

HUNTER & CENTRAL COAST JOINT REGIONAL PLANNING PANEL

Meeting held at Gosford City Council on Thursday 17 September 2015 at 1.30 pm

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

Apologies: Nil - Declarations of Interest: Nil

Determination and Statement of Reasons

2014HCC026 – DA46272 - Gosford City Council, Residential flat building (140 units) and demolition of existing structures, 23 Mann Street, Gosford.

Date of determination: 17 September 2015

Decision:

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

Panel consideration:




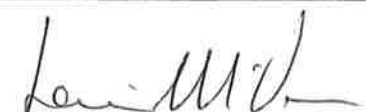
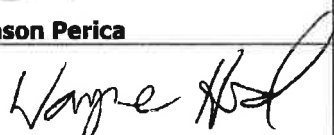
The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

Reasons for the panel decision:

1. The proposed facility will add to the supply and choice of housing within the Central Coast and the Gosford local government area in a location with ready access to transport services.
2. The proposed development adequately satisfies the relevant State Environmental Planning Policies including SEPP 65 Design Quality of Residential Flat Development and associated Residential Flat Design Code and SEPP (Infrastructure) 2007.
3. The proposal adequately satisfies the provisions and objectives of Gosford City Council Growth Centres Precincts DCP.
4. The clause 4.6 variation request to the height standard is considered well founded and the proposal is consistent with the zone objectives and the objectives of the height standard.
5. The scale, architectural treatment and landscape treatment, adopted for the proposal are consistent with the character of anticipated residential development in the locality.
6. The impacts of the proposal on the amenity of the surrounding land are acceptable in the context of the applicable planning control and the physical context of the site.
7. In consideration of conclusions 1-6 above the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

Conditions/Reasons: The development application was approved subject to the conditions recommended in the Council Supplementary Report.

Panel members:

 Garry Fielding (Chair)	 Jason Perica	 Kara Krason
 Lawrie McKinna	 Wayne Herd	

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SCHEDULE 1

1	JRPP Reference – 2014HCC026, LGA – Gosford City Council, DA46272
2	Proposed development: Residential flat building (140 units) and demolition of existing structures.
3	Street address: 23 Mann Street, Gosford.
4	Applicant/Owner: (Applicant) M Eskander (Owner) Telstra – Transfield Services Aust.
5	Type of Regional development: Capital Investment Value - Greater than \$20 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 ◦ Local Government Act 1993 – Section 89 ◦ Gosford Local Environmental Plan 2014 ◦ SEPP 65 Design Quality of Residential Flat Buildings ◦ SEPP (BASIX) ◦ SEPP (Infrastructure) 2007 • 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 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: <p>At the meeting on 30 July 2015 the Panel determined to defer the determination of the development application to enable Council staff to provide an additional report to the Panel to address a range of matters discussed at the meeting, including:</p> <ul style="list-style-type: none"> • SEPP 65 compliance and analysis. • Response to the comments provided by Council's Architect in relation to SEPP 65. • Overshadowing impacts, including an analysis of the impacts of the proposed additional height on both the public and private domain and having regard to the objectives of the height standard. • Clarification on the proposed site coverage. • A thorough response to each objective of the height standard. • A thorough analysis of view impacts from all potentially impacted buildings in the locality, having a regard to the Land & Environment Courts planning principle on view sharing, particularly focusing on the impact the additional height and height distribution across the site. • Consideration of wider public benefits and any proposed works to the public domain. <p>Council supplementary report with recommended conditions, SEPP 65 compliance and analysis, Overshadowing impacts on public and private domain, Clarification of site coverage, Responses to objectors to the height standard, View impact analysis, Public benefits/Works in the public domain.</p> <p>Council's original report with supporting documentations and written submissions</p> <p>Verbal submissions at the panel meeting:</p> <p><u>Against:</u></p> <ul style="list-style-type: none"> • Trevor Long • Tony Wade • Dr Derek Weir • Dr Marie Kearney • Dr Marie Kearney – on behalf of Broadwater Apartments (representing owners of Broadwater Apartments)

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	<u>In support:</u> <ul style="list-style-type: none"> • Bob Bourne, on behalf of the Gosford Properties Owners Organisation <u>Applicant:</u> <ul style="list-style-type: none"> • Kane King – Director CKDS Architecture • Doug Sneddon – Planner • Richard Lamb – Consultant
8	Meetings and site inspections by the panel: 30 July 2015 – Site Inspection and Final Briefing Meeting 17 September 2015 – Final Briefing meeting.
9	Council recommendation: Approval
10	Conditions: Attached to council assessment report