

**BRIEFING DETAILS**

<b>BRIEFING DATE / TIME</b>	Monday, 17 February 2025
<b>LOCATION</b>	MS Teams Videoconference

**BRIEFING MATTERS**

PPSHCC-294 – Lake Macquarie– DA/598/2024 – 65 Glendale Drive, Glendale 2285 – Concept Development and first stage of development

**PANEL MEMBERS**

<b>IN ATTENDANCE</b>	Alison McCabe, Roberta Ryan, Tony McNamara, Jason Pauling, Christine Buckley
<b>APOLOGIES</b>	Nil
<b>DECLARATIONS OF INTEREST</b>	Nil

**OTHER ATTENDEES**

<b>COUNCIL ASSESSMENT STAFF:</b>	Glen Mathews, Steven Masia
<b>DEPARTMENT STAFF</b>	Leanne Harris, Holly McCann

**COUNCIL BRIEFING**

- Brief overview of DA status, site and context.
- Main Panel comments from last briefing:
  - Overall approach to the master plan and opportunities for a variety of heights.
  - Status and context of Glendale - regional commercial hub.
  - Applicant to clarify the government audit approach.
  - Provision of affordable housing.
  - Traffic.
  - Noted the need for good public transport.
  - Flooding.
  - Ecology - avoid and minimise requirements.
- RFI issued on above basis in Aug 2024 with response received in December 2024 and applicant has been working with Council to resolve a number of issues.
- Original concept proposal reviewed and an amended layout and design now provided with overview of changes discussed including consolidated mixed-use precinct with a range of building heights now proposed, relocation of park, additional apartments, and changes to floor areas.
- External and internal referrals comments being sought.
- Renotification of the amended DA finishes 19 Feb 2025.
- Applicant has confirmed the site was included in the Government audit process. Applicant's position is that no affordable housing proposed in Masterplan stage as this will be considered in future

applications to realise the masterplan. At this stage Council does not have any policy provisions to require these provisions.

- Traffic and transport update:
  - Applicant has discussed requirements with TfNSW and changes made to the application including signalised intersections, duplication of Main Road and amendments to pedestrian links.
  - Still being assessed by Council and needs further discussion with TfNSW as to what works are required for the initial stage.
  - TfNSW not satisfied at this stage and have requested further details on assumptions. Further information will be required.
- Flooding still being assessed with amended model providing improved information.
- Amended BDAR is still outstanding.
- Amended Vegetation Management Plan appears consistent with discussions prior to lodgement including buffer for Powerful owl and connectivity for squirrel gliders.
- Glendale confirmed as a regional centre and growth area.
- Apart from TfNSW all other external agencies now satisfied with amended documentation.
- Community consultation - currently a total of 14 submissions all objecting to the DA.
- Clause 4.6 submitted for proposed height variations.
- Council assessment to continue and a further RFI is anticipated.

### **PANEL COMMENTS AND QUESTIONS**

- Council should consider future Social and Affordable Housing on the site through policy provisions.
- Panel need to understand the traffic requirements including duplication of Main Road and any land acquisition requirements, downstream impacts etc.
- The Panel particularly want to understand the relationship between the changed and additional heights and the ecological outcomes and impacts.
- The Panel reiterate their earlier comments in relation to ecology and need to understand how ecology has been dealt with in terms of the avoid and minimise requirements under the Biodiversity Conservation Act. There is a potential jurisdictional matter related to the Planners North v Ballina LEC Judgement (para 173 and 174 in particular). Reliance on the use of the C2 zone as an avoidance measure may be problematic and the applicant needs to address this.
- Flooding needs to consider the extent of fill, the need for modelling and impacts on biodiversity. The Panel notes that the Applicant has been advised that their reports need to be internally consistent (eg flooding, ecology, civil works etc).
- Council should consider the increase in height from an urban design and placemaking perspective and obtain advice from the Design Review Panel.
- The required Clause 4.6 submission needs to be very well documented and comprehensive and be clear on why compliance is unreasonable and unnecessary, and what environmental planning grounds are being relied on.
- The Panel want to understand the legal mechanisms such as how and when the required infrastructure will be delivered and who will be responsible for such works (e.g. Main Road duplication). The relationship between the proposed super lot subdivision and timing of work needs to be documented and understood.
- The High hazard flood designation and suitability of the site for the residential development and population now being proposed needs to be considered and assessed. Factual information regarding evacuation requirements etc needs to be provided.
- The DA and assessment needs to be very clear about retaining walls in terms of the extent of fill and relationship to the interfaces.

The Panel expect the applicant and Council to continue to work together to address the matters raised today and will seek further briefings if required. The Panel will need to hold a public determination given the number of submissions objecting to the DA.

### **Planning Panels Secretariat**

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