

DATE OF DEFERRAL	Thursday 18 October 2018
PANEL MEMBERS	Michael Leavey (Chair), Lindsay Fletcher, Jason Pauling, Scott Anson
APOLOGIES	Jason Perica
DECLARATIONS OF INTEREST	Kara Krason

Public meeting held at Lake Macquarie City Council, Administration Building, 126-138 Main Road, Speers Point on 18 October 2018, opened at 3:00pm and closed at 5:20pm.

MATTER DEFERRED

2017HCC002 – Lake Macquarie City Council – DA /11/2017 for multiple properties at Belmont (as described in Schedule 1)

PANEL CONSIDERATION AND DEFERRAL

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

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.





The Panel determined to defer consideration of the development application to allow the following to take place:

1. Council to convene a special meeting of the Design Review Panel to workshop with the applicant, and ideally an independent urban design consultant engaged by the applicant, to address and resolve the issues of concern that have been raised by the Design Review Panel, and in particular:
 - the internal amenity of apartments, including privacy;
 - improvements to the external design and appearance of the development; and
 - the viability of landscaping as proposed, and opportunities for improved planting.
2. Amended plans are to be prepared by the applicant that respond to the workshop and the issues raised by the Design Review Panel;
3. The applicant is to meet with Council’s engineers to develop a solution to address potential inundation of the basement level, including consideration of sea level rise; and
4. That prior to the matter being reported to the Regional Planning Panel again, the applicant is to provide:
 - updated shadow impact assessment, including hourly shadowing of the facades of development on the southern side of Sharp Street (including shadowing from both the proposal and from a height-compliant development), and an analysis of the impacts on adjoining development; and
 - close detail photomontages of the proposal showing the appearance of the development in the context of surrounding development.

In deferring the matter the Panel was of the view the subject site is significant in terms of its size, the amalgamation of properties achieved and its location in the Belmont centre, and the Panel noted the improvements made through inclusion of the isolated site and changes to the car parking podium. While the Panel saw some merit in the general development concept, it was also of the view that meaningful improvements are required to the internal and external design, along with other supporting information, before the Panel would be in a position to further consider the height variations as proposed and the development more generally.

The Panel strongly urges the applicant to work collaboratively with Council staff and the Design Review Panel to address the issues that have been raised, and the Panel is expecting that meaningful improvements will be made to the design of the development before the matter is considered again. The Panel also strongly recommends the applicant engage an independent urban design consultant to assist in the design review process.

The decision to defer the matter was unanimous.

PANEL MEMBERS	
 Michael Leavey (Acting Chair)	 Lindsay Fletcher
 Jason Pauling	 Scott Anson

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017HCC002 - Lake Macquarie City Council - DA/11/2017
2	PROPOSED DEVELOPMENT	Demolition Works, Commercial Premises and Residential Flat Building
3	STREET ADDRESS	5 – 11 Edgar Street, 2 – 10 Sharp Street, 32 - 44 Brooks Parade, Belmont
4	APPLICANT/OWNER	Applicant: Monteath and Powys Pty Ltd Owner: Allbeach Pty Limited AM, KL and MF Brown BSE Holdings Pty Limited Lakesharp Developments Pty Limited Robert Neil McDonald MD & JE Hughes
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Planning Policy 55 – Remediation of Land ○ State Environmental Planning Policy 65 - Design Quality of Residential Apartment Development ○ State Environmental Planning Policy 71 - Coastal Protection ○ State Environmental Planning Policy (Infrastructure) 2007 ○ Lake Macquarie Local Environmental Plan 2014

		<ul style="list-style-type: none"> • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Lake Macquarie Development Control Plan 2014 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil • Coastal zone management plan: Nil • 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 <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report: 8 October 2018 • Written submissions during public exhibition: 26 • Additional information from Council, including a late submission, received by the Panel on 17 October 2018 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Support – nil ○ Object – nil ○ Council assessment officer – Brian Gibson ○ On behalf of the applicant – Charles De Bono & Darren Holloway
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • 5 Edgar Street, Belmont briefing Thursday 23 November 2017 • Site Inspection and final briefing to discuss council's recommendation, Thursday 18 October 2018,. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Michael Leavey (Acting Chair), Lindsay Fletcher, Jason Pauling & Scott Anson ○ <u>Council assessment staff</u>: Brian Gibson, Elizabeth Lambert, Georgie Williams
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	Nil