

## RSDA Preliminary Briefing Agenda

### Hunter & Central Coast Regional Planning Panel

<b>PANEL REFERENCE, DA NUMBER &amp; ADDRESS</b>	PPSHCC-223 LAKE MACQUARIE, 38 and 40 YORSTON STREET WARNERS BAY  DA/1127/2023
<b>APPLICANT / OWNER</b>	Mr James Walters
<b>APPLICATION TYPE</b>	Development Application
<b>REGIONALLY SIGNIFICANT CRITERIA</b>	Clause 3, Schedule 6 of the Planning Systems SEPP: CIV > \$5M - Council interest
<b>KEY SEPP/LEP</b>	<ul style="list-style-type: none"> <li>• State Environmental Planning Policy (Resilience and Hazards) 2021</li> <li>• State Environmental Planning Policy (Planning Systems) 2021</li> <li>• State Environmental Planning Policy (Transport and Infrastructure) 2021</li> <li>• State Environmental Planning Policy (Industry and Employment) 2021</li> <li>• Lake Macquarie Local Environmental Plan 2014</li> </ul>
<b>CIV</b>	\$5,172,400 (excluding GST)
<b>BRIEFING DATE</b>	31 August 2023

#### ATTENDEES

<b>APPLICANT</b>	Marina Budisavljević, James Walters, Jess Salvador
<b>PANEL MEMBERS</b>	Alison McCabe (Chair) and Tony McNamara
<b>APOLOGIES</b>	Roberta Ryan
<b>COUNCIL OFFICER</b>	Andrew Leese, Amy Regado and Jim Suters
<b>CASE MANAGER</b>	Leanne Harris
<b>PLANNING PANELS SECRETARIAT</b>	Holly McCann

Council is yet to undertake its full application assessment, so this record is not a final list of the issues they will need to consider in order to draft their recommendation.

The application is yet to be considered by the Hunter and Central Coast Planning Panel and therefore future comment will not be limited to the detail contained within.

DA LODGED: **20 July 2023**

TENTATIVE PANEL BRIEFING DATE: **November 2023**

TENETATIVE PANEL DETERMINATION DATE: **March 2024**

## **KEY ISSUES IDENTIFIED FOR CONSIDERATION**

### **COUNCIL:**

- Council applicant and land-owner.
- 3 lots of land, 2 classified as community and 1 operational land.
- Permissible on community land in the existing plan of management.
- Identified in Council's park and play strategy as not being suitable for a park
- Proposed 71 place child-care centre.
- 4 submissions which raise issues with traffic, loss of open space and bin location (smell, nappies).
- 37 native trees to be removed
- 2 metre setbacks on both street frontages, average usually is 4 metres. Currently being assessed and considered by Council.
- Most internal referrals completed with additional information and comments needed so Council will issue an RFI shortly.
- Small variation in parking numbers being requested.

### **APPLICANT:**

- Council project- community organisation will run the proposed centre.
- Overview of the existing site and background to proposed relocation.
- Site plan and surrounding context explained.
- Single storey with minor encroachments to setback.
- Significant street tree planting and proposed footpaths in the public domain.
- Complies with State and National guidelines.
- Bin storage for on-street collection. Location provides least impact on surrounding residential development.
- Car- parking, stacked arrangement permissible under DCP for staff, 15 minute drop off arrangement.
- Overview of floor plans and elevations.
- Identified issues:
  - Contamination – further investigation and RAP required
  - Traffic and parking – 2 car parking spaces deficient which applicant considers negligible.
  - Grades of new footpaths
  - 2 metre setback encroachment – 24.5% of the entire frontage
  - Fencing treatments and noise attenuation
  - Tree clearing and arborist assessment.
- Overview of project consultation undertaken to date

## PANEL COMMENTS

- Typical for a childcare centre the Panel will want to understand built form and fit, noise, fencing, drop off and pick up and car parking.
- Cross sections of footpaths are required.
- The Panel notes the shape of the lot is difficult and will need to understand the justification for the proposed setbacks particularly along the most sensitive residential boundary. The current proposal is very tight and consideration may need to be given to some two storey elements.
- The Panel is concerned with the approach to clear fell the site and notes this cannot be compensated for by street tree planting. The loss and lack of replacement of canopy tree planting is of concern.
- The Panel questions the functional location of the garbage store and why it is not integrated within the development?
- Infrastructure and hard surfaces including car parking are also sited within the setbacks which further limits opportunities for screening and landscaping.
- The Panel suggest the need for independent assessment of the application given extent of DCP non compliances and design outcomes proposed

The Panel will seek further briefings following the issue of Council's RFI if required.