

Panel Members

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| Chairperson | Jason Perica |
| Panel Experts | Stephen Leathley Louise Menday |
| Community Representative/s | Geoffrey Mitchell |

Central Coast Council Staff Attendance

| | |
|-------------------|----------------------------------------------------------|
| Emily Goodworth | Section Manager, Employment and Urban Release |
| Ailsa Prendergast | Section Manager, Residential Assessments |
| K. Singh | Senior Development Planner, Residential Assessments |
| Mark Dowdell | Principal Development Assessment Engineer |
| Ryan Lennox | Senior Development Planner, Employment and Urban Release |
| Lisa Martin | Civic Support Officer |
| Briony Stiles | Civic Support Officer |

The Chairperson, Jason Perica declared the meeting open at 4.05pm. The meeting was held by electronic means and concluded at 4.50pm.

Apologies

The Panel noted that no apologies had been received.

PROCEDURAL ITEMS

1.1 Disclosures of Interest

The Panel Members confirmed that they had signed a declaration of interest form in relation to each matter on the agenda. No conflicts of interest were identified.

CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

2.1 Confirmation of Minutes of Previous Meeting

The Panel noted the minutes of the previous Local Planning Panel Meeting held on 15 February 2024 were endorsed by the Chair of that meeting.

PLANNING REPORTS AND DECISIONS

3.1 DA/1446/2021 - 77 Lake Road, Tuggerah - Earthworks and Associated Retaining Walls and Drainage Works

| | |
|--------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Site Orientation | Yes |
| Relevant Considerations | As per Council assessment report |
| Material Considered | <ul style="list-style-type: none">• Documentation with application• Council assessment report• Supplementary Memorandum dated 14 March 2024 |
| Council Recommendation | Approval |
| Panel Decision | <p>1. <i>That the Local Planning Panel grant consent to DA/1446/2021 at Lot 345 DP 616389, 77 Lake Road, Tuggerah for Earthworks and Associated Retaining Walls and Drainage Works, subject to the conditions detailed in the schedule attached to the Council staff assessment report to the Panel, and with amendment to condition 4.6(a), deletion of Condition 3.14 and movement of condition 5.3 to another schedule, all as recommended in a subsequent memorandum from Council dated 14 March 2024, and having regard to the matters for consideration</i></p> |

detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979.

- 2. That the Local Planning Panel support a variation to the drainage scheme identified in the Wyong District 7.11 Contributions Plan having regard to the matters for consideration detailed in the report (and subsequent memorandum dated 14 March 2024).***

Reasons

The Panel agreed with the reasons for approval as outlined in the assessment report and the subsequent memorandum dated 14 March 2024. The Panel noted the variation to the Contributions Plan (by not including an on-site wetland) would have no adverse financial impact upon the Council and noted advice it would not lead to adverse down-stream flooding outcomes.

The Panel noted there were no written submissions received by Council regarding the proposal.

Votes

The decision was unanimous

4.1 DA/668/2022 - 55 Mullbong Road, Blackwall - Subdivision into 2 Residential allotments

Site Orientation

Yes

Relevant Considerations

As per Council assessment report

Material Considered

- Documentation with application
- Council assessment report
- Supplementary Memorandum dated 14 March 2024

Council Recommendation

Approval

Panel Decision

- 1. The Panel is satisfied that the applicant's clause 4.6 written request demonstrates that compliance with the Principal Development Standard associated with the subdivision of land, as prescribed by clause 4.1(3) of Gosford Local Environmental Plan 2014, would be unreasonable and unnecessary in the circumstances and that there are sufficient environmental planning grounds to justify contravening that 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 development standard and the objectives of the zone in which the development is proposed.

- 2. That the Local Planning Panel grant consent to DA/668/2022 for the proposed subdivision of Lot A DP 378115 No 55 Mullbong Road, Blackwall into Two (2) Residential Allotments, 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 1979.**
- 3. That Council advise relevant external authorities of the Panel's decision.**

Reasons

The Panel agreed with the reasons for approval as outlined in the assessment report, and noting additional information provided by Council staff.

The Panel noted there were no written submissions received by Council regarding the proposal.

Votes

The decision was unanimous

4.2 DA/1809/2022 - 15-17 Coral Street, The Entrance - Construction of a 6 Storey Shop Top Housing development with Basement Level carparking

Site Orientation

Yes

Relevant

As per Council assessment report

Considerations

Material Considered

- Documentation with application
- Council assessment report
- Supplementary Memorandum dated 14 March 2024

Council

Approval

Recommendation

Panel Decision

- 1. The Local Planning Panel defer determination of**

DA/1809/2022 – 15-17 Coral Street, The Entrance, for construction of a six (6) storey shop top housing development and basement level car parking, for subsequent determination of a Panel at a future meeting, comprising the same Panel members, as far as is practicable and as soon as practicable. This future meeting may be by electronic means. A further report is to be provided to that Panel that addresses the following matters:

- (a) Confirmation the written consent of all owners of land to which the development application relates has been provided with the DA;***
- (b) The opportunity for the Applicant to dedicate the existing rear Right of Way to Council as a public road, like other sites to the east;***
- (c) Confirmation whether de-watering of the site is needed, and whether this would trigger the need for approval by WaterNSW;***
- (d) Removal of the ground level corner plater retaining wall and planting, with paving to match the footpath treatment, to improve sightlines for pedestrian and motorists;***
- (e) The willingness of the applicant to include EV charging points or stations in the basement parking spaces for units, to allow future charging of EV vehicles.***

Reasons

While the Panel was conceptually supportive of granting approval, there was a key uncertainty regarding whether the written consent of all owners of land “to which the development application relates” has been provided, particularly related to the vehicular access to and from the site potentially over adjoining land. The Panel also noted that a number of developments to the east have or will dedicate a rear Right of Way (“RoW”) as a public road, to allow public access and future extension of Farrell Lane, which seems an appropriate outcome for this site.

In terms of the ground level corner treatment, the intersection is a busy one and this has resulted in appropriate setbacks and corner treatment to the north. The Panel therefore supports the removal of Palms closest to the intersection and new street planting. For the same reasons, the proposed ground level planter box and retaining wall should be removed, with matching paving, which may also allow use as seating or dining, as long as it does not interfere with the intention of this condition

Other more minor matters warranted consideration and clarification, as outlined in the terms of the decision above.

The Panel noted there were no written submissions received by Council regarding the proposal.

Votes

The decision was unanimous