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Sent: Saturday, 30 April 2011 10:14 AM

Subject: Medowie Supermarket DA. An update on what occurred on Friday night 29th April re an extraordinary Council meeting.

Dear MPA members and Supporters.

Medowie Supermarket DA. An update on what occurred on Friday night 29th April re an extraordinary Council meeting.

I confirm that the development application had already been approved by Councilors despite Councils Staff's strong recommendation for refusal, it failed to meet almost all of the Medowie strategy guidelines for our commercial area.

Frank Ward, Peter Kafer and Geoff Dingle moved a rescission motion to bring the conditions of consent for the Medowie Shopping Supermarket site back before Council. Our intention was to return to the Council Planning Staff conditions of consent. These conditions had been prepared with the intention of gaining some measure of improvement over the dysfunctional DA presented to Council.

Cr Tucker and Mackenzie met with the Planning Staff and the Developers representative on the 15th April and negotiated three pages of amendments into the conditions of consent in what I believe is an attempt to reduce costs and convenience to the developer, this was despite the fact that the Sustainable Planning Manager, David Broyd announced on the 12th April that the Developer was okay with all conditions with exception of those relating to traffic management and water retention.

Last night was the last opportunity for Cr Mackenzie and Tucker to use the Mayors casting vote, which they do with monotonous regularity. Cr Tucker is on leave from the 2nd May to the 5th June. Hence the extraordinary meeting called by the Mayor, noting the rescission motion was the one and only item on the business paper. Normal practice is for rescission motions to be attached to the next Council business agenda, that has been my experience over 7+ years.

Cr Francis registered initially her non-attendance at the meeting then turned anyway to support Cr Nell who doggedly announced to me that he doesn't like to miss meetings despite having been absent from meetings while on leave numerous times including 2011. The net result was eight Councilors attended so they had a quorum to go ahead with the meeting and rescission motion was not supported. The amended conditions of consent by "friends" of the developer are what will be incorporated in the development with no option available to us other than to publically express our outrage to make any changes. It is notable

that Cr Tucker and Jordan both formally declared themselves “friends” of the developer (Managing Director) on four meeting occasions, but voted on every motion related to this DA making changes to conditions consent in favour of the developer.

The only sticking point is that the developer is still very unhappy about having to retain storm water on the site; Cr Tucker attempted to effectively remove this condition and allow the water to be dumped directly into Camp vale drain however this was withdrawn. I suspect pro DA supporters recognised the potential for negative community reaction to this irresponsible action. The Developer now argues this condition places the development at risk. Applications for expression of interest in funding this development closed on the 14th April so it will be interesting to see if a benefactor comes forward.

The Bi Lo complex has had an approved DA for expansion in place for 18 months and the decision to go ahead to increase the floor space by 50% and upgrade parking on multiple levels and improve infrastructure is yet to be made by Coles. It's a bit of waiting game between Coles and Woolies to see who will move first. I very much doubt that two major Supermarkets will both survive a struggle to the bottom so let's hope we don't end up with another Tanilba Bay scenario in Medowie, but it's very much on the cards.

I have tried very hard to get a good outcome for Medowie in this exercise and will no doubt be criticized in many circles by residents who just don't understand the issue which has not been articulated well by the local media. The suggestion I'm anti-development and anti the Woolies Supermarket is a beat up to redirect attention from Councilors who are actively interfering with due process. To quote: I moved the motion to have the Peppertree site rezoned as part of our Commercial shopping area and worked hard to pressure any potential Supermarket away from remote location such as Kirrang Dr. and Yulong oval. 98% of the development applications that come to Council go directly to staff for approval under delegated authority, only the controversial applications ever come before Council and you can count them on two hands over a twelve month period, this is not well understood by our ratepayers.

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Regards

Geoff Dingle