



BRIEFING DETAILS

BRIEFING DATE / TIME	Wednesday, 11 August 2021, 9:30am and 3:30pm
LOCATION	MS Teams videoconference

BRIEFING MATTERS

PPS-2019HCC021 – Lake Macquarie City Council – DA/2087/2018 - 10 & 10C Woodford Street, Cameron Park - Link Road North - 1063 Lot Residential Subdivision

PPS-2019HCC006 – Newcastle City Council – DA2018/01351 - 144 Woodford Street Minmi - Demolition of dwelling, 962 lot subdivision including roads, open space, stormwater, utilities and bulk earthworks

ATTENDEES

PANEL MEMBERS:	Alison McCabe (Chair), Chris Wilson, Jason Pauling (Lake Macquarie LGA only), Roberta Ryan (Lake Macquarie LGA only), John MacKenzie (Newcastle LGA only) and Peta Winney-Baartz (Newcastle LGA only)
LAKE MACQUARIE CITY COUNCIL:	David Pavitt, Amy Regado and Elizabeth Lambert
CITY OF NEWCASTLE COUNCIL:	Brian Cameron, Priscilla Emmett, Tracey Webb and Olivia Magrath
DEPARTMENT OF PLANNING, INDUSTRY AND ENVIRONMENT:	Leanne Harris, Jane Gibbs and Lisa Foley

KEY ISSUES DISCUSSED

The Panel called for a combined briefing due to the connected nature of these two DAs, which function as a large subdivision that covers land in two Local Government Areas (LGAs).

Each Council gave an overview of their respective DAs, background and history of the application process as well as the overall Part 3A Major Project approval, as subsequently modified.

It was noted that earlier stages had been approved and commenced in each LGA. Urban Design Guidelines for the project have been approved and s34A biodiversity certification for the project is in place. The DAs were the subject of lengthy Land and Environment Court proceedings and were scheduled for a 10 to 12 day hearing until the proceedings were withdrawn in June 2021 and the DAs returned to the Panel for determination. Both Councils have received a package of amended DA documentation and have recommenced the assessment process.

The DAs are not integrated but in accordance with the conditions of the Major Project several State agencies need to be satisfied. Both Councils are currently undertaking external referrals including TfNSW, RFS, Subsidence Advisory NSW, DPI Water and NPWS. Each DA is in receipt of a Satisfactory Arrangements Certificate for State Infrastructure Contributions in accordance with the relevant LEPs.

Key issues that have been the subject of significant negotiations and discussions as part of the Court process include:

- The location and sharing of two major recreation facilities across the site which has been difficult due to the steep terrain, however locations have now been approved by DPIE which are both in the Newcastle LGA
- Flooding and stormwater management
- Bushfire management
- Contamination
- Mine subsidence
- Traffic management and road upgrades
- Management of heritage items
- Relationship to existing isolated properties within the subdivision footprint
- Relationship with the adjoining Blue Gum Hills National Park
- Adequacy of local parks
- Relationship with Summer Hill Waste Management Facility in the Newcastle LGA

The above matters now need to be subject to further consultation with external agencies, internal stakeholders and further Council assessment.

In addition to the above the following matters require further assessment and resolution:

- The logistics surrounding the delivery of the two major recreation facilities including a possible VPA and agreement between the two councils.
- Major traffic upgrades on the regional road network and TfNSW's position.
- The location and design of a possible southern road connection to the Summerhill Waste Management Facility and the status of this in relation to the current DA documentation.
- Suitable buffer arrangements for noise and odour adjacent to Summerhill Waste Management Facility.
- The status of Garden House Park in the context of the Major Project approval and Council's position as to whether it is required for recreation purposes.
- The location and alignment of the cycleway and its relationship between the approved recreation facility site and the requirements of the Concept Approval (Condition 1.10).
- The concurrent modification of the approved Stage 1B DA (DA2015/10393) to accommodate the approved major recreation facility site.

KEY PANEL CONSIDERATIONS / THRESHOLD MATTERS

The Panel needs to clearly understand the relationship between the proposed DAs and the Major Project approval and conditions. The Panel must be satisfied that the DAs are generally in accordance with the approval and whether any modifications are needed.

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The Panel needs clarity over the acceptance of the delivery of the major recreation facilities and if there is a VPA this needs to be progressed so that it can properly be considered in parallel to the assessment process.

The Panel needs to understand the regional traffic implications and TfNSW's role and requirements (concurrence etc). This needs to be in terms of the existing Concept Approval as well as the contributions already made to the SIC under the satisfactory arrangements clause of both LEPs.

The Panel need to understand the requirements of the biodiversity certification and impacts on the subdivision design, particularly in relation to works within the E2 lands and the location of the major recreation facilities.

Any contamination assessment must comply with the requirements of SEPP 55.

Off site and boundary impacts need to be clearly articulated and assessed including civil design, location of retaining walls, fences and the like and any vegetation removal and other impacts associated with utility provision and road infrastructure upgrades need to be dealt with in the assessment.

The Panel needs clarity over mine subsidence and how this is to be managed.

NEXT STEPS

Council is to further review the submitted material and prepare RFIs as necessary.

A briefing with TfNSW is considered warranted and can be scheduled following receipt of formal Agency comments.

The Panel will give further consideration to the need for an applicant briefing and will undertake a site inspection when able to do so.

The Panel considers that the joint briefing has been very helpful and expects a continued level of coordination between the councils given the complexities and inter-relationship of the DAs.

The timing for the next briefing will be set in consultation with both councils for later this year and at that stage the Panel will seek to set timeframes for the determination process given the existing age of the DAs.

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