

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

DATE OF DETERMINATION	1 February 2018
PANEL MEMBERS	Jason Perica (Chair), Michael Leavey, Stuart McDonald
APOLOGIES	Kara Krason
DECLARATIONS OF INTEREST	John McKenzie and Jason Dunn declared a non-pecuniary conflict of interest as Councillors, as the site is on Council-owned land and they had been involved in prior Council decisions related to the site.

Public meeting held at Travelodge Newcastle, 12 Steel St, Newcastle on 1 February 2018, opened at 4.45pm and closed at 5pm.

MATTER DETERMINED

2017HCC045 – Newcastle - 2017/01334 at 141 Minmi Road, Wallsend (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 material presented at meetings 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 80 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.




REASONS FOR THE DECISION

The Panel generally agreed with the balancing of environmental considerations outlined in the Council report. The proposal was in the public interest and represented leading environmental sustainability. The proposal was highly suited to the site, represented sound and rational planning and wise economic use of land. No objections were received and no negative neighbour impacts were anticipated. The Panel commended the applicant for the proposal.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report with the following amendment:

- **Condition 16** referencing the Statement of Environmental Effects be amended to also state the date, title and author of the Statement.
Reason: For clarity and certainty.

PANEL MEMBERS	
 Jason Perica (Chair)	 Michael Leavey
 Stuart McDonald	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017HCC045 – Newcastle - 2017/01334
2	PROPOSED DEVELOPMENT	Electricity Generating Works (Solar Farm)
3	STREET ADDRESS	141 Minmi Road, Wallsend
4	APPLICANT/OWNER	Newcastle City Council
5	TYPE OF REGIONAL DEVELOPMENT	Council related development over \$5 million
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 33 – Hazardous and offensive development ○ State Environmental Planning Policy No 44 – Koala Habitat Protection ○ Biodiversity Conservation (Saving and transitional) Regulation 2017 ○ Newcastle Local Environment Plan 2012 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Newcastle Development Control Plan 2012 ○ Section 94A Development Contributions Plan 2009 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil • Coastal zone management plan: Nil • 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 <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report: 18 January 2018 • Written submissions during public exhibition: Nil • Verbal submissions at the public meeting: Nil (applicant representatives attended to answer questions)
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing meeting 30 November 2017 • Site inspection 1 February 2018 • Final briefing meeting to discuss council's recommendation, 1 February at 3:30 pm. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Jason Perica (Chair), Michael Leavey, Stuart McDonald ○ <u>Council assessment staff</u>: Ian Clark, Murray Blackburn-Smith
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report