

## RECORD OF DEFERRAL

### HUNTER & CENTRAL COAST REGIONAL PLANNING PANEL

<b>DATE OF DEFERRAL</b>	16 September 2020
<b>PANEL MEMBERS</b>	Alison McCabe (Chair), Juliet Grant, Louise Camenzuli, Kyle MacGregor and Chris Burke
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	Sandra Hutton declared a conflict of interest as her employer, ADW Johnson, is employed by the landowner for this development application. Ms Hutton did not participate in any Panel discussion or consideration of this development. Chris Burke declared non-pecuniary interest as one (1) of the submitters was known to him.

Public meeting held by Public Teleconference on Wednesday, 16 September 2020, opened at 2:05pm and closed at 3:15pm.

#### MATTER DEFERRED

PPS-2016HCC020 – Central Coast – DA49565/2016 at 372, 374, 393, 395 & 397 Mann Street & Nos 35, 37 & 41A Dwyer Street & 76 Hills Street North Gosford – Mixed Use Development (as described in Schedule 1)

The Panel noted that all those who made a submission and the applicant were informed of the date and time of the public meeting and invited to register to speak or listen. All those interested in presenting to the Panel registered to speak.

The Panel heard from the submitters and the applicant, and had the opportunity to question all those present. The Panel identified a number of issues with the application, particularly non-compliances with the planning framework.

Due to an administrative error, the council assessment report for the development application was not available to the public on the Planning Panels website for seven (7) days before the public meeting (it was available two (2) days before). The Chair offered those present the opportunity to make a final written submission to Central Coast Council by 5pm, Monday, 21 September 2020 if they considered that the inability to access the report prejudiced them. Five (5) people indicated that they wished to take that opportunity.

The Panel advised that the matter would be deferred for the Panel to consider any further submissions.

#### REASONS FOR DEFERRAL

1. The Panel defer the determination of the matter to provide an opportunity for additional submissions on the Council assessment report to be submitted to Council by close of business Monday, 21 September 2020.
2. That Council prepare a further report addressing any matters raised in the submissions for the Panel's consideration, or advise the Panel that no further submissions were received.
3. That the Panel determine the matter electronically.

The decision to defer the matter was unanimous.

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

PANEL MEMBERS



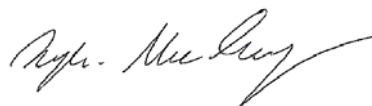
Alison McCabe (Chair)



Juliet Grant



Louise Cammenzuli



Kyle MacGregor



Chris Burke

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPS-2016HCC020 – Central Coast – DA49565/2016
2	PROPOSED DEVELOPMENT	Mixed use development – commercial and shop top housing (2 Towers) residential flat building (4 towers)
3	STREET ADDRESS	372, 374, 393, 395 & 397 Mann Street & Nos 35, 37 & 41A Dwyer Street & 76 Hills Street North Gosford
4	APPLICANT OWNER	Caine King – CKDS Architecture K Schmidt
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Local Government Act 1993</li> <li>Roads Act 1993</li> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>State Environmental Planning Policy (State and Regional Development) 2011</li> <li>State Environmental Planning Policy No 55 – Remediation of Land</li> <li>State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development and associated Apartment Design Guide</li> <li>State Environmental Planning Policy (Coastal Management) 2018</li> <li>State Environmental Planning Policy No 71 – Coastal Protection</li> <li>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> <li>State Environmental Planning Policy (Gosford City Centre) 2018</li> <li>Central Coast Regional Plan 2036</li> <li>Gosford Local Environmental Plan 2014</li> </ul> </li> <li>Draft environmental planning instruments: <ul style="list-style-type: none"> <li>Draft Central Coast Local Environmental Plan 2018</li> </ul> </li> <li>Development control plans: <ul style="list-style-type: none"> <li>Gosford Development Control Plan 2013</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</li> <li>Coastal zone management plan: Nil</li> <li>The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>The suitability of the site for the development</li> <li>Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Council assessment report: 9 September 2020</li> <li>Clause 4.6 (Exceptions to Development Standards) of GLEP 2014 Variation Request</li> <li>Written submissions during public exhibition: <ul style="list-style-type: none"> <li>First round - 33 submissions, petition with 55 signatures</li> <li>Second round - 15 submissions, petition with 122 signatures.</li> <li>Third round - 25 submissions, petition with 121 signatures</li> <li>Fourth (final) round - 18 submissions, petition with 121 signatures.</li> </ul> </li> <li>Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>Zina Harije</li> <li>Diana Londish</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>○ Geoffrey Dignam</li> <li>○ Phillip Kingsmill</li> <li>○ Gary Chestnut</li> <li>○ On behalf of the applicant: Adam Crampton, Ken Schmidt, Bob Nation, Caine King</li> </ul>
<b>8</b>	<b>MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Briefing: 16 June 2020 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Alison McCabe (Chair), Juliet Grant, Kyle MacGregor and Chris Burke</li> <li>○ <u>Council assessment staff</u>: Erin Murphy, Salli Pendergast, Andrew Roach, Emily Goodworth, Mark Wasson</li> </ul> </li> <li>• Site inspections: <ul style="list-style-type: none"> <li>○ Alison McCabe (Chair): 9 September 2020</li> <li>○ Juliet Grant: 9 September 2020</li> </ul> </li> <li>• Final briefing to discuss council's recommendation: 16 September 2020 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Alison McCabe (Chair), Juliet Grant, Louise Camenzuli, Kyle MacGregor and Chris Burke</li> <li>○ <u>Council assessment staff</u>: Erin Murphy and Emily Goodsmith</li> </ul> </li> </ul>
<b>9</b>	<b>COUNCIL RECOMMENDATION</b>	Refusal
<b>10</b>	<b>DRAFT CONDITIONS</b>	Not provided