

DATE OF DETERMINATION	12 December 2024
DATE OF PANEL DECISION	11 December 2024
DATE OF PANEL BRIEFING	10 December 2024
PANEL MEMBERS	Alison McCabe (Chair), Tony McNamara, Roberta Ryan
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 4 December 2024.

MATTER DETERMINED

PPSHCC-290 – Central Coast – DA/320/2024 at 2 Brownlee Street, Ourimbah 2258 – Food Manufacturing Hub (as described in Schedule 1)

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel deferred the determination of this DA on the 18th of October to require the following information:

- (i) Sufficient information to satisfy the provisions of section 4.6 of SEPP (Resilience and Hazards) 2021;
- (ii) A Remediation Action Plan;
- (iii) Details of the impact on the Landscape Plans and the Bushland Management Plan of any remediation strategy (if any); and
- (iv) A Flood Emergency Response Plan.

Council prepared an addendum assessment report dated 3 December 2024 which addressed the additional information submitted in response to the Panel's deferral.

Further testing has been undertaken, and a Remediation Action Plan and Flood Emergency Response Plan have been prepared. The Panel can be satisfied that the site will be suitable for the use once remediated, and that the extent of remediation will not impact upon the Landscape and Bushland Management Plan outcomes included as part of the development.

The Panel is satisfied that the proposed development could be approved.

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined to approve the application for the following reasons:

- (i) The site is suitable for the use.
- (ii) The proposed development provides a much-needed facility in the region.
- (iii) The development will provide for ongoing management of riparian areas.

CONDITIONS




The development application was approved subject to the conditions in the council assessment addendum report.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered the two written submissions made during public exhibition and heard from all those wishing to address the Panel. The Panel notes that issues of concern included:

- Impacts on fish
- Impacts on the riparian corridor
- Flooding

The Panel considers that concerns raised by the community have been adequately addressed in the assessment report and that no new issues requiring assessment were raised during the public meeting.

PANEL MEMBERS	
 Alison McCabe (Chair)	 Tony McNamara
 Roberta Ryan	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSHCC-290 – Central Coast – DA/320/2024
2	PROPOSED DEVELOPMENT	Construction of Light Industrial Building (Nine Units)
3	STREET ADDRESS	2 & 4 Brownlee Street, Ourimbah 2258
4	APPLICANT/OWNER	Central Coast Industry Connect Limited Central Coast Council
5	TYPE OF REGIONAL DEVELOPMENT	Council related development 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 (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Sustainable Buildings) 2022 State Environmental Planning Policy (Transport and Infrastructure) 2021 Central Coast Local Environmental Plan 2022 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Central Coast Development Control Plan 2022 Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i>: 66A (Council related development applications) 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: 3 October 2024 Council memo or supplementary report received: 9 October 2024 Addendum Council assessment report: 3 December 2024 Written submissions during public exhibition: 2 Total number of unique submissions received by way of objection: 2
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Preliminary Briefing: 09 July 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Alison McCabe (Chair), Roberta Ryan, Tony McNamara, Greg Flynn, Tony Tuxworth <u>Council assessment staff</u>: Jenny Tattam, Emily Goodworth Site inspection: <ul style="list-style-type: none"> Alison McCabe: 12 October 2024 Roberta Ryan: 11 August 2024 Tony McNamara: 5 July 2024 Final briefing to discuss council's recommendation: 10 December 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Alison McCabe (Chair), Roberta Ryan, Tony McNamara <u>Council assessment staff</u>: Jenny Tattam, Emily Goodworth <u>Department</u>: Leanne Harris Final briefing to discuss council's recommendation: 10 December 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Alison McCabe (Chair), Roberta Ryan, Tony McNamara <u>Council assessment staff</u>: Jenny Tattam, Emily Goodworth <u>Department</u>: Leanne Harris and Holly McCann

9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment addendum report