

RECORD OF BRIEFING

HUNTER AND CENTRAL COAST REGIONAL PLANNING PANEL

BRIEFING DETAILS

BRIEFING DATE / TIME	Tuesday, 28 November 2023, 10:00am – 11.30pm
LOCATION	Ms Teams Videoconference

BRIEFING MATTER(S)

- **PPSHCC-172 – Lake Macquarie – DA/2087/2018/REV**
10 Woodford Street, Cameron Park – Link Road North – 1063 Lot Residential Subdivision
- **PPSHCC-192 – Newcastle – RE2023/00003**
Sec 8.2(1) Review of DA2018/01351

PANEL MEMBERS

IN ATTENDANCE	Paul Mitchell (Chair), Judy Clark and Tony McNamara Christine Buckley (Lake Macquarie DA) Jason Dunn, John Tate (Newcastle DA)
APOLOGIES	Nil
DECLARATIONS OF INTEREST	Nil

OTHER ATTENDEES

COUNCIL ASSESSMENT STAFF	Amy Regado and Glen Mathews (Lake Macquarie DA) Steven Masia, Priscilla Emmett and Michelle Bisson (Newcastle DA)
APPLICANT BRIEFING 11-11.30AM ONLY	David Rothwell, Greg Smith, Bill Sarkis, Christina Renner, Alex Biscan, Lincoln Gibbs, Jessica Bayley
PLANNING PANELS SECRETARIAT	Leanne Harris, Holly McCann

KEY ISSUES DISCUSSED

- Overview of the history and progress of both DAs and recent amendments to accommodate a changed approach to the provision of recreation facilities.
- Applicant request that the two DAs be determined separately.
- Applicant's Senior Counsel legal advice.
- Appeal process running in parallel to the current 8.2A applications with s.34 scheduled for April.
- Need for updated TfNSW advice to both Councils in light of the changed approach and further clarifications that City of Newcastle previously raised.

City of Newcastle briefing:

- Background to the previous agreement for recreation facilities and their proposed locations.
- Concerns that Council has with the amended arrangements for recreation facilities.
- Recent RFI issued to applicant and meeting with the applicant which means DA remains under assessment and will not be in a position for a December determination meeting.
- Council's interpretation of the FEAR and concerns with either application being determined.
- Previous modification application to an earlier approved stage is now no longer relevant.
- Council keen to progress the assessment and would look to schedule a determination date early in the New Year.

Lake Macquarie briefing:

- Local VPA for the provision of recreation facilities, now in the Lake Macquarie LGA was endorsed by Council last night.
- All remaining issues have or can be resolved to enable the Council to complete its assessment for a December determination meeting.
- City of Newcastle have formally objected to the DA and their submissions will be considered as part of the assessment.

Applicant briefing:

- The DAs have been complicated by the cross-border issues, the applicant was not a party to the previous agreement for the location of the recreation facilities and the new arrangements are supported by the Lake Macquarie elected Council.
- The DAs have been run together primarily for efficiencies as a result of the previous court proceedings and legal advice has been provided in support of them being dealt with separately.
- Applicant is keen to proceed because it is unknown how much longer the assessment of the City of Newcastle DA will take.
- Now that the modification application on the previous Newcastle DA is no longer required the applicant sees no impediment to the DAs being done separately.