

Panel Members

Chairperson	The Hon Terry Sheahan AO
Panel Experts	David Furlong Michael Ryan
Community Representative/s	Julian Ardas

Central Coast Council Staff Attendance

Ailsa Prendergast	Section Manager Residential Assessments
Karen Hanratty	Principal Development Planner Residential Assessments
Katrina O'Malley	Development Planner Employment and Urban Release
Ileana Wilson	Development Planner Residential Assessments
Jenny Tattam	Senior Development Planner Employment
Georgia Huett	Development Planner Residential Assessments
Judy Claassen	Development Planner Residential Assessments
Lisa Martin	Civic Support Officer

The Chairperson, The Hon Terry Sheahan AO declared the meeting open at 12:03pm and advised in accordance with the Code of Meeting Practice that the meeting was being recorded.

The Chair read an acknowledgement of country statement.

Apologies

The Panel noted that no apologies had been received.

Public Forum

The following people addressed the Panel:

Item 4.3 – DA/63370/2021 - Boarding House - 23 Ash Street Terrigal

- 1 John Lockrey – For Recommendation
- 2 Shardai Furfaro – For Recommendation
- 3 Janet Robinson – For Recommendation
- 4 Brad Delapierre (on behalf of the applicant) – Against Recommendation

The Local Planning Panel public meeting closed at 12:31pm.

CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

1.1 Confirmation of Minutes of Previous Meeting

That the minutes of the previous Local Planning Panel meeting held on 5 June 2025, which were endorsed by the Chair of that meeting, were noted.

PROCEDURAL ITEMS

2.1 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.

PLANNING REPORTS- OUTSIDE OF PUBLIC MEETING

3.1 DA/690/2024 - Attached Dual Occupancy and Demolition - 15 North Avoca Parade, NORTH AVOCA

Site Inspected Yes, by electronic means.

Relevant Considerations As per Council assessment report

Material Considered

- Documentation with application
- Council assessment report

Council Recommendation Refuse

Panel Decision **1 The Panel refuse the application DA/690/2024 – 15 North**

Avoca Parade, NORTH AVOCA – Attached Dual Occupancy, Demolition and Subdivision subject to the reasons for refusal 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.

- 2** ***That Council advises those who made written submissions of the Panel's decision.***

Reasons	The Panel generally agrees with the assessment report and the recommendation.
Votes	The decision was unanimous

REPORTS

- 4.1** **Supplementary Report - DA/1809/2022 - 15-17 Coral Street, The Entrance - Construction of a 6 Storey Shop Top Housing development with Basement Level parking**
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Site Inspected Yes, by electronic means.

Relevant Considerations As per Council assessment report

Material Considered

- Documentation with application
- Council assessment report

Council Recommendation Approve

- Panel Decision**
- 1** ***That the additional information be considered in the Panel's determination of the application.***
- 2** ***In the event that the Panel are of the view that sufficient information has been submitted to address the particulars of the Panel Decision in the Minutes of the Local Planning Panel Meeting dated 14 March 2024, the Panel approve Development Application no. DA/1809/2022 at 15-17 Coral Street, The Entrance, subject to the conditions detailed in the schedule attached to this report.***
- 3** ***That Council advise those Government Agencies who made written submissions of Council's decision.***

Reasons The Panel generally agrees with the assessment report and the recommendation.

Votes The decision was unanimous

4.2 DA/1531/2024 - 12a The Scenic Road, Killcare Heights - Demolition of existing Dwelling and Proposed New Dwelling and associated works

Site Inspected Yes, by electronic means.

Relevant Considerations As per Council assessment report

Material Considered

- Documentation with application
- Council assessment report

Council Recommendation Approve

Panel Decision

- 1 The Panel agrees that the applicant's clause 4.6 written request demonstrates that compliance with the Height of Building development standard is unnecessary in the circumstances of the case because of minimal environmental impact that would result from the noncompliance with the Height of Buildings standard, that compliance with the Height of Buildings standard would be unreasonable in the circumstances of the case because of the sloping site's topography, and that there are sufficient environmental planning grounds to justify contravening that development standard.***
- 2 Compliance with the Height of Buildings development standard would be unreasonable in the circumstances of this application and the variation does not have an unreasonable impact to the surrounding development.***
- 3 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.

4 The Panel grants approval to the variation to the front setback for the dwelling. The variation is requested under clause 2.1.3.1a of the Central Coast Development Control Plan 2022.

5 The Panel grants approval to the variation to the side setbacks for the dwelling. The variation is requested under clause 2.1.3.1c of the Central Coast Development Control Plan 2022.

6 The Panel grant consent to DA/1531/2024 at Lot 27 DP233604, 12a The Scenic Road, Killcare Heights for the Demolition of the existing dwelling and the construction of a new dwelling and the construction of an attached garage with a studio under, 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 and other relevant issues.

7 The 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 Central Coast Environmental Plan 2022, in accordance with the provisions of clause 55 of the Environmental Planning and Assessment Regulation 2021.

Reasons The Panel generally agrees with the assessment report and the recommendation.

Votes The decision was unanimous

4.3 DA/63370/2021 - Boarding House - 23 Ash Street Terrigal

Site Inspected Yes, by electronic means.

Relevant Considerations As per Council assessment report

- Material Considered**
- Documentation with application
 - Council assessment report
 - Submissions

Council Recommendation Refuse

Panel Decision ***The Panel refuse the application DA/63370/2021- Boarding House – on Lot 12 DP 7914, 23 Ash Street TERRIGAL NSW 2260 subject to the reasons for refusal 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 for the following reasons:***

- 1 That Council advises those who made written submissions of the Panel's decision.***
- 2 That Council advises relevant external authorities of the Panel's decision.***

Reasons

The Panel generally agrees with the assessment report and the recommendation.

1. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development is unsatisfactory with regard to the planning controls and objectives under Division 3 Boarding Houses of the State Environmental Planning Policy (Affordable Rental Housing) 2009 as the proposal:
 - a. Has failed to demonstrate that the development complies with Clause 29(d) in the location of the private open space for the managers residence.
 - b. Has failed to demonstrate that the development complies with Clause 29(e) in the provision of adequate off-street parking.
 - c. Has failed to demonstrate that the development complies with Clause 30A in that the development is not compatible with character of local area.
2. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development unsatisfactory with regard to the R1 General Residential zoning of the land under Gosford Local Environmental Plan 2014 as the proposal:
 - a. Has failed to demonstrate the proposal is compatible with

- the desired future character of the zone.
- b. Has failed to demonstrate best practice in the design of multi dwelling housing and other similar types of development.
3. Pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the proposed development is unsatisfactory with regard to the planning controls and objectives of the desired character area of Terrigal 6: Medium Density Hillsides, Chapter 2.1 of the Gosford Development Control Plan 2014 as the proposal:
- a. Does not provide improved standards of amenity and urban design quality.
 - b. Does not provide a satisfactory level of articulation, a lightweight appearance is not provided, floor levels are not stepped to follow natural slopes.
 - c. Does not provide adequate landscaping along site boundaries to screen driveways and parking areas to provide a leafy garden setting.
 - d. Proposes fill to achieve compliant internal driveway and parking areas.
 - e. The design and layout do not reasonably respond to the site constraints and proposes a building of excessive bulk and scale resulting in adverse amenity impacts to the subject site and adjoining properties.
4. Pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the proposed development is unsatisfactory with regard to the planning controls and objectives under Chapter 7.1 Car Parking of the Gosford Development Control Plan 2014, including the following as the proposal:
- a. Has failed to provide suitable access grades and transitions compliant with Council's Civil Works Specification and AS/NZS2890.1:2004 for the vehicle access crossing and internal driveway arrangements.
 - b. Has failed to provide suitable accessible path of travel related to pedestrian access grades and transitions within the road reserve from the back of the existing kerb & gutter to the property boundary and then within the property boundary to the entry to the development.
 - c. Has failed to provide for the required footway formation and associated transitions within the road reserve from the back of the existing kerb & gutter to the property boundary.
 - d. Has failed to provide a suitable path of travel for the

- transfer of bins from the bin storage area to the kerb side at an acceptable grade.
- e. Has not suitably demonstrated the design is compatible with the objectives of clause 7.1.1.3 a balance has not been achieved between the needs of the proposed development and its use, and that of vehicular and pedestrian traffic.
5. Pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the proposed development is unsatisfactory with regard to the planning controls and objectives under Chapter 7.2 Waste Management of the Gosford Development Control Plan 2014, as the proposal has not demonstrated sustainable waste management can be achieved including the following:
- a. A Waste Management Plan for the demolition of any structure and the construction process has not been provided.
- b. Insufficient information has been provided in the Occupancy Waste Management Plan to determine adequate provision has been made for ongoing waste management procedures.
6. Pursuant to Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, the proposed development is considered to have unsatisfactory impacts to the natural environment as insufficient information has been provided to accommodate the development:
- a. The standard construction drawings and notes do not meet the minimum requirements of the Landcom 'Blue Book'. All proposed erosion and sediment controls must meet the minimum requirements of the Blue Book. i.e., SD6-8 for sediment fence.
7. Pursuant to Section 4.15(1)(b) & (c) of the Environmental Planning and Assessment Act 1979, the proposed development is considered unsatisfactory with regard to site suitability as the design and layout does not reasonably respond to the site constraints and the site cannot suitably accommodate the proposed bulk and scale, resulting in adverse impacts to the subject site, adjoining sites and potential future residents of boarding house.
8. For the reasons stated above including not being compatible with the constraints of the site, and pursuant to Section

4.15(1)(e) of the Environmental Planning and Assessment Act 1979, it is considered that the proposed development is not in the public interest.

Votes

The decision was unanimous

UNCONFIRMED