
Memo

TO: Hunter and Central Coast Joint Regional Planning Panel (JRPP/Panel)

FROM: Priscilla Emmett
Senior Development Officer
Newcastle City Council

DATE: Wednesday 12 October 2016

SUBJECT: 2016HCC019- 12 Stewart Avenue Newcastle

Background

Development application no. 2016HCC019 has been lodged for the demolition of the existing building, construction of a five storey commercial building, associated car parking and site works. This application was presented to the Panel for determination on Thursday 22 September 2016 in accordance to Schedule 4A of the *Environmental Planning and Assessment Act 1979* (EPA Act).

The application was deferred by the Panel as it was unclear if the matter was within the jurisdiction of the JRPP. It was unclear if the Capital Investment Value (CIV) of the development included or excluded GST. The applicant submitted additional information regarding the costs of works including a revised Quantity Surveyor's report on the 23 September 2016, in response to the Panel's request and the minutes of the meeting.

The Panel reviewed the additional information and advised Council on the 30 September 2016 that they do not consider the application to be regional development due to the CIV at the time of lodgement, which was below \$20m excluding GST.

The applicant on the 20 September 2016 requested that the application be determined by the JRPP as per section 10 of Schedule 4A of the EPA Act as the application has been undetermined for more than 120 days.

Issues and Recommendation

The application was considered in detail by the Panel at meeting on the 22 September and was supported in principle. On this basis, Council has no objections to the Panel determining the application under section 10 of Schedule 4A of the EPA Act.

If the Panel resolves to determine the application, a revised set of conditions of consent are attached (changes highlighted in red). The amendments to the conditions include:

- Condition 5 of the consent has been amended to reflect the minutes of the meeting on the 22 September 2016 replacing the word 'minimum' with 'maximum'.
- Condition 8 is a new condition that reflects the comments in the relation to the driveway design from the RMS.
- Condition 2 has been amended to include the plan referenced in Condition 8. This plan is to be listed as part of the approved documentation.
- The numbering of the conditions has been amended to reflect the inclusion of condition 8 as above.