

HUNTER & CENTRAL COAST JOINT REGIONAL PLANNING PANEL

Meeting held at Gosford City Council on Thursday 3 December 2015 at 12.00 pm

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

Apologies: Nil

Declarations of Interest: Kara Krason declared a minor insignificant non-pecuniary interest in that the firms of ADW Johnson and McCullough Robertson Lawyers are currently engaged by other staff within a company that Ms Krason is a part-time employee of to provide consultancy services on unrelated projects.

Determination and Statement of Reasons

2015HCC002 – DA47046/2015 - Gosford City Council, Mixed use development including commercial, residential (Shop Top Housing), Cinema, Hotel and Tavern, 50-70 Mann Street and 114 Georgiana Terrace, Gosford.

Date of determination: 3 December 2015

Panel Decision:

Motion moved by Lawrie McKinna, seconded by Danielle Dickson that the recommendation contained within the assessment report be adopted and Development Consent granted to the proposal.

An amended motion was moved by Jason Perica, seconded by Kara Krason that the recommendation contained within the assessment report be adopted and Development Consent granted to the proposal subject to a condition restricting the maximum height to an RL of 99m.

The amendment was put to the meeting and defeated 3-2.

The original motion was put to the meeting and carried unanimously. Kara Krason and Jason Perica while having concerns with the overall height and non-compliance, nevertheless supported the original motion on the basis of the significant potential transformative effect on the City Centre and the associated public benefits that would come from the proposal and development of an important yet currently degraded site.

Panel consideration:

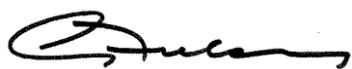
The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

Reasons for the panel decision:

- The planning proposal clearly articulates a vision for the revitalisation of the Gosford CBD supporting substantial increases in building height and additional GFA within a more compact CBD core, subject to achievement of design excellence.
- The Panel considered that the proposal was consistent with the vision and the strategic direction of the planning proposal. While the planning proposal is relatively early in its gestation, there has been considerable prior strategic underpinning work and common approaches within the Council.
- The Panel also noted the gateway determination for the planning proposal issued by the Department of Planning and Environment and the commencement of exhibition which requires consideration of the draft environmental planning instrument under Section 79C of the Act.
- The Panel noted that there was also considerable support from the public within written and verbal submissions considered by the Panel.
- The Panel noted the significant potential transformative effect on the City Centre and the associated public benefits that would come from the proposal and development of an important yet currently degraded site.

Having regard to the above and all the matters addressed in the original and supplementary assessment reports (including the Clause 4.6 variation requests), together with information concerning the planning proposal provided and discussed at the panel meeting, the Panel was of the view that on balanced consideration development consent should be granted.

Panel members:



Garry Fielding (Chair)



Jason Perica



Kara Krason

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Approved by email Lawrie McKinna	Approved by email Danielle Dickson	
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SCHEDULE 1	
1	JRPP Reference – 2015HCC002, LGA – Gosford City Council, DA47046/2015
2	Proposed development: Mixed use development including commercial, residential (Shop Top Housing), Cinema, Hotel and Tavern.
3	Street address: 50-70 Mann Street and 114 Georgiana Terrace, Gosford.
4	Applicant and Owner: New Hong Kong Macau Australian Pty Ltd
5	Type of Regional development: Capital Investment Value - Greater than \$20 million.
6	<p>Relevant mandatory considerations</p> <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: <ul style="list-style-type: none"> ○ Draft Gosford City Centre Commercial Core Bonus Incentives Planning Proposal, currently on public exhibition • 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	<p>Material considered by the panel:</p> <p>Original Council assessment report with recommended conditions, Architectural plans by CKDS architecture, Landscape plan by Xeriscapes, 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"> • Edward Power • Malcom Brooks On Behalf of Friends of Gosford Pty Ltd • Michael Conroy On Behalf of Community Environment Network <p><u>In Favour:</u></p> <ul style="list-style-type: none"> • Edgar Adams • David Abrahams • Bob Bourne on behalf of Gosford Property Owners Organisation • Peter Zhu • Laurie Maher on behalf of Deborah Warrick, a registered by absent speaker • Laurie Maher on behalf of Coast Shelter • Gabby Bowles • Rob Kitchen on behalf of Gosford Chamber of Commerce

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	<ul style="list-style-type: none"> • Shaun Millican, CEO on behalf of Central Coast Mariners Football Club • Bruce McDonald • Michael Dick on behalf of UDIA • Jeff Neilson, President on behalf of Biz Plus Network Association Corporation • Peter Turnbull <p><u>Council Staff:</u></p> <ul style="list-style-type: none"> • Matthew Prendergast • Michael Leavey <p><u>On behalf of the Applicant:</u></p> <ul style="list-style-type: none"> • Kane King – CKDS Architects & Design • Paul Jones • Danielle Le Breton - Legal • Patrick Holland – Legal
8	Meetings and site inspections by the panel: 17 September 2015 – Site Inspection and Briefing Meeting. 3 December 2015 – Final Briefing Meeting.
9	Council recommendation: Approval
10	Conditions: Attached to council assessment report