



RECORD OF DEFERRAL

HUNTER & CENTRAL COAST REGIONAL PLANNING PANEL

DATE OF DEFERRAL	1 June 2023
PANEL MEMBERS	Roberta Ryan (Chair), Tony McNamara and Susan Budd
APOLOGIES	None
DECLARATIONS OF INTEREST	Alison McCabe declared a conflict of interest as she has worked with the applicant Allam Homes in relation to another site. Alan Tickle, David West and Kathryn Bell declared conflicts of interest as they are all Councillors of MidCoast Council, and Council was the landowner at the time that this DA was lodged.

Public meeting held by teleconference on 30 May 2023, opened at 3pm and closed at 3:55pm.

MATTER DEFERRED

PPSHCC-127 – Mid-Coast – DA2022/0214 at 40-80 Chapmans Road, Tuncurry – manufactured housing estate (as described in Schedule 1).

REASONS FOR DEFERRAL

The Panel considered the matters listed at item 6, the material listed at item 7 and the material presented at the briefings and public meeting as well as the matters observed at the site inspection listed at item 8 of the attached schedule.

The Panel deliberated on the matter and agreed unanimously to defer determination of the matter.

The Panel noted that the Council's assessment report raised issues with the adequacy of the information lodged including information critical to the assessment of the application.

The Panel also noted the comments of the Applicant that information could be provided to address the draft reasons for refusal and the outstanding issues raised by Council within a short timeframe.




The Panel determined that all information critical to the assessment of the application and to address the draft reasons for refusal should be provided in a timely manner to enable a full assessment and final determination. The Panel expect the applicant to provide one complete package of documents and that the additional information provided would not result in substantive change to the design of the proposal such as to warrant re-exhibition of the DA. Upon receipt of the information the Council will be required to submit an addendum report for the Panel's consideration.

To ensure the application progresses in a timely manner the Panel directs that:

1. Council officers to meet with representatives of the applicant in the week commencing 5 June 2023 to discuss the outstanding issues.
2. The applicant must upload a complete package of updated technical reports and supplementary material relied on in support of the application to the Planning Portal by 15th July 2023.

3. The Council is requested to upload a supplementary report to the Planning Portal by 19th August 2023.
4. When the supplementary report is received the Panel will determine the matter electronically.

If the revised information from the Applicant is not provided by the 15th July 2023 the Panel will move to determine the DA based on the information currently at hand.

PANEL MEMBERS	
 Roberta Ryan (Chair)	 Tony McNamara
 Susan Budd	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSHCC-127 – Mid-Coast – DA2022/0214
2	PROPOSED DEVELOPMENT	<p>Manufactured Home Estate, comprising:</p> <ul style="list-style-type: none"> • Filling and regrading of the land to accommodate 88 manufactured home sites together with a community club house and recreation facilities plus a maintenance shed; • Internal road works and parking for 18 vehicles provided in three separate locations through the development; • Extension of the public road network from Chapmans Road to the entry of the estate; • Landscaping of the site; • Retention of vegetation over the eastern part of the site; and • Provision of necessary services and infrastructure.
3	STREET ADDRESS	<p>Lot 100 DP 1286524 40-80 Chapmans Road TUNCURRY</p>
4	APPLICANT/OWNER	Allam MHE #3 Pty Ltd (at the time of lodgement MidCoast Council was the owner of the land)
5	TYPE OF REGIONAL DEVELOPMENT	Council related development 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 (Planning Systems) 2021 ○ State Environmental Planning Policy (Resilience and Hazards) 2021 ○ State Environmental Planning Policy (Transport and Infrastructure) 2021 ○ State Environmental Planning Policy (Housing) 2021 ○ Great Lakes Local Environmental Plan 2014 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Great Lakes Development Control Plan 2014 ○ Great Lakes Section 94 Development Contributions Plan - Great Lakes Wide ○ Great Lakes Section 94 Development Contributions Plan - Forster District • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i> • Coastal zone management plan: Nil • 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 • Any 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: 23 May 2023 • Written submissions during public exhibition: 19 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Michelle Woodford ○ Council assessment officer – Bruce Moore ○ On behalf of the applicant – Adrian Arnaudon, Susan Blake and Michael Summers

8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Kick-off Briefing: 4 May 2022 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Sandra Hutton (Chair), Juliet Grant, David West and Alan Tickle ○ <u>Applicant representatives</u>: Susan Blake, Adrian Arnaudon, Michael Hay and Mark Cerone ○ <u>Council assessment staff</u>: Adam Matlawski, Ryan Fenning, Bruce Moore, Kieran Woodall, Belinda Kennewell, Prue Tucker and Mathew Bell ○ <u>Department staff</u>: Leanne Harris, Carolyn Hunt and Lisa Foley • Briefing: 17 August 2022 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Sandra Hutton (Chair), Juliet Grant, David West and Alan Tickle ○ <u>Council assessment staff</u>: Bruce Moore and Kieran Woodall ○ <u>Department staff</u>: Leanne Harris, Carolyn Hunt, Lisa Foley and Mary Francis • Applicant Briefing: 7 December 2022 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Sandra Hutton (Chair), Juliet Grant, David West and Alan Tickle ○ <u>Applicant representatives</u>: Mark Cerone, Susan Blake and Sam Hull ○ <u>Council assessment staff</u>: Bruce Moore and Kieran Woodall <u>Department staff</u>: Leanne Harris <p><u>Note</u>: Applicant briefing was requested to provide the Panel with clarification and to respond to issues</p> • Site inspection: 22 March 2023 <ul style="list-style-type: none"> ○ <u>Panel members</u>: : Roberta Ryan (Chair), Tony McNamara and David West ○ <u>Council assessment staff</u>: Prue Tucker, Bruce Moore and Kieran Woodall ○ <u>Department staff</u>: Leanne Harris • Final briefing to discuss council’s recommendation: 30 May 2023 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Roberta Ryan (Chair), Tony McNamara and Susan Budd ○ <u>Council assessment staff</u>: Bruce Moore, Marty Tooze, Emily Nicholson and Prue Tucker ○ <u>Department staff</u>: Leanne Harris, Lisa Foley and Lisa Ellis
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	Not provided