

# MINUTES OF THE HUNTER & CENTRAL COAST JOINT REGIONAL PLANNING PANEL MEETING HELD AT LAKE MACQUARIE CITY COUNCIL ON THURSDAY 19 JULY 2012

## PRESENT:

Garry Fielding	Chair
Kara Krason	Panel Member
Jason Perica	Panel Member
Peter Rees	Panel Member
Barry Johnston	Panel Member

## IN ATTENDANCE

Matt Brogan	Senior Subdivision Engineer
Greg Field	Chief Subdivision Engineer
Felicity Booth	Minute Take

1. The meeting commenced at 5.05pm

### 2. Declarations of Interest – None

### 3. Business Items

**ITEM 1** – 2011HCC009 - Lake Macquarie Council - DA/113/2011 – West Wallsend Subdivision; 11 Robertson Street, West Wallsend NSW 2286

### 4. Public Submission

**Tony Moody** from Moody and Doyle Pty Ltd speaking on behalf of elected Council addressed the panel **against** the item

**Cr Hannah Gissane** on behalf of elected Council addressed the panel **against** the item

**Anne Andrews** on behalf of Sugarloaf & Districts Action Group addressed the panel **against** the item

**Philip Cooke** on behalf of West Wallsend Action Group addressed the panel **against** the item

**Bernard Griffin** on behalf of SOS Committee addressed the panel **against** the item

**Anne-Luise Freer** on behalf on behalf of West Wallsend and Precinct Committee

**Lisa Knezevic** addressed the panel **against** the item

**Louise McKinnon** addressed the panel **against** the item

**Michelle Smith** addressed the panel **against** the item

**Janet Heemskerk** addressed the panel **against** the item

**Peter Maddock** addressed the panel **against** the item

**Lidwina Heusz** addressed the panel **against** the item

**Brain Adamthwaite** addressed the panel **against** the item

**Joanne Allen** addressed the panel **against** the item

**Leah Buchanan** addressed the panel **against** the item

**Wes van der Gardner** addressed the panel **on behalf of the applicant**

**David Moir** addressed the panel **on behalf of the applicant**

**Phillip Walbank** addressed the panel **on behalf of the applicant**

**Rhidian Harrington** addressed the panel **on behalf of the applicant**

The panel adjourned at **7.35pm**. The meeting resumed at **8.05pm**.

Each member of the Panel briefly commented on aspects of the development application.

## **5. Panel's Decision**

**Moved by** Jason Perica, **Seconded by** Barry Johnston, that:

- A) The Joint Regional Planning Panel is satisfied that the objection submitted by the applicant under the State Environmental Planning Policy No 1 (Development Standards) against the Small Lot Housing standard in clause 24(2) (a) and schedule 2 of Lake Macquarie LEP 2004 is well founded and is also of the opinion that the granting of consent to the development application is consistent with the aims of SEPP 1.

- B) Consent be granted in accordance with Appendix A of the report to the Joint Regional Planning Panel meeting of 19 July 2012, with the following amendments to the terms of the deferred commencement consent :

## **APPENDIX A – CONDITIONS OF DEFERRED COMMENCEMENT APPROVAL**

### **PART A – DEFERRED COMMENCEMENT CONDITION**

Pursuant to Section 80(3) of the Environmental Planning and Assessment Act 1979 (as amended), this is a deferred commencement condition. The consent is not to operate until the Applicant satisfies the Council that:

#### **1. Registration of an Easement to Drain Water**

The Applicant shall acquire and create an easement to drain water, from Basin 6 to Seaham Street. The easement shall have a minimum width of 3.0 metres. The easement shall benefit Lake Macquarie City Council, and Council shall be identified as the party empowered to release vary or modify the easement. The Applicant shall provide Council with evidence that the easement has been registered with Land and Property Information NSW.

The Applicant shall satisfy the deferred commencement condition listed in Part A, within 1 year from the date of issue of the deferred commencement consent. The consent will lapse if the condition is not satisfied within this period.

#### **2. Unencumbered Title and Prohibition of Transfer for Biodiversity Offset Lands**

The applicant shall produce evidence to the Council's General Manager sufficient for him to be satisfied in respect of the lands that are the biodiversity offsets referred to in Attachment A to the letter from the Office of Environment and Heritage to the Councils General Manager dated 4 July 2012, that the lands

- a) are free from all leases, mortgages, charges and encumbrances and will remain so for as long as those lands are owned by the Applicant; and
- b) will not be transferred to another person or corporation for as long those lands are owned by the Applicant.

### **3. Updated Landscape Master Plan Report and Vegetation Management Plan**

The applicant shall submit an updated Landscape Master Plan Report and Vegetation Management Plan to ensure they reflect the approved lot layout and ensure appropriate landscaping treatment and detail of the public domain and the approved development lots.

### **4. Amended Heritage and Urban Design Guidelines**

The Heritage and Urban Design Guidelines are to incorporate definitions which are consistent with Council's definitions with respect to landscaped area, site coverage and other matters, and incorporate a new provision requiring at least one appropriate canopy tree per dwelling house lot, to be planted prior to the issuing of each Occupation Certificate, and also the provision of landscaping within each required two metre and three metre setback zone.

Mr G. Field of the Council advised the Panel that the Department of Planning had informed the Council that the Council may assume the Department's concurrence in the granting of development consent.

**MOTION CARRIED [IN FAVOUR BY BARRY JOHNSTON, KARA KRASON, JASON PERICA AND GARRY FIELDING. PETER REES AGAINST].**

### **6. The meeting concluded at 8.40pm**

Endorsed by

Jason Perica  
For  
Garry Fielding  
Chair, Hunter & Central Coast Joint Regional Planning Panels  
Date: 25 July 2012