

## **DETERMINATION AND STATEMENT OF REASONS**

### **HUNTER AND CENTRAL COAST JOINT REGIONAL PLANNING PANEL**

<b>DATE OF DETERMINATION</b>	Thursday 21 September 2017
<b>PANEL MEMBERS</b>	Jason Perica (Chair), Kara Krason, Michael Leavey, Ken Greenwald
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held at Central Coast Council, Wyong Office, 2 Hely St, Wyong on 21 September 2017, opened at 4:00 pm and closed at 4:40 pm.

#### **MATTER DETERMINED**

2017HCC011 – Central Coast – DA/535/2017 AT 645 Pacific Highway, KANWAL: New Hospital and associated works (AS DESCRIBED IN SCHEDULE 1)

#### **PANEL CONSIDERATION AND DECISION**

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.

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

#### **REASONS FOR THE DECISION**

The Panel generally agreed with the balancing of the assessment of environmental considerations as outlined in the Council report.

The design was considered to be of a high quality and the overall site planning was sound. The use was ideally suited to the site and precinct. The proposal appropriately addressed and considered the site characteristics, access and applicable planning controls. Unusually, for a hospital on the Central Coast, more parking than required under the Council's controls was proposed, which was appropriate for a new hospital. Overall impacts to surrounding land were limited and the proposal was considered to be in the public interest, subject to conditions of consent.

There was correspondence received regarding alleged contamination to groundwater from the subject site to another down-stream site, across the road and to the south. Council staff advised this matter had been investigated and that the subject site had been remediated with a Site Audit Statement issued. Another neighbour raised an issue about stormwater management from their site to the subject site, which is potentially a civil matter between properties, while it may also be able to be practically resolved through the detailed design process.

#### **CONDITIONS**





The development application was approved subject to the conditions in the Council Assessment Report with the following amendments. The reasons for imposing the additional or changed conditions were:

- To address the stormwater drainage solution from upstream flows during the detailed design phase;
- To address road safety and utility impacts from the proposed driveway;
- To review to landscaping solution within the northern section of the site for a better visual relationship between properties and possibly further tree retention; and

- To address fire safety from external materials.

The Conditions of approval within the Council staff assessment report were to be imposed as part of the development consent, with the following amendments:

- A New Condition 1A be incorporated into the consent stating:  
**Landscape Design Review**  
1A *The layout of the carpark shall be reviewed in the northern corner with a view to providing additional landscaping (and possibly retention of an existing tree(s)), if possible while still providing vehicular manoeuvring to meet Australian Standards. This may be associated with the loss of a maximum of one car space. Details of this review are to be provided for the written approval of the Council prior to the issue of a Construction Certificate.*
- Condition 10 be amended to include the following additional bullet points following the 3 existing bullet points:
  - *Details of the proposed removal (if needed) of the telegraph pole and associated electricity and any communication wires, including details of consultation with relevant authorities; and*
  - *Any physical measures and road signage to improve sightlines to and from the site for road safety, and any other associated road works to prevent undesirable vehicular movements to and from the site (the cost of which is to be fully borne by the applicant/owner and which may necessitate approval from the Local Traffic Committee).*
- Condition 12 be amended to include an additional bullet point:
  - *The management and solution of upstream stormwater flows, including any existing connections through the site (including No. 5 Wiowera Road Kanwal) and how this will be managed.*
- A new Condition 17A to state  
**External Cladding**  
17A *The external cladding material shall be detailed in the application for a Construction Certificate and have thermal qualities which do not pose a fire safety threat to inhabitants of the building.*

PANEL MEMBERS	
 Jason Perica (Chair)	 Kara Krason
 Michael Leavey	 Ken Greenwald

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017HCC011 – Central Coast – DA/535/2017
2	PROPOSED DEVELOPMENT	Shop Top Housing including demolition of existing structures
3	STREET ADDRESS	645 Pacific Highway, KANWAL
4	APPLICANT/OWNER	Doug Sneddon Planning Pty Ltd / Perpetual Nominees Limited
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ Planning Policy (State and Regional Development) 2011</li> <li>○ State Environmental Planning Policy 55 – Remediation of Land</li> <li>○ State Environmental Planning Policy 64 – Advertising and Signage</li> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ Wyong Local Environmental Plan 2013</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Wyong Shire Development Control Plan 2013</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i></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>• Submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> and regulations</li> <li>• The public interest, including the principles of ecologically sustainable development and potential Climate Change</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Council assessment report: 31 August 2017</li> <li>• Written submissions during public exhibition: Four (4)</li> <li>• Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>○ Object/concern – Chris Jamieson</li> <li>○ On behalf of the applicant – Mark Sweeny and Doug Sneddon</li> </ul> </li> </ul>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Panel briefing meeting 27 July 2017</li> <li>• Site inspection 21 September 2017</li> <li>• Final briefing meeting to discuss council's recommendation, 21 September at 3:15 pm Attendees: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Jason Perica (Chair), Kara Krason, Michael Leavey, Ken Greenwald</li> <li>○ <u>Council assessment staff</u>: Tanya O'Brien, Julie Garratley, Emily Goodworth</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report