

MINUTES OF THE HUNTER & CENTRAL COAST JOINT REGIONAL PLANNING PANEL MEETING HELD AT MUSWELLBROOK SHIRE COUNCIL ON THURSDAY, 29 SEPTEMBER 2011

PRESENT:

Garry Fielding	Panel Chair
Jason Perica	Panel Member
Bob McCotter	Panel Member
John Dyson	Panel Member
Michael Valantine	Panel Member

IN ATTENDANCE

Ben Oliver	Planning Services Manager (MSC)
Darryl Fitzgerald	Council's Planning Consultant
Tracey May	Director Environmental Services (MSC)
Donna Watson	Development Planner (MSC)
Peter Higgins	Manager Technical Services (MSC)

1. The meeting commenced at 3.05pm

2. **Declarations of Interest -**

There were no Declarations of Interest.

3. **Business Items**

ITEM 1 - JRPP 2011HCC026 - Muswellbrook Shire Council, 130/2011, Residential Subdivision of 4 lots into 299 lots comprising 14 stages, Lots 118, 119, 120 & 121 DP 750924 Almond Street, Denman

4. **Public Submissions**

- Michael Cole addressed the Panel on behalf of the applicant
- Bruce Macfarlane addressed the Panel on behalf of the applicant
- Brett Stein addressed the Panel against the item

5. **Business Item Recommendation and Resolution**

JRPP 2011HCC026 - Muswellbrook Shire Council, 130/2011, Residential Subdivision of 4 lots into 299 lots comprising 14 stages, Lots 118, 119, 120 & 121 DP 750924 Almond Street, Denman

Recommendation: That the Joint Regional Planning Panel in its function of determining the development application refuse consent to Development Application No. 130/2011 for the proposed Residential Subdivision of four (4) lots into two hundred and ninety nine (299) Lots comprising 14 stages over Lots 118, 119, 120 & 121 DP 750924 Almond Street Denman for the following reasons:

1. Pursuant to Section 79C(b) of the Environmental Planning and Assessment Act 1979, insufficient information has been submitted to enable a proper assessment of the development application in relation to:

- (a) Stormwater Management including the requirement for easements over adjoining land.
- (b) Provision of Water and Sewer Services including the requirement for easements over adjoining land.
- (c) Assessment of traffic impacts on railway crossings.
- (d) Funding arrangements for provision of necessary infrastructure.

2. Pursuant to Section 79C1(a)(i) of the Environmental Planning and Assessment Act 1979, and clause 6.1(2), the Director-General had not certified that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure and in the absence of that certification, sub-clause (2) prohibits the Joint Regional Planning Panel from granting consent to the Development Application.

3. Pursuant to Section 79C1(a)(iii) of the Environmental Planning and Assessment Act 1979, the development is inconsistent with clauses 25.2.4 and 25.5 of Muswellbrook Shire Development Control Plan Section 25, in relation to Stormwater Management.

4. Having regard to the above reasons for refusal, the proposal is contrary to the objects of the Environmental Planning and Assessment Act 1979 as specified in Part 1, Section 5(a), which provides for the orderly and proper development of land and ecologically sustainable development.

5. Pursuant to Section 79C(e) of the Environmental Planning and Assessment Act 1979, approval of the development prior to completion of a comprehensive DCP over the whole of the release area, would not be in the public interest.

Moved, Michael Valentine **Seconded,** Bob McCotter that the recommendation be adopted as presented but with a minor amendment to No.2 of the recommendation by the insertion of "Muswellbrook Local Environmental Plan 2009" after the reference to clause 6.1 (2).

Motion Carried (Vote: 5-0).

The meeting concluded at 4.05pm

Endorsed by:



Garry Fielding
Chair
Hunter Central Coast Region

Date: 6th October 2011