

RECORD OF BRIEFING

REVIEW PANEL OF THE HUNTER AND CENTRAL COAST REGIONAL PLANNING PANEL

BRIEFING DETAILS

BRIEFING DATE / TIME	Friday, 2 June 2023, 12:30pm and 2.30pm Site inspection undertaken before briefing
LOCATION	Lake Macquarie City Council, 126-138 Main Rd, Speers Point

BRIEFING MATTERS

PPSHCC-192 – Newcastle City Council – RE2023/00003 - 144 and 177 Woodford Street and 610 Minmi Rd, Minmi - Sec 8.2(1) Review of DA2018/01351 - Subdivision of Lot 4 DP 1230960, Lot 5 DP 1230960, Lot 4 DP1253716, Lot 48 DP 115128 and part Lot 1 DP1156243 into: 874 residential lots; 7 development lots for future residential development; 14 Local Centre Lots; 1 Neighbourhood Centre Lot; 2 Residue Lots; and 20 lots for road widening, public reserves and drainage reserves (proposed to be dedicated to Council) and including the amendment of DA2015/10393 pursuant to Section 4.17(1) of the Act to be 'Subdivision of Lot 2 in DP 1230960 and Lot 3 in DP1230960 into 292 lots, 7 super lots, 4 drainage reserves, 3 public reserves and 2 residual lots, plus associated roads, infrastructure, bulk earthworks, open space and signage.

PPSHCC-172 – Lake Macquarie City Council – DA/2087/2018/REV - 10 Woodford Street, Cameron Park - Link Road North - 1063 Lot Residential Subdivision

PANEL MEMBERS

IN ATTENDANCE	Paul Mitchell (Chair), Tony McNamara, Judy Clark, Allison Burrows (PPSHCC-172 only), Jason Dunn (PPSHCC-192 only) and John Tate (PPSHCC-192 only)
APOLOGIES	Christine Buckley (PPSHCC-172 only)
DECLARATIONS OF INTEREST	Alison McCabe (Chair), Chris Wilson, John Brockhoff, Peta Winney-Baartz, John Mackenzie, Roberta Ryan and Jason Pauling

OTHER ATTENDEES

LAKE MACQUARIE CITY COUNCIL ASSESSMENT STAFF	Jonathan Ford, David Pavitt, Glen Mathews, Michael Corrigan, Rhiannon McLardy, Lucy Knutson and Debra Scott
NEWCASTLE CITY COUNCIL ASSESSMENT STAFF	Steven Masia and Priscilla Emmett
APPLICANT REPRESENTATIVES	David Rothwell, Bill Sarkis, Christina Renner, Alex Biscan, Lincoln Gibbs and Jessica Bayley
TRANSPORT for NSW	Damien Pfeiffer and Holly Taylor
DEPARTMENT STAFF	Leanne Harris, Jade Hoskins and Robin Ward

Planning Panels Secretariat

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KEY ISSUES DISCUSSED

APPLICANT:

- Overview / history of the site and planning processes including the concept plan approval.
- Existing local DA approvals for stages 1 and 2.
- Previous court proceedings.
- Agreement with TfNSW.
- Applicant has worked with PDU to resolve outstanding issues.
- Updated ecological information provided. The Applicant recognises the change in status of the koala and scrub turpentine but concludes that there are no significant impacts.
- Applicant is intending to lodge an appeal with the NSW LEC to preserve the 8.2A process.

CITY OF NEWCASTLE DA – PPSHCC-192

- Assessment is in the very early stages.
- DA is on notification until 5th June.
- Internal / external referrals underway with responses from Subsidence Advisory NSW, Ausgrid, RFS and TfNSW received.
- Council has engaged consultants to assist in the assessment of flooding and ecology.
- Have only just received the TfNSW response and proposed conditions and have some questions in terms of the previous refusal. Council needs to understand what information TfNSW used to issue these conditions and what information is available in terms of the concept design / environmental impacts.
- Summerhill Waste Management Centre and relation to the proposed subdivision and the existing paper road as a possible future access.

LAKE MACQUARIE DA – PPSHCC- 172

- Assessment is progressed but still continuing
- Biodiversity – negotiating with the Applicant. Up-listing of 2 species and the need for further assessment in relation to koala and scrub turpentine:
 - SEPP – Council understand that there may be a local koala population, meaning the site would be classed as core koala habitat and a Koala Plan of Management would be required.
 - 7-part test – possible significant impact on koala considered likely with many more recent records
 - Need for an SIS possibly triggered.
 - Scrub Turpentine – potential for a significant impact on this as well. Assessment is not considered adequate at this stage
- Impacts from roadworks and intersections – whether there is an actual obligation for the Panel to consider these?
- Other issues still being worked through include the detail in the TfNSW response, odour impacts associated with the Summerhill Waste Management Facility, detailed requirements from BCD, the VPA for the provision of recreation facilities and the amenity impacts with the degree of retaining walls proposed.
- One submission from City of Newcastle in relation to the operations of the Summerhill Waste Management Facility.
- The Panel will expect that the VPA is sufficiently progressed so that there is demonstrated Council support for it ie Council resolution to accept and exhibit

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TfNSW BRIEFING

- Transport has come to a resolution of issues with the Applicant and believe there are no outstanding issues.
- RSDA needs to be re-referred by Lake Macquarie and will likely get the same correspondence already issued to City of Newcastle.
- TfNSW have undertaken a strategic business case for Lake Rd / Minim Rd intersection. Needed to include the north leg. Detailed modelling used to inform the threshold of 1000 lots. Further funding available to do final business case.
- Design of at grade intersection with signals to replace the roundabout – produces the required capacity.
- Proponent will enter a VPA for contributions for upgrade of the intersection. Once it is upgraded the Applicant can release 1000 lots across the DAs. Beyond 1000 – other mitigation measures need to be in place or alternatives could be put forward.
- Broader study of the entire precinct is currently underway to determine what is required to facilitate all development in this locality.
- Very open communication between the Applicant and TfNSW.
- Works beyond 1000 lots defined in conditions but ability to put forward options / additional information in the future.
- Applicant's reports form the foundation and then overlayed with TfNSW modelling and data to reach agreement

PANEL COMMENTS AND NEXT STEPS

The Panel are keen for the Councils to progress their assessment of the DAs and inform the Applicant of any outstanding matters or where additional information is required as soon as possible.

The Panel will need a clear understanding of the proposed roadworks including timing and who will be responsible for construction. The Panel need to have certainty that there are no significant impediments for the works being approved and delivered. This is a primary consideration and not something that the Panel can defer.

The Panel urge the Councils to resolve the outstanding ecological issues as quickly as possible as this could have a significant bearing on timeframes for the assessment of the application. Further legal advice may be required.

The Panel note the submission from City of Newcastle in relation to the Summerhill Waste Management Centre and will expect further advice and assessment in respect of this matter.

The Panel will reconvene for a further briefing with the Councils and the Applicant once the assessments are further progressed and the Councils have formed a view on the outstanding matters.

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