

DATE OF DETERMINATION	Wednesday, 11 December 2019
PANEL MEMBERS	Michael Leavey (Chair), Kara Krason, Julie Savet Ward, Jason Pauling and Justin Hamilton
APOLOGIES	Jason Perica
DECLARATIONS OF INTEREST	None

Public meeting held at Lake Macquarie City Council 126-138 Main Road, Speers Road on 11 December 2019, opened at 4:00pm and closed at 7:40pm.

MATTER DETERMINED

2018HCC045 – Lake Macquarie City Council – DA/2076/2018 at 121 Portland Drive Cameron Park – Place of Public Worship (as described in Schedule 1)

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and briefings 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.

Development application

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel generally agreed with the assessment of environmental impact, conclusions and recommendations within the Council staff report, and supports the application for the following reasons:

- The proposal is appropriate for the site and the zoning of the land;
- The impacts of the development, including on surrounding properties, has been considered and addressed in the assessment and recommended conditions of consent;
- The Panel noted advice from Council staff at the meeting that SEPP 55 and site contamination were addressed in the assessment of the proposal, and that the site has no contamination, it is suitable for its future use and meets the requirements of SEPP 55;
- Relevant statutory planning requirements and considerations have been met, including the issue of General Terms of Approval by Subsidence Advisory NSW and the Rural Fire Service; and
- The proposal will provide a number of community benefits, including additional community facilities and services.

CONDITIONS

The development application was approved subject to the conditions in the Council assessment, with the following amendments:





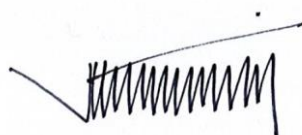
- Insert the following at the end of Condition 2:
(c) “The Operational Plan of Management is to be amended and submitted to Council for approval prior to issue of any Operation Certificate to reflect the approved number of seats in accordance with this consent, and to address the management of traffic and special events, including managing internal access to and from Craighill Crescent and managing parking on internal roads to assure access for emergency vehicles.”

- Insert new Condition 3A:
“Nothing in this consent permits Multi-Purpose Room 7 to be used as a Medical Centre.”
- Insert new Condition 8A:
“Prior to the lodgement of a Construction Certificate, an amended Landscape Plan and Site Plan shall be submitted for the consideration and written approval of Council’s Chief Development Planner, showing the retention of existing trees in areas not subject to cut and fill on Engineering Plan Drawing Number 501 Rev E, and particularly in the Village Green area. This requirement does not include any trees agreed to by the Council as being dead trees.”
- Insert the following at the end of Condition 13:
“, and including the nomination and appropriate signposting of the 7 car parking spaces to the south of the accessible car parking spaces as priority parking spaces for seniors.”

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition and there were no community members who addressed the Panel. The Panel notes that issues of concern included access and traffic/ car parking impacts, including impacts on Craighill Crescent.

The Panel considers that concerns raised by the community have been adequately addressed in the assessment report and that no new issues requiring assessment were raised during the public meeting. The Panel noted that the access point to Craighill Crescent was approved as part of the adjoining seniors housing development, and the application was supported by a Traffic and Parking Assessment Report which was reviewed as part of Council’s assessment, and appropriate conditions of consent have been imposed, including a limit on the number of seats and for the management of large events.

PANEL MEMBERS	
 Michael Leavey (Chair)	 Kara Krason
 Julie Savet Ward	 Jason Pauling
 Justin Hamilton	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018HCC045 – Lake Macquarie City Council – DA/2076/2018
2	PROPOSED DEVELOPMENT	Place of Public Worship
3	STREET ADDRESS	121 Portland Drive Cameron Park
4	APPLICANT/OWNER	Applicant: ADW Johnson Owner: The Salvation Army NSW Property Trust
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <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 No.44 (Koala Habitat Protection) ○ Lake Macquarie Local Environmental Plan 2014 • 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: 11 November 2019 • Written submissions during public exhibition: Four • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ In support – Nil ○ In objection – Nil ○ Council assessment officer – Georgie Williams ○ On behalf of the applicant – Brooke Sauer
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Final Briefing: Wednesday, 11 December 2019 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Michael Leavey (Chair), Kara Krason, Julie Savet Ward, Jason Pauling and Justin Hamilton ○ <u>Council assessment staff</u>: Georgie Williams, Elizabeth Lambert and Cameron Evans • Site inspection: Wednesday, 11 December 2019 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Michael Leavey (Chair), Julie Savet Ward, Jason Pauling and Justin Hamilton (Kara Krason previously had inspected the site) ○ <u>Council assessment staff</u>: Georgie Williams and Cameron Evans
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report