

## HUNTER & CENTRAL COAST JOINT REGIONAL PLANNING PANEL

Meeting held at Erina Centre 'The Hive', Erina on Thursday 30 July 2015 at 2.30 pm

Panel Members: Garry Fielding (Chair), Kara Krason, Jason Perica, Lawrie McKinna and Danielle Dickson

Apologies: Nil - Declarations of Interest: Nil

### Determination and Statement of Reasons

**2014HCC024 – DA46238/2014 - Gosford City Council**, Commercial & Residential Development and Demolition of Existing Dwellings, Lots: 8, 9 & 14 DP: 18726, No. 43 Beane Street & No. 2 Keevers Lane, Gosford.

**Date of determination:** 30 July 2015

**Decision:**

The panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

Motion moved by Danielle Dickson and seconded by Lawrie McKinna, Carried unanimously.

**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:**

1. The panel generally accepted the assessment provided in the Council Assessment Report. It considered concerns regarding residential amenity, SEPP 65, wind effects, landscaping and possible changes to the operation of Keevers Lane from two way traffic to a one way system.
2. The Panel determined to approve the application subject to conditions. In addition it resolved to request that Council to examine the adequacy of the width of Keevers Lane.

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

**Panel members:**

 <b>Garry Fielding (Chair)</b>	 <b>Jason Perica</b>	 <b>Kara Krason</b>
<b>Lawrie McKinna</b>	<b>Danielle Dickson</b>	

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## SCHEDULE 1

1	<b>JRPP Reference – 2014HCC024, LGA – Gosford City Council, DA46238/2014</b>
2	<b>Proposed development:</b> Commercial & Residential Development and Demolition of Existing Dwellings.
3	<b>Street address:</b> Lots: 8, 9 & 14 DP: 18726, No. 43 & 45 Beane Street & No. 2 Keevers Lane, Gosford.
4	<b>Applicant/Owner: (Applicant)</b> WH Chai, <b>(Owner)</b> W H & L K Chai
5	<b>Type of Regional development:</b> The proposal has a Capital Investment Value of over \$20 million.
6	<b>Relevant mandatory considerations</b> <ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ Environmental Planning &amp; Assessment Act, 1979 – Section 79C</li> <li>○ Local Government Act 1993 – Section 89</li> <li>○ Gosford Local Environmental Plan 2014</li> <li>○ SEPP 65 Design Quality of Residential Flat Buildings</li> <li>○ SEPP (BASIX)</li> <li>○ Section 94A Contribution Plan – Gosford City Centre</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Gosford Development Control Plan 2013</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Regulations: <ul style="list-style-type: none"> <li>○ Environmental Planning and Assessment Regulation 2000</li> </ul> </li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality.</li> <li>• The suitability of the site for the development.</li> <li>• Any submissions made in accordance with the EPA Act or EPA Regulation.</li> <li>• The public interest.</li> </ul>
7	<b>Material considered by the panel:</b> Council assessment report with recommended conditions, Architectural Plans by Architex and Greenland Design Pty Ltd, Civil Plans by alw design, Supporting Documentations and written submissions. Verbal submissions at the panel meeting: <b>Against -</b> <ul style="list-style-type: none"> <li>• Malcolm Brooks, on behalf of Friends of Gosford</li> <li>• Denis Fitzgerald</li> </ul> <b>On Behalf of the Applicant:</b> <ul style="list-style-type: none"> <li>• Robert Del Pizzo – Architex Architects and Planners - Architect</li> </ul>
8	<b>Meetings and site inspections by the panel:</b> 30 July 2015–Site Inspection and Final Briefing meeting.
9	<b>Council recommendation:</b> Approval
10	<b>Draft conditions:</b> Attached to council assessment report with changes as follows: <ul style="list-style-type: none"> <li>• The addition of Recommendation F - Council to refer the application to the Traffic Committee to consider Keevers Lane to be converted from two way traffic to a one way system.</li> <li>• The amendment of Condition 2.10 to add the wording 'to be detailed in the construction certificate application'</li> <li>• The amendment of Condition 2.12 to add the wording 'to the satisfaction of Council'</li> <li>• The refinement of Condition 2.13 to amend reference to "significant wind effects" to "wind impacts to pedestrians around the site not greater than 13 metres per second". Additionally a copy of the Wind Effect Report to be provided to Council, and should the report recommend any changes Council shall formally advise whether a Section 96 application is required prior to issue of a Construction Certificate.</li> </ul>

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|  | <ul style="list-style-type: none"><li>• The addition of standard Landscaping conditions (prior to Occupation Certificate and a 12 month bond)</li><li>• The addition of a condition requiring the rear stairs on the landing of the southern Keevers Lane building to be relocated to the edge of the landing, subject to BCA requirements and also without interfering with landscaping.</li></ul> |
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