

Panel Members

Chairperson	Jason Perica
Panel Experts	Stephen Kerr Ian Arnott
Community Representative/s	Robert Carter

Central Coast Council Staff Attendance

Kate Alberry	Senior Development Planner Residential Assessments
Lisa Martin	Civic Support Officer

Guests (available for questions)

Natalie Court	Applicant
Glenn Osmond McLeod	Applicant

The Chairperson, Jason Perica declared the meeting open at 12:01pm and advised in accordance with the Code of Meeting Practice that the meeting was being recorded.

Apologies

The Panel noted that no apologies had been received.

PROCEDURAL ITEMS

1.1 Disclosures of Interest

The Panel members confirmed that they have signed a declaration of interest in relation to each matter on the agenda. No members of the Panel identified any Conflicts of Interest for this meeting.

CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

2.1 Confirmation of Minutes of Previous Meeting

That the minutes of the previous Local Planning Panel meeting held on 20 February 2025, which were endorsed by the Chair of that meeting, were noted.

PLANNING REPORTS

3.1 DA/1813/2023 - 7 Warren Avenue, Avoca Beach – Alterations and Additions to an Existing Dwelling and Detached Studio

Site Inspected	Yes, either in person or by electronic means.
Relevant Considerations	As per Council Assessment Report. The Panel also considered relevant Objectives of the Development Control Plan Controls being contravened, as contained in chapter 2.1 Central Coast Development Control Plan 2022.
Material Considered	<ul style="list-style-type: none">• Documentation with application• Council Assessment Report
Council Recommendation	Approve
Panel Decision	<p>1 <i>The Panel is satisfied that the applicant's clause 4.6 written request to contravene the maximum height of buildings standard meets the requisite requirements of Clause 4.6 of Central Coast Local Environment Plan 2022.</i></p> <p><i>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 for development within the R2 Low Density Residential Zone in which the development is proposed to be carried out.</i></p>

- 2 That the Local Planning Panel grant consent to DA/1813/2023 at Lot 220 DP19123, 7 Warren Avenue, Avoca Beach DA/1813/2023 – 7 Warren Avenue, Avoca Beach for the alterations and additions to an existing dwelling and the construction of a detached studio subject to the conditions detailed in the schedule attached to the report to the Panel and having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979, subject to the following additional conditions:**

Detached studio

The Detached Studio shall not be adapted or used as a separate domicile from the dwelling. The whole site shall only be used as a single dwelling. Further, the Studio is not permitted to include any cooking or laundry facilities.

Under-croft

The under-croft area under the dwelling is not to be used for habitable purposes or changed without any necessary consent.

Reasons

The majority of the Panel were of the opinion:

- 1 The proposal is consistent with the objectives of the R2 – Low Density Residential Zoning.
- 2 The proposal will have acceptable built and natural environmental impacts, subject to the mitigating and management measures included in the conditions of consent, including as amended by the Panel.
- 3 The assessment of environmental considerations was satisfactory, as outlined in the Council Assessment Report.

The Panel noted that no submissions were received.

Votes

The decision was by majority of 3:1.

Mr Carter was supportive of the main dwelling although was not supportive of the proposed rear studio, and in particular did not support the non-compliances with the Development Control Plan 2022 in terms of the maximum area and height, as there were no compelling reasons to support such non-compliances.

CONFIDENTIAL ITEMS

4.1 Land and Environment Court Proceedings Class 1 - Central Coast Council ats Baruhoy Investment Pty Ltd - Case 2024/00263383 - Appeal of Refusal of DA/146/2022 - 273-275 Ocean View Road Ettalong Beach

Site Inspected	No, other than by electronic means.
Panel Decision	<p><i>1 That the Local Planning Panel note the receipt of a Class 1 appeal in the Land and Environment Court of the refusal of Development Application DA/146/2022.</i></p> <p><i>2 In accordance with section 2.20(8) of the Environmental Planning and Assessment Act 1979, the Local Planning Panel delegates the ability to provide legal instructions to Council's solicitor including external solicitors, in respect of the Class 1 proceedings including any conciliation conference in accordance with section 34 and section 34AA of the Land and Environment Court Act 1979, to Council's Unit Manager, Development Assessment and any sub-delegate thereof.</i></p>
Reasons	To allow court proceedings to be finalised in a timely and appropriate manner.
Votes	The decision was unanimous