

Panel Members

Chairperson	Donna Rygate
Panel Experts	Sue Francis Greg Flynn
Community Representative/s	Glenn Watts

Central Coast Council Staff Attendance

Dr Alice Howe	Director Environment and Planning
Andrew Roach	Unit Manager Development Assessment
Ailsa Prendergast	Section Manager Development Assessment South
Brad Deane	Environmental Project Manager
Edward Hock	Unit Manager Governance Risk and Legal
Lisa Martin	Civic Support Office / Meeting Support Officer

The Chairperson, Donna Rygate, declared the meeting open at 2:10pm.

The Chair, Donna Rygate read an acknowledgement of country statement.

Apologies

The Panel noted that no apologies had been received.

PROCEDURAL ITEMS

1.1 Disclosures of Interest

Panel Members confirmed that there were no conflicts of interest identified.

CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

2.1 Confirmation of Minutes of Previous Meeting

The minutes of the previous Local Planning Panel Meeting, held on 8 June 2023 and which were endorsed by the Chair of that meeting, were noted.

PLANNING REPORTS- OUTSIDE OF PUBLIC MEETING

3.1 DA/3760/2022 - Macarthur Parade, Woy Woy - Alterations & Additions to Existing Dwelling, including attached Secondary Dwelling

Site Inspected Yes

Relevant Considerations As per Council assessment report

Material Considered

- Documentation with application
- Council assessment report
- Supplementary memo of June 2023

Council Recommendation Approval

Panel Decision

- 1** *That the Local Planning Panel grant consent to DA/3760/2022 – Lot 8 DP 212583, 2 MacArthur Parade, Woy Woy NSW 2256 - Alterations and Additions to Existing Dwelling, including Attached Secondary Dwelling - subject to the conditions detailed in the schedule attached to the report and as amended by Council's supplementary memo of 21 June 2023, and having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979.*
- 2** *That Council advise those who made written submissions of the Panel's decision.*

Reasons 1 The proposal satisfies the provisions of the relevant controls

- 2 Any potential environment impact is addressed by the proposed conditions of consent.

Votes

The decision was unanimous

CONFIDENTIAL ITEMS

Case Law Update - Denny v Optus Mobile Pty Ltd [2023] NSWLEC 27

4.1 Case Law Update - Denny v Optus Mobile Pty Ltd [2023] NSWLEC 27

That the Local Planning Panel note the case law update and recommendations following the recent decision of the Land and Environment Court in Denny v Optus Mobile Pty Ltd [2023] NSWLEC 27.

Panel Decision:

1. The update from Council was noted.
2. The Panel confirmed that it should have the opportunity to provide instructions on any appeals against Panel decisions, that Council should monitor the progress of all appeals, and that Council should come back to the Panel for further instructions if matters do not proceed as expected.
3. Requested Council to come back to the Panel with a revised template recommendation for Clause 4.6 matters; and
4. Requested Council to ensure that each assessment report contains a conclusion which explains the rationale for Council's recommendation(s) in a manner informed by the lessons from this case.

The Local Planning Panel meeting closed at 2:43pm.