

RECORD OF DEFERRAL

HUNTER & CENTRAL COAST REGIONAL PLANNING PANEL

DATE OF DEFERRAL	24 March 2020
PANEL MEMBERS	Alison McCabe (Chair), Juliet Grant and Tim Fletcher
APOLOGIES	Paul LeMottee and Ryan Palmer
DECLARATIONS OF INTEREST	Sandra Hutton declared a conflict of interest as her employer has had other staff involved with the site. Ms Hutton did not have any involvement with the project, and has not participated in any Panel discussion on this application. Chris Doohan, Giacomo Arnott and John Maretich also declared a conflict of interest.

Public meeting held at Port Stephens Council on 18 March 2020, opened at 4.10pm and closed at 5:20pm.

MATTER DEFERRED

PPSHCC-4 – Port Stephens Council – DA 16-2019-445 at 795 Medowie Road, Medowie – commercial development (as described in Schedule 1)

REASONS FOR DEFERRAL

The panel determined that Development Application 16-2019-445 for a commercial premises, medical centre, retail premises, childcare facility, civil and subdivision works at 795 Medowie Road, Medowie be deferred for the following information:




- Amended plans that provide:
 - i. Details of servicing (garbage, loading and unloading) on site for all premises, and provision for bicycle and motorcycle parking.
 - ii. Redesign of the retaining wall to Peppertree Road and Muir Street so that the height is reduced so it is no more than 1m high within 1.5m of the boundary, or alternatively, a redesign that provides an appropriate presentation to the street.
 - iii. Additional cross sections and long sections that demonstrate the relationship of the development to the residential boundaries and adjoining Woolworths site and approved service station.
 - iv. Drawings that show the height of the proposed retaining walls relative to adjoining properties.
 - v. Revised location of public art.
- On receipt of the additional plans Council prepare a supplementary report including appropriate conditions.
- That the matter be determined electronically.

The decision was unanimous. The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

REASONS FOR THE DECISION

- The retaining wall to Peppertree Road and Muir Street results in a poor streetscape presentation.

- There is insufficient detail to accurately understand the buildings relationship to adjoining properties.
- Servicing arrangements for parts of the proposed development are inadequate and better design solutions are required.

PANEL MEMBERS	
 Alison McCabe (Chair)	 Juliet Grant
 Tim Fletcher	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSHCC-4 – Port Stephens Council – DA 16-2019-445
2	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
3	STREET ADDRESS	795 Medowie Road, Medowie
4	APPLICANT OWNER	Medowie Retail Unit Trust Port Stephens 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 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 No 64 – Advertising and Signage State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 Port Stephens Local Environmental Plan 2013 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Port Stephens Development Control Plan 2013 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: 4 March 2020 Written submissions during public exhibition: nil Verbal submissions at the public meeting: <ul style="list-style-type: none"> Council assessment officer – Dylan Mitchell and Rean Lourens On behalf of the applicant – Peter Childs, Chris Speek, Steve O'Connor
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: 25 September 2019 <ul style="list-style-type: none"> <u>Panel members</u>: Stuart McDonald (Chair), Mark Grayson and Chris Doohan <u>Council assessment staff</u>: Ryan Palmer and Rean Lourens Site inspection: 18 March 2020 <ul style="list-style-type: none"> <u>Panel members</u>: Alison McCabe (Chair), Juliet Grant and Tim Fletcher <u>Council assessment staff</u>: Dylan Mitchell

		<ul style="list-style-type: none"> Final briefing to discuss council's recommendation, 18 March 2020, 3pm. Attendees: <ul style="list-style-type: none"> <u>Panel members</u>: Alison McCabe (Chair), Juliet Grant and Tim Fletcher <u>Council assessment staff</u>: Dylan Mitchell
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report and amended by Council on 11 March 2020