

## RECORD OF APPLICANT BRIEFING

HUNTER AND CENTRAL COAST REGIONAL PLANNING PANEL

### BRIEFING DETAILS

BRIEFING DATE / TIME	12 August 2020, 1:45pm and 5:00pm Site inspection undertaken before briefing
LOCATION	116 Adelaide Street (old Pacific Highway) Raymond Terrace NSW 2324

### BRIEFING MATTERS

**PPS-2018HCC047 – Port Stephens – DA 16-2018-772-1** - 3221 Pacific Highway and 35 Six Mile Road Kings Hill - Concept development application for Torrens title subdivision – 1900 lots (including residential, 6 mixed use lots, 1 local centre, parks and a school site) and Stage 1 subdivision works for site preparation and clearing

**PPSHCC-34 – Port Stephens – DA 16-2020-81-1** - 17D Irrawang Street, Raymond Terrace (multiple other properties) - Kings Hill Water and Sewer Infrastructure

### PANEL MEMBERS

IN ATTENDANCE	Alison McCabe (Chair) and Sandra Hutton
APOLOGIES	N/A
DECLARATIONS OF INTEREST	Juliet Grant, Ryan Palmer, Chris Doohan, Paul LeMottee, Giacomo Arnott, Steve Peart and John Maretich

### OTHER ATTENDEES

COUNCIL ASSESSMENT STAFF	Ryan Falkenmire and Rean Lourens
APPLICANT	Adam Smith, Mark Aitkens, Jason Wasiak and Wesley Chong

### KEY ISSUES DISCUSSED

- Scope of Concept Approval

The Panel requested clarity from the applicant on the scope of and works proposed in the concept stage of the application including:

- Extent of urban footprint

The applicant explained that the concept stages relates to the urban footprint that largely conforms to the zoning of the site. The applicant has proposed to allocate some sensitive areas, which are zoned residential and were previously included in the urban footprint, to conservation.

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The further investigations that are being undertaken to ascertain the potential impacts from the neighbouring waste management facilities on Precinct 6 will be addressed by the applicant. This may result in the reduction of the urban footprint to ensure the potential impacts are taken into consideration and/or further justification on why concept approval should pre-empt clearing (Stage 1 works) and development in absence of a clear understanding that land use conflicts are capable of being appropriately managed.

The applicant also stated that a numerical yield was not a critical part of the application and the number of dwelling sites would be dictated by the future detailed development applications.

The infrastructure included in the concept approval largely relates to the collector road and bus route network and shared pedestrian cycle links, generally consistent with adopted DCP structure planning (other than one location as explained by applicant that will be assessed as part of the concept relating to northern connection in western part of site). The applicant explained that local road connections are indicative only and not for approval.

- External road upgrade works

The applicant explained that the initial stages of the concept can be serviced via Newline Road and Six Mile Road, as provided for by the State VPA. This would require upgrades to provide an intersection to Newline Road and allow for flood free access. Details on the potential impacts of these roadworks have not been provided and the applicant will provide additional information to ensure that these matters can be assessed as part of the concept.

- Part 5 Application for infrastructure

Part 5 assessments have been prepared for both the Pacific Highway intersection upgrades and the Grahamstown Dam stormwater diversion channel (identified as enabling infrastructure for the URA) and the applicant advised they are in the final stages of assessment by state agencies, as per arrangements in the State VPA.

The assessment report for this project will include a detailed discussion of these assessments and any finding that may impact on the future servicing of the URA.

- Stormwater infrastructure

The applicant is to confirm if stormwater strategy (incorporating stretch targets for purpose of managing impacts to Irrawang Swamp and Wetland 803) and infrastructure locations forms part of the application. If so, the stormwater strategy is to be supported by a planning assessment justifying the location of basins in terms of land use planning, zoning and also relative to classified watercourses and relevant guidelines.

It was noted by the Panel the location of some basins compromises large portions of B4 zoned land, which may create land use conflicts, and not reflect the desired outcomes of the zone for the URA.

- Use of B4 land

Questions were raised by the Panel in regard to land use planning and design for the B4 mixed use zones. Some areas of B4 land were included in the conservation area and support large stormwater basins. The applicant is to justify how the concept proposal addresses the strategic intent and land use objectives for the B4 zoned land. If B4 land is to be omitted and not developed due to site constraints and/or stormwater strategy, a justification needs to be

provided that demonstrates there is sufficient commercially and mixed use zoned land to support the development of the URA.

- Scope of Stage 1 works

- The Panel requested clarity from the applicant on the works proposed. The application must clearly delineate what forms part of the concept proposal - what approval is being sought for.
- The applicant provided details on the vegetation management detailed in the Vegetation Management Plan (VMP) and Biodiversity Management Plan (BMP). This would involve some vegetation clearing within the urban footprint prior to the approval of the detailed development applications.
- A clear understanding will be provided by the applicant that can be translated into conditions of consent to ensure the responsible / sustainable clearing of land.

- Approach to Biodiversity Issues

The applicant outlined that a primary objective of the application is to identify, assess and implement a site-wide conservation framework, and to establish a conservation area. The Panel was informed that the application has been prepared under former planning provisions (*Threatened Species Conservation Act 1995*) and to demonstrate no significant impact so as to not require concurrence from the now Biodiversity Conservation Division of DPIE (formerly OEH). The Panel understand that a decision on no significant impact is one for the consent authority to make, and a peer review of the ecological work, commissioned by Council as part of their assessment, has been undertaken – details of which will be included in any assessment report. The applicant advised that impacts and conservation measures relating to Koalas, and relevant statutory assessments for them specifically, are included in the ecological work.

- Contributions

The Panel requested clarity from Council on the progress with the s7.11 Contributions Plan applicable to the URA.

Council staff stated that negotiations relating to the contributions plan is currently being prepared and will be finalised prior to the lodgement of the detailed development applications. This includes upgrades to regional infrastructure (parks and libraries) and upgrade works to the Raymond Terrace town centre.

- External agency consultation

Council staff provided an update on the external agency referrals.

All Integrated approvals and other agency comments have been received and will be incorporated into the assessment report.

- Issues associated with neighbouring waste management facilities to be addressed.

The applicant provided an update on the ongoing odour and gas migration investigations. Refer also to earlier notes.

The Panel requested that details of all relevant approvals be reported and considered in assessment of land use compatibility/conflict.

- Voluntary Planning Agreements

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The Panel noted they are unable to make decisions that impact on Council financially and any VPA is to be endorsed or executed by Council.

Details of the VPA will need to be included in the report particularly if it is a mechanism to satisfy ecological/biodiversity considerations. This is relevant to how land is to be held or managed.

- Offsite Infrastructure

The Panel will require sufficient information to determine the impacts or otherwise of any offsite infrastructure relied on by the development, refer also above .

- Documentation

The Panel requested an overlay of the proposal on the site to assist in understanding of the concept. This should also include clear information to understand what works sit within what zone – particularly E2 Environmental Conservation.

**TENTATIVE PANEL MEETING DATE:** October for Kings Hill Water and Sewer infrastructure, TBC for Concept Application.