

**DETERMINATION AND STATEMENT OF REASONS  
HUNTER AND CENTRAL COAST JOINT REGIONAL  
PLANNING PANEL**

<b>DATE OF DETERMINATION</b>	8 March 2018
<b>PANEL MEMBERS</b>	Jason Perica (Chair), Michael Leavey, Cr. John McKenzie and Cr. Jason Dunn
<b>APOLOGY</b>	Kara Krason
<b>DECLARATIONS OF INTEREST</b>	Nil

Public meeting held at Travelodge Newcastle on 8 March 2018, opened at 4.00pm and closed at 4.35pm.

**MATTER DETERMINED**

Panel Ref- 2017HCC009 - LGA: Newcastle, DA Number: 2017/00402, Address: No's 53 & 55 Weakleys Drive, Beresfield (Lot 6, DP 1160356 and Lot 630, DP1180006) (AS DESCRIBED IN SCHEDULE 1).

**PANEL CONSIDERATION AND DECISION**

The Panel considered: the matters listed at item 6, the material listed at item 7 and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.





**REASONS FOR THE DECISION**

The Panel generally agreed with the environmental assessment and balance of considerations within the Council staff assessment report. The site is suited to the existing and proposed use, which has a need for central and easy access to the region for a vital community service in electricity infrastructure maintenance and support.

The proposed uses and access arrangements are logical and avoid direct access to a classified road, supported by RMS. Tree removal was appropriately offset by replacement planting and on-site detention will improve water quality and quantity flows off site. The environmental impacts have been appropriately mitigated or managed through design measures and conditions of consent.

**CONDITIONS**

The development application was approved subject to the conditions in the Council Assessment Report, as updated by amended conditions of consent circulated to the Panel dated 8 March 2018 as negotiated and agreed between the Council and the Crown applicant (which amended conditions 54 and 77 and deleted Conditions 8, 22(l) and 27-31, as published with the assessment report). Further, the reasons published with the conditions shall be amended to refer to updated Sections of the EPA Act 1979, commencing 1 March 2018, while Condition 3 shall also be amended to refer to the correct Act Section relating to Contributions.

PANEL MEMBERS	
 Jason Perica (Chair)	 Michael Leavey
 Jason Dunn	 John McKenzie

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	Panel Ref- 2017HCC009 - LGA: Newcastle, DA Number: 2017/00402
2	PROPOSED DEVELOPMENT	Demolition of building, erection of a storage facility, associated administration building, parking, wash bay and site works
3	STREET ADDRESS	No's 53 & 55 Weakleys Drive, Beresfield (Lot 6, DP 1160356 and Lot 630, DP1180006)
4	APPLICANT/OWNER	Applicant – Ausgrid/ Alpha Distribution Ministerial Holding Corporation
5	TYPE OF REGIONAL DEVELOPMENT	Crown development - General development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	Environmental planning instruments: <ul style="list-style-type: none"> <li>• State Environmental Planning Policy (State and Regional Development) 2011</li> <li>• State Environmental Planning Policy (Infrastructure) 2007</li> <li>• State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>• State Environmental Planning Policy No. 33 – Hazardous and Offensive Development</li> <li>• State Environmental Planning Policy No. 64 – Advertising and Signage</li> <li>• Newcastle Local Environmental Plan 2012</li> <li>• Draft environmental planning instruments: Draft SEPP 55</li> <li>• Newcastle Development Control Plan 2012</li> <li>• Newcastle Section 94A Development Contributions Plan 2009</li> <li>• Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i></li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>• The suitability of the site for the development</li> <li>• Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> and Regulations</li> </ul>

		<ul style="list-style-type: none"> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul>
7	<b>MATERIAL CONSIDERED BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Council assessment report, recommended conditions of consent, documents submitted with the application and RMS general terms of approval.</li> <li>• Written submissions during public exhibition: 0</li> <li>• Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>○ Support – Nil</li> <li>○ Object – Nil</li> <li>○ On behalf of the applicant – Chris Old, Lukas Junker and Matt Bandy (applicant representatives available for questions)</li> </ul> </li> </ul>
8	<b>MEETINGS AND SITE INSPECTIONS BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Briefing Meeting – 13 July 2017</li> <li>• Site inspection – 08 March 2018</li> <li>• Final briefing meeting to discuss council's recommendation, 8 March 2018 from 3.00 pm to 3.30 pm.</li> <li>• Attendees:  <u>Panel members:</u> Jason Perica (Chair), Michael Leavey, John McKenzie and Jason Dunn.  <u>Council assessment staff:</u> Damian Jaeger </li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Approval
10	<b>DRAFT CONDITIONS</b>	Attached to the council assessment report