

DATE OF DETERMINATION	Monday, 24 February 2020
PANEL MEMBERS	Alison McCabe, Juliet Grant and Sandra Hutton
APOLOGIES	None
DECLARATIONS OF INTEREST	Peter Epov, David Keegan and Jan McWilliams declared a conflict of interest as they are councillors on Mid-Coast Council and this application has been discussed during Council meetings

Public meeting held at Mid-Coast Council Taree on 24 February 2020, opened at 1:30 pm and closed at 3:25pm.

MATTER DETERMINED

PPSHCC-16 – Mid-Coast Council – 205/2020/DA at 2 Biripi Way Taree South – fit out of a Council facility (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 briefings and the matters observed at site inspection listed at item 8 in Schedule 1.

The panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

Development application

The panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979* subject to the conditions attached to the Council assessment report and the following changes:

1. Amend Condition 19 to read as follows:

Implementation of the Landscape Plan

The registered proprietor of the land or their agents, shall fully implement and maintain in perpetuity all of the required actions in the final landscape plan. The occupation certificate shall not be issued until such time as the required landscape, set out in the relevant plan has been appropriately established.

2. Amend Condition 20 to read as follows:

Completion of carparking areas and provisions of signs

Prior to the issue of an occupation certificate the carparking areas must be constructed in accordance with the approved plans, fully line marked, and provided with lighting in accordance with AS 1158 lighting for roads & public spaces.

3. Addition of the following conditions:

- a) The café is to operate between the hours of 7am to 7pm, Monday to Friday.
- b) The seating capacity to be restricted to a maximum of 60 seats (inclusive of both internal and external).

- c) Council is to provide a return shuttle service from a central point in the Taree CBD to the Council premises and back, on the date of any Ordinary Council Meeting and/or advertised public meeting to facilitate access. This includes the access to the open and public forums. The service is to be in place for the first meeting held on the premises.
- d) No approval is granted for any signage or use/fitout of the area referred to on plans DA 2010 as future fitout.

The decision was unanimous.

REASONS FOR THE DECISION




- The site is suitable for the proposed use as a Public Administration Building.
- Additional measures have been included to facilitate public access.
- The economic and social impacts of the development are not unreasonable.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel considered written submissions made during public exhibition and heard from all those wishing to address the panel. The panel noted that issues of concern included:

- Permissibility and Zone Objectives
- Loss of services
- Access issues
- Site selection process, cost of development and cost to ratepayers
- Exhibition process
- Economic and social impact to broader community
- Traffic impacts and adequacy of the traffic assessment

The Panel considers that concerns raised by the community relevant to the proposed development have been adequately addressed in the assessment report and additional conditions. The Panel clarified that they considered the categorisation of the use as a Public Administration Building - not a business or office premises. The Panel was satisfied that the traffic counts were taken outside of school holidays.

PANEL MEMBERS	
 Alison McCabe (Chair)	 Juliet Grant
 Sandra Hutton	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSHCC-16 – Mid-Coast Council – 205/2020/DA
2	PROPOSED DEVELOPMENT	Change of Use and Fitout - Public Administration Building
3	STREET ADDRESS	2 Biripi Way Taree South
4	APPLICANT/OWNER	KDC Pty Ltd (Owner) MidCoast Council (owner)
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 (Coastal Management) 2018 State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy (State and Regional Development) 2011 State Environmental Planning Policy No 55 – Remediation of Land Greater Taree Local Environmental Plan 2010; Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Greater Taree Development Control Plan 2010; Greater Taree Development Contributions Plan 2016 Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: 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: December 2019 Written submissions during public exhibition: twenty-eight (28) and additional late submissions Verbal submissions at the public meeting: <ul style="list-style-type: none"> In objection – John Butterworth, Debbie Cramp, Katrina Pearson and Samantha Green on behalf of NO MidCoast Council MOVE TO MASTERS, Christine Stanton, Terry Stanton and Nawal Maharaj On behalf of the applicant – Clare Brennock and Alex Scollen
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Site inspection: 24 February 2020 <ul style="list-style-type: none"> <u>Panel members</u>: Alison McCabe, Juliet Grant and Sandra Hutton <u>Council assessment staff</u>: Bruce Moore, Petula Bowden, Richard Wheatley and Greg Blaze Final briefing to discuss council's recommendation, 24 February 2020, 12:30 pm. Attendees: <ul style="list-style-type: none"> <u>Panel members</u>: Alison McCabe, Juliet Grant and Sandra Hutton <u>Council assessment staff</u>: Bruce Moore, Petula Bowden, Richard Wheatley and Greg Blaze
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report