

RECORD OF DEFERRAL

HUNTER & CENTRAL COAST REGIONAL PLANNING PANEL

DATE OF DEFERRAL	1 November 2018
PANEL MEMBERS	Jason Perica (Chair), Kara Krasen, Julie Savet Ward, John MacKenzie
APOLOGIES	Michael Leavey & Jason Dunn
DECLARATIONS OF INTEREST	None

Public meeting held at Travelodge Newcastle 12 Steel Street Newcastle West 2302 on 1 November 2018, opened at 2:00pm and closed at 6:06pm.

MATTER DEFERRED

2018HCC028 – Newcastle City Council – DA2018/00622 at 430 Hunter Street Newcastle NSW 2300 (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 inspections listed at item 8 in Schedule 1.

The Panel decided to defer determination of the development application.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel agreed with the assessment of environmental considerations and recommendation for approval within the Council staff report. The proposal was suited to the site, complied with planning controls and was an appropriate response to the site's context. The proposal was also considered to be of good design. The development was likely to have positive social and economic outcomes and would be an asset for the area.

However, there were slightly revised plans submitted well prior to the meeting, though after writing of the report (dealing with internal structural issues) which did not form part of the assessment report considered by the Panel. Further there were many proposed revisions to the recommended conditions of consent from Council staff prepared in response to requests for changes/comments from the applicant, tabled just prior to the meeting. There was also further information submitted by the applicant to Council the day prior to the meeting in relation to the conditions which would require assessment. The Panel did not have adequate information and time to properly determine these late matters, not did the Panel have a supplementary assessment report in relation to the amended plans and changes to conditions, so deferral was appropriate, with the subsequent determination able to be done by electronic means. Further consideration should also be given to the timing of conditions relating to de-contamination.

TERMS OF DEFERRAL

The development application be deferred, and a report on any previously submitted revised plans that incorporate minor changes, as well as revisions to recommended conditions be provided by Council staff as soon as practicable (within 2 weeks), for the subsequent consideration and determination of the Panel by electronic means. This report is also to consider the conditions relating to the timing, auditing and validation of remediation, consistent with regulatory requirements.

PANEL MEMBERS



Jason Perica (Chair)



Kara Krason



Julie Savet Ward



Cr. John MacKenzie

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018HCC028 – Newcastle City Council – DA2018/00622
2	PROPOSED DEVELOPMENT	Erection of five-storey mixed use development, comprising 30 affordable rental apartments, three commercial tenancies, site remediation and tree removal
3	STREET ADDRESS	430 Hunter Street Newcastle
4	APPLICANT/OWNER	Applicant: Stimson & Baker Planning Owner: Hunter Development Corporation
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities 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 (Building Sustainability Index: BASIX) 2004 State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development State Environmental Planning Policy (Affordable Rental Housing) 2009 State Environmental Planning Policy No. 55 – Remediation of Land State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 State Environmental Planning Policy (Coast Management) 2018 Development control plans: <ul style="list-style-type: none"> Newcastle Development Control Plan 2012 Section 94A Development Contributions Plan 2009 Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: 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 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: 25 October 2018 Written submissions during public exhibition: one support letter Verbal submissions at the public meeting: <ul style="list-style-type: none"> Support – Nil Object – Nil On behalf of the applicant – Warwick Stimson, David Risbey, Peter O'Doghue & Sean Morgan
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Site inspection and briefing 25 October 2018 Final briefing to discuss council's recommendation, 25 October 2018, 2:00pm. Attendees: <ul style="list-style-type: none"> <u>Panel members</u>: Jason Perica (Chair), Kara Krason, Julie Savet Ward, John MacKenzie <u>Council assessment staff</u>: William Toose
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report

