

HUNTER & CENTRAL COAST JOINT REGIONAL PLANNING PANEL

Meeting held at **Lake Macquarie Council** on **Thursday 5 March 2015 at 1.30 pm**

Panel Members: Garry Fielding (Chair), Jason Perica, Sandra Hutton and Barry Johnston

Apologies: Bob McCotter

Declarations of Interest: None

Determination and Statement of Reasons

2013HCC002 – Lake Macquarie Council - DA-251/2013, Building products warehouse and showroom, bulky goods premises, restaurant, signage, demolition and consolidation/subdivision as a staged development, 4B South street, Windale.

Date of determination: 5 March 2015

Decision:

The panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

Panel consideration:



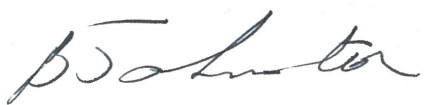

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings (including the applicant's legal advice) and the matters observed at site inspections listed at item 8 in Schedule 1.

Reasons for the panel decision:

1. The proposed amendments and additional information that has been submitted by the applicant, along with the revisions regarding landscaping and the South Street Acoustic barrier, have satisfactorily addressed the issues raised by the Panel at its December 2014 meeting.
2. The Panel considers the site to be well located for the proposed development and noted that the site was appropriately zoned for the proposed use.
3. Edge effects and impacts of the proposal on more sensitive land have been appropriately ameliorated by the proposal and the recommended conditions.
4. The panel recommends:
 - (a) Condition 13 of the consent be changed to indicate that it's the right turn storage lane and left turn deceleration lane provided on the Pacific Highway on the intersection South of Groves Road
 - (b) An addition to condition 33 I to indicate that trees are to be retained along the full frontage of the Pacific Highway, instead of just Areas 1, 3 and 4.

Conditions:

Panel members:

 Garry Fielding (Chair)	 Jason Perica	 Barry Johnston
 Sandra Hutton		

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SCHEDULE 1

1	JRPP Reference – 2013HCC002, LGA – Wyong Council, DA/251/2013
2	Proposed development: Building products warehouse and showroom, bulky goods premises, restaurant, signage, demolition and consolidation/subdivision as a staged development.
3	Street address: 4B South Street, Windale.
4	Applicant/Owner: Applicant – Owner – Lake Macquarie City Council.
5	Type of Regional development: Capital Investment Value > \$20M
6	Relevant mandatory considerations <ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy (State and Regional Development) 2011 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Lake Macquarie Development Control Plan Planning agreements: Revised terms for a Voluntary Planning Agreement. Regulations: <ul style="list-style-type: none"> Environmental Planning and Assessment Regulation 2000 The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality. The suitability of the site for the development. Any submissions made in accordance with the EPA Act or EPA Regulation. The public interest.
7	Material considered by the panel: The development application was considered by the Panel on 18 December 2014 when the Panel resolved to defer consideration of the application to enable discussions between the applicant and Council Officers regarding the provision of more extensive landscaping of the subject land including the appropriate landscaping of the interface between the proposed developments and the adjoining land to the West. Addendum Report with revised conditions, original Council assessment report with recommended conditions, plans and written submissions. Verbal submissions at the panel meeting: <ul style="list-style-type: none"> Luke Turner
8	Meetings and site inspections by the panel: 21 March 2013 - Briefing Meeting, 18 December 2014 - Site Inspection and Briefing meeting, 5 March 2015 – Final Briefing Meeting.
9	Council recommendation: Approval
10	Conditions: Attached to council assessment report.