

HUNTER & CENTRAL COAST JOINT REGIONAL PLANNING PANEL

Meeting held at Central Coast Council (Wyong office) on Thursday 1 September 2016 at 5.00 pm

Panel Members: Jason Perica (Chair), Kara Krason, Lindsay Fletcher, Bob Ward, Ken Greenwald

Apologies: None Declarations of Interest: Michael Leavey declared a non-pecuniary conflict of interest as he is currently a consultant to Central Coast Council providing strategic advice for planning proposals in the Gosford district.

Determination and Statement of Reasons

2016HCC032 – CENTRAL COAST COUNCIL – DA1322/2015 at 7 Stratford Avenue Charmhaven as described in Schedule 1.

Date of determination: 1 September 2016

Decision: The panel determined to refuse the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

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 panel agreed with the assessment of environmental impacts related to the proposal in the Council Assessment Report, except the Panel did not concur with comments about the acceptability of the proposed height and floor space ratio. These aspects of the proposal were magnified by the inappropriate site planning, access and relationship with neighbouring development.

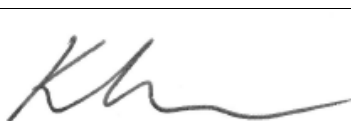
The Panel adopted the recommendation as outlined in the Council Assessment Report, with the addition of the following reasons for refusal:

1. The site plan is inappropriate including relating to setbacks, access and location of height and bulk both on the site and in relation to neighbours and key access points.
2. There has been no General Terms of Approval received from the Mine Subsidence Board, and geotechnical information requested was not submitted or received.
3. The proposal does not comply with the maximum floor space ratio control in Wyong DCP 2013 and the proposal is inconsistent with the objectives of that control as outlined in Part 5.1 of Chapter 2.4 of WDCP 2013.
4. The proposed height does not comply with the maximum height control in WDCP 2013 and is excessive for the site in its context. This is particularly the case when combined with the lack of height variety and transition particularly at the interface with neighbours, and inadequate setbacks.
5. The reasons above, combined with the reasons outlined in the Council's Assessment Report renders the proposal not to be in the public interest.

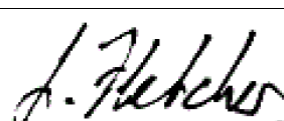
Panel members:



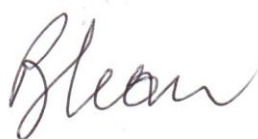
Jason Perica (Chair)



Kara Krason



Lindsay Fletcher



Bob Ward



Ken Greenwald

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SCHEDULE 1

1	JRPP Reference – LGA – Council Reference: 2016HCC032 – CENTRAL COAST COUNCIL – DA1322/2015
2	Proposed development: Residential flat building comprising 115 units and subdivision
3	Street address: 7 Stratford Avenue Charmhaven
4	Applicant: The Lateral Thinking Group Pty Ltd Owner: Lake Haven Development Pty Ltd
5	Type of Regional development: Capital Investment Value >\$20 Million
6	Relevant mandatory considerations: <ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings ○ State Environmental Planning Policy No. 71 – Coastal Protection ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ○ State Environmental Planning Policy No. 55 – Remediation of Land ○ Wyong Local Environmental Plan 2013 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Wyong Shire Development Control Plan 2013: <ul style="list-style-type: none"> ○ Chapter 2.11 – Parking & Access ○ Chapter 2.4 – Multiple Dwelling Residential Development ○ Chapter 3.1 – Site Waste Management • Planning agreements: Nil • Regulations: Nil • 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 <i>Environmental Planning and Assessment Act 1979</i> and EPA Regulation. • The public interest, including the principles of ecologically sustainable development.
7	Material considered by the panel: Council Assessment Report Dated 19 August 2016 Written submissions during public exhibition: 70 Verbal submissions at the panel meeting: Against- 2
8	Meetings and site inspections by the panel: Briefing Meeting: 4 August and 1 September 2016 Site Inspection: 1 September 2016
9	Council recommendation: Refusal
10	Draft conditions: Not applicable; Reasons for Refusal attached to Assessment Report