

# HUNTER & CENTRAL COAST JOINT REGIONAL PLANNING PANEL

Meeting held at Gosford City Council on Thursday 17 December 2015 at 10.00 am

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

Apologies: None

Declarations of Interest: None

## Determination and Statement of Reasons

**2014HCC021 – DA46209/2014 - Gosford City Council**, Mixed use, retail, commercial, restaurant, residential development and demolition of existing structures, 27-37 Mann Street, Gosford.

**Date of determination:** 17 December 2015

### Panel Decision:

Lawrie McKinna moved a motion that the development be approved as recommended in the assessment report.

Danielle Dickson seconded the motion.

The motion was put to the meeting and defeated 3 -2

Danielle Dickson moved a motion that the application be deferred to enable the proposal to be amended by addressing the following matters:

- The bulk and scale of the proposed development being substantially reduced to appropriately minimise the impacts on the heritage item and to appropriately address view sharing impacts in relation to the nearby Broadwater Apartments in Parlour Lane.
- Reduce the busyness and flamboyance of the development and provide a quieter façade treatment in order to improve the Design Excellence outcomes.
- Further consideration of design criteria such as character, scale, form, siting, materials and colours and detailing in the redesign of the development to better respond to the heritage and the urban context.
- A revised approach to view sharing to reduce the impacts from this development on the nearby Broadwater Apartments in Parlour Lane and to consider the cumulative view loss impacts within the locality having regard to existing and approved development permitted under the planning controls.
- An exploration of the previous mortuary position and opportunities to interpret that key element in the design and re-use.
- Further investigation is carried out to identify an approach to retain the southern garage wall and ensure the structural suitability of the existing sandstone wall.
- Increased landscaping including the quantum of deep soil planting, particularly at the podium level.
- The amended design comprehensively addressing the provisions of SEPP 65 and the Residential Flat Design Code.
- Provision of a revised clause 4.6 submission under Gosford LEP 2014 in respect of the amended proposal.

Lawrie McKinna seconded the motion.

The motion was put to the meeting and carried 4-1

### Panel consideration:

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

### Reasons for the panel decision:


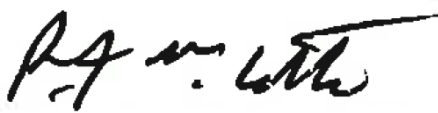

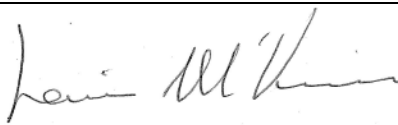
The panel considered that the proposed development in its current form did not warrant the granting of consent.

The panel recognised the applicant's willingness to retain the heritage item on the site (including the garage) and the panel considered it appropriate to provide the applicant with a further opportunity to respond to the matters listed above.

Council Officers are encouraged to provide an early briefing to the panel upon submission of amended plans by the applicant.

### Panel members:

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 <b>Garry Fielding (Chair)</b>	 <b>Bob McCotter</b>	 <b>Kara Krason</b>
 <b>Lawrie McKinna</b>	Approved by email  <b>Danielle Dickson</b>	

## SCHEDULE 1

1	<b>JRPP Reference – 2014HCC021, LGA – Gosford City Council, DA46209/2014</b>
2	<b>Proposed development:</b> Mixed use, retail, commercial, restaurant, residential development and demolition of existing structures.
3	<b>Street address:</b> 27-37 Mann Street, Gosford.
4	<b>Applicant and Owner:</b> Applicant: Rola Property Group Pty Ltd. Owner: Ancestry Pty Ltd.
5	<b>Type of Regional development:</b> Capital Investment Value - Greater than \$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>○ SEPP (Infrastructure) 2007</li> <li>○ Section 94A Contribution Plan – Gosford City Centre</li> </ul> </li> <li>• Draft environmental planning instruments:                             <ul style="list-style-type: none"> <li>○ Nil</li> </ul> </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>  Supplementary report and conditions, Original Council assessment report with recommended conditions, supporting documentations and written submissions  Verbal submissions at the panel meeting:  <u>Against:</u> <ul style="list-style-type: none"> <li>• Jill Yates on behalf on the Broadwater Apartments</li> <li>• Amanda M.Rungis</li> <li>• Dr Marie Kearney</li> <li>• Kay Williams on behalf of several Community Groups</li> </ul> <u>In Support:</u> <ul style="list-style-type: none"> <li>• Gabby Bowls</li> </ul>

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	<ul style="list-style-type: none"> <li>• Chris Holstine</li> <li>• Rob Kitchen on behalf of Gosford Chamber of Commerce</li> <li>• Laurie Marr</li> <li>• Edgar Adams</li> <li>• Debra Warrick on behalf of Gosford District Improvements</li> <li>• Kate Dicosta</li> <li>• Gordon Ryan on behalf of Reviver Bar</li> </ul> <p><u>Applicant:</u></p> <ul style="list-style-type: none"> <li>• Bill Robinson</li> <li>• Chris Baker (Architect)</li> <li>• Doug Sneddon</li> </ul>
8	<b>Meetings and site inspections by the panel:</b> 17 December 2015 – Site Inspection and Briefing Meeting.
9	<b>Council recommendation:</b> Approval
10	<b>Conditions:</b> Attached to council assessment report