

HUNTER & CENTRAL COAST JOINT REGIONAL PLANNING PANEL

Meeting held at **Wyong Shire Council** on **Thursday 24 September 2015 at 4.00 pm**

Panel Members: Garry Fielding (Chair), Kara Krason, Jason Perica, Cr Lloyd Taylor and Cr Greg Best

Apologies: Nil

Declarations of Interest: Kara Krason declared a minor insignificant non-pecuniary conflict of interest in that the firm of ADW Johnson is currently engaged by other staff, within a company that Ms Krason is a permanent part-time employee of, to provide consultancy services on an unrelated project. This does not involve the planning team of ADW Johnson who are presenting to the JRPP on this application.

Determination and Statement of Reasons

2015HCC006 – Wyong Shire Council, DA/171/2015, Hardware and building supplies development (Bunnings) ancillary food and drink premises including demolition, remediation and ancillary works as well as the consolidation of lots, Lot 2 DP 24696 and Lots 5 & 6 DP 738274, 80-90 Pacific Highway (Corner Chelmsford Road), Charmhaven.

Date of determination: 24 September 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 and the matters observed at site inspections listed at item 8 in Schedule 1.

Reasons for the panel decision:

1. The use is permissible in the zone and is consistent with the objectives of the zone.
2. The site is suited to the use.
3. The facility will provide a service to the local and wider community.
4. The real and potential impacts of the proposal are able to be appropriately regulated by conditions of consent.
5. The pylon signs were not considered appropriate or acceptable having regard to the other signage proposed with the building, the nature of the site, exposure of the proposed signage, nature of surrounding development and the aims, objectives and considerations within SEPP 64 (Advertising & Signage).

Decision: The development application was approved subject to the conditions in the Council Assessment Report and subject to a new condition requiring the deletion of the two proposed pylon signs and a condition to clarify that the demolition only relates to structures existing on the site at the date of determination.

Panel members:

 Garry Fielding	 Kara Krason	 Jason Perica
 Lloyd Taylor	 Greg Best	

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SCHEDULE 1

1	JRPP Reference – 2015HCC006, LGA – Wyong Shire Council, DA/171/2015
2	Proposed development: Hardware and building supplies development (Bunnings) ancillary food and drink premises including demolition, remediation and ancillary works as well as the consolidation of lots.
3	Street address: Lot 2 DP 24696 and Lots 5 & 6 DP 738274, 80-90 Pacific Highway (Corner Chelmsford Road), Charmhaven.
4	Applicant/Owner: Applicant – Bunnings Properties Pty Ltd, Owner: Mr CP & Mrs CL Beresford
5	Type of Regional development: The proposed development has a CIV over \$20million.
6	Relevant mandatory considerations <ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy No. 55 – Remediation of Land ○ State Environmental Planning Policy No. 64 – Advertising and Signage ○ Wyong Local Environmental Plan 2013 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Wyong Shire Development Control Plan 2013 • Planning agreements: Nil • 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: Council assessment report with recommended conditions, plans and written submissions. Verbal submissions at the panel meeting: <ul style="list-style-type: none"> • Greg Peterson 45 Pacific Highway, Lakehaven (Objector) • Stephanie Van Dissel (ADW Johnson) on behalf of the Applicant
8	Meetings and site inspections by the panel: 24 September 2015 – Site Inspection and Final Briefing Meeting.
9	Council recommendation: Approval
10	Conditions: Attached to council assessment report as amended at the JRPP meeting.