

## RECORD OF DEFERRAL

### HUNTER & CENTRAL COAST REGIONAL PLANNING PANEL

<b>DATE OF DEFERRAL</b>	16 February 2024
<b>DATE OF PANEL MEETING</b>	14 February 2024
<b>PANEL MEMBERS</b>	Alison McCabe (Chair), Roberta Ryan, Tony McNamara, Granville Taylor
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	Kellie Scholes declared an interest and did not participate in the meeting

Papers circulated electronically on 14 February 2024

#### MATTER DEFERRED

PPSHCC-140 – Muswellbrook – DA 2022 - 095 at Wilkinson Avenue, Muswellbrook 2333 – New Grandstand (as described in Schedule 1)

#### REASONS FOR DEFERRAL

The Panel considered the matters listed at item 6, the material listed at item 7, the material presented at the meetings, and observations at the site inspections listed at item 8 in Schedule 1.

The Panel required further information to properly assess the impacts of the development in respect to flooding, stormwater management, and operation of the facility in respect to the function room and larger events. Clarification was also sought in respect to hours of operation and pedestrian pathway upgrades required to service the development.

The Panel agreed to defer the determination of the matter for the applicant to provide the following information:

- i. Survey plan and documentation of flood levels
- ii. Clarification of hours of operation
- iii. Event management details for events between 1000 and 2000 persons including likely number of such events over the year
- iv. A Stormwater Management Plan that meets AS 3500 and DCP requirements, including detention, potential reuse and GPT provision
- v. Details of how the function room will operate including at what capacity, patron numbers, hours of operation and frequency of use
- vi. Pedestrian works that are needed before the building is occupied.

These are not matters that can be properly assessed and conditioned (if required) in the absence of this information.





Once the information is received Council is to prepare a memo addressing the information and is to include recommended revised condition of consent.

The decision to defer the matter was unanimous.

## ACTIONS

To allow for the progression of the Development Application to determination, the Panel directed that:

1. The Applicant shall provide the information outlined at points i – vi and upload all documentation to the Planning Portal within three (3) weeks of the date of this decision.
2. Council is requested to provide a supplementary memo responding to the matters above, which is to be uploaded to the Planning Portal by within three (3) weeks of the upload of the Applicants required information to the Planning Portal.
3. When the updated assessment report is received the Panel will determine the application by way of electronic determination.

PANEL MEMBERS	
 Alison McCabe	 Tony McNamara
 Roberta Ryan	 Granville Taylor

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSHCC-140 – Muswellbrook – DA 2022 - 095
2	PROPOSED DEVELOPMENT	Demolition of existing Grandstand and construction of new Grandstand, amenities and function room
3	STREET ADDRESS	Wilkinson Avenue, Muswellbrook 2333
4	APPLICANT/OWNER	GHD P/Ltd / Muswellbrook Shire Council
5	TYPE OF REGIONAL DEVELOPMENT	Council related development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy (Resilience and Hazards) 2021</li> <li>○ State Environmental Planning Policy (Planning Systems) 2021</li> <li>○ State Environmental Planning Policy (Biodiversity and Conservation) 2021</li> <li>○ State Environmental Planning Policy (Transport and Infrastructure) 2021</li> <li>○ Muswellbrook Local Environmental Plan 2009</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Muswellbrook Development Control Plan 2009</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i>: Clause 61(1) - demolition</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>• The suitability of the site for the development</li> <li>• Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Council assessment report: 6 February 2024</li> <li>• Revised Council assessment report: 14 February 2024</li> <li>• Written submissions during public exhibition: 1</li> <li>• Total number of unique submissions received by way of objection: 1</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Preliminary Briefing: 7 September 2022 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Alison McCabe (Chair), Juliet Grant, Granville Taylor, Kellie Scholes</li> <li>○ <u>Council assessment staff</u>: Alisa Evans, Hamish McTaggart</li> <li>○ <u>DPE</u>: Carolyn Hunt, Lisa Foley</li> </ul> </li> <li>• Site inspection: <ul style="list-style-type: none"> <li>○ Alison McCabe (Chair) - 27 October 2023</li> <li>○ Roberta Ryan - 27 October 2023</li> <li>○ Tony McNamara - 27 October 2023</li> <li>○ Granville Taylor - 20 October 2023</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>• Council Briefing: 5 April 2023 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Alison McCabe (Chair), Roberta Ryan, Granville Taylor</li> <li>○ <u>Council Assessment staff</u>: Sharon Pope, Alisa Evans, Tanya Jolly, Peter Chambers</li> <li>○ <u>DPE</u>: Leanne Harris, Lisa Foley</li> </ul> </li> <li>• Final briefing to discuss council's recommendation: 14 February 2024 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Alison McCabe (Chair), Roberta Ryan, Tony McNamara, Granville Taylor</li> <li>○ <u>Council assessment staff</u>: Sharon Pope, Peter Chambers</li> <li>○ <u>Applicant representatives</u>: Mathew Lysaught, Tom Potter, Paul Chandler</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report