

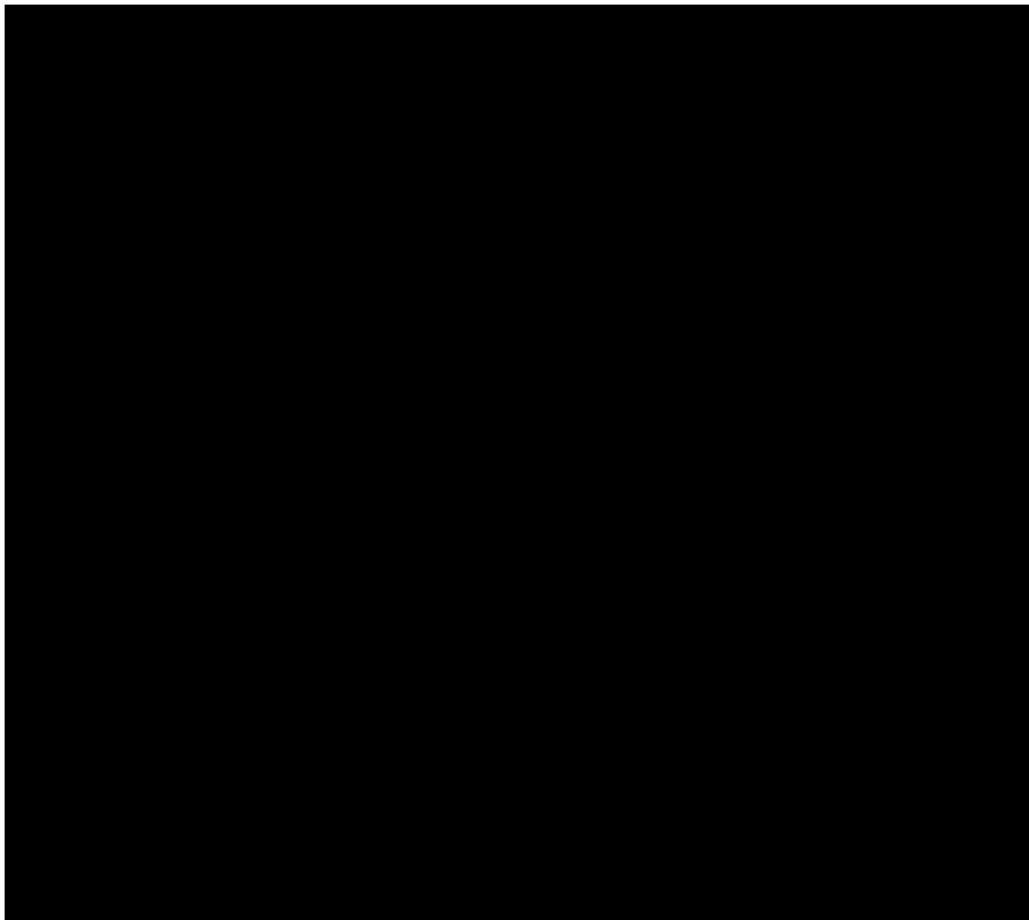
From: [REDACTED]
Sent: Wed, 1 Sep 2021 13:48:32 +1000
To: City of Wagga Wagga
Cc: [REDACTED]
Subject: Submission Against the Proposed Place of Worship 53 Gregadoo Road
Attachments: DA21-0492 Submission Against Proposed Place of Worship 010921.pdf,
20210901133418.pdf

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Dear WWCC General Manager

Please find the formal submission against the proposed Place of Worship for 53 Gregadoo Road and for any further information, please do hesitate to contact me [REDACTED]

Regards



1 September 2021

Attention:

WWCC Development
Po Box 20 Wagga Wagga 2650

Submission on DA 21/0492 Proposed Place of Worship 53 Gregadoo Road

Please find my submission Against the proposed Development Application below

I am against the proposed Place of Worship at 53 Gregadoo Road for the following reasons

1. Breach of the 88B Instrument – Not a Private Dwelling House

- (g) No main building shall be used or allowed to be used for any purpose other than as a private dwelling house and shall not nor shall any part thereof be used or allowed to be used for a residential unit, strata unit or flat.

The 88B instrument is a control for families and rate payers to know what is developing now and into the future for assurity, security and valuation purposes and this proposed development is in clear breach of the instrument undermining the surrounding families, their homes and their lifetime investment

2. Breach of the 88B Instrument – Side & Front Fencing & Gate

- (c) Other than as provided for in paragraphs 3(a) and (b) no fence shall be constructed or erected or allow to remain on or between the street alignment and the building envelope for such lot of other than brick, rock or stone fence not exceeding 900mm in height;

The 88B instrument is a control for families and rate payers to know what is developing now and into the future for assurity, security and valuation purposes, the assumption of this type of fencing to secure the property would be in clear breach of the instrument undermining the surrounding families, their homes and their lifetime investment as well not in keeping with the surrounding homes and negatively impacts the street scape

3. Breach of LEP Use or Intent within R5 Permissible – Excludes Majority of the Community

The SEE 2.4 Notes permissible use within R5 zoned land which stipulates specific logistically and community based user groups to which this develops does not comply as it is a private church which excludes the majority of the community and its users are not located nearby. The permissible use of such exceptions are purely intended to benefit the majority of the community and nearby neighbours to which this will not.

The applicant's Proposal states Place of **Public** Worship but is **not Open to the Public** and discriminates against the surrounding community and the majority worshippers intending to use this facility do not reside within this suburb.

4. Excessive Noise Generation

The proposed church times of 6.00am Sunday and Monday and 6pm – 7pm daily will grossly impact on the neighbouring community with exorbitant numbers of vehicles visiting, dropping off delivering with vehicle noise, opening and closing doors and talking. General DA constructions approvals condition noise generation to protect neighbouring properties with set start and finish times for every day of the week to which these proposed hours significantly depart from. No matter how quiet visitors intend to be that amount of people instantly generate excessive noise and disturb the neighbourhood.

Wagga Wagga City Council imposes noise restraints on certain industries to protect residences and the community and this proposal will have a detrimental impact on residences outside of normal neighbourhood practices.

This proposed development should be treated as a commercial proposition in a commercial precinct as it

- excludes and discriminates
- vehicle movements will be excessive and dangerous for existing residences and schools etc
- noise impacts on residences is not expected like this in a residential subdivision
- carparking facilities and safety would be better suited in a commercial precinct
- hours of operation would be better suited in a commercial precinct
- The applicant's worshippers own many commercial properties within Wagga and may be better suited developing these to lessen the impact on all neighbouring properties who are a not a part of this exclusive following

Please note that the other places of worship referenced in the SEE operate significantly longer hours of operation so if this proposal is so warranted why is it only operating for 2 hours a week. I believe this is one of those proposals that try the road of least resistance then once approved revert to the applicants motive of the same operations of their other places of worship. This is gross misuse of this prime residential land, to have a commercial property purpose built to operate for only 2 hours a week is letting down the Wagga community especially with the shortage of residential land.

5. Excessive Vehicles Movements on Gregadoo Road – RMS Safety Issue

The original Residential subdivision was approved with conditions to address the safety of residents and travellers on Gregadoo Road with lots facing Gregadoo Road for Single Dwelling purposes (approx. 2 vehicles), this was initiated to limit the amount of stopping on every busying road with driveways combined side by side to reduce lot entries.

This location is extremely close to Mater Dei Primary School and Mater Dei Catholic College as well as a child care centre and the traffic concerns in this area are already high let alone another 40 – 60+ vehicles adding to the problem. In addition to this the road now will have greater vehicle movements with the new Main street subdivision increasing population. Strategically Wagga will develop further South and Gregadoo Road will become more arterial and unless major road works are done with development will be a death trap and make WWCC liable.

The SEE states that the size of the development should negate an RMS study however with the proposed gatherings and general running will automatically direct 40 – 60+ vehicles at any one time and for the safety of the community an RMS full study into this should be done under due diligence and include full consultation with the schools and child care as they have all been liaising with WWCC for years to achieve a safer environment

With the pending residential proposal opposite this property, additional residents and traffic on Gregadoo Road is another reason this proposal should be in a commercial precinct.

6. Community Consultation

The community consultation referenced in the SEE should be dismissed for the following

- New property owners since previous application in 2017
- No record of community consultation and feedback
- No record of community meetings, forms of notification or minutes
- Neighbour Sentiment Analysis Report prepared by the applicant

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With the proposed development being non-residential and unoccupied this would create or possibly invite crime to this location knowing that the premises would be unoccupied as well as the building providing a screen for criminals from passers-by to enter the adjoining properties

Further Comments – 88B makes mention again of permissible use for a Place of Public Worship however council and the neighbouring community need to understand that this facility will not be open to the public as this congregation is exclusive

The group home mentioned to which many residents lodged submissions, is occupied and has extremely low levels of vehicle movement and couldn't be considered in any similarity

Further Comments – Section 79C(1)(b),(c) and (e) Impacts mentions Gregadoo Road is better suited this development over residences because of noise, so do we knock down all the existing dwellings along Gregadoo Road in light of this comment – good, hard working, rate paying neighbours instil the authority in council and its staff to protect their best interests including their wellbeing, their inclusiveness, their financial loss from valuation decrease etc.

The comment that the development is in keeping with the character of the surrounding area is ridiculous based on the proposed plans and existing dwellings already there and to say that this development would have a beneficial impact on the locality enhancing community ties (please note below articles referenced – this church is EXCLUSIVE and do not mix in mainstream society), catering for minority group (this is only interested in catering for their own minority group and excluding the neighbouring community) and convenient for residences (having 15+ car spaces automatically flags that they will not be local) of that faith only is purely farcical at best.

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According to press releases, the Brethren Community do not involve themselves with the local community in any way. What is this going to fetch to our village?

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Exclusive Brethren church plan draws opposition from residents

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Outpouring of opposition to Exclusive Brethren church plan

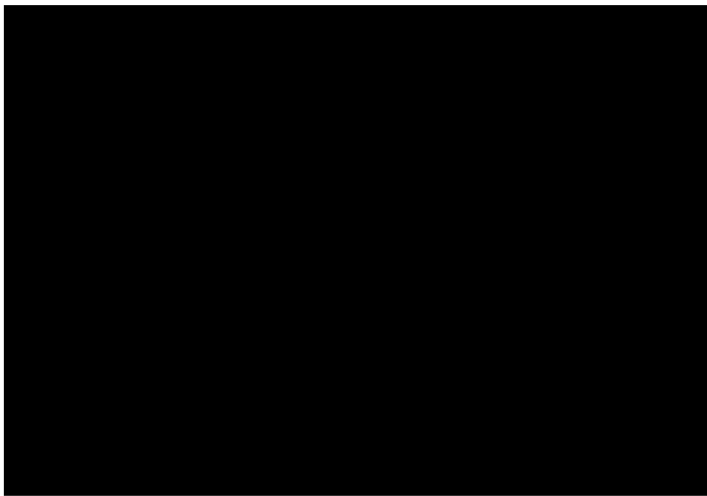
Summary

In summarising this development should not be permitted in a residential neighbourhood based on a gross misuse of land, poor design outcome with the existing houses, potential to devalue surrounding properties, will look ridiculous in terms of scale on the size of the block, impact poorly on the streetscape of the neighbourhood, exclude the community, impact unsafely on the vehicle movements and crime as well as all of the concerns noted above.

This applicant has been noted as Koorringal Gospel Trust but council needs to know that this is the Plymouth Bretheren also known as THE **EXCLUSIVE** BRETHEREN

For any further information please do not hesitate to contact me

Regards



Application No: DA21/0492 **File No:** D/2021/0492 **Contact:** Robyn Bradley
26 August, 2021



Dear Sir/Madam

Council is in receipt of an application for development at the following property.

Applicant: CG Napier

Proposal: Place of Public Worship

Property: 53 Gregadoo Rd LAKE ALBERT NSW 2650, Lot 4 DP 1142732

The Application, together with the submitted plans and information, will **only** be available for inspection between 31 August, 2021 and 14 September, 2021 during normal office hours (9:00 am - 5:00 pm) Monday to Friday excluding public holidays, at the Council Administration Centre, cnr Baylis and Morrow Streets, Wagga Wagga or online via the below link:-

<https://eservices.wagga.nsw.gov.au/exhibitiondocs>

If you would like to comment on the proposal, email Council at council@wagga.nsw.gov.au or post a submission before the closing date, please attention to the above contact. If such submission is an objection, the grounds of such objection are to be clearly stated in the submission. Any submissions are to be received at Wagga Wagga City Council by 5:00 pm on 14 September, 2021.


Please note that submissions may be disclosed to Councillors, Council Officers, Consultants to Council, the Southern Region Planning Panel, and members of the public. Submissions, summaries of submissions and names and addresses of persons making submissions may also be included in publicly available reports relating to Development Applications and other matters.

Persons lodging submissions are required to declare political donations (including donations of more than \$1,000) made in the previous two years. For more details, including disclosure form, go to www.planning.nsw.gov.au/donations.

Persons making written submissions regarding the above development are advised that any submission received within the submission period will be subject to the Government Information (Public Access) Act 2009 and the Privacy and Personal Information Protection Act (PIPPA) and may be attached to the final report, in its entirety or in part, to Council unless explicitly requested by the person making the submission that they do not wish this to occur.

Should you have any further enquiries please contact Council's City Development on 1300 292 442 during normal office hours and **quote the above application number and contact.**

Yours sincerely,

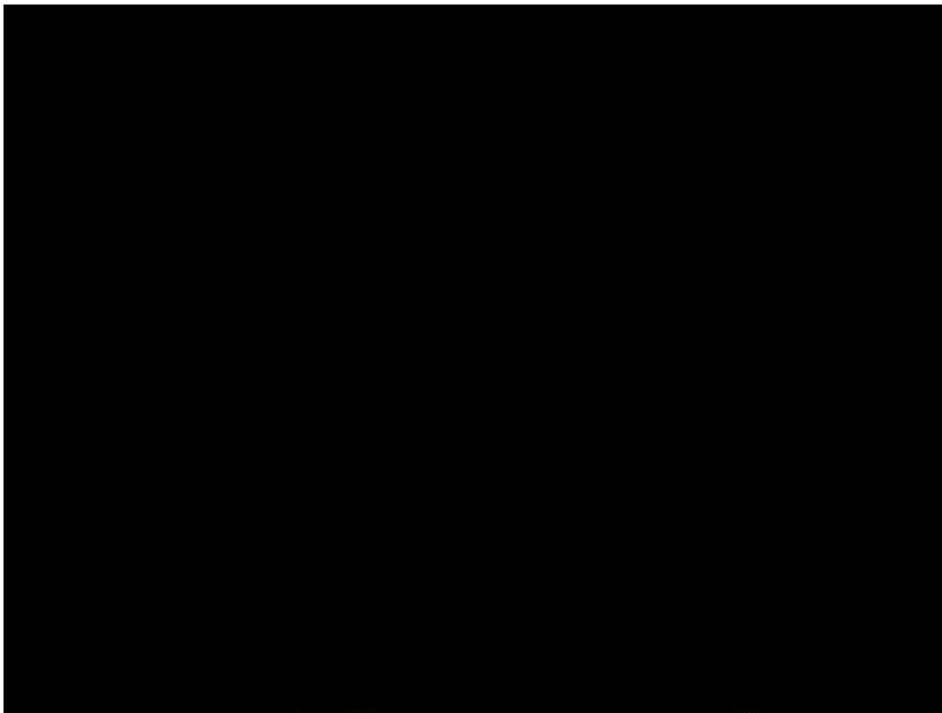


From: [REDACTED]
Sent: Mon, 6 Sep 2021 08:55:32 +1000
To: City of Wagga Wagga
Subject: FW: Scanning
Attachments: WWCC Delvelopment.pdf

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Attention WWCC Development

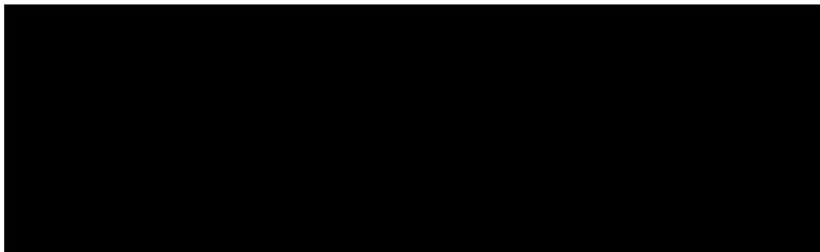
Regards



Sent: Monday, 6 September 2021 8:51 AM

To: [REDACTED]

Subject: Scanning





1 September 2021

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Po Box 20 Wagga Wagga 2650

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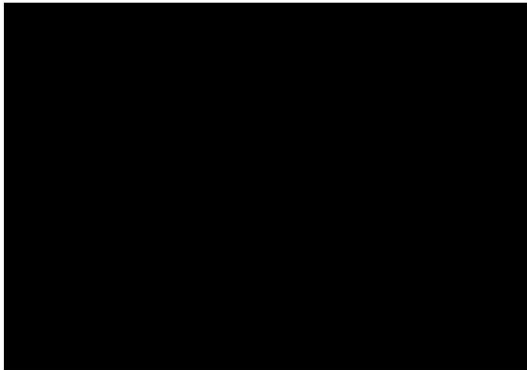
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For any further information please do not hesitate to contact me

Regards



From: [REDACTED]
Sent: Mon, 6 Sep 2021 18:56:58 +1000
To: City of Wagga Wagga
Subject: DA21/0492
Attachments: DA 21 0492 Submsiion.doc

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Please find attached submission for objection to development application.



6 September 2021

Wagga Wagga City Council
General Manager

RE: DA21/0492 PROPOSED PLACE OF PUBLIC WORSHIP

Please be advised that I am submitting a submission **AGAINST** the development application regarding proposed Place of Public Worship at 53 Gregadoo Road Lake Albert NSW 2650.

I hereby submit the following which outlines how the application is lacking in sufficient factual information to provide the community with the means and opportunity to fully appraise the application on its true merits.

It fails to clarify who is submitting the application and lacks cited analytical data and proof that the impact of a development of this type in a residential area does in fact have a strong positive impact, building stronger community sentiment in the neighbourhood.

Firstly the proponent is listed as the Koorringal Gospel Trust but fails to acknowledge that it is actually the Plymouth Brethren. Original DA17/0295 was submitted under Plymouth Brethren banner and this Development Application has removed any such reference, which promotes some degree of duplicity.

It states that it will eventually replace an existing meeting room located in Koorringal, presumably "The Boulevard Koorringal" as referenced in SEE 6.5 which is signposted as **Plymouth Brethren**.

There is no information provided for the existing Koorringal venue to compare to the proposed venue, specifically

- Number of attendees.
- Hours of operation / services
- Car parking (on site versus street parking)

Note:

1. 31 Kaloona Drive premises is not signposted
2. 88 Stirling Boulevard premises is not signposted
3. Weedon Close is signposted **Plymouth Brethren** plus Private Property No Unauthorised Entry
4. As opposed to surrounding alternative religious institutions the Brethren signage does not advertise hours of operation / services which prevents any **Public Worship / Participation** in the religion if a member of the public so desires

4.1 Proposed Details, cites reason for relocation is to be closer to where most members of their community are located yet does not provide any numbers to confirm such.

4.2 References "further **analysis** was undertaken of other existing meeting halls throughout Wagga Wagga" but the application fails to provide the analysis data.

Whilst other similar existing premises in other suburbs of Wagga Wagga may have received Council approval, there is no evidence that they also received community approval and should not be considered as supportive of the application.

Nor should the comment that the 2017 submission was a "similar proposal" when in fact it was for four (4) services with two (2) of them being for 180 persons.

SEE references "similar existing premises" but again does not quantify numbers to compare

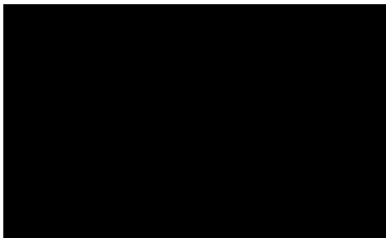
6.5 Applicant has not provided the Neighbour Sentiment Analysis Report (NSAR) nor who conducted the report. Please note that I, as a previous objector to the first application have not had, nor been invited to experience the "additional Community Consultation".

7.2 Any noise generated especially prior to 6.00 am on a Sunday morning would fail to meet with Wagga Wagga City Council noise restraints in residential areas, such as those imposed on certain industries.

I disagree with the statement that the development would have a beneficial impact on the locality and enhancing any stronger community sentiment as it is directed at catering for a minority and would create an isolated, secular activity with no involvement of non-Brethren persons.

53 Gregadoo Road is a residential block and the issues of noise and parking are clearly not in line with the intent of the area. A more suitable location for this type of activity would be in a commercial precinct where these impacts will not affect neighbours.

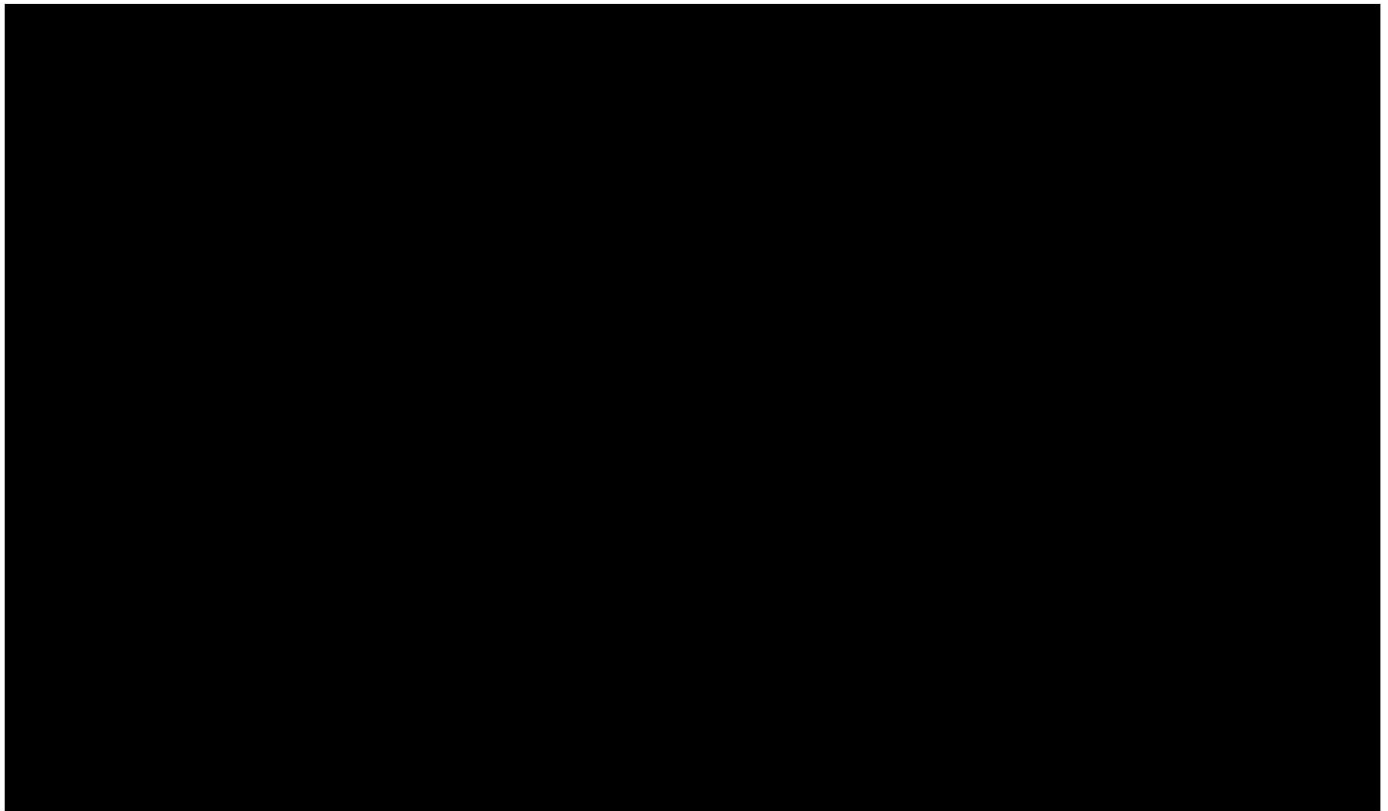
Based on all of the aforementioned that I would urge Council not to approve this development.



From: [REDACTED]
Sent: Thu, 9 Sep 2021 11:58:50 +1000
To: City of Wagga Wagga
Subject: DA21/0492 Submission
Attachments: DA21-0492 Submission.pdf

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To the General Manager,
Please see attached below my submission on the above mentioned DA.
Regards



9 September 2021

Attention:
WWCC Development
PO Box 20
Wagga Wagga 2650

Submission on DA21/0492 at 53 Gregadoo Road, Lake Albert.

We oppose the current proposal for the following reasons:

- 1) Surface water runoff issues with the amount of concrete hardstand.

the site to the east and will have concrete running the whole way along the site. The potential water run-off from the large amount of concrete [REDACTED] We would request a hydraulic engineer be engaged to undertake a detailed assessment to determine if the surface water can be controlled within the subject lot and if the existing Council stormwater can cater for the amount of hard surface proposed.

- 2) Fencing

There is no front fencing in the plan which we support. We would like restrictions put on any future fencing at the property that prevents any security type fencing and that it fits in with the surrounding fencing styles.

- 3) Lighting

DA states lighting will be provided for driveways and car parks. We have concerns that this lighting will be bright [REDACTED], and that it will turn on at times no one is there and outside the 2 hours of use.

[REDACTED]

4) Days/hours of use.

We have concerns with the proposed days and hours of use. The stated hours of operation are Sunday 6am-7am and Monday 6pm-7pm.

6am Sunday is of great concern. This is very early on a day

Lights from cars entering the driveway

██████████ and there will be associated noise with patrons alighting their vehicles and entering the building. We would like to see the Sunday morning time moved to a minimum of 8am on Sunday to align with NSW noise restrictions.

Only 2 hours of operation a week appears very strange. We are concerned that this limited amount of time has been put forward to get the development approved, and then once approved, the property will be utilised for longer hours and on other days. Why go to such a large cost and all the effort for two hours of use a week? This makes us anxious that the days and hours used will be extended without approval and who polices this? Once approved what avenue do we have to stop the property being used outside these hours?

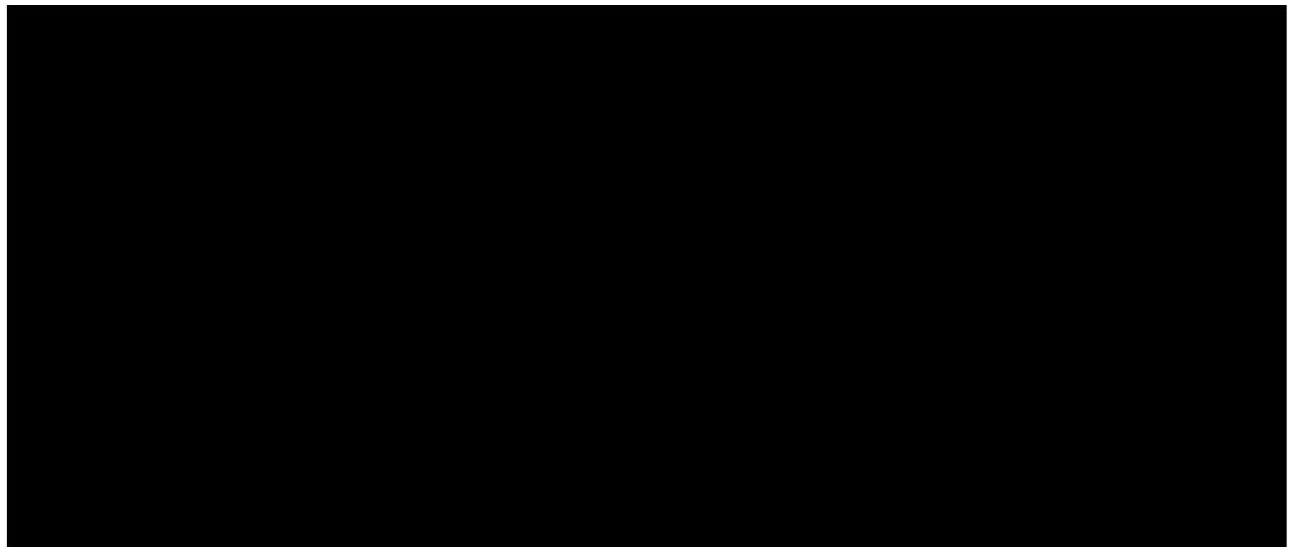
5) Vehicles movements and scale

We are sceptical about the number of vehicles and number of people the DA outlines will utilise the property. The DA states there are only going to be 13 cars and 50 people. The gross floor area of the proposed building is 189 sqm, the Building Code of Australia outlines an assembly building such as a church has a 1 sqm per person ratio. Therefore, the proposed building is capable of accommodating 189 persons. The previous DA lodged on this site had that it was to be utilised by 180 people and 42 vehicles. The submitted Statement of Environmental Effects is silent on where the additional patrons are being catered for if they are not going to utilise the proposed development? The current DA outlines that this property is to replace the current Koorringal property. How many people used it and how many cars does it have? We have major concerns that vehicle movement and patronage has been under stated in the DA, which will result in a lot more noise, ██████████ ██████████ early on a Sunday and the possibility of cars parking out the front to accommodate more than 13 cars and 50 people. The DA also states people will be walking – will they be walking at 5.30am and 7.30pm in the middle of winter? All the above stated issues make us concerned that the property will be utilised outside the allotted hours and by more people and cars than outlined in the DA.

6) Relocation of car park

If the car park was relocated from the side of the property to directly behind the building this would in part reduce noise and lighting and it would also reduce the dominance of the development from the street and make the property appear more like a residential property than a commercial property.

7) The community looking to construct the Place of Worship has the means to construct this in a commercial/industrial area that will have no effect on surrounding uses as they will not be residential properties. Why are they not doing this?

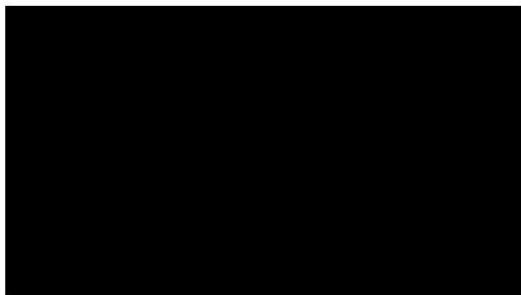


In summary our concerns are that the concrete areas will cause water run-off [REDACTED] [REDACTED] the property will be utilised outside of the two hours a week, and by a lot more people than stated, which will mean more cars, more noise and more impact on our quiet enjoyment [REDACTED]

If the development is approved we would like our concerns about water, fencing, lighting and changing the early hours of use on a Sunday morning taken into account.

Please contact us if you wish to discuss further

Regards

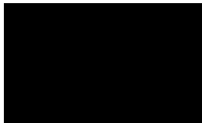


From: [REDACTED]
Sent: Thu, 9 Sep 2021 14:37:11 +1000
To: City of Wagga Wagga
Subject: DA 21/0492
Attachments: Bretheren.doc

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To Whom it may concern,

Attached is a rejection to the above mentioned Submission DA 21/0492 for your consideration.



September 2021

Wagga Wagga City Council
General Manager

RE: DA21/0492 PROPOSED PLACE OF PUBLIC WORSHIP

Please be advised that I am submitting a submission **AGAINST** the proposed development application regarding proposed Place of Public Worship at 53 Gregadoo Road Lake Albert NSW 2650.

I hereby submit the following which outlines how the application is lacking in sufficient factual information to provide the community with the means and opportunity to fully appraise the application on its true merits.

I fails to clarify who is submitting the application and lacks cited analytical data and proof that the impact of a development of this type in a residential area does in fact have a strong positive impact, building stronger community sentiment in the neighbourhood.

Firstly the proponent is listed as the Koorungal Gospel Trust but fails to acknowledge that it is actually the Plymouth Brethren. Original DA17/0295 was submitted under Plymouth Brethren banner and this Development Application has removed any such reference, which promotes some degree of duplicity.

It states that it will eventually replace an existing meeting room located in Koorungal, presumably "The Boulevard Koorungal" as referenced in SEE 6.5 which is signposted as **Plymouth Brethren**.

There is no information provided for the existing Koorungal venue to compare to the proposed venue, specifically

- Number of attendees.
- Hours of operation / services
- Car parking (on site versus street parking)

Note:

1. 31 Kaloona Drive premises is not signposted
2. 88 Stirling premises is not signposted
3. Weedon Close is signposted **Plymouth Brethren** plus Private Property No Unauthorised Entry
4. As opposed to surrounding alternative religious institutions the Brethren signage does not advertise hours of operation / services which prevents any **Public Worship / Participation** in the religion if a member of the public so desires

4.1 Proposed Details, cites reason for relocation is to be closer to where most members of their community are located yet does not provide any numbers to confirm such.

4.2 References "further **analysis** was undertaken of other existing meeting halls throughout Wagga Wagga" but the application fails to provide the analysis data.

Whilst other similar existing premises in other suburbs of Wagga Wagga may have received Council approval, there is no evidence that they also received community approval and should not be considered as supportive of the application.

Nor should the comment that the 2017 submission was a "similar proposal" when in fact it was for four (4) services with two (2) of them being for 180 persons.

SEE references "similar existing premises" but again does not quantify numbers to compare

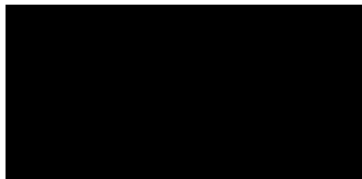
6.5 Applicant has not provided the Neighbour Sentiment Analysis Report (NSAR) nor who conducted the report. Please note that I, as a previous objector to the first application have not had, nor been invited to experience the "additional Community Consultation".

7.2 Any noise generated especially prior to 6.00 am on a Sunday morning would fail to meet with Wagga Wagga City Council noise restraints in residential areas, such as those imposed on certain industries.

I urge to a large extent that this proposed development will have a negative impact on a greater proportion of the community rather than the small minority it may benefit. Not only do I believe that the location of the proposed development is unsuitable and inconvenient to community members living in this area, there is already an abundant amount of traffic in this area due to the two schools and retirement village.

would be affected by the increase in early morning and late evening traffic especially on the weekends. Overall, it would create isolation among community members we would appreciate you taking this information into consideration when making your final decision.

Based on all of the aforementioned that I would urge Council not to approve this development.



From: [REDACTED]
Sent: Sat, 11 Sep 2021 09:17:53 +1000
To: "City of Wagga Wagga" <Council@wagga.nsw.gov.au>
Subject: DA21/0492

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To whom it may concern,

I am writing to express my opposition to the development application DA21/0492.

As it is not a private dwelling I feel it is an inappropriate location for a place of worship.

There are many locations available in Wagga that would be more suitable and not in breach of current land use restrictions for our beautiful residential neighbourhood.

Regards,

[REDACTED]

From: [REDACTED]
Sent: Mon, 13 Sep 2021 13:54:14 +1000
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: 53 Gregadoo Road, Lake Albert [SEC=OFFICIAL:Sensitive, ACCESS=Legal-Privilege]

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To the General Manager.

Good afternoon, I am writing in relation to DA21/0492, Place of Public Worship, Lot 4 DP 1142732 proposed at 53 Gregadoo Road, Lake Albert. (Submission closing date 14/9/21).

It has been observed that the application relates to the construction of a church at the above location.

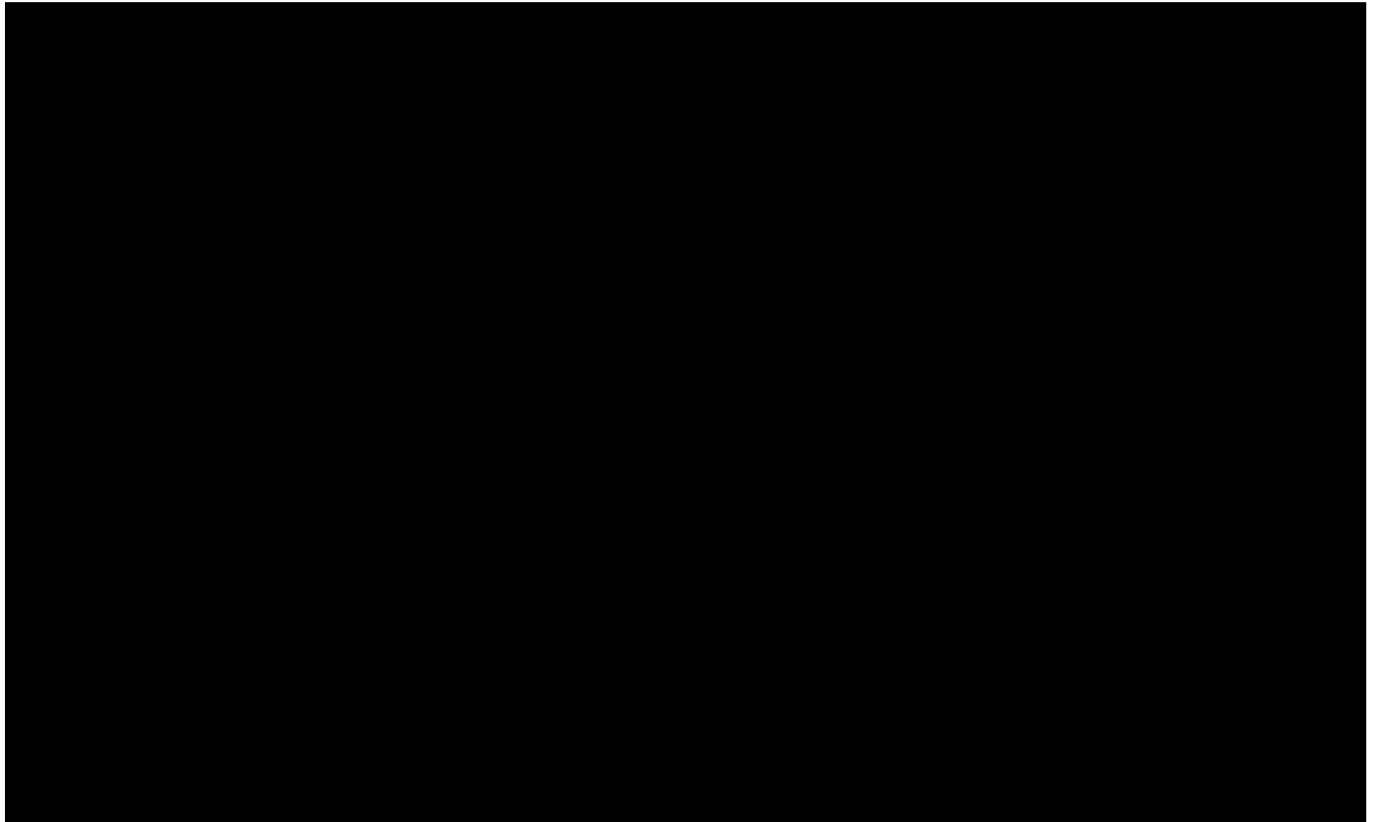
I have attended the location to inspect the roadway outside 53 Gregadoo Road. In doing so, I have concerns about the risk to pedestrians and motorists who would be arriving at or leaving the location if a place of congregation was to be constructed.

The current roadway which consists of one lane in each direction, has been in a terrible state for many years now and has become narrower over time with the road edges constantly crumbling away. When standing outside the location and facing west towards Plunket Drive, there is a moderate crest. Both of these factors, in my opinion creates an obvious safety hazard to persons arriving at or leaving the church. Due to the very limited parking capacity proposed, it is very likely that vehicles will be parking on the roadside of Gregadoo Road in both directions.

I submit that the application not be approved until Gregadoo Road is redesigned and the road surface is replaced from Plumpton Road, through to Main Street, with a focus on widening the roadway outside the above location, should the application be approved in the future. Approving the application before the council, prior to the above mentioned work being completed would be negligent from a road safety perspective at a time of increased pedestrian V vehicle collisions in Wagga Wagga. I also believe that extra street lighting and signage would also need to be factored.

Photographs of the roadway outside the location in its current form have been taken.

Happy to discuss or meet someone from Council at the location to discuss further.



From: [REDACTED]
Sent: Mon, 13 Sep 2021 23:34:30 +1000
To: "City of Wagga Wagga" <Council@wagga.nsw.gov.au>
Subject: Application DA21/0492 - Place of Public Worship at 53 Gregadoo Road, Lake Albert
Attachments: Submission to WWCC; DA21-0492.pdf

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Development Assessment Co-ordinator,
Wagga Wagga City Council,

Dear Sir/Madam,

Please find my letter attached, **against the proposed Development** Application for 'Place of Public Worship' at 53 Gregadoo Road, Lake Albert.

Please do not hesitate to contact me if you require further details.

Thank you
Yours faithfully,

[REDACTED]



To: Development Assessment Division, Wagga Wagga City Council
Re: Application No. DA 21/0492

53 Gregadoo Rd LAKE ALBERT NSW 2650, Lot 4 DP 1142732

I, as rate payer and a resident in the neighbourhood, **strongly object to the proposed construction of a place of public worship** at 53 Gregadoo Rd for the following reasons:

1. The proposed construction is inbreach of item 1 (g) of SECTION 88B Instrument.

According to 88B (g)

'No main building shall be used or allowed to be used for any purpose other than as a private dwelling house and shall not nor shall any part thereof be used or allowed to be used for a residential unit, strata unit or flat'

I purchased a block of land and built our homes as per the DA 08/0423 Planning Section, item 3 and 4, ADA 09/1047 and the performance criteria referred to in Wagga Wagga DCP 2005 chapter 46 Lake haven. A 'place of public worship' had not been identified/granted in this document or any other relevant Council document by the time I purchased our block of land.

2. This construction is breach of LEP Use or Intent within R5 Permissible.

The proposed construction will disturb the scenic quality, safe and friendly neighbourhood, and further lead to conflicts with the interests of the residents in the neighbourhood/area.

3. Concerns/issues/incorrect information in the SEE submitted in support of this DA:

(i). The statement about "**residential style construction**" is misleading. It is not a residential dwelling, but it is a building for the Congregation of 50 people on Sundays and Mondays. Operation of the premises on Sundays from 5.45 – 7.15 am (including arrival and departure times) will disturb the peaceful Sunday mornings of the residents.

(ii). We have doubts about the accuracy of the information provided regarding community consultation, the process and reporting. The minutes of such consultations have not been made available to us.

(iii). This application claims that there will be only 50 persons attending the services, whereas in the previous submission in 2017 claimed 180 attending this place of worship. This creates reasonable doubts that the number attending service was reduced to 50 to minimise objections and get this application approved in this submission. Once the development is approved there might be further proposals/amendments to increase the number of people and operating hours.

(iv). Further, other places of worship referenced in the SEE operate significantly longer hours of operation, then, it looks deceiving that this place of worship is only operating for 2 hours a

week, which is a waste of prime resource in our friendly neighbourhood. More importantly, this place, under this model of operation, can invite to unscrupulous individuals to commit theft and crime in the neighbourhood.

4. Published evidence suggest that this faith group (Brethren) is and exclusive group.

The proposal states Place of **Public** Worship but is **not Open to the Public** and discriminates against the community in the neighborhood. According to their claim 30% out of 50 people attending comes to 15, and we well connected community members, we thoroughly believe that this number is an excavation, unless it is confirmed by Census date. Further, for a small number, a separate place of worship in our neighbourhood is not justified given that there are number of places of worship for this group in surrounding suburbs Tatton, Bourkelands and to name a few.

Due to the reasons stated above, I strongly object the construction of the place of worship for limited individuals at 53, Gregadoo Rd, primarily because it is not the suitable place for this purpose.

Summary.

We strongly oppose the construction of a place of worship at 53, Gregadoo Rd. Lake Albert

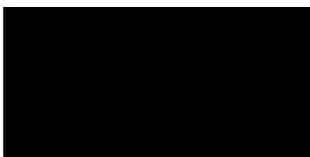
Suggestions:

(i).We suggest that Wagga Wagga City Council finds out how many places of worship are there in Wagga Wagga for the followers of this faith. Use a norm, that applies to any mainstream religious group, to justify this group's claim.

(ii). Based on Census Data, decide whether this exclusive faith group need another place of worship in our backyard.

Thank you.

Yours faithfully,

A solid black rectangular box used to redact the signature of the author.

From: [REDACTED]
Sent: Mon, 13 Sep 2021 21:58:02 +1000
To: "City of Wagga Wagga" <Council@wagga.nsw.gov.au>
Subject: DA objection-Application No: DA21/0492
Attachments: Letter of objection to DA21-0492- 13 September 2021.pdf

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Good evening,

Please find attached our submission of the objection to the proposed development of the Place of Public Worship at 53 Gregadoo Road, Lake Albert NSW 2650, Lot 4 DP 1142732.

[REDACTED]



13 September 2021

General Manager
Wagga Wagga City Council
PO Box 20
WAGGA WAGGA, NSW 2650

Dear Mr Thompson,

**Re: Proposed development of Place of Public Worship at 53 Gregadoo Rd LAKE ALBERT,
Lot 4 DP 1142732, lodged by Koorungal Gospel Trust
PLANNING APPLICATION NO: DA21/0492**


We are writing this letter in relation to the above-mentioned development application. We have examined the plans and we know the site well. We wish to strongly object to the proposed development of the Place of Public Worship on the following grounds:

❖ **Contravention of 88B Instrument and LEP**

We believe that the proposed development is a direct contravention of 88B Instrument and LEP. It does not fit the residential area context and its purpose would be entirely out of the character of our neighbourhood. The function of the dwelling will not improve the character and quality of our residential area and therefore should not be accepted. The applicant is proposing *'...the construction of a place of public worship at 53 Gregadoo Road, Lake Albert. The premises will take the form of a dwelling styled building and be used as a local meeting room for the Koorungal Gospel Trust'* on a site where in accordance with 88B Instrument (g) only a 'private dwelling house' is permitted. Ref: [(g) No main building shall be used or allowed to be used for any purpose other than as a private dwelling house and shall not nor shall any part thereof be used or allowed to be used for a residential unit, strata unit or flat]

Under the LEP the land is zoned R5- Large Lot Residential. Ref:

- [1. Objectives of the zone: - to ensure that development in the area does not unreasonably increase the demand for public services or public facilities; -to minimise conflict between land users within the zone and land users within adjoining zones
2. Permitted without consent: -home businesses; home occupations; roads
3. Permitted with consent: -dwelling houses; hardware and building supplies; home industries; neighbourhood shops; rural supplies; timber yards; vehicle sales or hire premises...]



that the proposed place of worship does not fit within the residential area and lifestyle and would be entirely out of the character for our area. Contrary to the statement that this proposal satisfies the LEP 2010 *'providing a sustainable development on serviced and appropriately zoned land. The development will avoid impacts on environmentally sensitive areas and localities, and provide a facility for the social and economic benefit of the local and wider community'*, we would argue that the proposed building and its intended purpose would fail to integrate with and complement the neighbourhood and have a detrimental effect on the fabric of the local community environment.

❖ Social and Economic Impact

We also strongly object to the statement that *'The proposed meeting hall will provide an important meeting place for the spiritual well-being of the local community who practice this particular religious faith. This has strong positive social impact benefits and is not expected to generate any negative social impact on the immediate local area. The proposal will contribute to building stronger community sentiment in the neighbourhood, particularly through the responsible operation of the premises'* and SEE, Table 9:

(Extract from Table 9 below)

Subject Area	The potential environmental impacts of the development	How the environmental impacts of the development have been identified	The steps taken to protect the environment or to lessen the expected harm to the environment
Social Impact	Positive	Local policy and knowledge.	Nature and operation of proposed facility, physical provision of services and amenities on site. Integration with existing accessibility networks.
Economic Development	Positive	Local records and available history	Nature and operation of new proposed meeting hall, integration with existing local economic networks, construction activity, capital site improvements

It is a common knowledge and understanding that Brethren community is very secluded and exclusive to members only. They do not socialise with others outside their religious group. Therefore, we are not convinced that this Place of Public Worship will be accessible to general public/local community and have any social benefits and contribute to community connectedness. In fact, the proposal stipulates that this dwelling *'...is to provide a meeting place for members of the Koorringal Gospel Trust to undertake religious worship in accordance with the directions of their faith'*, clearly reiterating access to Brethren members only.

According to the proposal the patronage will not exceed a maximum of 50 people on any given occasion and suggests that approximately 30% of the patrons reside in proximity to 53 Gregadoo Rd, which translates to 15 people.

❖ Noise impact

I would urge Wagga Wagga City Council to consider residents' rights to peaceful enjoyment of all their possessions which include home and other land, Ref: [The Human Rights Act]. Under the NSW noise legislation, time restrictions when noise should not be heard are:

- 'noise source: motor vehicles (except when entering or leaving **residential premises**)- before 8am and after 8pm on weekends and public holidays; before 7am and after 8pm on any other day'

We believe that the proposed hours of church operation, commencing at 6.00am (with patrons arriving at the hall from 5.45am) and concluding at 7.00am (with patrons exiting the property between 7.00-7.15am) will impact noise time restrictions (noise should not be heard before 8am on weekends) and significantly disrupt quiet environment of our local neighbourhood. We acknowledge Brethrens' intention to utilise a good management of congregation to minimise the noise. However, even with the best intentions the noise emission from vehicles entering and leaving the site, car doors opening and shutting and people talking cannot realistically be completely mitigated and will inevitably exceed noise level and disrupt serenity of Sunday early morning hours. The site is in a predominantly residential area, and especially on the weekend, residents should be afforded peace and quiet and an opportunity to sleep in. The use of the proposed property as a worship place in early morning hours introduces a diverse element that by reason of the use is likely to result in noise, disturbance and nuisance to the detriment of neighbours.

❖ **Stipulation of 2 hours of service per week with maximum patronage of 50 on an occasion**

The initial DA in 2017 stipulated patronage of 180 members, neighbours' concerns with regards to impact on traffic, car park and noise were considered and for the purpose of this application the patronage is stipulated at a maximum of 50. However, the size of the proposed hall seems large and would likely accommodate double the amount of people. We then question why a hall of this size is required if attendance is not expected to exceed 50 people at any particular time.

The DA also stipulates that the new hall '*...will replace an existing meeting room located at 8 The Boulevard, Koorlingal (corner of The Boulevard and Paull Street)*' with operational hours to be Sundays 6.00-7.00am and Mondays 6.00-7.00pm, two hours a week in total. At the same time the proposal notes that other places of worship within Wagga operate 7 days a week and accommodate up to 180 members. Therefore, we are concerned that the number of worshipers attending service was reduced to 50 to get this application through. Then once the development is approved there might be further proposals/amendments to eventually increase the number to 180 and operating hours to that intended in 2017 application.

Furthermore, places of public worship are also used for special occasions such as weddings, funerals, as community halls and meeting places, which might be the case here as well. These will have implications on the local traffic, given Greagadoo Road is fairly congested already with traffic associated with Mater Dei Primary School, Mater Dei Catholic College, local pre-school and The Grange. These activities are also likely to generate excessive noise levels, which need to be considered for the proposed development.

❖ **Community Consultations**

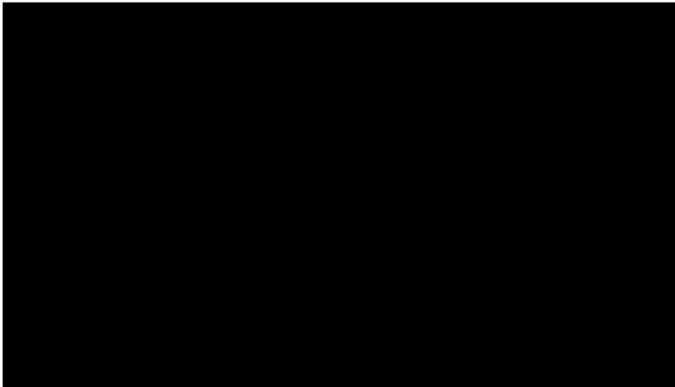
The proposed development stipulates in point 4.2 Consideration of 2017 Proposal that '*In 2019, the applicant received a copy of all submissions and, following analysis of concerns, undertook further direct consultation with residents in the local neighbourhood*'. We do not recall being presented with an opportunity of formal community consultation/s where discussions are minuted and minutes distributed to those concerned. We do recall an invitation to a BBQ meet and greet, which we were unable to attend due to previous commitments. The application also refers to the *Neighbour Sentiment Analysis Report- 29th October 2019*, which was prepared by the applicant. The report provides a summary of consultation with residents in local area. Out of twelve neighbouring houses visited by the applicant, only four households were available to provide feedback, two were in support, two raised objections- one changed mind to support the development. The conclusions in this report were derived based on the feedback from four households and seven interviews with

neighbours of the Kaloona and Stirling places of worship. We consider there is a conflict of interest, given the applicant has a vested interest in getting their application approved, therefore cannot be considered impartial.

Finally, we would like to reiterate that our submission is in objection for the development of Place of Public Worship at the specified site. We understand that a significant number of local residents in Gregadoo Road and neighbouring streets share the concerns we noted above and also strongly object to the approval of the proposed development.

We would be grateful if the Council would take our objections into consideration when deciding this application. Please feel free to contact us on the phone numbers below if you wish to further discuss this submission.

Yours sincerely,



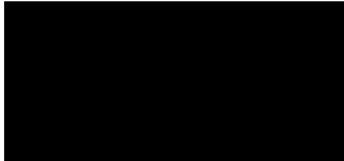
From: [REDACTED]
Sent: Tue, 14 Sep 2021 07:55:52 +1000
To: "City of Wagga Wagga" <Council@wagga.nsw.gov.au>
Subject: DA Submission - DA21/0492
Attachments: 53 Gregadoo Road Submission.pdf

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Att: Mr Peter Thompson, General Manager

Please find attached a submission pertaining to the subject development application. I am available for clarification or comment via the mobile phone number below.

Yours sincerely,



Mr Peter Thompson
General Manager
Wagga Wagga City Council
PO Box 20
WAGGA WAGGA NSW 2650

SUBMISSION TO OPPOSE DA21/0492 – 53 GREGADOO RD, LAKE ALBERT

Dear Mr Thompson,

I write to respectfully oppose the subject Development Application before Wagga Wagga City Council for the construction of a ‘place of public worship’.

The Wagga Wagga Local Environmental Plan (LEP) 2010 legislates the subject property to be zoned R5 – Large Lot Residential. The first stated objective for R5 zoned land under the legislation is, *‘to provide **residential housing** in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality’*. I draw your attention to the term ‘residential dwelling’ and contend that the application as proposed does not meet the stated objectives of such zoning. I further note that ‘function centres’ are a prohibited use of R5 zoned land under the legislation and assert that the proposed use is more akin to a ‘function centre’ than ‘residential housing’ which is evidenced by the internal design consisting of nothing more than a lobby and meeting room. Paragraph 1.1 of the ‘Statement of Environmental Effects’ (SEE) argues that a ‘place of public worship’ is permitted with consent under R5 zoning – clearly it is not.

The intent to utilise the property as a ‘function centre’ is further exemplified at paragraph 4.1 of the SEE where it states, *‘The purpose of the development is to provide a **meeting place** for members of the Koorringal Gospel Trust to undertake religious worship...’*. The intended use is a significant stretch from the legislated objectives of R5 zoned land under the LEP and approval would undermine the integrity of both the LEP and Wagga Wagga City Council development application procedures.

Paragraph 4.1 of the SEE articulates that the application is designed as a replacement for an existing property at 8 The Boulevard, Koorringal. I respectfully ask Council to note that the zoning of that particular property under the LEP is R1 which specifically allows for ‘places of public worship’ with appropriate consent (as does R3 zoning). I note that the LEP objectives of R1 and R3 zoning include, *‘To enable other land uses that provide facilities and services to meet the day to day needs of residents’* and *‘To ensure co-ordinated and cost-effective provision of physical, social and cultural infrastructure in new residential areas’*. The request to develop a ‘place of public worship’ in an R5 zone clearly fails to meet the objectives as set out in the LEP given the R5 zone objective that is, *‘To minimise conflict between land uses within this zone and land uses within adjoining zones’*. It is reasonable to imply, therefore, that under the LEP ‘places of public worship’ in Wagga Wagga must be limited to R1 and R3 zoned areas of land.

Paragraph 4.1 of the SEE further argues that the reason for relocation is to be closer to where most members of the Koorringal Gospel Trust community are located. A Google Maps analysis of the two locations indicates a distance of 4.9km and a driving time of 5 minutes between the two. I do not consider this an unreasonable commute – most residents in the Lakehaven area travel further for employment and retail services on a daily basis. The stark contrast is that residents knew that extra travel would be the required when we chose to purchase our R5 zoned properties or rather, our R5 zoned ‘residential dwellings’.

Paragraph 6.3 of the SEE espouses the introductory aims of the LEP and then asserts, *‘The proposal satisfies these aims providing a sustainable development of serviced and appropriately zoned land’*. Based on the R1, R3 and R5 zoning objectives articulated above, I strongly argue that the proposal is not on **‘appropriately zoned land’**. Paragraph 6.3.2 goes further to the author’s definition of ‘permissibility’ and assumes that a ‘place of public worship’ is permissible in the R5 zone; however, the author fails to outline to Council section 2.3(2) of the LEP which stipulates, *‘The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone’*. For the very clear logic set out with respect to zoning above, the consent authority could not possibly consider that this application falls within the R5 objectives as set out in the LEP. Paragraph 6.3.3 of the SEE is simply farcical given its assertion that no variations to the LEP are required to facilitate the proposed development – I argue that the property would require re-zoning to R1 or R3 to explicitly allow the purpose for which it is proposed (which is far from consistent with surrounding residential properties).

Paragraph 1.1 of the SEE refers to pre-DA meetings being held with Council on 28 Sep 20 and 15 Mar 21 where it was suggested that an ‘outline of local community consultation to address specific concerns’ be included in the revised proposal. Paragraph 4.2 claims to meet this requirement through the conduct of a ‘Neighbourhood Sentiment Analysis Report’ conducted in 2019.

The now two-year-old ‘Neighbourhood Sentiment Analysis Report’ was conducted by Mr Geoff Napier, who is identified on the Australian Charities and Not-For-Profits Commission website as a ‘trustee’ of the ‘Wagga Gospel Trust’. I further note that the development applicant in this case is Mr Carl Napier who is listed on the same website as a ‘trustee’ of the ‘Koorringal Gospel Trust’. It is reasonable to assume that the two individuals are related and that the ‘Neighbourhood Sentiment Analysis Report’ was completed by a ‘trusted insider’ as opposed to an independent and competent third party. I place low weight in a report conducted by the applicant and not an independent body, particularly given that the sample size is not statistically valid. I ask Council to note that many of those ‘surveyed’ were either not at home or appear to have engaged out of genuine courtesy. Placing the invalidated survey conduct matters aside, I implore Council to consider the report to be ‘out of date’ given the significant amount of property turnover within the Lakehaven subdivision since 2019 – many owners are newer ‘concerned citizens’. Given that the report identifies that fact that 21 submissions were received in response to the 2017 application, I consider that to be a far greater reflection of community sentiment as opposed to the low value, unverified report completed by what amounts to a ‘fox in the hen house’.

If Council is to apply any weight to the report, I draw your attention to the fact that of the 12 houses surveyed in the area, only 2 provided what could be considered as commentary to the positive side of the application ledger (Houses C and N). It is further noted that the single attendee at the barbecue conducted as step 4 was clearly the ambivalent resident of House H.

Paragraph 4.3 of the SEE sets out the patronage of the ‘public place of worship’ at 50 persons who will be arriving in up to 13 cars at 6am each Sunday and 7pm each Monday. Relevant NSW environment legislations in relation to noise broadly state that any noise that can be heard in any habitable rooms in a neighbouring residence should not occur from midnight to 8am on Friday, Saturday or any day preceding a public holiday and 10pm to 8am on any other day. Given the proposed times as set out in the application, any approval of said application is likely to result in a substantial volume of noise complaints between 5.30 and 6am on Sunday mornings. Table 9 of the SEE (see paragraph 7.11) states that noise concerns will be negligible as operations will be in accordance with legislative guidelines – but I fail to see how that will be the case prior to 8am each Sunday? Furthermore, how does Council intend to ensure that the operations of the facility are limited to the capacity and timings as set out in the application? I am confident that it will be only a matter of time before additional activities are scheduled outside of the approved periods, or operations are not conducted in accordance with the ‘Noise and Traffic Management Plan’ attached to the SEE (which is dubious at best in relation to noise), and enforcement action by Council will not be possible.

While focussing on Table 9, it is important for Council to note that the SEE assesses both the ‘Social Impact’ and ‘Economic Development Impact’ as ‘Positive’ impacts. I could most certainly accept that the social impacts might be considered positive if the dwelling was occupied on a permanent basis (i.e. interaction with neighbours); however, use of the facility for two one hour periods per week is unlikely to engender such positive impact. Similarly, with respect to the economic development impacts – clearly, they would be just as positive if a residential dwelling were to be constructed as mandated by the zoning legislation contained in the LEP?

Turning attention to the current covenants contained in the 88B Instrument as set out in Table 2 of the SEE (see para 3.1), the author makes the incorrect assertion that the private dwelling house restriction is negated by Clause 1.9A(1) of the LEP by concluding that, ‘a place of public worship is permissible land use within the R5 Large Lot Residential zone and must be considered on its merits. For the reasons outlined above in relation to both the LEP and R5 zone objectives, the suspension of any covenant under Clause 1.9A(1) of the LEP is clearly not permissible. To add further weight to this non-conformance with the LEP, Item 1(g) of the Section 88B instrument states, *‘No main building shall be used or allowed to be used for any purpose other than as a **private dwelling house** and shall not nor shall any part thereof be used or allowed to be used for a residential unit, strata or flat’*. The private residential dwelling requirements are clear.

Paragraph 6.5 of the SEE identifies similar ‘places of public worship’ properties that have successfully integrated with surrounding suburbs and I would like to address each one in turn:

- 13 Weedon Close, Tolland. This property was approved for construction in 2004 with the applicant being ‘Wagga Gospel Trust’. It should be noted that the land is zoned R3

and the property is therefore correctly approved in accordance with the zoning objectives of the LEP.

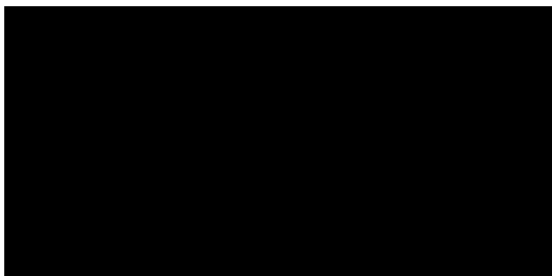
- 8 The Boulevarde, Koorinal. Although no record of a development application exists, the land is zoned R1 and the property is also correctly approved. It should be noted that by their own admission in the SEE, the property is owned by the 'Koorinal Gospel Trust'.
- Kaloona Drive, Bourkelands. The exact residential address is unknown; however, the development application was approved in 2009 with the applicant being the 'Exclusive Brethren'. It should be noted that the land is zoned R1 and the property is therefore correctly approved.
- 86 Stirling Boulevarde, Tatton. The development application was approved in 2011 with the applicant being 'Richard Wallace'. It should be noted that the land is zoned R1 and the property is therefore correctly approved.

Given that both the 'Wagga Gospel Trust' and the 'Koorinal Gospel Trust' have been involved in developments relating to at least two of the four exemplars (most likely more), then it is reasonable to assume that both organisations and the applicant (Mr Carl Napier) would have been more than aware of the Wagga Wagga City Council LEP zoning requirements at the time in which they agreed to enter into the purchase of the property. This is a fair and reasonable assumption and one that has been complied with by all other residents – there is no reason why the applicants should not be expected to do the same.

A great bulk of the entirety of the SEE indicate that the previous development application in 2017 was withdrawn to address local community concerns, however those concerns have allegedly been addressed. I argue that such community concerns continue to exist for the reasons outlined above, and that a variation to legislated R5 zoning requirements (i.e. approval of anything other than a residential dwelling) undermines the good faith in which others have purchased and developed their own properties – which is in accordance with the laws as set out by Wagga Wagga City Council.

I would like to make the point that I am not opposed to individuals expressing their right to worship in whatever manner they see fit, I simply implore Council to make development application decisions based on the regulatory requirements as mandated in legislation.

In closing, I declare that I have not made any donations to any political parties in the preceding two years.



14 September 2021

From: [REDACTED]
Sent: Tue, 14 Sep 2021 10:29:56 +1000
To: "City of Wagga Wagga" <Council@wagga.nsw.gov.au>
Subject: DA Submission to Oppose DA21/0492 - 53 Gregadoo RD, Lake Albert
[SEC=UNOFFICIAL]
Attachments: 53 Gregadoo Road Submission.pdf

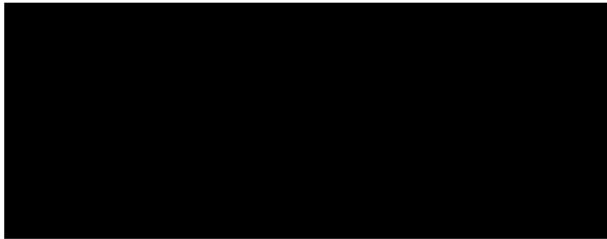
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UNOFFICIAL

Dear Mr Thompson,

Please find attached submission to oppose DA21/0492 – 53 Gregadoo RD, Lake Albert

Regards



Mr Peter Thompson
General Manager
Wagga Wagga City Council
PO Box 20
WAGGA WAGGA NSW 2650

SUBMISSION TO OPPOSE DA21/0492 – 53 GREGADOO RD, LAKE ALBERT

Dear Mr Thompson,

I write to respectfully oppose the subject Development Application before Wagga Wagga City Council for the construction of a ‘place of public worship’.

The Wagga Wagga Local Environmental Plan (LEP) 2010 legislates the subject property to be zoned R5 – Large Lot Residential. The first stated objective for R5 zoned land under the legislation is, *‘to provide **residential housing** in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality’*. I draw your attention to the term ‘residential dwelling’ and contend that the application as proposed does not meet the stated objectives of such zoning. I further note that ‘function centres’ are a prohibited use of R5 zoned land under the legislation and assert that the proposed use is more akin to a ‘function centre’ than ‘residential housing’ which is evidenced by the internal design consisting of nothing more than a lobby and meeting room. Paragraph 1.1 of the ‘Statement of Environmental Effects’ (SEE) argues that a ‘place of public worship’ is permitted with consent under R5 zoning – clearly it is not.

The intent to utilise the property as a ‘function centre’ is further exemplified at paragraph 4.1 of the SEE where it states, *‘The purpose of the development is to provide a **meeting place** for members of the Koorringal Gospel Trust to undertake religious worship...’*. The intended use is a significant stretch from the legislated objectives of R5 zoned land under the LEP and approval would undermine the integrity of both the LEP and Wagga Wagga City Council development application procedures.

Paragraph 4.1 of the SEE articulates that the application is designed as a replacement for an existing property at 8 The Boulevard, Koorringal. I respectfully ask Council to note that the zoning of that particular property under the LEP is R1 which specifically allows for ‘places of public worship’ with appropriate consent (as does R3 zoning). I note that the LEP objectives of R1 and R3 zoning include, *‘To enable other land uses that provide facilities and services to meet the day to day needs of residents’* and *‘To ensure co-ordinated and cost-effective provision of physical, social and cultural infrastructure in new residential areas’*. The request to develop a

‘place of public worship’ in an R5 zone clearly fails to meet the objectives as set out in the LEP given the R5 zone objective that is, *‘To minimise conflict between land uses within this zone and land uses within adjoining zones’*. It is reasonable to imply, therefore, that under the LEP ‘places of public worship’ in Wagga Wagga must be limited to R1 and R3 zoned areas of land.

Paragraph 4.1 of the SEE further argues that the reason for relocation is to be closer to where most members of the Koorringal Gospel Trust community are located. A Google Maps analysis of the two locations indicates a distance of 4.9km and a driving time of 5 minutes between the two. I do not consider this an unreasonable commute – most residents in the Lakehaven area travel further for employment and retail services on a daily basis. The stark contrast is that residents knew that extra travel would be the required when we chose to purchase our R5 zoned properties or rather, our R5 zoned ‘residential dwellings’.

Paragraph 6.3 of the SEE espouses the introductory aims of the LEP and then asserts, *‘The proposal satisfies these aims providing a sustainable development of serviced and appropriately zoned land’*. Based on the R1, R3 and R5 zoning objectives articulated above, I strongly argue that the proposal is not on ‘**appropriately** zoned land’. Paragraph 6.3.2 goes further to the author’s definition of ‘permissibility’ and assumes that a ‘place of public worship’ is permissible in the R5 zone; however, the author fails to outline to Council section 2.3(2) of the LEP which stipulates, *‘The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone’*. For the very clear logic set out with respect to zoning above, the consent authority could not possibly consider that this application falls within the R5 objectives as set out in the LEP. Paragraph 6.3.3 of the SEE is simply farcical given its assertion that no variations to the LEP are required to facilitate the proposed development – I argue that the property would require re-zoning to R1 or R3 to explicitly allow the purpose for which it is proposed (which is far from consistent with surrounding residential properties).

Paragraph 1.1 of the SEE refers to pre-DA meetings being held with Council on 28 Sep 20 and 15 Mar 21 where it was suggested that an ‘outline of local community consultation to address specific concerns’ be included in the revised proposal. Paragraph 4.2 claims to meet this requirement through the conduct of a ‘Neighbourhood Sentiment Analysis Report’ conducted in 2019.

The now two-year-old ‘Neighbourhood Sentiment Analysis Report’ was conducted by Mr Geoff Napier, who is identified on the Australian Charities and Not-For-Profits Commission website as a ‘trustee’ of the ‘Wagga Gospel Trust’. I further note that the development applicant in this case is Mr Carl Napier who is listed on the same website as a ‘trustee’ of the ‘Koorringal Gospel Trust’. It is reasonable to assume that the two individuals are related and that the ‘Neighbourhood Sentiment Analysis Report’ was completed by a ‘trusted insider’ as opposed to an independent and competent third party. I place low weight in a report conducted by the applicant and not an independent body, particularly given that the sample size is not statistically valid. I ask Council to note that many of those ‘surveyed’ were either not at home or appear to have engaged out of genuine courtesy. Placing the invalidated survey conduct matters aside, I implore Council to consider the report to be ‘out of date’ given the significant amount of property turnover within the Lakehaven subdivision since 2019 – many owners are newer

‘concerned citizens’. Given that the report identifies that fact that 21 submissions were received in response to the 2017 application, I consider that to be a far greater reflection of community sentiment as opposed to the low value, unverified report completed by what amounts to a ‘fox in the hen house’.

If Council is to apply any weight to the report, I draw your attention to the fact that of the 12 houses surveyed in the area, only 2 provided what could be considered as commentary to the positive side of the application ledger (Houses C and N). It is further noted that the single attendee at the barbecue conducted as step 4 was clearly the ambivalent resident of House H.

Paragraph 4.3 of the SEE sets out the patronage of the ‘public place of worship’ at 50 persons who will be arriving in up to 13 cars at 6am each Sunday and 7pm each Monday. Relevant NSW environment legislations in relation to noise broadly state that any noise that can be heard in any habitable rooms in a neighbouring residence should not occur from midnight to 8am on Friday, Saturday or any day preceding a public holiday and 10pm to 8am on any other day. Given the proposed times as set out in the application, any approval of said application is likely to result in a substantial volume of noise complaints between 5.30 and 6am on Sunday mornings. Table 9 of the SEE (see paragraph 7.11) states that noise concerns will be negligible as operations will be in accordance with legislative guidelines – but I fail to see how that will be the case prior to 8am each Sunday? Furthermore, how does Council intend to ensure that the operations of the facility are limited to the capacity and timings as set out in the application? I am confident that it will be only a matter of time before additional activities are scheduled outside of the approved periods, or operations are not conducted in accordance with the ‘Noise and Traffic Management Plan’ attached to the SEE (which is dubious at best in relation to noise), and enforcement action by Council will not be possible.

While focussing on Table 9, it is important for Council to note that the SEE assesses both the ‘Social Impact’ and ‘Economic Development Impact’ as ‘Positive’ impacts. I could most certainly accept that the social impacts might be considered positive if the dwelling was occupied on a permanent basis (i.e. interaction with neighbours); however, use of the facility for two one hour periods per week is unlikely to engender such positive impact. Similarly, with respect to the economic development impacts – clearly, they would be just as positive if a residential dwelling were to be constructed as mandated by the zoning legislation contained in the LEP?

Turning attention to the current covenants contained in the 88B Instrument as set out in Table 2 of the SEE (see para 3.1), the author makes the incorrect assertion that the private dwelling house restriction is negated by Clause 1.9A(1) of the LEP by concluding that, ‘a place of public worship is permissible land use within the R5 Large Lot Residential zone and must be considered on its merits. For the reasons outlined above in relation to both the LEP and R5 zone objectives, the suspension of any covenant under Clause 1.9A(1) of the LEP is clearly not permissible. To add further weight to this non-conformance with the LEP, Item 1(g) of the Section 88B instrument states, *‘No main building shall be used or allowed to be used for any purpose other than as a **private dwelling house** and shall not nor shall any part thereof be used or allowed to be used for a residential unit, strata or flat’*. The private residential dwelling requirements are clear.

Paragraph 6.5 of the SEE identifies similar ‘places of public worship’ properties that have successfully integrated with surrounding suburbs and I would like to address each one in turn:

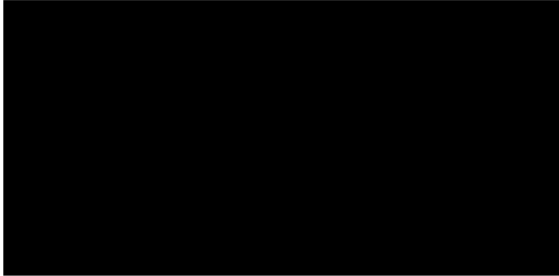
- 13 Weedon Close, Tolland. This property was approved for construction in 2004 with the applicant being ‘Wagga Gospel Trust’. It should be noted that the land is zoned R3 and the property is therefore correctly approved in accordance with the zoning objectives of the LEP.
- 8 The Boulevarde, Koorinal. Although no record of a development application exists, the land is zoned R1 and the property is also correctly approved. It should be noted that by their own admission in the SEE, the property is owned by the ‘Koorinal Gospel Trust’.
- Kaloona Drive, Bourkelands. The exact residential address is unknown; however, the development application was approved in 2009 with the applicant being the ‘Exclusive Brethren’. It should be noted that the land is zoned R1 and the property is therefore correctly approved.
- 86 Stirling Boulevarde, Tatton. The development application was approved in 2011 with the applicant being ‘Richard Wallace’. It should be noted that the land is zoned R1 and the property is therefore correctly approved.

Given that both the ‘Wagga Gospel Trust’ and the ‘Koorinal Gospel Trust’ have been involved in developments relating to at least two of the four exemplars (most likely more), then it is reasonable to assume that both organisations and the applicant (Mr Carl Napier) would have been more than aware of the Wagga Wagga City Council LEP zoning requirements at the time in which they agreed to enter into the purchase of the property. This is a fair and reasonable assumption and one that has been complied with by all other residents – there is no reason why the applicants should not be expected to do the same.

A great bulk of the entirety of the SEE indicate that the previous development application in 2017 was withdrawn to address local community concerns, however those concerns have allegedly been addressed. I argue that such community concerns continue to exist for the reasons outlined above, and that a variation to legislated R5 zoning requirements (i.e. approval of anything other than a residential dwelling) undermines the good faith in which others have purchased and developed their own properties – which is in accordance with the laws as set out by Wagga Wagga City Council.

I would like to make the point that I am not opposed to individuals expressing their right to worship in whatever manner they see fit, I simply implore Council to make development application decisions based on the regulatory requirements as mandated in legislation.

In closing, I declare that I have not made any donations to any political parties in the preceding two years.



14 September 2021

From: [REDACTED]
Sent: Tue, 14 Sep 2021 14:23:39 +1000
To: "City of Wagga Wagga" <Council@wagga.nsw.gov.au>
Subject: DA21/0492 Place of Worship 53 Gregadoo Road Lake Albert

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Private and Confidential

To whom it may concern,

I am writing in opposition to DA21/0492 Place of Worship 53 Gregadoo Road Lake Albert

1. The proposal is not a private dwelling and breaches item 1 (g) of SECTION88B Instrument
2. No main building should be used for any other purpose other than a private dwelling
3. Construction is not consistent with the first and fourth objectives of the Land Use Table Zone R5 of LEP 2010.
4. Proposed church times will grossly impact on the neighbourhood community
5. The submission states that this facility is for 50 people, what stops them from having 100 or 200 people visiting the place of worship, further impacting our community.

Regards,

[REDACTED]

From: [REDACTED]
Sent: Tue, 14 Sep 2021 17:06:03 +1000
To: "City of Wagga Wagga" <Council@wagga.nsw.gov.au>
Subject: Please see submission opposing DA 21/0492
Attachments: Bretheran church oppose letter .docx

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To whom it may concern,
Please see attached

[REDACTED]

14 September 2021

Attention:

WWCC Development Po Box 20 Wagga Wagga 2650

Submission on DA 21/0492 Proposed Place of Worship 53 Gregadoo Road.

Please find my submission Against the proposed Development Application below I am against the proposed Place of Worship at 53 Gregadoo Road for the following reason.

The proposed church times of 6.00am Sunday and Monday (meaning arrive at 5/5:30 onwards) and 6pm – 7pm daily will grossly impact on the neighbouring community with exorbitant numbers of vehicles visiting, dropping off delivering with vehicle noise, opening and closing doors, talking and head lights from U-turns etc. General DA constructions approvals condition noise generation to protect neighbouring properties with set start and finish times for every day of the week to which these proposed hours significantly depart from. No matter how quiet visitors intend to be that amount of people instantly generate excessive noise and disturb the neighbourhood. Wagga Wagga City Council imposes noise restraints on certain industries to protect residences and the community and this proposal will have a detrimental impact on residences outside of normal neighbourhood practices. This proposed development should be treated as a commercial proposition in a commercial precinct as it;

- excludes and discriminates
- vehicle movements will be excessive and dangerous for existing residences and schools etc
- noise impacts on residences is not expected like this in a residential subdivision
- carparking facilities and safety would be better suited in a commercial precinct
- hours of operation would be better suited in a commercial precinct
- The applicant's worshippers own many commercial properties within Wagga and may be better suited developing these to lessen the impact on all neighbouring properties who are a not a part of this exclusive following

We currently have major traffic here on weekdays and would request our weekends be limited.

We would not be allowed to run a business that generated 40-60 cars a day in this street so I don't see how it should be allowed for a private facility to be built. Let alone that number of customers to attend.

Kind Regards

From: [REDACTED]
Sent: Tue, 14 Sep 2021 16:12:52 +1000
To: "City of Wagga Wagga" <Council@wagga.nsw.gov.au>
Subject: OBJECTION TO DA 53 GREGADOO ROAD
Attachments: 53 Gregadoo Road Submission.pdf

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Dear Sir,

Please see objections to DA at 53 Gregadoo Road Lake Albert.

Regards,

[REDACTED]

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14 September 2021

Mr Peter Thompson
General Manager
Wagga Wagga City Council
PO Box 20
WAGGA WAGGA NSW 2650

By email: council@wagga.nsw.gov.au

SUBMISSION TO OPPOSE DA21/0492 – 53 GREGADOO RD, LAKE ALBERT

Dear Mr Thompson,

I wish to advise you of my opposition to the above DA.

[REDACTED] and agree with its contents. Please take this letter as adopting those submissions.

Specifically, I note that the WW LEP2010 provides very clear guidance as to where public places of worship should be located in the Wagga Wagga suburban area, and clearly R5 zoned land is not one of them (see R1 and R3 in this regard). Whilst such structures may be built with consent, it is submitted that whether such consent should be given must be seen in the context of the wording of LEP2010, and there is no suggestion that such structures should play any part in large residential zoned areas.

[REDACTED] in relation to the prohibition of 'function centres' from R5 zoned land. I submit that the proposal is similar to a function centre. And far too alike to permit construction on the subject land.

[REDACTED] the other places of worship referred to in the submission are also well made. Each of those was constructed in zones (either R1 or R3).

Finally, whilst the SEE alleges that the concerns which resulted in an earlier DA being withdrawn have been addressed, it is very difficult to see how and where such concerns are addressed.

I too would like to make the point that I am not opposed to individuals expressing their right to worship in whatever manner they see fit and ask that Council to make development application decisions based on the regulatory requirements as mandated in legislation.

In closing, I declare that I have not made any donations to any political parties in the preceding two years.

From: [REDACTED]
Sent: Mon, 13 Sep 2021 16:18:57 +1000
To: "City of Wagga Wagga" <Council@wagga.nsw.gov.au>
Cc: [REDACTED]
Subject: DA 21/0492 Submission
Attachments: 53 Gregadoo Objection letter.pdf

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Hi Cameron/Robyn
Please find attached letter in regards to DA 21/0492 Place of Public Worship
regards

The information contained in this e-mail message and any attached files may be confidential. If you are not the intended recipient, any use, disclosure or copying of this e-mail is unauthorised. If you have received this e-mail in error please notify the sender immediately by reply e-mail and delete all copies of this email and it's attachments. Our bank account details will never change during the course of a transaction, and we will never change our bank details via email. Please check account details with us in person. We will not accept responsibility if you transfer money into an incorrect account.

1st September 2021

Attention Robyn Bradley

Wagga Wagga City Council Development

Re: DA 21/0492 – Proposed Place of Public Worship – 53 Gregadoo Road

Please find my submission against the proposed Development

1. Objection based on stormwater run off from the car park and larger driveway. Can the developer and WWCC reassure the lot owners to the north that adequate stormwater management is already installed from a council point of view and that adequate pit and retention will be constructed as part of the car park to handle severe storms and larger events.
2. Objection based on hours of operation. While we appreciate the developer has shown in their management plan the facility will be only utilised for around 2 hours per week we feel that 6am on a Sunday morning is not appropriate within this zoning and if this becomes a problem what recourse will we have if our concerns are not taken on board by the owners.
3. Objection based on light penetration from cars entering the facility. The raised height of the north facing driveway ' [REDACTED] as they enter the driveway off Plumpton Road. Adequate screening of hedging and physical screening material should be imposed on the developer to stop this occurring.

In general I am not opposed to the development if these objections can be dealt with by the developer.

Regards

