

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

PANEL REFERENCE, DA NUMBER & ADDRESS	PPSHCC-139 - DA/1651/2022 - 114-120 Cary Street, Toronto NSW 2283 LAKE MACQUARIE
APPLICANT / OWNER	Fay Vranas Toronto Investments No. 1 Pty Ltd
APPLICATION TYPE	Development Application
REGIONALLY SIGNIFICANT CRITERIA	Clause 2, Schedule 6 of the Planning Systems SEPP: Capital Investment Value > \$30M
KEY SEPP/LEP	Resilience and Hazards SEPP; Transport and Infrastructure SEPP, BASIX SEPP, Lake Macquarie LEP
CIV	\$33,322,517 (excluding GST)
BRIEFING DATE	15 September 2022

ATTENDEES

APPLICANT	Fay Vranas, Jeff Mead, Stephen Coon
PANEL MEMBERS	Ms Alison McCabe (Chair), Juliet Grant, Sandra Hutton and Roberta Ryan
COUNCIL OFFICER	Glen Mathews and Scott Fatches
CASE MANAGER	Carolyn Hunt
PLANNING PANELS SECRETARIAT	Lisa Foley

- Introduction
 - Council is yet to undertake its full application assessment, so this record is not a final list of the issues they will need to consider in order to draft their recommendation.
 - The application is yet to be considered by the Hunter & Central Coast Regional Planning Panel and therefore future comment will not be limited to the detail contained within.
- Council Summary
 - Overview of proposal outlined, being a mixed-use development (residential flat building and commercial premises) with two towers, 108 residential apartments, commercial space at ground floor and 208 car parking spaces across two basement levels.

- Surrounding site context provided, including adjacent heritage precinct and listed heritage items within the vicinity.
 - Site constraints identified as geotechnical zone T5, bushfire prone land, mine subsidence and height of building controls.
 - Site history and LEC appeal outlined.
 - Setbacks to the north (McDonalds) is 6m with deep soil landscaping proposed
 - Variation to height of buildings proposed.
- Applicant introduction of proposal
 - Proposal outlined, including background to previous applications and amendments made in response groundwater/ecology issues raised in the LEC appeal.
 - Form and design are consistent with amended designs lodged as part of the legal appeal.
 - Height issues in original proposal addressed through a reduced height of one building, upper level and boundary setbacks and additional deep soil areas.
 - Variation to height of building relates to arterial road frontage and consideration of the “book-end” location in relation to the town centre.
 - Additional information provided to Council in response to RFI.
 - Urban analysis undertaken with previous application.
 - Heritage report prepared, including consideration of design, colours, materials and linear linkages to heritage precinct.

KEY ISSUES IDENTIFIED FOR CONSIDERATION

- Documentation to be updated and relate to current proposal (not relying on previous application or Court proceeding).
- The Panel will give little weight to previous applications.
- Clause 4.6 request and justification for variation.
- Urban design principles and approach to heritage needs to be clearly articulated for this application and demonstrate appropriateness of built form response.
- Social impact and CPTED assessments required, given proximity of the site to existing licensed premises
- Acoustic report to address the impact of development to the north of the site (McDonalds)
- Alternative bushfire solution to be further considered
- Groundwater and potential impact on the wetland ecology

REFERRALS REQUIRED

Internal

- Urban design – concerns raised in relation to liveability of the southern floor units and the public foreshore reserve
- Traffic – outstanding
- Social impact/safety and security – unresolved – additional information required in relation to CPTED and existing licensed premises
- Heritage – additional details requested

External

- Integrated referrals –
 - RFS – outstanding
 - Water NSW – outstanding
 - Subsidence Advisory – received

- Referral/consultation
 - Ausgrid – received
 - TfNSW – received
 - Hunter Water – response provided to applicant

KEY ISSUES IN RELATION TO PUBLIC EXHIBITION

- Exhibition dates: 26/7/2022 – 15/9/2022.
- Extended to ensure compliance with exhibition requirements as some documentation was not available in original exhibition period.
- Currently 90 submissions received (noting 21 in support) – relating to traffic, car parking and wetland.
- Panel will hold a public briefing given the extent of public interest.

RFI SUBMISSION DATE - Council is to advise the Planning Panels Secretariat within 7 days for the RFI being issued

DA LODGED: 9 August 2022

TENTATIVE PANEL BRIEFING DATE: 1 December 2022

TENTATIVE PANEL DETERMINATION DATE: 12 April 2023