



Memo

To: Central Coast Local Planning Panel
From: Susana Machuca
Ailsa Prendergast, Section Manager
Andrew Roach, Unit Manger
Subject: Additional Information – Agenda item 3.1
Date: 18 August 2021

The following additional information is provided to the Panel in relation to Agenda Item 3.1 for DA57736/2016 – 37 Wards Hill Road, Killcare Heights – Telecommunications Facility.

4th re - Notification for DA57736/2016

Development Assessment staff were advised late last week that out of 113 hard copy letters for the 4th notification period, 54 notification letters were not sent out by Council's Records Department. This is currently being investigated internally and if it is necessary recommendations will be made to reduce any opportunities for this to happen again.

The purpose of the 4th Notification

The purpose of the **4th notification** was for clarification of document dates. It was not due to any amendments to the plans or information for the proposal.

During this 4th notification period the applicant provided a Table listing all the amended documents associated with DA 57736/2019 to clarify what information had been submitted during the 3rd notification period, as concerns had been raised that the information on the e-portal did not make it clear what documents and plans had been amended.

However, the Applicant made errors in the production dates of several of the documents listed in the Table (note: there was no change to the information in the documents). The purpose of the 4th notification period was to clarify the dates and appendices of the amended supporting information lodged by the applicant in the **3rd notification period**.



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Notification Policy as per Gosford Development Control Plan 2013 (GDGP 2013)

It is noted that Council does have discretion regarding the re-notification of the proposal pursuant to cl7.3.2.10(c) of the GDGP 2013 which outlines the following regarding "Notification of Proposals Amended Prior to Determination":

cl7.3.2.10(c)

"c. ... if in the opinion of Council or staff with the appropriate delegated authority the amendments are minor, or will result in no additional impacts, the amendments will not require re-advertisement or re-notification".

As per cl7.3.2.10(c) it could have been decided to not to renotify for the 4th time, however it was considered appropriate due to a small number of objectors raising concern as a result of the confusion regarding how the documents had been uploaded on to the e-portal and the typographical error in the applicants dates for the amended documentation. The 4th notification was not due to any amended design changes to the proposal or additional information.

4th Notification letter breakdown

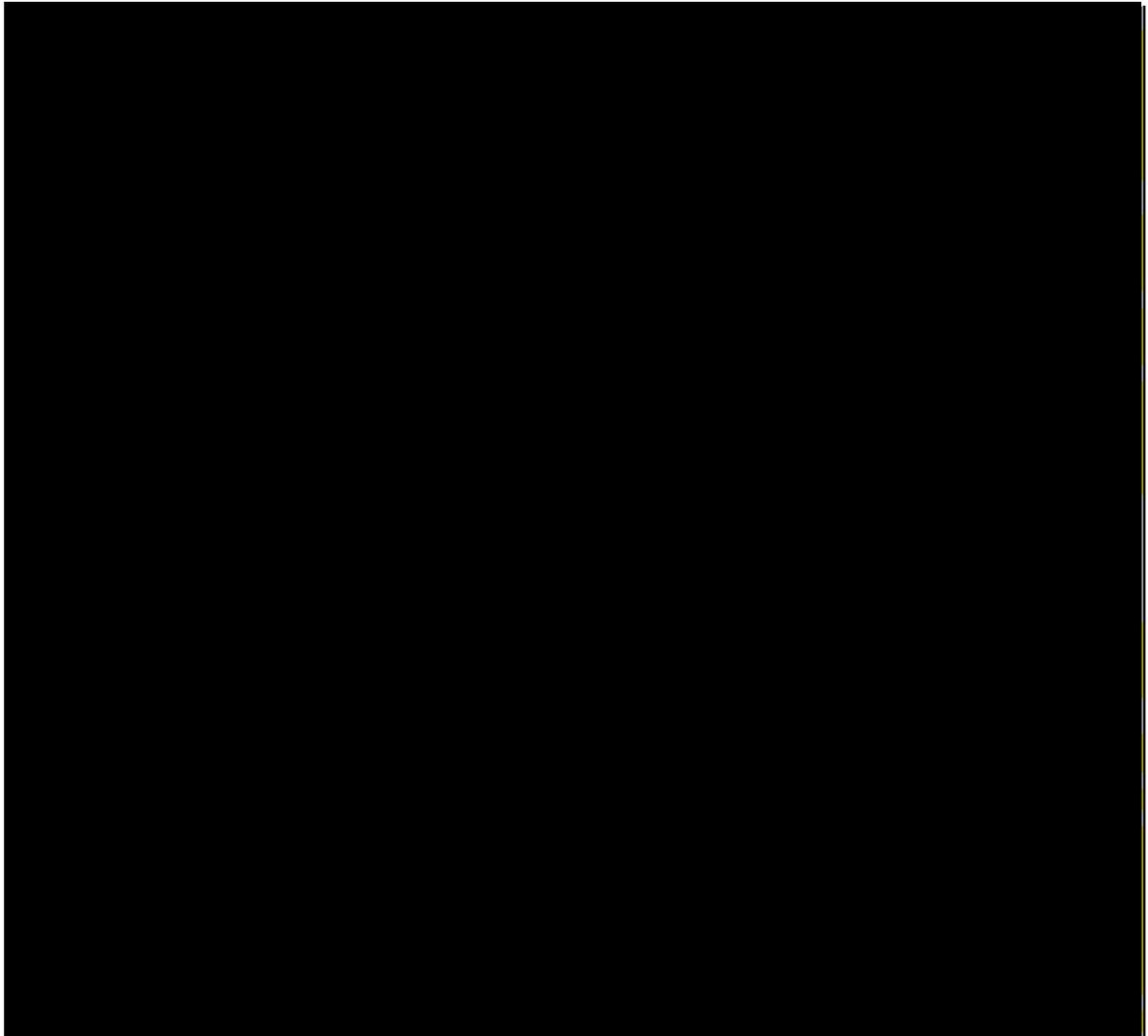
It is noted that out of the 54 neighbour notification letters, 14 had previously made submission to the proposal and their emails were on the database and were sent an email advising of the 4th notification period.

Therefore, out of the 54 hard copy letters, 14 households were notified of the 4th notification period via email leaving 40 households that were not advised of the 4th notification period. However, it should be noted that these 40 neighbour notifications have not put in a submission for the proposal throughout the entire notification process.

Neighbour Notification Data List

The neighbours that were **not notified** on 4th round are highlighted in yellow. Each of these neighbours were notified on each of the previous 3 notifications and made no submissions.

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Final Submission Lodger Data List

The below data list shows the submission lodger participation throughout the entire notification process.

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In conclusion and per Local Planning Panel Report, the proposal was notified four (4) times as follows:

- Original plans were notified (**Notification 1**) on 15 January 2020 to 14 February 2020, fifty-nine (59) submissions were received (38 Objections and 21 Support);
- The proposal's amended plans were re-notified (**Notification 2**) on 19 March 2021 to 26 April 2021, twenty-seven (27) submissions were received (18 Objections and 9 Support);
- The proposal's amended plans including Hydro Excavation findings were re-notified (**Notification 3**) on 25 June 2021 to 16 July 2021, 11 submissions were received (8 Objections and 3 support); and
- The proposals amended plans including Hydro Excavation findings were reloaded onto e-planning portal to assist in public viewing of the amended application documents. These were re-notified (**Notification 4**) on 14 July 2021 to 4 August 2021, 9 submissions were received (9 Objections).