

Record of Kick-Off Briefing Meeting Hunter and Central Coast Regional Planning Panel

PANEL REFERENCE, DA NUMBER & ADDRESS	PPSHCC-88 – Central Coast - DA/201/2018 - 390 Pacific Highway, Wyong
APPLICANT / OWNER	Mingara Leisure Group C/- ADW Johnson / AJ and PJ Brand Pty Ltd
APPLICATION TYPE	Development Application with Capital Investment Value > \$30M
REGIONALLY SIGNIFICANT CRITERIA	Division 8.2 Review, Environmental Planning and Assessment Act, 1979.
KEY SEPP/LEP	State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy 55 – Remediation of Land State Environmental Planning Policy 44 – Koala Habitat Protection State Environmental Planning Policy 64 – Advertising and Signage Wyong Local Environmental Plan 2013 Draft Central Coast Local Environmental Plan
CIV	\$35,142,000.00 (excluding GST)
SCHEDULED MEETING DATE	11 October 2021

ATTENDEES

APPLICANT	Adam Crampton (Applicant), Andrew Brand (Owner)
PANEL CHAIR	Juliet Grant (Chair), Susan Budd (State member), Heather Warton (State member)
COUNCIL	Emily Goodworth, Janice Buteux-Wheeler
CASE MANAGER	Alexandra Hafner and Leanne Harris

OTHER ATTENDEES

RSDA Team	Lisa Foley, Angela
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ISSUES DISCUSSED

- Introductions.
- Applicant summary:
 - Site context.
 - Subdivision plan – Lot A 8799sqm, Lot B 5571sqm, Lot C 4432sqm with a 20m road reserve (13m carriageway).
 - Reasons for refusal:
 - Section 8.2 Review is for the partial approval for Stage 1 subdivision only, supported by legal advice. Applicant believes the application meets the minimum requirements for substantially the same development.
 - No specific or proposed use for the future lots at this stage.
 - Tree removal reduced to only that required for services and the mandated road under the DCP.
 - Squirrel Glider connectivity on western boundary maintained. Subdivision pattern reflective of proposed built form with a redesign of the civil infrastructure.
 - Easements clearly identified, and road widening portion explained.
 - Traffic as per report and Council recommendation.
 - Supporting reports include an updated Bushfire, Ecology and Arborist Report, Updated Subdivision Plan and associated civil design. Other reports remain unaltered.
- Council summary:
 - TfNSW provided comments in support of original proposal. Additionally, site captured in LEP under land acquisition clause.
 - Conflicts between services and vegetation management key aspect of earlier reasons for refusal, clarity sought in documentation on proposed impacts and consistency across documentation.
 - Reasons for refusal relate to whether the use of the land is suitable having regards to the Seniors Living component of the development.
 - Ability of the lots to be suitably developed, having regard to the uses of the B6 zone.
- Exhibition underway (24 September to 25 October 2021).
- Council is yet to undertake a complete assessment of the application; the application is yet to be considered by the Hunter and Central Coast Regional Planning Panel and therefore future comment will not be limited to the detail contained below.

KEY ISSUES IDENTIFIED FOR CONSIDERATION

- Legal position around partial approval (subdivision not RACF)
- 12-month period for the opportunity to determine the 8.2 review expires on 25 November 2021.
- Hunter and Central Coast Regional Panel may be a party joined to and directing an appeal, should one be lodged and run concurrently to the 8.2 review. Applicant has advised legal representation engaged to lodge an appeal to increase the time for determination.

REFERRALS REQUIRED

Internal

- Engineering, traffic, health, ecology, trees, and waste

External

- RFS
- TfNSW

TENTATIVE PANEL BRIEFING DATE – 7 December 2021

TENTATIVE PANEL DETERMINATION DATE – 5 April 2022