

# MINUTES OF THE HUNTER AND CENTRAL COAST JOINT REGIONAL PLANNING PANEL MEETING HELD AT GREAT LAKES COUNCIL CHAMBERS ON THURSDAY, 14 APRIL 2011

## PRESENT:

Garry Fielding	Chair
Kara Krason	Member
Bob McCotter	Member
Karen Hutchinson	Member
Len Roberts	Member

## COUNCIL STAFF IN ATTENDANCE

David Pirie	Senior Development Assessment Planner
Wade Holmes	Traffic Engineer
Ryan Fenning	Environmental Health Officer
Wayne Burgess	Manager Development Assessments
Lisa Schiff	Director Planning & Environmental Services
Glenn Handford	General Manager
Ron Hartley	Director Engineering Services
Deb Tuckerman	Manager Economic Development
Yvette Ellis	Admin Officer (Minute Taker)

## APOLOGY:

Councillor John Weate - Cllr Len Roberts replaced Councillor John Weate on the Panel.

The meeting commenced at 5.40pm.

## 1. Declarations of Interest

No declarations of interest were declared at the commencement of the meeting. However, at the conclusion of the Public Submissions portion of the agenda, Councillor Len Roberts stated that he had concerns regarding comments made by one of the Objectors who perceived that he and Councillor Hutchinson had a possible conflict of interest in relation to the Item and sought comments from the Chair in regard to the guidelines for conflicts of interest. After due consideration, Councillors Roberts and Hutchinson declared a non-pecuniary conflict of interest at 7.45pm and took no further part in discussion or voting.

## 2. Public Submissions -

Janelle Evans	addressed the Panel <b>against</b> the Item
Les Coleman	addressed the Panel <b>against</b> the Item
Margaret Coleman	addressed the Panel <b>against</b> the Item
Bob Wilson	addressed the Panel <b>against</b> the item
Reverend William Robertson	addressed the Panel <b>against</b> the Item
Ian Cerff	addressed the Panel <b>against</b> the Item
Bob Williams	addressed the Panel <b>against</b> the Item
Kevin Lean	addressed the Panel <b>against</b> the Item
George Perry	addressed the Panel <b>against</b> the Item
Carol Durrant	addressed the Panel <b>in favour</b> of the Item

Graham Smith  
Dan Evans  
Cheryl Adams  
Robert Woolfe  
Gavin Maberly-Smith  
Joe Harber

addressed the Panel **against** the Item  
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addressed the Panel on behalf of the Applicant  
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### 3. Business Item Recommendations

#### ***2010HCC050 Great Lakes Council DA 312/2011 - Tuncurry CBD Supermarket; Corner of Peel Street, Kent Street and Manning Lane, Tuncurry***

**Moved** by Bob McCotter and **seconded** by Kara Krason:

That the Panel grant deferred commencement consent to the development application subject to resolution of the design and functioning of the loading dock to the satisfaction of the Joint Regional Planning Panel. Upon satisfaction of the deferred commencement consent condition, the conditions imposed on the consent are to be as set out in Appendix A to the Agenda and Business Paper for this meeting, *other than those conditions relevant to the design and functioning of the loading dock and the following amended conditions:*

#### ***Deferred Commencement Consent Condition as follows:***

AA1 The proposed design and functioning of the loading dock is to be modified to satisfactorily address concerns raised in relation to residential amenity, pedestrian safety, traffic impacts on the surrounding road network and car parking. Amended plans, a revised traffic study and revised transport management plan for the supermarket operation which address the above matters are to be submitted to Council for assessment with the matter then reported to a meeting of the Joint Regional Planning Panel for determination. The design and functionality of the proposed loading dock as it relates to these issues must be to the satisfaction of the Hunter and Central Coast Joint Regional Planning Panel.

[Note: Pursuant to Clause 95(3) of the EP & A Regulation, the “deferred commencement” consent condition must be satisfied within 12 months from the date of the consent to the satisfaction of the Hunter and Central Coast Joint Regional Planning Panel.]

Condition A3 to be amended as follows:

A3 The trading hours for the liquor store are restricted to maximum trading hours of 9am to 9pm.

Condition A9 is to be amended as follows:

A9 Should any Aboriginal site or relic or material considered likely to be an Aboriginal site or relic be disturbed or uncovered during the construction of this development, all work that could affect the relic or site must cease and the relevant government department must be consulted. Any person who knowingly disturbs an Aboriginal site or relic is liable to prosecution under the National Parks and Wildlife Act 1974. With regards to Aboriginal sites and relics, all directions of the relevant government department pertaining to such must be duly complied with at all times as part of this consent.

Condition C5 to be amended as follows:

- C5 To minimise overlooking, windows on the northern elevation of the building shall be detailed as translucent on the construction certificate plans for the approval of Council prior to the issue of the construction certificate.

Condition C8 to be amended as follows:

- C8 Sanitary facilities for people with disabilities are to be provided in the building. The construction and layout of facilities is to comply with Clause AS1428.1-2001, 'Design for Access and Mobility'. Details and/or amended plans are to be submitted to Council prior to the issue of any construction certificate to demonstrate compliance, if necessary, with AS1428.1-2001, 'Design for Access and Mobility'.

Condition C11 to be amended as follows:

- C11 All glass and roofing used externally having a maximum reflectivity index of 20% with certification to Council's satisfaction being supplied prior to the issue of a construction certificate.

Condition 22 (a) to be amended as follows:

- C22 (a) The stormwater management system shall provide detention and/or infiltration capacity to limit the post-development site runoff from a 10 year Average Recurrence Interval (ARI) storm to the equivalent 10 year ARI discharge from the undeveloped site. A suitable system of pipes, pits and other measures shall be designed to convey major and minor flows safely to the receiving waters or downstream drainage infrastructure.

Condition F22 (b) & (e) to be amended as follows:

- F22 (b) Where awnings are to be located within 600mm of the street kerb face, bollards are to be erected to prevent vehicle impact on the awning.
- F22 (e) A qualified structural engineer is to inspect and certify that the awning is structurally adequate and in good repair, at a maximum of 5 year periods.

G11 to be amended as follows:

- G11 The car parking area being freely available for public use. Notices indicating the location of public car parking are to be displayed at the entrance to and within the car park.

Condition G13 to be amended as follows:

- G13 Water quantity and quality components of the stormwater management systems, including associated drainage pits, inlets and overflow weirs, vegetation and landscaped areas as required by Condition C22 of this consent shall be maintained.

Condition G14 to be amended as follows:

- G14 All on-site external lighting, including lighting to the car park shall be maintained in accordance with the approved lighting maintenance plan approved by Condition 12 of this consent.

Condition G20 to be amended as follows:

- G20 A trolley collection plan from the surrounding residential area must also be implemented by the supermarket as part of the on-going operations of the supermarket.

Condition H1 to be amended as follows:

H1           The trading hours for the liquor store are restricted to maximum trading hours of 9am-9pm.

Condition H9 is to be deleted

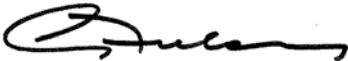
The following additional condition be inserted into the conditions, in the appropriate location:

Public toilets, including an accessible toilet are to be provided within the supermarket development for use by shoppers. Details demonstrating compliance with this condition are to be provided to Council prior to the issue of a Construction Certificate.

**Resolved that the motion be adopted.**

Meeting closed 8.17pm.

Endorsed by

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Garry Fielding  
Chair  
Hunter & Central Coast Joint Regional Planning Panel  
Date: 20 April 2011