

BRIEFING DETAILS

BRIEFING DATE / TIME	Wednesday, 30 November 2022, 12:30pm – 2pm
LOCATION	MS Teams

BRIEFING MATTER(S)

PPSSTH-154 – Wagga Wagga – DA21/0806 - 12 WATERHOUSE AVENUE LLOYD - Place of Public Worship

PANEL MEMBERS

IN ATTENDANCE	Clare Brown (Acting Chair), Chris Wilson, Tim Fletcher, Cr Amelia Parkins, Cr Michael Henderson
APOLOGIES	NIL
DECLARATIONS OF INTEREST	NIL

OTHER ATTENDEES

COUNCIL ASSESSMENT STAFF	Amanda Gray, Paul O'Brien
APPLICANT ATTENDEES	Michael Tadros (Innovative FP), Rod McMullen (Icono), Jared Milne (Icono), Nimeka Pathirana (MJM), Yostos Wasif, Ramzy Barsoum, Osama Ghabrial, Wagieh Mahrous
OTHER	Amanda Moylan (DPE)

KEY ISSUES DISCUSSED

Council Briefing

- Council provided an update re the progress of its assessment of the development application in particular, the applicant's response to four questions (regarding land uses classification and permissibility) raised by the Panel during the site visit and Council briefing of 8 June 2022.
- Council confirmed the applicant's response noting it was not supported by legal advice on the permissibility and characterisation of the use.
- The Council advised the Panel that the remainder of the concerns raised by the Panel during the previous briefing had not been formally put to the applicant.
- The Panel reinforced the need for Council to ensure there is certainty around the threshold issue of permissibility and land use characterisation, suggesting Council should consider getting legal advice, before the development proposal moves forward for consideration of site suitability and assessment.
- The Panel recommended that Council satisfy itself that it has sufficient information before proceeding to assessment of the application.

Applicant Briefing

- The Panel invited the applicants to expand on their response to the Council's request for information and to provide a response to the matters raised in the Panel's record of briefing. The applicant confirmed that it had access to the record of briefing.
- The applicants provided a background to the proposal, site acquisition, intended operation/intensity of the use (and separate elements of the proposal) along with commentary around some of the matters raised in the record of briefing.
- The Panel noted its concerns regarding permissibility, characterisation of the use, site suitability, extent of ameliorative measures required, including significant cut and fill and the bulk and scale of the development.
- The Panel invited the Applicant to advise if it proposed to provide a formal response to the matters raised in the July record of briefing.

Next Steps

- The Panel noted that the July record of briefing identifies several concerns which require a response and areas where further or revised information is required. Additional information supporting the applicant's position is needed to enable the Council to move forward and undertake a proper and thorough assessment of the application.
- The Panel requested the applicant advise the Council within 2 days as to whether they intend to provide additional information responding to the matters raised in the July record of briefing.
- If the applicant intends to provide additional information, the Panel requested this be submitted to Council by 16 January 2023.
- The Panel requested the Council obtain legal advice regarding permissibility and land use characterisation of the proposed development.
- A detailed assessment of the development application is to be prepared by Council.
- The Panel noted the number of submissions received during the exhibition of the matter requires a Public Determination Meeting to be held.

TENTATIVE DETERMINATION DATE SCHEDULED FOR MID/LATE FEBRUARY 2023

Planning Panels Secretariat

4PSQ 12 Darcy Street, Parramatta NSW 2150 | Locked Bag 5022, Parramatta NSW 2124 | T 02 8217 2060 | www.planningportal.nsw.gov.au/planningpanels