

## RECORD OF DEFERRAL

### HUNTER AND CENTRAL COAST JOINT REGIONAL PLANNING PANEL

<b>DATE OF DETERMINATION</b>	30 March 2017
<b>PANEL MEMBERS</b>	Jason Perica (Chair), Kara Krason, Stuart McDonald, Mr Bob Ward, Mr Ken Greenwald
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	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 and this may give rise to a perceived conflict of interest.

Public meeting held at Central Coast Council - 2 Hely Street, Wyong on Thursday, 30 March 2017, opened at 5.23pm and closed at 6.34pm.

#### MATTER DEFERRED

2016HCC023 - Central Coast Council - DA49558/2016 - 34-36, 38, 40, 42 & 44 Hills Street, North Gosford (as described in Schedule 1)

#### VERBAL SUBMISSIONS

- Support –
- Object –
- On behalf of the applicant –

#### REASONS FOR THE DEFERRAL

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

- The proposed massing did not provide appropriate transition both within the site and the surrounding area (both existing and likely future development), particularly to the north of the site, noting the objectives of the height control encouraged a high quality urban form and an appropriate transition in built form, and the current height controls provide for a two storey height transition down to the north;
- While there are adjoining and surrounding development approvals, the 30% height and FSR bonus has lapsed for any new applications and redevelopment in the area is neither overwhelming nor consistent. Where it has occurred in the same street, lower street wall heights are provided;
- The Clause 4.6 variation request as submitted was not considered well-founded (or appropriately thorough) and the overall height needed to ensure that any rooftop plant was included;
- The façade composition, materials, colours, fenestration and details lacked cohesion and warranted review and change;
- The proposal as submitted was not considered to exhibit design excellence. However, with amendments and refinement (including to the height), the Panel was of the view this may be achievable, given the general site planning was acceptable;

- Further consideration of parking allocation within the development was warranted.

### **TERMS OF THE DEFERRAL**




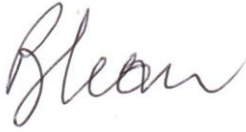

The development application was deferred. The applicant is invited to submit an amended proposal for subsequent consideration by Council staff and then the Panel (which the Panel favours determining electronically), as soon as practicable after addressing the matters below:

- Removal of the top level of the northern building;
- A fresh and independent review of the façade composition being undertaken (with suggestion this occur by a separate architectural practice akin to an independent peer review), addressing the following matters:
  - Seeking a cohesive and simpler design aesthetic and solution, particularly at the street elevation and side elevations;
  - Revision of the front screening element, which if retained in any form, be detailed to ensure appropriate internal amenity, neutrality of colour, longevity and a maintenance regime;
  - Measures to ensure an appropriate definition of the base of the building and modulation, façade treatment and measures for an appropriate visual relationship between the upper and lower levels of the buildings;
  - A review of materials and proposed colours;
  - Differential treatment of the northern and southern buildings to provide some visual separation and interest, yet in a complementary way;
  - Review of the presentation of the development at street level, including walls, entries and detailing to appropriately activate the street, while addressing internal amenity;
- Provision of a brief report associated with the above review to address the provisions related to design excellence in Clause 8.9 of Gosford LEP explain the design philosophy and approach, with plans, sketches and details to ensure realisation of design excellence in construction;
- Provision of a revised and comprehensive Clause 4.6 Variation Request following the amendment to the northern building and also ensuring any rooftop plant is considered;
- Consideration of the parking allocation, having regard to the nature of the site and applicable controls

Kara Krason disagreed with the majority decision and considered the proposal should be refused for the following reasons:

- It is considered that the proposal does not exhibit design excellence in accordance with the provisions of Clause 8.5 of the Gosford LEP. In particular, this includes but is not limited to, consideration of design excellence with respect to whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved; whether the form and external appearance of the proposed developed will improve the quality and amenity of the public domain, the bulk, massing and modulation of the buildings; and the impact on and any proposed improvements to the public domain.
- The proposed development does not satisfactorily address the principles of SEPP 65.

- The submitted Clause 4.6 variation does not satisfactorily demonstrate that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case nor adequately demonstrate that there are sufficient environmental planning grounds to justify contravening the development standard.

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