

COUNCIL ASSESSMENT REPORT

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| Panel Reference | 2019HCC-4 |
| DA Number | 16-2019-445-1 |
| LGA | Port Stephens |
| Proposed Development | Commercial premises (multiple-tenancies), medical centre, retail premises (pharmacy), centre-based childcare facility (126 place), site works, civil works, signage, landscaping and one into four lot Torrens title subdivision. |
| Street Address | 795 Medowie Road, Medowie 2318 |
| Applicant/Owner | Applicant – Medowie Retail Unit Trust Owners – Port Stephens Council |
| Date of DA lodgement | 16/07/2019 |
| Number of Submissions | Nil |
| Recommendation | Approval with conditions |
| Regional Development Criteria (Schedule 7 of the SEPP (State and Regional Development) 2011 | The proposal is listed within Schedule 7, Part 3 of the State Environmental Planning Policy (State and Regional Development) 2011, being a Council related development with a capital investment value over \$5 million. |
| List of all relevant s4.15(1)(a) matters | Environmental planning instruments: s4.15(1)(a)(i) <ul style="list-style-type: none"> State Environmental Planning Policy No.55 – Remediation of Land State Environmental Planning Policy (State and Regional Development) 2011 State Environmental Planning Policy No 44—Koala Habitat Protection State Environmental Planning Policy (Educational Establishment and Child Care Facilities) 2017 State Environmental Planning Policy 64 – Advertising and Signage State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 Port Stephens Local Environmental Plan 2013 (PSLEP2013) Development Control Plan: s4.15(1)(a)(iii) <ul style="list-style-type: none"> Port Stephens Development Control Plan 2014 (DCP2014) |
| List all documents submitted with this report for the Panel's consideration | Attachment 1 – Development Plans Attachment 2 – General Terms of Approval from Rural Fire Service (RFS) Attachment 3 – Recommended Conditions of Consent Attachment 4 – Schedule of Appendices for application supporting documentation Attachment 5 – External agency advice from Department of Defence Attachment 6 – External agency advice from Hunter Water Corporation Attachment 7 - External agency advice from Ausgrid |
| Report prepared by | Dylan Mitchell (Senior Development Planner) |
| Report date | 4 March 2020 |

Summary of s4.15 matters

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report?

Yes

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report?

Yes

e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP

Clause 4.6 Exceptions to development standards

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| If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? | Not Applicable |
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Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S7.24)?

Not Applicable

Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions

Conditions

Have draft conditions been provided to the applicant for comment?

Yes

Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report