

DETERMINATION AND STATEMENT OF REASONS

HUNTER & CENTRAL COAST
JOINT REGIONAL PLANNING PANEL

DATE OF DETERMINATION	8 December 2016
PANEL MEMBERS	Jason Perica (Chair), Kara Krason, Lindsay Fletcher, Cllr John Gilbert and Sandra Hutton
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held at Lake Macquarie City Council on Thursday 8 December 2016, opened at 2.00 pm and closed at 2.45 pm

MATTER DETERMINED

2016HCC014 – Lake Macquarie City Council – DA/202/2016, Residential Aged Care Facility, Lot 11 DP 656806, Lot 1 DP 515152, Lot 2 DP 515152, Lot 3 DP 515152, Lot 4 DP 515152, 64, 66, 68, 70 and 72 Warners Bay Road, Warners Bay.

PANEL CONSIDERATION AND DECISION

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





The Panel decided to defer determination of the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*. The decision was unanimous.

REASONS FOR THE DECISION

The Panel was unable to determine the matter as the proposal was Integrated Development within the meaning of the *Environmental Planning and Assessment Act 1979* and the General Terms of Approval from the NSW Office of Water had not been received at the time of determination. The referral also allowed certain matters discussed at the meeting relating to privacy, fencing, landscaping, pathways, acoustic certification, approved plans and hours of use to be addressed by a subsequent report from Council.

TERMS OF THE DEFERRAL

1. The Secretary of the Department of Planning and Environment, through the JRPP Secretariat as may be appropriate, seek to expedite the response from the NSW Office of Water on the Integrated Development Application, as this is delaying determination.
2. Upon receipt of General Terms of Approval, Council staff provide a supplementary report regarding the comments from the NSW Office of Water and matters discussed at the meeting, including privacy, fencing, landscaping, pathways, acoustic certification, approved plans and hours of use.
3. That the Panel subsequently determine the application be electronic means.

PANEL MEMBERS	
 Jason Perica (Chair)	 Kara Krason
 Lindsay Fletcher	 John Gilbert
 Sandra Hutton	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016HCC014 – Lake Macquarie City Council – DA/202/2016
2	PROPOSED DEVELOPMENT	Residential Aged Care Facility
3	STREET ADDRESS	Lot 11 DP 656806, Lot 1 DP 515152, Lot 2 DP 515152, Lot 3 DP 515152, Lot 4 DP 515152, 64, 66, 68, 70 and 72 Warners Bay Road, Warners Bay.
4	APPLICANT/OWNER	Lake Macquarie City Council
5	TYPE OF REGIONAL DEVELOPMENT	CIV over \$20 million
6	RELEVANT MANDATORY CONSIDERATIONS	<p>Environmental planning instruments:</p> <p>1. Lake Macquarie Local Environmental Plan 2014</p> <p>Draft environmental planning instruments: Nil</p> <p>Development control plans:</p> <ul style="list-style-type: none"> Lake Macquarie Development Control Plan 2014 <p>Planning agreements: Nil</p> <p>Regulations:</p> <ul style="list-style-type: none"> Environmental Planning and Assessment Act Regulation 2000 <p>The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality.</p> <p>The suitability of the site for the development.</p> <p>Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> and <i>Environmental Planning</i></p>

		<p><i>and Assessment Regulation 2000.</i></p> <p>The public interest, including the principles of ecologically sustainable development.</p>
7	MATERIAL CONSIDERED BY THE PANEL	<p>Council Assessment Report with proposed conditions and plans of development.</p> <p>Response to JRPP queries dated 4 December 2016 from Council staff.</p> <p>Written submissions during public exhibition: two submissions</p> <p>Verbal submissions at the panel meeting:</p> <ul style="list-style-type: none"> • Support – nil • Object – nil • On behalf of the applicant – Mr Richard Abbott
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<p>18 August 2016 – Briefing Meeting</p> <p>8 December 2016 – Site Inspection and Final Briefing Meeting</p>
9	COUNCIL RECOMMENDATION	Approve
10	DRAFT CONDITIONS	Attached to the council assessment report, updated by the memo responding to JRPP queries dated 4 December 2016.