

HUNTER & CENTRAL COAST JOINT REGIONAL PLANNING PANEL

Meeting held at Peninsula Community Centre on Thursday 21 August 2014 at 12.00 pm

Panel Members: Jason Perica (Chair), Kara Krason, Wayne Herd, Bob Ward

Apologies: Garry Fielding - Declarations of Interest: Councillor Bob Ward declared a non-pecuniary insignificant interest stating as a Councillor of Gosford City Council this will not influence his decision.

Determination and Statement of Reasons

2013HCC023 – DA44862/2013 – Gosford City Council, Construction of New Railway Underpass on Woy Woy Road at Base of Bulls Hill and Associated Road works, Lot 1 DP 717038, Lot 91 DP 1022527, Lot 1 DP 127181, Lot 183 DP 755251, Lot 173 DP 755251, Lot 1 DP 701733, No 8, 19, 66 Nagari Road, Woy Woy & 170, 172, 174 Woy Woy Road, Woy Woy

Date of determination: 21 August 2014

Decision:

The panel determined to approve the development application as described in Schedule A pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

Panel consideration:

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

Reasons for the panel decision:

The panel adopted the assessment of those matters in the Council Assessment Report. It considered concerns regarding changes in accessibility brought about by the closure of the level crossing, though it was of the view that the wider benefits of improved wider accessibility and safety outweighed these localised impacts.

The Panel determined to approve the application subject to conditions appended to the council report and subject to separation and incorporation through an appropriate schedule of the terms of approval from NSW Department of Primary Industries.

Motion moved by Kara Krason and seconded by Bob Ward. Carried unanimously.

Conditions: The development application was approved subject to the conditions in Appendix A of the Council Assessment Report as amended at the meeting.

Panel members:


Jason Perica (Chair)


Kara Krason


Wayne Herd


Bob Ward

HUNTER & CENTRAL COAST JOINT REGIONAL PLANNING PANEL

SCHEDULE 1

1	JRPP Reference – 2013HCC023, LGA – Gosford City Council, DA44862/2013
2	Proposed development: Construction of New Railway Underpass on Woy Woy Road at Base of Bulls Hill and Associated Road works.
3	Street address: Lot 1 DP 717038, Lot 91 DP 1022527, Lot 1 DP 127181, Lot 183 DP 755251, Lot 173 DP 755251, Lot 1 DP 701733, No 8, 19, 66 Nagari Road, Woy Woy & 170, 172, 174 Woy Woy Road, Woy Woy.
4	Applicant/Owner: Gosford City Council
5	Type of Regional development: The proposal is a council related application and has a Capital Investment Value of over \$5 million.
6	Relevant mandatory considerations <ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ Environmental Planning & Assessment Act, 1979 – Section 79C ○ Environmental Protection and Biodiversity Conservation Act 1999 ○ Local Government Act 1993 – Section 89 ○ National Parks and Wildlife Act 1974 ○ Threatened Species Conservation Act 1995 ○ Native Vegetation Act 2003 ○ Noxious Weeds Act 1993 ○ Fisheries Management Act 1994 ○ Water Management Act 1994 ○ Protection of the Environment Operation Act 1997 ○ Crown Lands Act 1989 ○ Contaminated Land Management Act 1997 ○ Waste Avoidance and Resource Recovery Act 2001 ○ SEPP (Infrastructure) 2007 ○ SEPP No. 14 – Coastal Wetlands ○ SEPP No. 19 – Bushland in Urban Areas ○ SEPP No. 44 – Koala Habitat Protection ○ SEPP No. 62 – (Sustainable Aquaculture) ○ SEPP No. 71 – Coastal Protection ○ Gosford Planning Scheme Ordinance ○ Interim Development Order No. 122 ○ Gosford Local Environmental Plan 2014 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Gosford Development Control Plan 2013 • Planning agreements: Nil • Regulations: <ul style="list-style-type: none"> ○ Environmental Planning and Assessment Act Regulation 2000 • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality. • The suitability of the site for the development. • Any submissions made in accordance with the EPA Act or EPA Regulation. • The public interest.
7	Material considered by the panel: Council Assessment Report Received: 6 August 2014

HUNTER & CENTRAL COAST JOINT REGIONAL PLANNING PANEL

	<p>Written submissions during public exhibition: 1st exhibition period 11 December 2013 to 31 January 2014 – 15 public submissions (3 in support), 2nd exhibition period (Revised Species Impact Statement) 2 April 2014 to 2 May 2014 – 4 public submissions (1 in support).</p> <p>Verbal submissions at the panel meeting:</p> <p>Against –</p> <ul style="list-style-type: none"> • Michael Fine • Joy Austin • Bill Gates <p>Support -</p> <ul style="list-style-type: none"> • Lynne Rainford
8	<p>Meetings and site inspections by the panel:</p> <p>Site Inspection on 21 August 2014 and Final Briefing meeting on 14 August.</p>
9	<p>Council recommendation: Approval</p>
10	<p>Draft conditions: Attached to council assessment report</p>
11	<p>The Panel questioned and was advised by Council staff that SEPP 55 has been considered in the determination process and the proposal is suited to the site and able to be regulated by the recommended conditions.</p>