

Record of Kick-Off Briefing Hunter & Central Coast Regional Planning Panel

PANEL REFERENCE, DA NUMBER & ADDRESS	PPSHCC-136 –DA 8/2022/450/1 - 53 and 63 Millfield Rd, Paxton
APPLICANT OWNER	DMPS Town Planning and Property Development Services Stanford Main No. 2 Pty Ltd
APPLICATION TYPE	DA
REGIONALLY SIGNIFICANT CRITERIA	Clause 6, Schedule 6 of the Planning Systems SEPP: Eco-tourist facilities over \$5 million
KEY SEPP/LEP	SEPP Resilience and Hazards, SEPP Industry and Employment, SEPP Basix, Cessnock LEP
CIV	\$ 6,343,770 (excluding GST)
BRIEFING DATE	13 July 2022

ATTENDEES

APPLICANT	Daniel McNamara, Morgan Blamey, Andrew Burns and Frank Cozzupoli
PANEL MEMBERS	Alison McCabe (Chair), Juliet Grant, Sandra Hutton, Anne Sander and Jay Suvaal
COUNCIL OFFICER	Paige Hawkins, Peter Giannopoulos and Janine Maher
CASE MANAGER	Leanne Harris
PLANNING PANELS SECRETARIAT	Carolyn Hunt, Lisa Foley and Naila Tabassum

Council is yet to undertake its full application assessment, so this record is not a final list of the issues they will need to consider in order to draft their recommendation.

The application is yet to be considered by the Hunter & Central Coast Regional Planning Panel and therefore future comment will not be limited to the detail contained within.

DA LODGED: 23 May 2022

EXHIBITION DATES: 10 June 2022 to 27 June 2022

TENTATIVE PANEL BRIEFING DATE: TBA depending on outcome of further discussion with Council and Applicant

TENTATIVE PANEL DETERMINATION DATE: TBA depending on outcome of further discussion with Council and the Applicant

KEY ISSUES AND MATTERS DISCUSSED

Cessnock Council

- Pre DA discussions were held however these primarily focussed on heritage matters associated with the site and not the eco-tourism proposal
- 3 Stage development proposed:
 1. Boundary adjustment
 2. Dwelling on one lot
 3. Adapt existing heritage buildings for eco-tourism uses on the second lot
- New access proposed from Millfield Road with a shared driveway for both lots and right of carriageway
- Council concerned with the eco-tourism definition and pathway proposed under clause 5.13 of the LEP and considers that the applicant will have difficulty meeting the requirements of this clause
- Zoned R5 – Large Lot Residential. Use is prohibited but clause 5.10 – heritage incentive provisions (applies to both lots) and provides the permissibility pathway.
- Current development consent for the boundary adjustment proposal granted by the Land and Environment Court

Applicant

- Ongoing discussions regarding this site since 2001 - previous large scale eco-tourist proposal approved but not commenced and then subsequent subdivision and approved boundary adjustment.
- Overview of the proposal, site, surrounding buildings and context
- Specialist reports submitted – complex heritage documentation including an endorsed and updated CMP and Statement of Heritage Impact
- Various environmental sustainability measures proposed (water use/reuse, energy storage and generation, natural landscaping etc)
- 2 submissions were received during exhibition – immediate neighbours and very localised issues which the applicant considers they have been able to address.

Panel

- The Panel support the approach in terms of adaptive reuse of heritage items and sensitive architectural design.
- The Panel however question the characterisation of the development as an eco-tourism development and the application pathway that has been proposed.
- Permissibility is available via clause 5.10 for any of the suggested uses and given the degree of public areas proposed this may be more properly defined as ‘tourist and visitor accommodation’ and a ‘restaurant’ or ‘function centre’.
- An eco-tourism proposal needs to meet **all** the requirements of clause 5.13 of the LEP and demonstrate connection between the development *and the ecological, environmental and cultural values of the site*. This sets a particularly high bar for the proposal and the Panel question the applicability of the environmental and ecological characteristics for this site and how all of the requirements of this clause can be met.

- Building sustainability initiatives do not necessarily satisfy the requirements of eco-tourism.
- The measures proposed are able to be included in any application.

The Panel encourage further early discussion with Council regarding these matters. If the proposal is redefined and no longer considered to be eco-tourism it will revert to a local DA to be assessed by Council. If this is the case the Panel would therefore recommend the current application be withdrawn and relodged with Council.