

HUNTER & CENTRAL COAST JOINT REGIONAL PLANNING PANEL

Meeting held at Lake Macquarie City Council on Thursday 5 May 2016 at 4.00 pm

Panel Members: Garry Fielding (Chair), Jason Perica, Kara Krason

Apologies: Justin Hamilton, Councillor Barry Johnston & Councillor Ken Paxinos

Declarations of Interest: Nil

Determination and Statement of Reasons

2015HCC008 – Lake Macquarie – DA/496/2015 [41, 48 and 71 Trinity Point Drive, Morisset Park NSW 2264, and Council Reserve] as described in Schedule 1.

Date of determination: 5 May 2015

Decision:

The panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

Panel consideration:

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

Reasons for the panel decision:

The panel adopted the assessment of those matters in the Council Assessment Reports.

Conditions:

The development application was approved subject to the conditions recommended by Council staff, including additional and revised conditions as circulated to the JRPP 4 May 2016 with amendments to the following conditions:

- Condition 27 – Amend the quantum of parking to align with the parking shown on the approved plans with appropriate sub categories as determined by Council staff.
- Condition 28 – Ensuring the tourist accommodation and short stay accommodation is protected by covenants on title and the requirements of Conditions C5 and C6 of the concept plan approval (as modified) are replicated in the consent.
- Condition 32 – The last sentence be modified to stipulate that the indexing is to be relative to the date of the concept plan condition requiring the contribution.
- Condition 37 – Ensuring the public access is legally protected by an appropriate legal mechanism under the Conveyancing Act 1919.

Panel members:



Garry Fielding (Chair)



Jason Perica



Kara Krason

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SCHEDULE 1

1	JRPP Reference – LGA – Council Reference: 2015HCC008 – Lake Macquarie – DA/496/2015
2	Proposed development: Serviced Apartments and Residential Apartments with common basement carparking, landscaping, and stormwater and utility infrastructure works
3	Street address: 41, 48 and 71 Trinity Point Drive, Morisset Park NSW 2264, and Council Reserve
4	Applicant/Owner: Johnson Property Group Pty Ltd
5	Type of Regional development: Capital Investment Value > \$20 million
6	Relevant mandatory considerations: <ul style="list-style-type: none"> • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy 19 – Bushland in Urban Areas • State Environmental Planning Policy 65 – Design Quality of Residential Flat Development • State Environmental Planning Policy No. 71 – Coastal Protection • Lake Macquarie Local Environmental Plan 2014 • Lake Macquarie Development Control Plan 2014 • 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 EPA Act or EPA Regulation. • The public interest, including the principles of ecologically sustainable development.
7	Material considered by the panel: Council Assessment Report Dated 26 April 2016 Written submissions during public exhibition: 34 Verbal submissions at the panel meeting: <ul style="list-style-type: none"> • Bryan Garland – Development Manager • Vince Squillace – Architect • Keith Johnson – Managing Director
8	Meetings and site inspections by the panel: 5 May 2016 – Site Inspection and Final Briefing meeting.
9	Council recommendation: Approval
10	Draft conditions: As per Assessment Report