

Record of Kick-Off Briefing Hunter & Central Coast Regional Planning Panel

PANEL REFERENCE, DA NUMBER & ADDRESS	CENTRAL COAST - PPSHCC-162 DA/731/2016/A, 216, 218, 220, 222 and 224 MAIN ROAD TOUKLEY
APPLICANT / OWNER	VANDANA
APPLICATION TYPE	Modification Application
REGIONALLY SIGNIFICANT CRITERIA	S4.56 Modification Application
KEY SEPP/LEP	<ul style="list-style-type: none"> State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development Central Coast Local Environmental Plan 2022
CIV	\$29,923,940 (excluding GST)
BRIEFING DATE	21 February 2023

ATTENDEES

APPLICANT	Dat Phan – Bathla Head of Design Bhavesh Taunk – Bathla Senior Town Planner Kean Lim – Bathla Development Director Toshit Monga – Bathla Belinda Barrie – Associate GYDE Consulting Richard Webster – Director Team 2 Architects
PANEL MEMBERS	Alison McCabe (Chair), Tony McNamara, Greg Flynn and Tony Tuxworth
COUNCIL OFFICER	Ryan Lennox, Emily Goodworth and Andrew Dewar
CASE MANAGER	Leanne Harris
PLANNING PANELS SECRETARIAT	Lisa Foley

Council is yet to undertake its full assessment of the application, so this record is not a final list of the issues they will need to consider in order to draft their recommendation.

The application is yet to be considered in detail by the Hunter & Central Coast Regional Planning Panel and therefore future comment will not be limited to the detail contained within.

DA LODGED: 14 October 2022

TENTATIVE PANEL DETERMINATION DATE: June 2023

KEY ISSUES IDENTIFIED FOR CONSIDERATION

COUNCIL COMMENTS:

- There were no Pre DA discussions with Council.
- Council understands that the amended design is being driven by relocation of internal stairs / building cores
- Internal referrals underway
- TfNSW don't appear to have any issues
- Council not sure it can meet the substantially the same development test– the court required separation between the buildings and the proposal appears to be increasing the bulk and scale.
- The Council understands that the Court had particular regard to maintain a view corridor.
- The application is very early in the assessment process and needs further review particularly of the proposed changes against the stamped approved plans.
- There has also been a previous change of use DA for the site.
- The site has the benefit of key site provisions with a sunset clause and demonstration of physical commencement will be instrumental.

APPLICANT PRESENTATION:

- This is a section 4.56 Modification Application of a development approved by the Land and Environment Court in September 2017.
- Change of use approved by Council for residential dwellings rather than tourist and visitor accommodation.
- Overview of the proposed design changes including the building cores, ground floor plane and landscaping including accessibility and roof top deck for improved residential amenity.
- Applicant considers it meets the substantially the same development.
- Applicant is of the understanding that the consent is operational.

PANEL COMMENTS AND KEY ISSUES:

- A comprehensive qualitative and quantitative assessment against the approved scheme will be required.
- The previous Section 34 Agreement and the reasons behind it needs to be reviewed to establish an understanding of the design outcomes approved by the Court. Essential elements of that approval will need to be carried forward in the proposed development.
- The Panel considers that the design changes proposed are positive in terms of removal of ground floor residential component and accessibility to the pool / recreation areas.
- A chronology of events will be critical to demonstrate that consent has not lapsed.

- There appears to be a disconnect between the Council and the Applicant regarding the approved stamped plans and the later 2018 change of use approval – the Panel noted that visualisation for approved plans appear to be different from elevations.
- Any modification that is required to the 2018 change of use DA need to be dealt with as part of the current application.

In this first instance the Panel recommend that the Applicant work with Council to determine how the two consents factually work together and ensure correct set of plans are being used for the s4.56 comparison. This will establish a baseline for the assessment.

The Panel will view the site and discuss the status of the application further with Council. It is noted that the application may need further amendment and the Panel will hear further from the applicant if required.

KEY ISSUES IN RELATION TO PUBLIC EXHIBITION

Exhibition dates: 4/11/2022 to 25/11/2022