

**RECORD OF DEFERRAL**

HUNTER &amp; CENTRAL COAST REGIONAL PLANNING PANEL

<b>DATE OF DEFERRAL</b>	13 March 2025
<b>DATE OF PANEL BRIEFING</b>	4 March 2025
<b>PANEL MEMBERS</b>	Alison McCabe (Chair), Tony McNamara, Roberta Ryan, Leah Anderson
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	Giacomo Arnott - paid social member of Raymond Terrace Bowling Club.

Papers circulated electronically on 26 February 2025.

**MATTER DEFERRED**

PPSHCC-269 – Port Stephens – DA 16-2023-735-1 at 2 Jacaranda Avenue, Raymond Terrace 2324 – Alterations and additions to bowling club (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 from both the Applicant and Council. The Panel, at the final briefing, received a letter from the Applicant requesting a review of three (3) conditions.

The Panel notes that the application has been amended since it was originally lodged.

The proposed development involves a built form that will be higher than the surrounding context. Council has supported the scale of development, having regard to the future strategy for the Raymond Terrace CBD and surrounds. The immediate context of the site comprises lower scale buildings in a landscaped setting, with vegetation on Jacaranda Avenue and Swan Street contributing to that landscape.

The site does not propose to support significant landscaping and relies on that in the public realm.

The Panel have concerns about the impact of Condition 18 on the landscape in Swan Street and how the engineering works will be undertaken without impacting existing vegetation. Details of what footpath works are proposed also need to be provided.

The Applicant and Council's report places significant weight on the importance of the vegetated setting to the development and relied on this to support reduced landscaping on site and the scale of the development.

The Panel requires a greater level of certainty regarding the extent of works and potential impacts on vegetation.

The Panel also requires plans at a 1:100 scale showing the numerical setbacks at Swan Street and Port Stephens Street, as well as cross sections of structures and buildings, and the landscape proposed in these setbacks to better understand the relationship of building to the street. The landscape needs to accommodate canopy trees to supplement current plantings in the public realm.

The Panel considers that the landscape outcome of the site should be improved to complement that in the public realm and requires an updated landscape plan; and in the event of any impact on the public realm landscaping, greater street setbacks of built form.

To properly assess and understand the impacts, the following information is required:

- (i) Preliminary engineering drawings of the stormwater and footpath works in Swan Street, as proposed by Condition 18, and any works in Port Stephens Street.
- (ii) Details of the location and type of trees in Swan Street.
- (iii) Measures required to retain the vegetation in Swan Street and how the engineering works will be designed to achieve this.
- (iv) Plans at a 1:100 scale and cross sections that show setbacks and built form at Port Stephens Street and Swan Street.
- (v) A revised landscape plan that improves landscaping on site and provides for canopy plants.
- (vi) An updated Plan of Management that details the barrier to access between the gaming room and the hotel.

The Panel agreed to defer the determination of the matter for the provision of the information at points (i) to (vi).





The decision to defer the matter was unanimous.

#### **ACTIONS**

The Panel deferred determination of the Development Application to:

1. The Applicant provide the information at points (i) to (vi).
2. A formal written request to amend the application is required to be uploaded to Planning Portal by the Applicant within four (4) weeks 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. Updated technical reports relied on in the amended application.
3. Council is requested to provide an addendum assessment report responding to the matters above, which is to be uploaded to the Planning Portal within four (4) weeks of the upload of the Applicants required information to the Planning Portal.
4. When the updated assessment report is received the Panel will determine the application by way of electronic determination.

If the outstanding information is not provided, the Panel may move to determine the DA based on the information currently at hand.

PANEL MEMBERS	
 Alison McCabe (Chair)	 Tony McNamara
 Roberta Ryan	 Leah Anderson

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSHCC-269 – Port Stephens – DA 16-2023-735-1
2	PROPOSED DEVELOPMENT	Alterations and additions to bowling club
3	STREET ADDRESS	2 Jacaranda Avenue, Raymond Terrace 2324
4	APPLICANT/OWNER	Raymond Terrace Bowling Club Co-Op Ltd Raymond Terrace Bowling Club Co-Op Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 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 (Biodiversity and Conservation) 2021</li> <li>State Environmental Planning Policy (Planning Systems) 2021</li> <li>State Environmental Planning Policy (Industry and Employment) 2022</li> <li>State Environmental Planning Policy (Transport and Infrastructure) 2021</li> <li>Port Stephens Local Environmental Plan 2013</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Port Stephens Development Control Plan 2014</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i>: Section 62 (consideration of fire safety) and Section 64 (building upgrades).</li> <li>Coastal zone management plan: Nil</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: 20 February 2025</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 February 2024 <ul style="list-style-type: none"> <li><u>Panel members</u>: Alison McCabe (Chair), Roberta Ryan, Tony McNamara</li> <li><u>Council assessment staff</u>: Emily Allen, Ryan Falkenmire</li> <li><u>Applicant representatives</u>: Doug White, Candace Garraway, Jason Stokes, Tara Ball, Lachlan Sims, Meeka Prince, Courtney Rovere</li> <li><u>Department</u>: Leanne Harris</li> </ul> </li> <li>Council Briefing: 16 October 2024 <ul style="list-style-type: none"> <li><u>Panel members</u>: Alison McCabe (Chair) Roberta Ryan</li> <li><u>Council assessment staff</u>: Emily Allen, Isaac Lancaster, Bryn Cotterill, Kristy Nunan</li> <li><u>Department</u>: Leanne Harris</li> </ul> </li> </ul>

		<ul style="list-style-type: none"><li>• Site inspection: Alison McCabe: 6 May 2024 Roberta Ryan: 9 November 2024 Tony McNamara: 22 October 2024</li><li>• Final briefing to discuss Council’s recommendation: 4 March 2025<ul style="list-style-type: none"><li>○ <u>Panel members</u>: Alison McCabe (Chair), Roberta Ryan, Tony McNamara, Leah Anderson</li><li>○ <u>Council assessment staff</u>: Emily Allen, Isaac Lancaster and Matt Egan</li><li>○ <u>Applicant representatives</u>: Brett Gleeson, Jason Stokes, Clint Forrester, Courtney Rovere, Richard Waterson, Candace Garraway</li><li>○ <u>Department</u>: Leanne Harris, Holly McCann</li></ul></li></ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council assessment report