

Panel Members

Chairperson	Donna Rygate
Panel Experts	Greg Flynn Linda McClure
Community Representative/s	Lyn Hunt

Central Coast Council Staff Attendance

Rachel Callachor	Meeting Support Officer
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The Chairperson, Donna Rygate, declared the meeting open at 2.03pm.

The Chair read an acknowledgement of country statement.

Apologies

The Panel noted that no apologies had been received.

1.1 Disclosures of Interest

The Panel noted that declaration forms had been received and no conflicts had been identified.

2.1 Confirmation of Minutes of Previous Meeting

The minutes of the previous Local Planning Panel Meeting held on 15 December 2022 and the supplementary meeting on 28 February 2023, which were endorsed by the Chairs of those meetings, were noted.

PLANNING REPORTS- OUTSIDE OF PUBLIC MEETING

3.1 DA/69/2021 - 33 Torrens Avenue, The Entrance - Demolition works and erection of a 3 storey residential flat building

Site Orientation	Yes
Relevant Considerations	As per Council assessment report
Material Considered	<ul style="list-style-type: none">• Documentation with application• Council assessment report• 1 Submission
Council Recommendation	Refusal
Panel Decision	<p>1 That the Local Planning Panel defer the application to allow the applicant and assessment staff to meet to address the grounds for refusal outlined in the Council Assessment Report.</p> <p>2 The matter must be reported back to a meeting of the same Local Planning Panel, with a recommendation, on 6 April 2023.</p>
Reasons	<p>1 Council and the applicant agreed on the day of the Panel meeting to meet to discuss the application further.</p>
Votes	The decision was unanimous

3.2 DA/762/2021 - 458 Pacific Highway, Wyong - Telecommunications Facility

Site Orientation	Yes
Relevant Considerations	As per Council assessment report
Material Considered	<ul style="list-style-type: none">• Documentation with application• Council assessment report• 4 Submissions
Council	Approval

Recommendation

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 B6 Enterprise Corridor 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 Wyong Local Environmental Plan 2013, in accordance with the provisions of Clause 64 of the Environmental Planning and Assessment Regulation 2000.

- 2 *That the Local Planning Panel grant consent to DA/762/2021 – 458 Pacific Highway, Wyong – Telecommunications Facility, subject to the conditions detailed in the schedule attached to the report and additional condition 2.8 and amended condition 5.6 included below, having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979.***

2.8 Submit amendments to the approved plans to the Registered Certifier pursuant to the Environmental Planning and Assessment Regulation 2000 as follows:

a) Amend the landscape plan to include six Spotted Gum trees (minimum 25lt pot size). Three of the Spotted Gum trees must be located along the front boundary of the leased area adjacent to the Pacific Highway, one of the Spotted Gum trees is to be provided within the proposed southern landscaped area and two of the Spotted Gum trees are to be provided within the proposed northern landscaped area.

5.6 Provide the Principal Certifier with written certification from a qualified landscape designer certifying that landscaping has been implemented in accordance with the approved landscape plan as amended by any conditions of this consent.

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 The proposal has been assessed using the heads of consideration in Section 4.15 of the Environmental Planning and Assessment Act 1979. It is generally considered the proposed development is suitable for approval subject to conditions.
- 2 The provision of this item of telecommunications infrastructure is in the public interest.

Votes

The decision was unanimous

The Local Planning Panel meeting closed at 2:33pm.