

RECORD OF DEFERRAL

HUNTER AND CENTRAL COAST JOINT REGIONAL PLANNING
PANEL

DATE OF DETERMINATION	30 March 2017
PANEL MEMBERS	Jason Perica (Chair), Kara Krason, Stuart McDonald, Mr Bob Ward, Mr Ken Greenwald
APOLOGIES	None
DECLARATIONS OF INTEREST	Michael Leavey declared a non-pecuniary interest as he was involved in prior consultancy work for the former Gosford Council within the last 12 months related to development and strategic planning matters, including some preliminary involvement with the proposal for the Council.

Public meeting held at Central Coast Council - 2 Hely Street, Wyong on Thursday, 30 March 2017, opened at 3.45pm and closed at 5.22pm.

MATTER DEFERRED

2015HCC003 - Central Coast Council - 47044/2015 - 70 John Whiteway Drive, Gosford - Residential Flat Building, associated works and roadworks (with 75 Units and parking), as described in Schedule 1.

VERBAL SUBMISSIONS

- Object – Mr Peter Mievich
- On behalf of the applicant – Mr Rudi Vella

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The Panel agreed to defer the determination of the matter for the following reasons:

- The Panel was not satisfied the proposal as submitted justified variation to the height limit, which was very specific to the site. An existing and current approval existed for the site, which had been commenced and it is valid to consider comparison with that approval, also noting the applicant's own Clause 4.6 Variation Request relied on such a comparison. While there were some marginal changes to the rear setback, some improvements to the roadworks to the unformed portion of Georgiana Terrace and improved internal ceiling heights, the additional height above the height limit, particularly in the northern portion of the site, caused additional and adverse overshadowing impacts and an adverse streetscape impact where the site is most visible. This warranted revision of the proposal in the northern section of the site.
- The most sensitive interface of the proposal with adjoining development and the streetscape is in the northern section of the site.
- The changes proposed provided increased density and units by revision of the central section of the building, which decreased the setback to the street. While this aspect of the proposal was acceptable, part of the additional upper level was not.
- The building would benefit from some communal open space on the rooftop, provided privacy impacts to neighbours was resolved; and
- The submitted geotechnical report neither addressed the changes to the proposed building footprint nor addressed the requirements of Part 4.1.7.4 of Gosford DCP 2013.

TERMS OF THE DEFERRAL

The development application was deferred. The applicant is invited to submit an amended proposal within 4 weeks of publication of this decision for subsequent consideration by Council staff and then the Panel (which the Panel favours determining electronically), addressing the matters below:

- Deletion of the top level of “Block 3” (Units 4.10-4.17). This area may be provided as a communal open space area (with lift and stair access and partial shading/pergola elements and planter boxes not visible from the street, but no other rooms) provided it is suitably setback from the eastern building edge by at least 2m to avoid any adverse privacy impacts to the east;
- Revised overshadowing analysis to confirm the changes do not result in any additional overshadowing of the adjoining existing buildings to the east, or if such impact exists, it shall be minimal or require further design refinement to reduce the overshadowing impact;
- Submission of an amended Geotechnical report that expressly addresses the proposed plans, acknowledges the changes to the building footprint compared to the previous approval and previous report and comprehensively addresses the matters required to be addressed in Part 4.1.7.4 of GDCP 2013;
- Confirmation there is no easement or Restriction to User under the Conveyancing Act (s88B) for any part of the site where building works are proposed (noting references to such restrictions in Part 4.1.7.4 of GDCP 2013);
- Submission of a revised Clause 4.6 Variation Request to reflect the revised plans, and any other details to reflect the above changes.

PANEL MEMBERS	
 Jason Perica (Chair)	 Kara Krason
 Stuart McDonald	 Mr Bob Ward
 Mr Ken Greenwald	