

## DETERMINATION AND STATEMENT OF REASONS

### HUNTER AND CENTRAL COAST REGIONAL PLANNING PANEL

<b>DATE OF DETERMINATION</b>	14 March 2025
<b>DATE OF PANEL DECISION</b>	14 March 2025
<b>DATE OF PANEL BRIEFING</b>	3 March 2025
<b>PANEL MEMBERS</b>	Alison McCabe (Chair), Tony McNamara, Roberta Ryan, Doug Eaton, Rachel Stanton
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Papers circulated electronically on 24 February 2025.

#### MATTER DETERMINED

PPSHCC-267 – Central Coast – DA/2396/2023 at 29-31, 41-45 Victoria Street, 16 and 20 Brougham Street, 27 and 27A Adelaide Street East Gosford, 2250 – Alterations and additions to existing hotel, new bottle shop, 60 room motel, new car parking area and demolition of some existing structures (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 briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel has benefited from a briefing with Council and the Applicant.

The site is within the East Gosford Commercial Area and represents an opportunity for redevelopment that is compatible with the surrounding context.

The Panel has considered the acoustic measures proposed, particularly along the interface with the adjoining residential development, and considers them satisfactory to mitigate potential impacts. The Plan of Management and the recommendations in the acoustic report have been imposed as conditions of consent.

The Panel considers that the landscape strip along the southern boundary should extend to Victoria Street, noting that, due to the easement, planting will be limited to shrubs.

The Panel notes that there is a shortfall of car parking and generally agrees with the position in the Council report, as argued by the Applicant. However, the Panel considers that an additional shuttle bus is required on Friday and Saturday nights.

The function and use of the hotel's buses should be monitored for a period of twelve (12) months from the completion of the whole development. If it is shown that the second bus is not required, the Applicant could seek to modify the condition.

In considering the assumptions underlying the recommendations of the traffic assessment and the support for a reduced amount of car parking, the Panel considers that Condition 9.13 should be amended to limit the number of spaces signposted and allocated to motel use to nineteen (19) spaces. The availability of the balance of the car park to all land uses is necessary.

With these amendments to conditions, the Panel is satisfied that the use and built form outcomes are compatible with the surrounding context and that the impacts of the development can be appropriately managed.

### **Development application**

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*, subject to the conditions in the Council report, amended as follows:

- (i) Condition 2.14 deleted and replaced with:

*"The Landscaping Plan is to be amended to include landscaping over all the easement up to Victoria Street.*

*Landscaping within the Council easement to drain water shall be limited to on grade gardens with low shrubs. No trees are permitted within the easement to drain water.*

*Details are to be provided prior to the release of any Construction Certificate."*

- (ii) Condition 9.12 deleted and replaced with:

*"The provision of two (2) 12 seat shuttle bus to take patrons to and from the site during the following days/times:*

- *4.30pm to 9.30pm Fridays and Saturdays.*

*The provision of a minimum of one (1) 12 seat shuttle bus to take patrons to and from the site during the following days/times:*

- *10am to 3.00pm Sundays.*

*The use of the two (2) 12 seat shuttle buses on Friday and Saturday nights should be monitored for a period of twelve (12) months from completion of the whole development."*

- (iii) Condition 9.13 reading:

*"The provision and maintenance of a minimum 148 on site car parking spaces. The maximum amount of car parking exclusively allocated to motel use shall not exceed nineteen (19) spaces."*

The decision was unanimous.

### **REASONS FOR THE DECISION**

The Panel determined to approve the application for the following reasons:

- (i) The proposed development is suitable for the site.
- (ii) The built form and scale of the development is compatible with the surrounding context.
- (iii) The traffic and acoustic impacts arising from the development can be appropriately managed.

### **CONDITIONS**






The development application was approved subject to the conditions in the council assessment report, with the following amendments:

- (i) Amendment to Condition 2.14 requiring landscaping to extend to the Victoria Street boundary.
- (ii) Amendment to Condition 9.12 to require an additional twelve (12)-seated bus on Fridays and Saturdays.
- (iii) Amendment to Condition 9.13 to limit the maximum car parking spaces allocated to the motel.

### **CONSIDERATION OF COMMUNITY VIEWS**

In coming to its decision, the Panel considered the four (4) written submissions were made during public exhibition. The Panel notes that issues of concern included:

- Traffic and noise
- Amenity impacts
- Environmental concerns
- Support for the proposal

PANEL MEMBERS	
 Alison McCabe (Chair)	 Tony McNamara
 Roberta Ryan	 Doug Eaton
 Rachel Stanton	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSHCC-267 – Central Coast – DA/2396/2023
2	PROPOSED DEVELOPMENT	Alterations and additions to existing hotel, new bottle shop, 60 room motel, new car parking area and demolition of some existing structures
3	STREET ADDRESS	29-31 and 41-45 Victoria Street, 16 and 20 Broughman Street, 27 and 27A Adelaide Street East Gosford, 2250
4	APPLICANT/OWNER	Bonython Elanora Pty Ltd Bonython Elanora Pty Ltd / The Elanora Hotel Nominees P/L (ATF Elanora Hotel Property Trust)
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>State Environmental Planning Policy (Resilience and Hazards) 2021</li> <li>State Environmental Planning Policy (Planning Systems) 2021</li> <li>State Environmental Planning Policy (Transport and Infrastructure) 2021</li> <li>Central Coast Local Environmental Plan 2022</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Central Coast Development Control Plan 2022</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i>: Section 61 (demolition), Section 62 (fire safety) and Section 64 (upgrade of buildings).</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: 24 February 2025</li> <li>Written submissions during public exhibition: 4</li> <li>Total number of unique submissions received by way of objection: 3</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Preliminary Briefing: 31 January 2024 <ul style="list-style-type: none"> <li><u>Panel members</u>: Alison McCabe (Chair), Roberta Ryan, Tony McNamara, Greg Flynn</li> <li><u>Council assessment staff</u>: Ailsa Prendergast, Emily Goodworth</li> <li><u>Applicant Representatives</u>: David Norris, Rachel Hulks, Michael Leavey, Rod Faucheux, Jarek Knoppek, Robert Day</li> </ul> </li> <li>Site inspection: <ul style="list-style-type: none"> <li>Alison McCabe: 28 June 2024</li> <li>Roberta Ryan: 16 November 2024</li> <li>Tony McNamara: 5 February 2025</li> </ul> </li> <li>Final briefing to discuss council's recommendation: 3 March 2025 <ul style="list-style-type: none"> <li><u>Panel members</u>: Alison McCabe (Chair), Roberta Ryan, Tony McNamara, Doug Eaton, Rachel Stanton</li> <li><u>Council assessment staff</u>: Ailsa Prendergast, John Noakes</li> </ul> </li> </ul>

		<ul style="list-style-type: none"><li>○ <u>Applicant</u>: Daniel Holland, David Norris, Rachel Hulks, Michael Leavey, Rod Fauchaux, Jarek Knoppek, Robert Day, Lisa Wrightson, Trevor Clack, Thomas Taylor</li><li>○ <u>Department</u>: Leanne Harris, Holly McCann</li></ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report