



MEMORANDUM

TO: SOUTHERN JOINT REGIONAL PLANNING PANEL
FROM: DIRECTOR PLANNING AND REGULATORY SERVICES
SUBJECT: DA14/0448 – Recreation Facility (major) – Harness Racing facility including earthworks, track, clubhouse, stables and associated infrastructure at Cooramin Street, Cartwright's Hill.
DATE: 3 November 2015
DESCRIPTION: Response to recent correspondence sent to Planning Panel Members

Planning panel members and local Councillors have recently been sent correspondence regarding the above development application. The correspondence raised a number of issues which are addressed in the memo below.

Notification of the application has occurred three (3) times and based on Council records Council are confident that all affected properties have been notified. Furthermore an advert has appeared in the local newspaper and notices were placed on site. Council's records show that the first notification letters were dated 9 September 2014 and due to the integrated nature of the development a period of 28 days was given for submissions to be received. The second set of notification letters that were dated 19 December 2014 had a further extended period of notification until 21 January 2015 to take account of the Christmas closedown. The final and most recent notification letters did unfortunately note 5 October 2015 as the closing date which was a public holiday – submissions received after this date were accepted and apologies offered to those who rang to enquire about this date.

Notification of the public meeting is the responsibility of the Panel Secretariat. Council has provided the details of all those that have made a public submission both for the April 2015 meeting and the November 2015 meeting to allow the appropriate notification to occur.

The most recent period of notification included amended plans and documents hard copies of which were placed at the front counter for viewing. Some of the submissions received did make reference to the changes included in these documents so the correct documents were certainly available. It does seem that some documents have been provided electronically and that older versions of plans have been included. Whilst this is unfortunate the overall development is substantially the same and the key issues of objection would appear to remain the same. An offer to view correct plans was also offered to submitters who contacted council with a further offer of acceptance of late submissions also extended.

The matters raised regarding the objection to the development have also been raised in submissions and are detailed in the assessment report. Some specific responses are included below:-

The full reference from the flooding section (7.2) of the WWLEP2010 is as follows:

Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:

(3) will not significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties,

As detailed in the report it is considered that after assessment, there is no significant adverse flood impact as a result of this development.

Again, as detailed in the report:-

- the permissibility of the use in the RU1 zone has been demonstrated
- there is no general rule that restricts development in the flood plain
- there is an on- site stormwater detention basin that will capture run-off
- the development if approved is subject to a number of recommended conditions including the provision of a waste management plan, including how stable waste is to be managed
- the clay soil will be covered with top soil and more sandy based material to avoid exposure to wet and dry conditions.
- Council records do not indicate any endangered species or habitats on site that would be impacted by the proposed development
- the noise assessment has been prepared in accordance with appropriate legislation and conditions restricting hours of use and noise emissions have been recommended.

The Office of Water have responded to the Development Application and provided General Terms of Approval in accordance with legislation.

It is understood that [REDACTED] will make representation at the meeting on Wednesday, 11 November 2015 and raise most of these issues again during that time.

I trust that the above is of assistance

Regards



Andrew Crakanthorp
Director Planning and Regulatory Services