

# MINUTES OF THE HUNTER & CENTRAL COAST JOINT REGIONAL PANEL MEETING HELD AT GOSFORD CITY COUNCIL ON THURSDAY, 03 MARCH 2011 AT 2.30 PM

## PRESENT:

Garry Fielding	Chairperson
John Colvin	Panel Member
Jason Perica	Panel Member
Greg Flynn	Panel Member
Laurie Maher	Panel Member

## IN ATTENDANCE

Robert Eyre	Gosford City Council
Peter Pegg	Gosford City Council
Jim Bruton	Gosford City Council
Fredd Dobbs	Gosford City Council
Rick Brocklehurst	Gosford City Council

## APOLOGY:

The meeting commenced at 2.40pm.  
Apology submitted on behalf of Kara Krason

## 1. Declarations of Interest - Nil

## 2. Business Items

### ITEM 1 - ***JRPP 2010HCC026 - Gosford DA 39094 - Demolition of Existing, New Bunnings Warehouse Complex & Signage (JRPP), Lot 2 DP1051411, Lots 51 & 52 DP1108800 H1,3 & 5 Yallambee Ave WEST GOSFORD***

Joan Johnston addressed the Panel **against** the proposal.  
David Sanders addressed the Panel **against** the proposal.  
Andrew O'Neill (applicant) addressed the Panel **in favour of** the proposal.

Following these addresses Mr O'Neill advised the Panel that the applicant had decided to withdraw the development application. This advice was noted by the Panel.

*[Note: Following the meeting the Council received a letter from the applicant dated 4 March 2011 formally withdrawing DA 39094]*

### ITEM 2 - ***2010HCC022 – Gosford City Council – 37986 – Demolition & Commercial and Residential Developments, Lots 13 and 14 DP746757, Nos 42 and 44 Terrigal Esplanade, Terrigal***

Sue Edwards addressed the Panel regarding the height of the development and noise and pedestrian issues.

**Motion:** That the Panel resolve to adopt the Council officer's recommendation to approve the proposal for the reasons set out in Council officer's Report, subject to the following amendments:

1. Addition of condition 2.16

2.16 Glass balustrades shall be provided to the roof-top terrace as detailed in red on the approved plans.

2. Condition 2.14 to be amended as follows:

2.14 Pursuant to section 80A(1) of the Environmental Planning and Assessment Act 1979 and Council's Section 94 Contributions Plan No 69 Car Parking Terrigal a contribution of \$186,480.00 shall be paid to Council. The contributions are subject to quarterly review as detailed in the contributions plan.

The total contribution amount is to be paid prior to the issue of a Construction Certificate.

The basis of the calculation and the total amount is subject to quarterly review. An adjustment amount will become payable if the contribution is not paid prior to the next review.

A copy of the Contributions Plan may be inspected at the office of Gosford City Council, 49 Mann Street, Gosford NSW.

3. Condition 5.16 to be amended as follows:

5.16 A separate application be made through Council's Property Officer for licences for all dining areas and balconies over Council's road reserve.

**Motion Carried**

**ITEM 3 - 2010HCC012 Gosford DA No. 38591-Re-subdivision from 4 Lots into 3 Lots with one (1) Dwelling House on each Lot; 339, 359, 369, 379 Avoca Drive, Green Point**

No speakers

**Motion:** That the Panel resolve to adopt the Council officer's recommendation to approve the proposal for the reasons set out in Council officer's Report, subject to the following amendments:

1. Condition 2.5 (e) to be amended by replacing the words "Bushland Management Plan" with "Vegetation Management Plan" as follows:

2.5(e) A Section 88E instrument under the Conveyancing Act 1919 must establish the following positive covenants; with the Council having the benefit of these covenants and having sole authority to release and modify. The covenant must be prepared by Council's Solicitor at the owner's cost prior to the issue of a Subdivision Certificate.

*i To require the implementation of the Vegetation Management Plan. The covenant shall permit Council or its nominee to enter and inspect the site. In the event the owner has failed to implement the Bushland Management Plan then Council will authorize any required work at the owners cost.*

2. Addition of Condition 2.5(h):

2.5(h) A Section 88B Instrument under the Conveyancing Act 1919 must establish the following restrictive covenants; with the Council having the benefit of these covenants and having sole authority to release and modify. Wherever possible, the extent of land affected by these covenants shall be defined by bearings and distances shown on the plan of subdivision.

*i The location of the dwelling houses on proposed lots 51, 52 and 53 is restricted to the locations shown in brown as the proposed Asset Protection Zone s(APZ's) on the subdivision plan numbered 53714 S08, Revision C dated 09/11/2010.*

#### **MOTION CARRIED**

The meeting concluded at 4pm.

Endorsed by

Garry Fielding  
Chair, Hunter & Central Coast Joint Region Planning Panel  
11 March 2011