

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

PANEL REFERENCE, DA NUMBER & ADDRESS	PPSHCC-156 8.2(1)(a) Review 414 OLD MAITLAND ROAD MARDI CENTRAL COAST DA/765/2021
APPLICANT / OWNER	Lin Armstrong
APPLICATION TYPE	Review of Determination
REGIONALLY SIGNIFICANT CRITERIA	Clause 2, Schedule 6 of the Planning Systems SEPP - Capital Investment Value > \$30M
KEY SEPP/LEP	State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 Central Coast Local Environmental Plan 2022
CIV	\$53,576,711 (excluding GST)
BRIEFING DATE	14 June 2023

ATTENDEES

APPLICANT	Lin Armstrong, Angus Brien, Ben Johnson, Ben Shoo, Chris Piper, Michael Delbridge, Natalie Black, Simon Purcell, Stuart McMonnies, Laurie Denton, Katie Denton, Tenille Denton, Phillip WilliamsTim Allen and Jennifer Hughes
PANEL CHAIR	Tony McNamara (Chair) and Kim Johnston
COUNCIL OFFICER	Salli Pendergast and Emily Goodworth
CASE MANAGER	Leanne Harris
PLANNING PANELS SECRETARIAT	Lisa Foley, Lisa Ellis and Tim Mahoney

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: 25/10/2022

TENTATIVE PANEL BRIEFING DATE: September 2023

TENTATIVE PANEL DETERMINATION DATE: TBC

KEY ISSUES IDENTIFIED FOR CONSIDERATION

COUNCIL:

- Internal and external and referrals underway.
- Council are assessing and working through flooding and environmental issues and are yet to be satisfied.
- The biodiversity stewardship site is yet to be secured.
- Acoustic issues appear to have been addressed in the revised documentation.
- Extent of earthworks needs to be assessed.
- 8 submissions from public notification.
- Site specific LEP clause 4.1C – lot size compliance still to be assessed. Total lot yield has been reduced in the revised documentation.
- The environmental impacts of required servicing need to be assessed.
- Council is assessing the urban design outcomes – fences / landscaping.
- A communal landscaping buffer to old Maitland Road is required.

APPLICANT:

- Applicant noted they lodged an appeal with the Land and Environment Court due to a timing issue, noting the LEC and Planning Panel review can run in parallel.
- Same package of amended plans and package of information lodged for the 8.2A Review and the Court.
- The applicant is requesting a deferred commencement approach due to the ecological issues with securing Commonwealth approval and the biodiversity stewardship site. The applicant noted that both of these matters are progressed but dependent upon the DA consent and complexities with timing of the VPA / legislative changes.
- The development footprint remains the same although the number of lots has reduced to comply with the lot size requirements in the LEP.
- The applicant indicated they have provided a full documented response to the reasons of refusal.
- The applicant requested if Council believes anything has not been addressed then to clearly outline what is required so that it can be addressed.

PANEL:

- The Panel need to understand the changes being proposed and it is not clear how the application has specifically addressed each of the 15 reasons for refusal in Schedule 2 of the Panel's Determination and Statement of Reasons dated 21 February 2022 as there is no succinct summary. This is a procedural and threshold issue and needs to be specifically assessed by Council and considered by the Panel.

- If the above information has not been submitted or requires further information the Council is to request this as soon as possible.
- The Panel noted the Section 34 conference is scheduled for the 22nd August.
- The Panel need to have a clear and certain understanding of the ecological issues and biodiversity stewardship site and the legislative framework that applies. The Panel noted the applicant's position that it will provide ongoing conservation outcomes in perpetuity with upfront and ongoing management measures attached to the title of the land.

The Panel will hold a further briefing once the submissions have been reviewed and the Council is further progressed with its assessment and will seek schedule a determination meeting at that stage.

KEY ISSUES IN RELATION TO PUBLIC EXHIBITION

Exhibition dates: 18 November 2022 to 16 December 2022 with 8 submissions received.