

Panel Members

Chairperson	Kara Krason
Panel Experts	Sue Francis Stephen Leathley
Community Representative/s	Paul Dignam

Central Coast Council Staff Attendance

Rachel Callachor	Meeting Support Officer
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An application has been received for a two-lot subdivision, at 8 Gheri Avenue, Wamberal. The Local Planning Panel previously considered the matter at its meeting of 25 November 2021 and 22 March 2022. The application was deferred at that time pending submission of additional information, with a further supplementary report distributed to the Panel in June 2022.

The Panel considered this information and met to discuss and review the application.

1.1 LPP Supplementary Report DA/60725/2021 – 8 Gheri Avenue Wamberal - 1 into 2 Lot Subdivision and Associated Drainage Works involving adjoining lot 47 DP25382 No. 38 Lucinda Avenue, Wamberal

Site Inspected Yes

Relevant Considerations As per Council assessment and supplementary reports

- Material Considered**
- Documentation with application
 - Council assessment report (25 November 2021 and LPP Minutes)
 - Supplementary assessment reports (March and June 2022)
 - LPP Minutes March 2022)
 - 2 Submissions

- Transfer Granting Easement Document & Schedule Details – D15064054
- Owners Consent Lot 47 No. 38 Lucinda Avenue Wamberal – D15064056
- Draft Conditions of Consent

**Council
Recommendation**

Approval

Panel Decision

- 1 That the Local Planning Panel assume 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.***

The Panel agrees that the written request demonstrates that compliance with the development standard is unnecessary in the circumstances of the case and there are sufficient environmental planning grounds to justify contravening the development standard.

Further, the Panel considers that the proposed development will be in the public interest because it is consistent with the objectives of the Lot size development standard and the objectives for development within zone R2 Low-density residential in which the development is proposed to be carried out.

- 2 That the Local Planning Panel grant consent to DA/60725/2021 – 8 Gheri Avenue Wamberal for two lot subdivision, subject to the conditions 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.***
- 3 That Council advise those who made written submissions of the Panel's decision.***

Reasons

- 1 The proposed development has demonstrated that there are sufficient environmental planning grounds to justify non-compliance with the development standard in relation to the minimum lot size, and that it is unnecessary and unreasonable to require compliance in this case as the proposed development will be consistent with the objectives of the development standards and the zone objectives.***

- 2 The Panel has considered the supplementary reports and the further information provided regarding the drainage easements and the renotification of the application to include 38 Lucinda Avenue, Wamberal as part of the application. This information is considered satisfactory and the Panel notes that the description of the application should be amended accordingly as per the Panel Minutes.
- 3 The proposal is satisfactory under the heads of consideration set out in section 4.15 of the *Environmental Planning and Assessment Act 1979*.
- 4 The proposal is considered satisfactory with regard to Gosford LEP 2014 in relation to permissibility, zone objectives and provisions.
- 5 The proposal is considered satisfactory in relation to the requirements of Gosford DCP 2013.

Votes

The decision was unanimous