



Camden Local Planning Panel

Minutes

20 October 2020

Meeting held by Teleconference



CAMDEN LOCAL PLANNING PANEL

TABLE OF CONTENTS

PRESENT.....	3
ALSO IN ATTENDANCE	3
ACKNOWLEDGEMENT OF COUNTRY	3
APOLOGIES.....	3
DECLARATIONS OF INTEREST.....	3
PUBLIC ADDRESS	3
CLOSURE OF THE MEETING	4
CLPP01 DA/2020/486/1 - TO USE AN APPROVED STORAGE PREMISES (YET TO BE CONSTRUCTED) AS WELL AS AN EXISTING STORAGE SPACE FOR THE STORAGE OF GOODS ASSOCIATED WITH THE RETAIL OPERATIONS OF GRIMA BROS WHOLESALE PRODUCE STORE - 1 GREGORY HILLS DRIVE, GLEDSWOOD HILLS	4
CLPP02 DA/2019/844/1 - INTENSIVE PLANT AGRICULTURE (HYDROPONICS FARM) AND PIVOT IRRIGATION SYSTEM WITH CONSTRUCTION OF ASSOCIATED BUILDINGS AND STRUCTURES, ACCESS DRIVEWAYS, EARTHWORKS, STORMWATER WORKS AND SITE SERVICING - 84 & 86 CUT HILL ROAD, COBBITTY.....	5

PRESENT

Stuart McDonald (Chairperson), Sue Francis (Expert Panel Member), Mary-Lynne Taylor (Expert Panel Member), Debby Dewbery (Community Representative – South Ward).

ALSO IN ATTENDANCE

Manager Statutory Planning, Team Leader – DA Assessments West, Executive Planner, Team Leader – DA Assessment, Graduate Planner, Principal Planner, Governance Officer, Governance Administration Officer.

ACKNOWLEDGEMENT OF COUNTRY

The Chair acknowledges the traditional Custodians of the land:

I would like to acknowledge the traditional custodians of this land on which we meet and pay our respect to elders both past and present.

APOLOGIES

There was no leave of absence to be granted.

DECLARATIONS OF INTEREST

Mr McDonald declared a conflict of interest in relation to CLPP01 and advised that he would take no part in the Panel's deliberation or voting in relation to that matter and that he would vacate the Chair.

Mr McDonald was placed in the waiting room of the teleconference, the time being 2.11pm.

Ms Francis assumed the Chair for CLPP01.

At the conclusion of CLPP01, Mr McDonald was returned to the meeting and resumed the Chair, the time being 2.13pm.

PUBLIC ADDRESS

Mr David Head addressed the Panel in relation to CLPP02 - DA/2019/844/1 - Intensive Plant Agriculture (Hydroponics Farm) and Pivot Irrigation System with Construction of Associated Buildings and Structures, Access Driveways, Earthworks, Stormwater Works and Site Servicing - 84 & 86 Cut Hill Road, Cobbitty.

Ms Heather Chourlianis addressed the Panel in relation to CLPP02 - DA/2019/844/1 - Intensive Plant Agriculture (Hydroponics Farm) and Pivot Irrigation System with Construction of Associated Buildings and Structures, Access Driveways, Earthworks, Stormwater Works and Site Servicing - 84 & 86 Cut Hill Road, Cobbitty.

Mrs Kirsty Ferguson addressed the Panel in relation to CLPP02 - DA/2019/844/1 - Intensive Plant Agriculture (Hydroponics Farm) and Pivot Irrigation System with Construction of Associated Buildings and Structures, Access Driveways, Earthworks, Stormwater Works and Site Servicing - 84 & 86 Cut Hill Road, Cobbitty.

Ms Mairead Hawes, on behalf of the Planning Hub, addressed the Panel in relation to CLPP01 - DA/2020/486/1 - to use an Approved Storage Premises (yet to be Constructed) as well as an Existing Storage Space for the Storage of Goods Associated with the Retail Operations of Grima Bros Wholesale Produce Store - 1 Gregory Hills Drive, Gledswood Hills.

CLOSURE OF THE MEETING

After hearing all of the public submissions the Chair then declared the public meeting closed at 2.30pm. The Panel then went into private deliberation to consider the items and their determinations are listed below:

CLPP01 DA/2020/486/1 - TO USE AN APPROVED STORAGE PREMISES (YET TO BE CONSTRUCTED) AS WELL AS AN EXISTING STORAGE SPACE FOR THE STORAGE OF GOODS ASSOCIATED WITH THE RETAIL OPERATIONS OF GRIMA BROS WHOLESALE PRODUCE STORE - 1 GREGORY HILLS DRIVE, GLEDSWOOD HILLS

PANEL DETERMINATION

That the Panel:

- i. support justification in the applicant's written request lodged pursuant to Clause 4.6(3) of State Environmental Planning Policy (Sydney Region Growth Centres) 2006 to the contravention of the Turner Road Precinct Shops (retail cap) development standards; and
- ii. approve DA/2020/486/1 to use an approved storage premises (yet to be constructed) as well as an existing storage space for the storage of goods associated with the retail operations of Grima Bros Wholesale Produce Store, subject to the conditions attached to this report.

REASONS FOR DETERMINATION

1. The Panel has considered the written request to contravene State Environmental Planning Policy (Sydney Region Growth Centres) 2006 in relation to the Turner Road Precinct Shops (retail cap) development standard. The Panel considers that compliance with the standard is unreasonable and unnecessary in the circumstances. Sufficient environmental planning grounds have been provided to justify the contravention of the development standard. The development satisfies the objectives of the zone and standard and will be in the public interest.
2. The development is consistent with the objectives of the applicable environmental planning instruments, being State Environmental Planning Policy (Sydney Region Growth Centres) 2006; State Environmental Planning Policy No 55 - Remediation of Land; and Sydney Regional Environmental Plan No 20 - Hawkesbury-Nepean River.
3. The development is consistent with the objectives of the Turner Road Precinct Development Control Plan 2007.
4. The development is considered to be of an appropriate scale for the site and the character of the locality.
5. The development is, subject to the recommended conditions, unlikely to have any unreasonable adverse impacts upon the natural or built environments.
6. In consideration of the aforementioned reasons, the development is a suitable and planned use of the site.

VOTING NUMBERS

The panel voted 3-0 in favour of the recommendation to approve.

CLPP02 DA/2019/844/1 - INTENSIVE PLANT AGRICULTURE (HYDROPONICS FARM) AND PIVOT IRRIGATION SYSTEM WITH CONSTRUCTION OF ASSOCIATED BUILDINGS AND STRUCTURES, ACCESS DRIVEWAYS, EARTHWORKS, STORMWATER WORKS AND SITE SERVICING - 84 & 86 CUT HILL ROAD, COBBITTY

PANEL DETERMINATION

That the Panel refuse DA/2019/844/1 for intensive plant agriculture (hydroponics farm) and pivot irrigation system with construction of associated buildings and structures, access driveways, earthworks, stormwater drainage works and site servicing at 84 Cut Hill Road, Cobbitty for the following reasons:

1. The proposed development does not comply with the objective of the RU1 Primary Production zone contained in Camden Local Environment Plan 2010 *“to maintain the rural landscape character of the land”*. The proposal has a negative impact on the existing rural landscape character of the land through the importation of significant levels of fill and the construction of a number of large sheds and shade sails. These changes to the rural landscape character will be visible from the a number of nearby neighbouring properties as well as the public domain (Cut Hill Reserve).
2. The proposed development does not comply with Clause 7.4 3(d) Earthworks of Camden Local Environment Plan 2010 as the extent of fill is likely to have a significant adverse visual impact on the landscape scenic quality of neighbouring properties as well as the public domain (Cut Hill Reserve).
3. The proposed development does not comply with the following provisions as contained in Camden Development Control Plan 2019:
 - (i) Section 2.1 Earthworks as the proposal does not respond to the natural topography of the site given the extent of imported fill and change in the visual topographic quality;
 - (ii) Section 6.2.4 Farm Buildings as the proposed earthworks exceeds a 15% batter slope and the farm buildings do not have a pitched roof design;
 - (iii) Section 6.2.5 Agricultural Development as it is not demonstrated that appropriate landscape screening is able to be provided within the spaces provided;
 - (iv) Section 6.2.6 Non-Agricultural Development as the wastewater report has not demonstrated that the site is able to cater for the proposed on-site sewerage management.
4. The application has not adequately demonstrated that the likely unacceptable impacts on the visual amenity, acoustic amenity and traffic of the locality can be satisfactorily addressed.
5. The application has not adequately demonstrated that the site can appropriately support the proposed development.
6. Given the substantiated issues raised in the public submissions and the unacceptable impacts associated with the development, the proposal is not considered to be in the public interest.

VOTING NUMBERS

The panel voted 4-0 in favour of the recommendation to refuse.