

ITEM-24 LMM 13/12/2022 - Hunter & Central Coast Regional Planning Panel Refusal of Winten Development Application in Minmi

MOTION

That City of Newcastle:

1. Notes that on 13 December 2022, the Hunter & Central Coast Regional Planning Panel determined to refuse Development Application – DA2018/01351 at 144 Woodford Street, Minmi, pursuant to section 4.16 of the Environmental Planning and Assessment Act 1979, and that this was a unanimous decision of the Panel;
2. Commends City of Newcastle's Planning team for preparing a detailed Assessment Report and Recommended Reasons for Refusal report, which highlighted many inadequacies of the application and a disregard for the potential significant impacts on the local Minmi community;
3. Notes the Hunter & Central Coast Regional Planning Panel provided 15 Reasons For Refusal (**Attachment A**) regarding Development Application – DA2018/01351 at 144 Woodford Street, Minmi, including its inconsistencies with the terms of the approval of the concept plan, failure to address strong concerns regarding traffic safety and public transport, insufficient information to demonstrate the developments impact on the natural or built environment, lack of compliance with flood planning regulations, insufficient information regarding the elimination or mitigation of mine subsidence, insufficient noise mitigation measures and importantly, insufficient information for an assessment of the biodiversity impacts of the proposed development.
4. Advocates that any future application should not impact the operations of the Summerhill Waste Management Centre, particularly the future southern access road, which provides an opportunity for a new entry/exit to the facility, and must include the implementation of a 1000m buffer to ensure the future operations of the site is not compromised from residential development, odour, acoustic, noise or gas impacts;
5. Writes to the Local Government Boundaries Commission noting resolutions of both Lake Macquarie and City of Newcastle elected Councils that agreed to adjust the LGA boundaries to ensure that consistent planning is applied to this strategic site, in particular, Summerhill Waste Management Centre.

BACKGROUND:

Joint Regional Planning Panel to consider the latest stage of the Minmi Estate subdivision proposal

Matthew Kelly | Newcastle Herald
3 December 2022

The City of Newcastle and Transport for NSW have combined forces to oppose the Hunter's largest ever residential subdivision on the city's western fringe.

The Joint Regional Planning Panel will consider the latest stage of the \$200 million Minmi Estate proposal by Winten Property, which also takes in part of Lake Macquarie local government area, on Monday.

The land, acquired from Coal and Allied, has been earmarked for residential development since the 1990s.

If approved, it would result in the creation of 2231 housing lots and boost the area's population by an estimated 5621 people over 12 years.

Winten Property director David Rothwell said in a statement: "Comment on this matter is inappropriate prior to the panel determination meeting, but note that our expectation is for the panel to hear the case objectively, conscious of the urgent need for development for more affordable housing in the Greater Newcastle Region in urban release areas consistent with state and local housing strategies.



Cr Elizabeth Adamczyk with the Minmi Community who oppose the proposed Winten Development Application.

It is likely the matter will be taken to the Land and Environment Court if the JRPP refuses the project.

Winten launched a Land and Environment Court appeal against Lake Macquarie City Council over the deemed refusal of the project in 2019 but withdrew the case last year.

Transport for NSW opposes the development on the basis that the existing and planned road infrastructure would not cope with the pressure caused by massive urban growth.

City of Newcastle planners savaged the proposal in nine key areas.

They argued the project was not consistent with the terms of the approval of a 2013 concept plan for the area, failed to comply with flood planning requirements and included insufficient information to assess the risk of mine subsidence and the impact of traffic noise.

"The development is not in the public interest having regard to the proposed twin pipe stormwater drainage diversion of the western watercourse coming from under the M1 Motorway in the vicinity of Stage 37 due to the loss of continuous riparian corridor and the unreasonable financial burden placed on City of Newcastle associated with maintenance of the proposed twin pipe stormwater drainage diversion," a council report said.

Lake Macquarie City Council has recommended the application be deferred and highlighted several areas which it said had not been resolved.

"Most of the matters in our opinion can be resolved, subject to additional information and further assessment," a spokeswoman said.

Minmi resident Christine Baker said the enormity of the proposed development was a major concern.

"I understand that some development is essential, but it should be done in harmony with existing residents and the surrounding environment," she said.

"Our community is a quiet historic country town. People live here because it's Minmi and the last remaining country suburb in Newcastle."

"The proposed development means a monumental increase in air pollution, noise pollution and light pollution.

"These will impact severely on people, and on native environments during construction and after occupation."

Another resident, Kathleen White, said she had no confidence the project would result in positive outcomes for the community or the environment.

"We are all passionate about preserving and protecting the built heritage character of our historic village through landscape separation," she said.

"We want a green buffer around Minmi from new residential developments. We have a number of heritage buildings and a heritage cemetery; three sites have been put on the National Trust register."

Newcastle Ward 4 councillor Elizabeth Adamczyk said she was deeply disappointed by "glaring inadequacies" in the developer's plans.

"This is a community that has felt the traumas of the last few years, as they have seen the loss of tremendous volumes of existing areas of bushland, continuous riparian corridor, and wildlife habitat, and significant impacts to stormwater flows and channels," she said.

"Any proposal needs to know and plan for the protection of the area's rich biodiversity, including of native and endangered flora and fauna in the area, and of increased stormwater and bushfire risks.

"This can't be a developer-led process where we build roads or public transport routes ad hoc and retrospectively.

"As one of the last frontiers of potential greenfield growth in our city, it is critical that we get this right.

"I will be supporting my community to access education, employment and recreation services that they deserve."

Green Corridor Coalition spokesman Brian Purdue called for the JRPP meeting to be held in the new year and in a community setting.

"I'm not a conspiracy theorist, but why is it that every important meeting is held just before Christmas? Online meetings are a cop-out," he said.

Winten launched a Land and Environment Court appeal against Lake Macquarie City Council over the deemed refusal of the project in 2019 but withdrew the case last year.

ATTACHMENTS:

- DA2018/01351 at 144 Woodford Street, Minmi - Hunter & Central Coast Regional Planning Panel – Determination and Statement of Reasons