

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: Kara Krason declared a non-pecuniary insignificant interest as she is currently working on other projects with the companies now Johnson + McCullough Roberts on Lawyers (but not the individuals registered to speak at the meeting) who are representing the applicant on this application.

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: 17 September 2015

Decision:

The majority of the Panel - Garry Fielding, Jason Perica and Kara Krason deferred determination of the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979* pending the progression of the planning proposal referred to in the assessment report to a point where it is able to come a relevant matter for consideration under 79C.

Panel Members - Lawrie McKinna and Wayne Herd did not support this decision, instead supporting the granting of the consent to the proposal as recommended in the Council assessment report.

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.





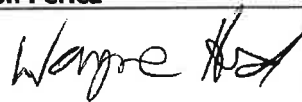
Reasons for the panel decision:

The majority of the Panel - Garry Fielding, Jason Perica and Kara Krason were unable to support the substantial variations sought to the FSR and height development standards under the provisions of Clause 4.6 of the LEP, as such variations are more appropriately addressed through a planning proposal which the Panel understands has been commenced but has yet to progress to the stage where it can be become relevant consideration under Section 79C of the Act.

The Panel also considered that:

- The proposal could be further enhanced through consideration of various changes to the building design and public domain including but not limited to consideration of replacement of some car parking on level 03/04 with active retail/commercial use.
- Further information should be provided as follows:
 - SEPP 65 updated report,
 - Public domain plan
 - Reflectivity report
 - Accessibility report
 - Details of screen treatment to above ground car parking levels.

Panel members:

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

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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: 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	<p>Material considered by the panel:</p> <p>Council assessment report with recommended conditions, Architectural plans by CKDS architecture, Landscape plan by Xeriscapes, supporting documentations and written submissions Verbal submissions at the panel meeting:</p> <p><u>Against:</u></p> <ul style="list-style-type: none"> • Jane Smith – Community Environment Network • Malcolm Brooks – on behalf of Friends of Gosford Property Limited <p><u>In Favour:</u></p> <ul style="list-style-type: none"> • Pauline Wright – Chairperson, Urban Development Institute of Australia • Laurie Maher • Robyne Abernethy – CEO, Central Coast Tourism • Gabby Bowles • Edgar Adams – Central Coast Business Review Company • Bob Bourne – on behalf of Gosford Property Owners Organisation • Chris Holstein • Peter Turnbull • Geoff Neilson • Catherine Duncan – speaking on behalf of Shaun Millican, CEO of Central Coast Mariners Football Club • Len Sargent OAM FIPA FIFA JP – Vice President, Gosford City Chamber of Commerce and Industry Inc • Bruce McDonald <p><u>On behalf of the Applicant:</u></p> <ul style="list-style-type: none"> • Kane King – CKDS Architects & Design • Richard Lamb – View Consultant • Paul Jones – Architects • James Marshall – Social Planner

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	<ul style="list-style-type: none">• Adam Crampton – Planner• Danielle Le Breton – Legal• Samantha Day – Legal
8	Meetings and site inspections by the panel: 17 September 2015 – Site Inspection and Final Briefing meeting.
9	Council recommendation: Approval
10	Conditions: Attached to council assessment report