

BRIEFING DETAILS

BRIEFING DATE / TIME	Wednesday, 5 May 2021, 9:30am and 10:40am
LOCATION	Via MS Teams videoconference

BRIEFING MATTER

PPS-2019HCC014 – MidCoast Council – DA 100/2019 - 90 Viney Creek Road (E), Tea Gardens

226 lot subdivision / 226 lot torrens title subdivision, 2 public reserves and bulk earthworks. Subdivision to be undertaken in 2 precincts with multiple construction stages occurring within each precinct. Precinct 1 - 153 lots, precinct 2 - 42 lots, precinct 3 - 31 lots

PANEL MEMBERS

IN ATTENDANCE	Alison McCabe (Chair), Sandra Hutton, Karen Hutchinson and Troy Fowler
APOLOGIES	Juliet Grant
DECLARATIONS OF INTEREST	None

OTHER ATTENDEES

COUNCIL ASSESSMENT STAFF	Lisa Proctor, Adam Matlawski, Bruce Moore, Paul DeSzell and Martin Tooze
DEPARTMENT	Leanne Harris and Lisa Foley

KEY ISSUES DISCUSSED

- The development is mapped as an Urban Release Area and a Satisfactory Arrangements Certificate is required. The applicant has commenced the process for the State VPA.
- A VPA with the Council to cover conservation outcomes has been executed.
- 'Paper' road to be acquired by applicant – process underway.
- The State VPA cannot be finalised until title issues have been resolved in relation to the paper road and there have been ongoing negotiations between Council and the applicant regarding land values which are yet to be agreed upon and are protracted.
- There is a question regarding permissibility of the basin and roads in the E2 zoned land – normally prohibited but may be permissible via the Infrastructure SEPP. This is to be specifically detailed and addressed in the assessment report.
- The Council needs to be clear about their reasons for supporting basins etc in the E2 land. Although these works may be permissible their location needs to be justified and assessed.
- There is significant objection – the community were expecting a rural-residential density but the land has been rezoned to provide for a residential outcome. The proposal is consistent with the LEP controls but not the DCP. The Panel needs to understand the reasoning behind the DCP controls.
- Proposed road network and traffic impacts onto Myall Road have been raised by the community.

- The interface and boundary of the proposed development with the existing development to the south is of significant concern. This includes the fire trail appearance and position. There is a need for clear diagrams of the sections (not just engineering sections) including the relationship of the existing houses to the proposed lots.
- The application needs to consider interface treatments such as fencing and landscaping to address the transition from residential to rural residential.
- There should be a detailed visual impact assessment of the likely impacts on the lots to the south.
- Retention of vegetation should be considered as part of the subdivision design.
- The Council's assessment report will need to deal with the previous 77 lot subdivision and its status.
- Given the age of the BDAR an update is considered necessary.
- Given the length of time that the application has been in and the deficiencies in documentation, the application is to be brought to the Panel for determination based on the information that Council has before it now.
- The Panel requested that assessment report to be completed in June.
- Fourteen unique objections – a public meeting will need to be held.

TENTATIVE PANEL MEETING DATE: June 2021