3:2 in favour.

Judy Clark and Jeff Organ voted against the decision concluding that they were already satisfied that the DA ought to be refused because the proposed use was incompatible with the surrounding rural and residential uses, particularly having regard to the applicable RU1 zoning which was likely to continue to define surrounding development and the availability of suitable land for the proposed use elsewhere in the local government area.

The majority agreed that compatibility with the surrounding locality was a relevant matter but determined that it would be better placed to consider that issue finally once the additional material identified by Council staff was available.

The Panel adjourned at the conclusion of the public portion of the meeting to deliberate on the matter and formulate this resolution.

PANEL MEMBERS



Justin Doyle (Chair)



Louise Camenzuli



Nicole Gurrán



Judy Clark



Jeff Organ

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSWC-89 – Hawkesbury – DA0119/20
2	PROPOSED DEVELOPMENT	Designated Development - Landscaping Material Supplies and Resource Recovery Facility
3	STREET ADDRESS	99 Sargents Road EBENEZER NSW 2756
4	APPLICANT/OWNER	Hala Constructions Mr I Alameddine & Mrs H Alameddine
5	TYPE OF REGIONAL DEVELOPMENT	Designated development - waste management facility or works
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 (State and Regional Development) 2011</li> <li>State Environmental Planning Policy No. 55 (Remediation of Land)</li> <li>SEPP (Infrastructure) 2007</li> <li>Deemed State Environmental Planning Policy Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</li> <li>Hawkesbury Local Environmental Plan 2012</li> <li>Flood Policy 2020</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Hawkesbury Development Control Plan 2002</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Environmental Planning and Assessment Regulation 200 Clause 32</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: 8 February 2021</li> <li>Clause 4.3 Building Height – exceeds minimum 10m building height</li> <li>Written submissions during public exhibition: 69</li> <li>Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>Paul Laurence, Alejandra Rojas, Garry Cotter, Jessie Cowpar and Danielle Wheeler</li> <li>Council assessment officer – Natalie Piggott</li> <li>On behalf of the applicant – Richard Benbow, Emma Hansma</li> </ul> </li> <li>Total number of unique submissions received by way of objection: 69</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Site inspection: Thursday, 18 February 2021 <ul style="list-style-type: none"> <li><u>Panel members</u>: Judy Clark and Jeff Organ</li> <li><u>Council assessment staff</u>: Natalie Piggott</li> </ul> </li> <li>Final briefing to discuss council's recommendation: Monday, 22 February 2021 <ul style="list-style-type: none"> <li><u>Panel members</u>: Justin Doyle (Chair), Louise Camenzuli, Nicole Gurran, Judy Clark and Jeff Organ</li> <li><u>Council assessment staff</u>: <u>Natalie Piggott and Cristie Evenhuis</u></li> </ul> </li> </ul>

9	COUNCIL RECOMMENDATION	Deferral
10	DRAFT CONDITIONS	N/A