

HUNTER & CENTRAL COAST JOINT REGIONAL PLANNING PANEL

Meeting held at Muswellbrook Shire Council on Thursday 2 October 2014 at 2.30 pm

Panel Members: Garry Fielding (Chair), Kara Krason, Jason Perica and John Dyson

Apologies: Nil - Declarations of Interest: Nil

In Attendance: Cr Martin Rush, Mayor of Muswellbrook, 11 people in the public Gallery and 1 Media representative

Determination and Statement of Reasons

2014HCC010 – DA47/2014 – Muswellbrook Shire Council, Demolition of existing building and construction of a four storey tertiary centre to hold a maximum of 90 students, Lots 1, 3, 4 and 5 DP 11221, Lot 8 Section 6 DP 758740, Lot 7 DP 71755, 83-87 Hill Street, Muswellbrook, 126 and 142 Bridge Street, Muswellbrook

Date of determination: 2 October 2014

Decision:

The panel determined to approve the development application as described in Schedule A 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 and the matters observed at site inspections listed at item 8 in Schedule 1.

Reasons for the panel decision:

The panel adopted the assessment of those matters in the Council Assessment Report while additional conditions are to achieve rational and orderly development of the site.

Reasons/Conditions: The development application was approved subject to the conditions/reasons in Appendix A of the Council Assessment Report as amended as follows:

Condition 1 would also include Landscape Plan prepared by Terras Landscape Architects dated March 2014.

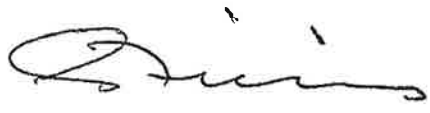

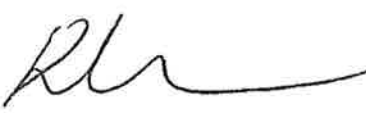

Insert new condition 19a - Prior to the removal of the tree in the carpark the applicant shall consult with a local recognised wildlife rescue organisation as to the impact of the tree removal on any birds nest, birds and mammals and agree on a strategy to protect the wildlife currently occupying the tree including any appropriate relocation.

Condition 39 - add the words in the first sentence 'including the maximum 13 metre height'

Moved: Kara Krason

Seconded: John Dyson

Panel members:

 Garry Fielding (Chair)	 Jason Perica	 Kara Krason
 John Dyson		

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SCHEDULE 1	
1	JRPP Reference – 2014HCC010, LGA – Muswellbrook Shire Council, DA47/2014
2	Proposed development: Demolition of existing building and construction of a four storey tertiary centre to hold a maximum of 90 students.
3	Street address: Lots 1, 3, 4 and 5 DP 11221, Lot 8 Section 6 DP 758740, Lot 7 DP 71755, 126 and 142 Bridge Street, Muswellbrook.
4	Applicant/Owner: Stephen Rose Architects
5	Type of Regional development: The proposal is a council related application and has a Capital Investment Value of over \$5 million.
6	Relevant mandatory considerations <ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ◦ Environmental Planning & Assessment Act, 1979 – Section 79C ◦ Muswellbrook Local Environmental Plan 2009 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ◦ Muswellbrook Development Control Plan 2010 • Planning agreements: Section 94A Contribution Plan 2010 • Regulations: <ul style="list-style-type: none"> ◦ Environmental Planning and Assessment Act 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: Council Assessment Report, Draft Conditions, Plans, RMS Response, ARTC Response, Heritage Branch Response, Written Submissions, Heritage Inventory Sheets – Loxton House & Weidmann Cottage Statement of Heritage Impact, Traffic Assessment and Acoustic Report. <u>Verbal submissions at the panel meeting:</u> Against – <ul style="list-style-type: none"> • • Support - <ul style="list-style-type: none"> • Martin Rush - Mayor
8	Meetings and site inspections by the panel: Site Inspection on 2 October 2014 and Final Briefing meeting on 2 October 2014.
9	Council recommendation: Approval
10	Draft conditions: Attached to council assessment report