

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, and Ms Jennifer Case, 10 people in the public gallery and 1 media representative

The Chair invited Ms Case to address the Panel.

Determination and Statement of Reasons

2014HCC013 – DA70/2014 – Muswellbrook Shire Council, Seniors Housing, Lots 82 and 83 DP 262392, Kamilaroi Street and Cassidy Avenue, 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 1c – add the words “the resident’s communal open space area adjoining the residential aged care facility including a children’s playground, community vegetable garden and BBQ area as shown on the landscape plan is to be provided for use by all residents of the development including the independent living units and the residential aged care facility”.

Condition 19 – specify that only Clause 41 of the SEPP is to be certified.

Condition 28 last sentence to be modified to read: “The footpath shall be extended to the corner of Rutherford Road and Cassidy Avenue.”

New Condition be included as 10a – “**Porte Cochere**

The applicant is to consider the design of the porte cochere to allow efficient operational use of this area at all times to ensure the continued use of the porte cochere is not impaired.

Separate to the determination of the DA the Panel requested Council investigate the provision of an appropriate pedestrian crossing across Rutherford Road to facilitate linkage of the Cassidy Avenue footpath with Muswellbrook Fair shopping centre at the earliest practicable opportunity.

Moved Kara Krason

Seconded: John Dyson

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Panel members:

		
Garry Fielding (Chair)	Jason Perica	Kara Krason
		
John Dyson		

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SCHEDULE 1	
1	JRPP Reference – 2014HCC013, LGA – Muswellbrook Shire Council, DA70/2014
2	Proposed development: Senior Housing
3	Street address: Lots 82 and 83 DP 262393 Kamilaroi Street and Cassidy Avenue, Muswellbrook
4	Applicant/Owner: Applicant -Boffa Robertson Group, Owner – Muswellbrook Shire Council
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 • Environmental planning instruments: ○ State Environmental Planning Policy No. 55 – Remediation of Land ○ State Environmental Planning Policy (BASIX) 2004 ○ State Environmental Planning Policy (Housing for Seniors of People with a Disability) 2004 ○ Muswellbrook Local Environmental Plan 2009 • Draft environmental planning instruments: Nil • Development control plans: ○ Muswellbrook Development Control Plan 2009 • Planning agreements: Section 94A Contribution Plan 2009 • Regulations: ○ 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, Development Plans, SEPP Seniors Assessment, Submissions, Statement of Environment Effects, Traffic and Parking Report, Turning Circle Diagrams, Landscape Design Report and Stormwater Management Report. <u>Verbal submissions at the panel meeting:</u> Against – • Jennifer Case Support - • 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

