

## RECORD OF DEFERRAL

### NORTHERN REGIONAL PLANNING PANEL

<b>DATE OF DEFERRAL</b>	Thursday, 19 March 2020
<b>PANEL MEMBERS</b>	Paul Mitchell (Chair), Stephen Gow, Penny Holloway, Paul Drake and Robert Hussey
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None


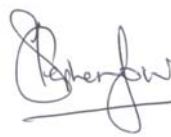



Public meeting held via teleconference on 19 March 2020, opened at 2pm and closed at 3:40pm.

#### MATTER DEFERRED

PPSNTH-3 – Port Macquarie-Hastings Council – DA2019-481.1 at 211 High St, Wauchope – aged care facility (as described in Schedule 1)

#### REASONS FOR DEFERRAL

1. The Panel determined that a final decision on the application should be deferred.
2. The Panel is minded to approve the application but requires further certainty in relation to the provision of essential infrastructure and ensuring effective remediation of the site.
3. Accordingly, the Panel asks the Council to prepare a new set of conditions based on a deferred commencement condition which is to ensure provision of essential infrastructure for this proposal in its own right, a revised condition specifying that the RAP and validation of remediation be certified by an EPA accredited contamination auditor and that any conditions which become redundant by the separation of this consent from the subdivision consent be removed. The Panel provides the attached advisory note to assist in the drafting of the deferred commencement condition.
4. The Panel asks the Council to provide the applicant with the revised draft conditions for review and to take into account any comments received prior to finalising the conditions.
5. The Panel requires the revised conditions within 21 days of the date of this determination.

PANEL MEMBERS	
 Paul Mitchell (Chair)	 Stephen Gow
 Penny Holloway	 Paul Drake
 Robert Hussey	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSNTH-3 – Port Macquarie-Hastings Council – DA2019-481.1
2	PROPOSED DEVELOPMENT	Staged Residential Aged Care Facility
3	STREET ADDRESS	211 High St, Wauchope
4	APPLICANT OWNER	Bundaleer Care Services Ltd Horizon Beach Development Corp Pty
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 (Koala Habitat Protection) 2019</li> <li>State Environmental Planning Policy No 55 – Remediation of Land</li> <li>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</li> <li>State Environmental Planning Policy (Infrastructure) 2007</li> <li>State Environmental Planning Policy (State and Regional Development) 2011</li> <li>Port Macquarie-Hastings Local Environmental Plan 2011</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Port Macquarie-Hastings Council Development Control Plan 2013</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</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: 3 March 2020</li> <li>Clause 4.6 request to vary Building Height standard: July 2019</li> <li>Written submissions during public exhibition: one (1)</li> <li>Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>In objection – Tony Haydon</li> <li>On behalf of the applicant – Michelle Love, Anthony Kelly, Ian Chegwiddden and Louise Roberts</li> </ul> </li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Final briefing to discuss council's recommendation, 19 March 2020, 1pm. Attendees: <ul style="list-style-type: none"> <li><u>Panel members</u>: Paul Mitchell (Chair), Stephen Gow, Penny Holloway, Paul Drake and Robert Hussey</li> <li><u>Council assessment staff</u>: Chris Gardiner, Dan Croft and Grant Burge</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report

## SCHEDULE 2

### Draft Deferred Commencement Condition

#### 1. Subdivision Registration.

Prior to the issue of a Construction Certificate for the proposed Stage 1 residential care development on Lot 1, all of the designated subdivision works required by the Stage 2 subdivision development consent shall be completed in accordance with the Subdivision Certificate. The subdivision plan is then to be registered with the NSW Land and Registry Services.

A copy of the registered subdivision plan is to be submitted to Council's Director of Planning within two (2) years of the date of this consent, or the consent will lapse in accordance with Section 95 of the Environmental Planning and Assessment Regulation 2000.

Upon satisfaction of the deferred commencement condition, the following conditions apply:

*Reason: To ensure that all the designated infrastructure and access works required for the residential care facility are completed in an orderly manner.*