From:	Louise Starkey
To:	Heather Warton
Cc:	Silvio Falato; Keiran Thomas; Brendon Roberts
Subject:	FW: SSD-9813 Gosford Alive - IPC seek clarification
Date:	Monday, 21 September 2020 3:36:51 PM
Attachments:	image008.png image009.png image010.png image011.png

---

Dear Heather

Please see below email from the DAP Secretariat regarding the DAP's position on design competitions.

This forms **Attachment A** to our response dated 14 September 2020.

Regards,

Louise Starkey
Senior Planning Officer
Regional Assessments | Department of Planning, Industry and Environment
T 02 4345 4410 | **E** Louise.Starkey@planning.nsw.gov.au
Level 2, 32 Mann Street, Gosford | PO Box 1148 | GOSFORD NSW 2250
www.dpie.nsw.gov.au

Our Vision: Together, we create thriving environments, communities and economies.

The Department of Planning, Industry and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

From: Daniel Simpkins <Daniel.Simpkins@planning.nsw.gov.au>
Sent: Wednesday, 16 September 2020 3:07 PM
To: Louise Starkey <louise.starkey@planning.nsw.gov.au>; Ben Hewett <Ben.Hewett@planning.nsw.gov.au>; Paul Maher <Paul.Maher@planning.nsw.gov.au>; Trent Wink <Trent.Wink@planning.nsw.gov.au>
Cc: Keiran Thomas <Keiran.Thomas@planning.nsw.gov.au>; Silvio Falato <Silvio.Falato@planning.nsw.gov.au>; Brendon Roberts <brendon.roberts@planning.nsw.gov.au>; Paulo Macchia <Paulo.Macchia@planning.nsw.gov.au>
Subject: RE: SSD-9813 Gosford Alive - IPC seek clarification

Hi Louise,

On 17 April 2020, the City of Gosford Design Advisory Panel (the Panel) formed the opinion that for a concept masterplan process, the proposal exhibits design excellence under the *State Environmental Planning Policy (Gosford City Centre) 2018* (the SEPP).

It is at the Panel's discretion when it requires an architectural design competition, and in this

instance of a concept masterplan it decided that it was not required. An architectural design competition may be beneficial as the development progresses and more detailed design is undertaken.

Any subsequent development application will also be subject to clause 8.4(4) of the SEPP and will require the Panel to decide whether an architectural design competition is required.

Regards

Dan Simpkins
Director, Central Coast and Hunter

Local and Regional Planning | Department of Planning, Industry and Environment
T 02 9373 2820 | **M** 0466 358 172 | **E** daniel.simpkins@planning.nsw.gov.au
<26 Honeysuckle Drive, Newcastle NSW 2300>
www.dpie.nsw.gov.au

The Department of Planning, Industry and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

From: Louise Starkey <louise.starkey@planning.nsw.gov.au>
Sent: Monday, 7 September 2020 2:34 PM
To: Ben Hewett <Ben.Hewett@planning.nsw.gov.au>; Paul Maher <Paul.Maher@planning.nsw.gov.au>; Trent Wink <Trent.Wink@planning.nsw.gov.au>
Cc: Keiran Thomas <Keiran.Thomas@planning.nsw.gov.au>; Silvio Falato <Silvio.Falato@planning.nsw.gov.au>; Daniel Simpkins <Daniel.Simpkins@planning.nsw.gov.au>; Brendon Roberts <brendon.roberts@planning.nsw.gov.au>; Paulo Macchia <Paulo.Macchia@planning.nsw.gov.au>
Subject: SSD-9813 Gosford Alive - IPC seek clarification

Dear Panel Chair and Secretariat

On 18 August 2020, the Department referred the concept and stage 1 application at Donnison Street, Gosford (SSD-9813 known as Gosford Alive) to the IPC for determination. The IPC is the relevant determining authority as Council has objected to the proposal.

The Department met with the IPC on Thursday to discuss the proposal, and the IPC has requested that we seek clarification from City of Gosford Design Advisory Panel, as follows:

> *'Confirmation from the DAP as to whether the decision that a design competition was not required applies to the subject application only, or to all future DAs as well. It is the Panel's understanding that clause 8.4(4) will apply at every DA stage, but the Applicant is under the impression (as explained in the meeting with the Applicant held yesterday), that the DAP has made a decision that no design competition is required, that applies to all future development as well.'*

We are expected to provide a formal response to the IPC early this week. It would be greatly appreciated if you could provide this confirmation as soon as possible.

Should you have any questions or wish to discuss, please don't hesitate to give me a call.

Regards,

Louise Starkey
Senior Planning Officer
Regional Assessments | Department of Planning, Industry and Environment
T 02 4345 4410 | **E** Louise.Starkey@planning.nsw.gov.au
Suites 35-38, Lvl 3, 207 Albany Street | PO Box 1148 | GOSFORD NSW 2250
www.dpie.nsw.gov.au

Our Vision: Together, we create thriving environments, communities and economies.

The Department of Planning, Industry and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

From: Heather Warton <Heather.Warton@ipcn.nsw.gov.au>
Sent: Friday, 4 September 2020 5:13 PM
To: Keiran Thomas <Keiran.Thomas@planning.nsw.gov.au>
Cc: Louise Starkey <louise.starkey@planning.nsw.gov.au>; Brendon Roberts <brendon.roberts@planning.nsw.gov.au>; 'matthew@townscape.net.au' <matthew@townscape.net.au>; Silvio Falato <Silvio.Falato@planning.nsw.gov.au>; Stephen Barry <Stephen.Barry@ipcn.nsw.gov.au>
Subject: Follow up matters for Donnison Street SSD from Commission

Dear Kieran

Thank you for the assistance given by you and your team at the meeting with the Commission yesterday.

The transcript will not be available for a few days, but in the meantime this is the information as discussed which the Department indicated it would provide, follow up or respond to in more detail.

1. Confirmation from the DAP as to whether the decision that a design competition was not required applies to the subject application only, or to all future DAs as well. It is the Panel's understanding that clause 8.4(4) will apply at every DA stage, but the Applicant is under the impression (as explained in the meeting with the Applicant held yesterday), that the DAP has made a decision that no design competition is required, that applies to all future development as well.

2. Provision of the June 25 2019 minutes of the DAP and of the workshops.

3. In the draft consent for the Mann Street SSD application, TOA A12 referred to the proposed car parking provision, to be approved. This then also referred to FEARs C22 to C24. The Panel in determining that application, modified the approved development to refer to a different car parking provision, being that the commercial component was to comply with cl 8.5 of the GSEPP. The Panel moved the TOA to a be a Modification Condition.

   In the Mann Street proposal, as stated in the Department's Assessment Report, the Applicant sought a car parking rate (more than the RMS, less than the GDCP).

   In the subject Donnison Street DA, as referenced in Table 2 of the AR, the Applicant also seeks a car parking rate for the various uses; which appears to be a rate based on being mid-way between the RMS/ADG rate and the GDCP.

   However, there is no draft TOA approval that refers to this rate in the same way that was proposed by the Department in the Mann Street Scheme. There is a proposed ToA A.12 but this does not approve a rate, but refers to a FEAR.

   Could the Department advise if based on the assessment, there was a reason why the car parking rate was not referred to specifically as a ToA, as it would appear to be similar to the scenario in the Mann Street proposal.

4. A copy of the Draft conditions provided to the Applicant. It was noted that the Applicant's Response was in an email that is available on the Department's website for the DA.

5. The Applicant has been requested to provide some additional information, which I will forward separately to you. This also covers matters raised with the Department including if any proposed filling of the Site is required in Stage 1 to create the temporary car park.

Thanks and regards

Heather

Heather Warton
Senior Planning Consultant
Office of the Independent Planning Commission NSW
Level 3, 201 Elizabeth Street Sydney NSW 2000
E: heather.warton@ipcn.nsw.gov.au | p: +61 2 9383 2121 | f: 9383 2133 | www.ipcn.nsw.gov.au

New South Wales Government
Independent Planning Commission

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorised to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

FOLLOW US ON:

Please consider the environment before printing this e-mail.