

Panel Members

Chairperson	Donna Rygate
Panel Experts	Grant Christmas Sue Francis
Community Representative	Geoff Mitchell

Central Coast Council Staff Attendance

Rachel Callachor	Meeting Support Officer
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The Chairperson, Donna Rygate, declared the meeting open at 12:27pm.

Apologies

The Panel noted that no apologies had been received.

1.1 Disclosures of Interest

Donna Rygate and Grant Christmas confirmed that they had forwarded signed declarations in relation to each matter on the agenda for this meeting. Verbal declarations were provided by Sue Francis and Geoff Mitchell, to be followed up in writing. None of the panel members had conflicts to declare.

2.1 Confirmation of Minutes of Previous Meeting

The minutes of the previous Local Planning Panel Meeting held on held on 16 December 2021, Record of Electronic Determination dated 13 January 2022 and Local Planning Panel Supplementary Meetings of 19 January 2022 and 4 February 2022 which were endorsed by the Chairs of those meeting, were noted.

The meeting concluded at 12:50pm.

3.1 DA/63212/2021 - 38 Harcourt Place, North Avoca - 2 Storey Dwelling and Garage

Site Inspected Yes

Relevant Considerations As per Council assessment report

Material Considered

- Documentation with application
- Council assessment report
- 1 Submission

Council Recommendation Approval

Panel Decision

1 *The Panel considered the clause 4.6 written request relating to Building Height submitted by the applicant and is satisfied that there are sufficient environmental planning grounds to justify contravening the Height of Buildings development standard. Compliance with the standard is unnecessary and unreasonable in the circumstances of the case due to the topography of the land and the lack of environmental impact that would result from the noncompliance with the Height of Buildings standard.*

Further, the Panel considered that the proposed development will be in the public interest because it is consistent with the objectives of the development standard and the objectives for development within the R2 Low Density Residential zone in which the development is proposed to be carried out.

The Local Planning Panel assumed the concurrence of the Secretary of the Department of Planning to permit the non-compliance with the development standard under Clause 4.6 of the Gosford Local Environmental Plan 2014, in accordance with the provisions of Clause 64 of the Environmental Planning and Assessment Regulation 2000.

2 *The Local Planning Panel resolved to grant development consent to DA63212/2021 – 38 Harcourt Place, North Avoca to construct of single dwelling over two levels with garage subject to appropriate conditions as detailed in the schedule attached to the report and having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act and other relevant issues.*

3 *The objector be notified of the outcome of the development application.*

Reasons

- 1 The proposal is well designed having regard to the topography of the site.
- 2 The breach of the *Height of Buildings* development standard is acceptable in the circumstances of the case.
- 3 No detrimental environmental impact would occur as a consequence of the development.

Votes

The decision was unanimous

4.1 Request to amend SEPP Gosford City Centre to reclassify 73-75 Mann Street, Gosford

In performing its role in relation to this matter, limited to the provision of advice only, the Panel by majority notes and has no objection to the commencement of the re-classification process and notes the opportunities for community consultation and input in accordance with the Environmental Planning and Assessment Act 1979 prior to the matter being decided.

There was a dissenting view, Community Panel member Geoff Mitchell considers that this process should not be initiated until the public is fully aware of what the implications are.