

Panel Members

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| Chairperson | Kara Krason |
| Panel Experts | Stephen Leathley Greg Flynn |
| Community Panel Member | Stephen Glen |

Central Coast Council Staff Attendance

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| Salli Pendergast | Principal Development Planner Development Assessment North |
| Nathan Burr | Senior Development Planner (North) |
| Mark Dowdell | Principal Development Assessment Engineer |
| Steven McDonald | Transport and Traffic Engineer |
| Rachel Callachor | Meeting Support Officer |
| Zoie Magann | Meeting Support Officer |

The Chairperson, Kara Krason, declared the meeting open at 11:34am and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

The Chair read an acknowledgement of Country statement.

A Supplementary Report was provided to the Local Planning Panel on 28 February 2022, as per request at the Panel meeting of 23 September 2021 where the matter was deferred.

The Local Planning Panel members considered the supplementary report, updated plans, submissions and supporting documents for DA/221/2014/B – **Amended application to 43 Lot Subdivision to create 40 residential lots, 1 public reserve, 1 detention basin and 1 residue lot at 31 Aldenham Road, Warnervale .**

Apologies

The Panel noted that no apologies have been received.

1.1 Disclosures of Interest

The Panel Members confirmed that declaration forms lodged for the 23 September 2021 meeting were still current and no conflicts had been identified.

Public Forum

The following people addressed the Panel:

Item Agenda item 2.1

Supplementary Report - DA/221/2014/B - 43 Lot Subdivision to create 40 residential lots, 1 public reserve, 1 detention basin and 1 residue lot (Amended Application) at 31 Aldenham Road, Warnervale

1. Steve Marsh – against recommendation
2. David Harris MP, Member for Wyong – against recommendation
3. Paul McDonald – against recommendation

The Local Planning Panel public meeting closed at 12:17pm. The Panel moved into deliberation from 12:20pm, which concluded at 1:34pm.

2.1 **Supplementary Report - DA/221/2014/B - 43 Lot Subdivision to create 40 residential lots, 1 public reserve, 1 detention basin and 1 residue lot (Amended Application) at 31 Aldenham Road, Warnervale**

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| Relevant Considerations | As per Council assessment report dated 23 September 2021 and supplementary assessment report dated 28 February 2022 |
| Material Considered | <ul style="list-style-type: none">• Documentation with application• Council assessment report• 16 Submissions (across all notification periods)• Amended plans and documentation lodged following September 2021 panel meeting• Supplementary assessment report Local Planning Panel Business Panel 4 February 2022 |
| Council Recommendation | Approval |
| Panel Decision | <i>1. That the Local Planning Panel grant modification of consent to DA/221/2014/B – 31 Aldenham Road, Warnervale – Increase by 2 lots to create a subdivision</i> |

containing 43 Residential lots, 1 drainage lot, 1 public reserve, minor road layout & drainage changes, subject to the conditions detailed in the schedule attached to the supplementary report, and as modified below, having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979.

Modification to the following conditions, as per red text, from the Conditions of Consent, as follows:

Amend Condition 1.

Add following words to the end of condition:

The building footprint for Lot 26 is indicative only and is to be the subject of further design, assessment and approvals including engineering considerations relating to proximity of the sewer easement.

Amend Condition 20 to read:

Prior to works associated with the development commencing, details are to be provided for the approval of Council as the Roads Authority, of the proposed routes to and from the site for heavy vehicle traffic accessing the site.

No construction access is permitted via Aldenham Road or Railway Road. All construction vehicles are to access the site via the Link Road.

Insert new condition – Condition 20B under heading of Filling and Haulage Requirements to read:

A pedestrian management plan is to be submitted to address any potential conflicts between construction traffic and pedestrians in the vicinity of the site access.

Insert new condition – (Condition Number to be advised by Council) under heading of Construction Traffic and Pedestrian Management Plan – For works within the development site to read:

The applicant is to prepare and submit to Council for approval a Construction Traffic and Pedestrian

Management Plan (CTPMP) for all activities related to works within the site. The plan must be prepared and implemented only by persons with Roads and Maritime Service accreditation for preparing and implementing traffic management plans at work sites.

The CTPMP must describe the proposed construction works, the traffic impacts on the local area and how these impacts will be addressed.

The CTPMP must address, but not be limited to, the following matters:

- ***Ingress and egress of construction related vehicles to the development site.***
- ***Details of the various vehicle lengths that will be used during construction and the frequency of these movement.***
- ***Use of swept path diagrams to demonstrate how heavy vehicles enter, circulate and exit the site or Works Zone in a forward direction.***
- ***Deliveries to the site, including loading / unloading materials and requirements for work zones along the road frontage to the development site. A Plan is to be included that shows where vehicles stand to load and unload, where construction plant will stand, location of storage areas for equipment, materials and waste, locations of Work Zones (if required) and location of cranes (if required).***
- ***Works Zones if heavy vehicles cannot enter or exit the site in a forward direction.***
- ***Control of pedestrian and vehicular traffic where pre-construction routes are affected.***
- ***Temporary Road Closures.***

Where the plan identifies that the travel paths of pedestrians and vehicular traffic are proposed to be interrupted or diverted for any construction activity related to works inside the development site an application must be made to Council for a Road Occupancy Licence. Implementation of traffic management plans that address

interruption or diversion of pedestrian and/or vehicular traffic must only take place following receipt of a Road Occupancy Licence from Council or the Roads and Maritime Service where on a classified road.

Where a dedicated delivery vehicle loading and unloading zone is required along the road frontage of the development site a Works Zone Application must be lodged and approved by Council. A minimum of 3 months is required to allow Traffic Committee endorsement and Council approval.

The Construction Traffic and Pedestrian Management Plan must be reviewed and updated during construction of the development to address any changing site conditions.

A copy of the Construction Traffic and Pedestrian Management Plan must be held on site at all times and be made available to Council upon request

Amend Condition 56 to read:

Dedication at no cost to Council for Public Recreation purposes the land zoned RE1 at the date of the modified consent (Modification B) under the Wyong Local Environmental Plan 2013. The area to be dedicated under this condition is to be identified with individual lot number on the subdivision plan for registration.

***Insert new condition 56A to read:
Proposed Lot 44 as shown on the stamped approved plan is to be dedicated at no cost to Council for the purposes of stormwater facility (detention basin).***

- 2 That all references to the lot number supporting plans and documentation are updated to reference the current lot and DP number: Lot 1 DP 1234942 (replacing the historic property description lot 26, DP 1159349)***

3 That Council advise those who made written submissions of the Panel's decision.

4 That Council advise relevant external authorities of the Panel's decision.

Reasons

1 After consideration of the development against Sections 4.55(2) and 4.15 of the Environmental Planning and Assessment Act 1979, the panel is satisfied that the amended application is substantially the same development, and is considered acceptable in relation to relevant requirements including the provisions of Wyong Local Environmental Plan 2013 and Wyong Development Control Plan 2013.

2 The supplementary report provides additional information to adequately address the Panel's reasons for deferral dated 23 September 2021.

3 The Panel has considered all matters raised in the submissions that are relevant to the proposed modifications to the existing approval. The Panel has recommended that construction access is via the roundabout on the Link Road rather than Aldenham Road and Railway Road, subject to suitable safety management being implemented prior to and during the construction phase noting the location of proximate education facilities on the Link Road.

Note: While it is not within the scope or ability of the panel to revisit matters associated with the original application that fall outside the scope of the modification proposal, such as but not limited to the broader strategic planning issues affecting Warnervale and the proposed local traffic network, the Panel recommends that broader planning and traffic issues are considered by Council as part of future strategic planning updates for the local area.

Further, while the Panel noted the advice of Council's Traffic Engineer that TfNSW may not support the extension of railway road to the future Link Road, the Panel notes its support for this link to be maintained as identified in the current Warnervale Structure Plan and suggests that Council further investigates the opportunity to maintain transport connection, in consultation with TfNSW as part of

the detailing planning and design for the link road.

Votes

The decision was unanimous