

RECORD OF DEFERRAL

HUNTER & CENTRAL COAST REGIONAL PLANNING PANEL

DATE OF DEFERRAL	23 October 2023
DATE OF PANEL MEETING	11 October 2023
PANEL MEMBERS	Alison McCabe (Chair), Roberta Ryan, Amanda Wetzel, Alan Tickle
APOLOGIES	Tony McNamara and David West
DECLARATIONS OF INTEREST	None

Public meeting held by teleconference on 11 October 2023, opened at 2.00pm and closed at 3.30pm.

MATTER DEFERRED

PPSHCC-163 – MidCoast – DA2022/1362 at 88-90 Cornwall Street, Taree – Cancer Care Manning – Great Lakes – Demolition of existing structures and construction of new health services facility (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 meetings observed at the site inspection listed at item 8 in Schedule 1.

The Panel has had the benefit of a number of briefings on this matter and inspected the site.

Given the number of submissions received the matter was also the subject of a Public Briefing meeting in March 2023 where both the applicant and those who had made a submission were given the opportunity to present to the Panel.

The application was amended in August 2023.

The application before the Panel is recommended for refusal based primarily on parking and design grounds. The applicant in a written and verbal submission to the Panel requested the Panel consider a number of options, including a condition reducing the intensity of the proposal and a conditional approval with a trial period. Three (3) submitters spoke in favour of the recommendation of refusal.

The Panel considers that the proposal in its current form is an overdevelopment of the site and would warrant refusal on built form and carparking grounds.

The location of carparking and substation forward of the building line in a low-density residential neighbourhood is incompatible with the character and amenity enjoyed by surrounding properties. The proposal does not satisfy its expected parking needs within the site which is inappropriate within the context of the residential area and cumulative parking demands from surrounding uses. Furthermore, the proposal should not rely on carparking in front of the building line.

The Panel is supportive of the proposed use and acknowledges the importance of these types of health facilities located proximate to the population in need and health facilities, in this case the Manning Base Hospital. For this reason, the Panel proposes to defer the matter given the need for the facility.

However, this is not a case where a “trial period” is appropriate. It is also not a matter of relabelling areas as “storage” to reduce the intensity of development. The building needs to be designed to the constraints of the site and context.





The proposal needs to be reduced in scale and intensity and sufficient carparking provided on site to cater for the functions of the development. The building design needs to be compatible with the character of the residential area and that anticipated by the controls. Different options for drop off and pick up of patients should be explored including a detailed operational management plan. Provision for loading and unloading on site for medical deliveries and supplies also needs to be accommodated. The resultant built form should reflect compliance with controls applicable to residential buildings. Carparking forward of the building line is not characteristic of the streetscape.

All vehicles should be able to enter and leave in a forward direction. Building entry services/reception relative to parking should be revisited as the current proposal appears to have patients parking at the rear and walking around to the front, which creates a level of pedestrian traffic/intrusion along the side boundary shared with the adjoining residential property.

REASONS FOR DEFERRAL

1. The Panel agreed to defer the determination of the matter for an amended application that:
 - (i) Reduced the scale and intensity of the built form,
 - (ii) Removed carparking from the front setback,
 - (iii) Provided carparking on site to meet the needs of the development, including a detailed plan showing parking spaces, traffic flow direction and how it will function, and
 - (iv) Provided an updated operational management plan.
2. The applicant is to meet with Council officers and confirm in writing within two (2) weeks of this decision their intention to provide a response that addresses the full extent of amendments required.
3. If a response is not received, or is received in the negative, the Panel will proceed to determine the matter electronically based on the information currently before the Panel.
4. Where the application is amended, a formal written request to amend the application is required to be uploaded to Planning Portal by the Applicant by 15th December 2023 outlining:
 - a. Particulars sufficient to indicate the nature of the change of the development, as required under section 37 of the Environmental Planning and Assessment Regulation 2021
 - b. Amended plans and updated technical reports relied on in the amended application.
5. Council is required to re-exhibit the application noting that this should avoid the Christmas holiday period.
6. Council is requested to provide an addendum assessment report responding to the amended application and is to be uploaded to the Planning Portal.
7. When the updated assessment report is received the Panel will determine the application by way of a public meeting.

The decision to defer the matter was unanimous.

PANEL MEMBERS	
 Alison McCabe (Chair)	 Roberta Ryan
 Amanda Wetzel	 Alan Tickle

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSHCC-163 – MidCoast – DA2022/1362
2	PROPOSED DEVELOPMENT	Demolition of structures and construction of new health services facility (cancer treatment clinic)
3	STREET ADDRESS	88 - 90 Cornwall Street, Taree 2430
4	APPLICANT/OWNER	Think Planners Ellis Terrece Hutchinson / Maree Lisa Hile
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities 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 Greater Taree Local Environmental Plan 2010 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Greater Taree Development Control Plan 2010 Greater Taree Section 94A Development Contributions Plan Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i>: Nil 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: 4 October 2023 Written submissions during public exhibition: 46 Verbal submissions at the public meeting: <ul style="list-style-type: none"> Penny Teerman Beverley Danilczak Martine Maunier Council assessment officer – Bruce Moore and Ben Lim-Cooper On behalf of the applicant – <ul style="list-style-type: none"> Dr Tony Noun Jason Rudd Brad Delapierre Zack Ashby Daniel Bogaz Total number of unique submissions received by way of objection: 25
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Preliminary Briefing: 8 February 2023 <ul style="list-style-type: none"> <u>Panel members</u>: Alison McCabe (Chair), Tony McNamara, Alan Tickle, David West <u>Council assessment staff</u>: Ben Lim-Cooper, Bruce Morre Site inspection: 21 March 2023

		<ul style="list-style-type: none"> ○ <u>Panel members</u>: Alison McCabe (Chair), Tony McNamarra, Roberta Ryan, David West • Public Briefing Meeting: 21 March 2023 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Alison McCabe (Chair), Tony McNamara, David West ○ <u>Council assessment staff</u>: Ben Lim-Cooper, Bruce Morre ○ <u>Departmental Staff</u>: Leanne Harris ○ <u>Verbal Submissions</u>: <ul style="list-style-type: none"> ○ Cassandra Dark ○ Penny Teerman ○ Beverley Danilczak ○ Martine Maunier ○ Brad Delapierre and Damien Williams on behalf of the applicant • Council Briefing: 2 August 2023 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Alison McCabe (Chair), Roberta Ryan, Alan Tickle, David West • Final briefing to discuss council's recommendation: 11 October 2023 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Alison McCabe (Chair), Roberta Ryan, Alan Tickle ○ <u>Council assessment staff</u>: Ben Lim-Cooper, Bruce Moore ○ <u>Departmental Staff</u>: Leanne Harris and Holly McCann
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	N/A