

# HUNTER & CENTRAL COAST JOINT REGIONAL PLANNING PANEL

Meeting held at **Wyong Council** on **Thursday 18 June 2015 at 12.30 pm**

Panel Members: Jason Perica (Acting Chair), Kara Krason, John Colvin, Cr Doug Eaton and Cr Lloyd Taylor

**Apologies:** Cr Greg Best

**Declarations of Interest:** Councillors Eaton and Taylor declared they had no declaration of interest as they have had no involvement in the application process or in voting on the matter at Council meetings.

## **Determination and Statement of Reasons**

2014HCC029 - Wyong, DA/875/2014, Oasis Mixed Use Development, Staged development application under Section, 83B of the Environmental Planning and Assessment Act 1979 comprising concept proposal, (retail/commercial/residential) and Stage 1 - 6 storey retail/commercial development, 15-23 Hely Street, Wyong.

**Date of determination:** 18 June 2015

### **Decision:**

The panel determined to defer the development application pursuant to section 80 of the *Environmental Planning and Assessment Act 1979* until a public notification process has been undertaken. This decision was not unanimous, with Councillors Eaton and Taylor voting against the decision for deferral. The applicant was also asked to clarify aspects of the Clause 4.6 variation request relating to FSR, varying references to the height control, the scope of applicability of the Clause 4. variation (Stage 1 and/or Stage 2), clarify whether subdivision was proposed and consider appropriate detail for the Stage 2 aspect of the proposal seeking to be approved.




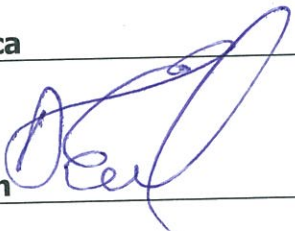

### **Panel consideration:**

The panel considered the Council assessment report, briefings, the provisions of WDCP 2013 relating to notification and the matters observed at site inspections.

### **Reasons for the panel decision:**

While not a mandatory requirement in Council's DCP, the majority of the Panel was of the view that the discretionary powers to notify the DA in Part 2.5 of WDCP 2013 were appropriate in this instance due to potential amenity impacts and community interest. Councillors Eaton and Taylor were of the view that deferral for public notification was not necessary as notification was not mandatory under Clause 2.4 of the DCP, other DAs have not been notified in commercial/industrial zones, the public was fully involved in the rezoning process and "key sites" provisions, including for the site, and there has been some media coverage and public knowledge of the proposal.

### **Panel members:**

		
<b>Jason Perica</b>	<b>Kara Krason</b>	<b>John Colvin</b>
		
<b>Doug Eaton</b>	<b>Lloyd Taylor</b>	