
Panel Members

Chairperson	Donna Rygate
Panel Experts	Grant Christmas Linda McClure
Community Representative/s	Stephen Glen

Central Coast Council Staff Attendance

Rachel Callachor Local Planning Panel Support Coordinator

The Chairperson, Donna Rygate, declared the meeting open at 10:05am.

This Supplementary meeting is to consider DA/97/2020. As a Supplementary Report was provided to the Local Planning Panel on 2 December 2020, as per request at the Panel meeting of 1 October 2020 where the matter was deferred.

Meeting closed 10.14am

Relevant Considerations As per Council assessment report and Supplementary report

Material Considered

- Council assessment report
- Submissions
- Supplementary report

Council Recommendation Approval subject to conditions and 12 month trial period

Panel Decision

- 1 *That the Local Planning Panel approve DA/97/2020 for Use of Existing Premises for the purposes of an Animal Boarding & Training Facility - Dog Breeding on Lot 45 DP 2244 at 604 Ourimbah Creek Road, PALM GROVE subject to conditions of development consent within Attachment 5 of the supplementary report, as modified below, in relation to conditions 1.2, 1.6, 2.14, 2.15 and 2.16, having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act.***

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- 1.2. This consent is for a fifteen (15) month period only and accordingly the development must cease at the expiration of fifteen (15) months from the determination date of this consent.

Any extension of the approved use beyond fifteen (15) months will require the prior submission and approval of an application under section 4.55 of the Environmental Planning and Assessment Act, 1979. In considering any application for the extension of this consent, Council would have regard for relevant matters under the Environmental Planning and Assessment Act 1979, including any submissions received during the period.

Note: Any application to modify this condition should be submitted to Council three (3) months prior to the date the consent will lapse.

- 1.6 A Building Information Certificate application must be submitted for the evening house and outdoor dog kennels within 30 days from the determination date of this consent.
- 2.14. The operation of the premises is not to give rise to offensive noise as defined in the *Protection of the Environment Operations Act 1997*.
- 2.15. Undertake an acoustic assessment prepared by an acoustic consultant [other than one employed by Renzo Tonin & Associates], one (1) month after the date of this consent. The acoustic consultant must have a current membership to the Association of Australasian Acoustical Consultants. The acoustic assessment must compare operational noise levels to the predicted noise levels and identify any areas where further noise mitigation measures **will be required**. Monitoring shall be undertaken at the nearest residential receivers. Offensive noise is also to be considered. A copy of the Assessment must be submitted to Council's Environment and Public Health team within fourteen (14) days of the review being undertaken. Any recommendations must be implemented within thirty (30) days of the Assessment being undertaken.
- 2.16. Prepare a policy on complaints handling and dispute resolution and maintain a complaint register within 1 month of the date of this consent and in accordance with the following:
- Retain a log of related communication and actions taken;
 - Respond to complaints and take effective action;
 - which includes date and time complaint received, name and designation (e.g. guest, neighbour, council, police etc.) of complainant and contact details of complainant, nature of complaint;
 - Action taken (by whom and when);
 - Outcome and/or further action required (e.g. community consultation, meet with Council, meet with local police, review management systems or issue resolved).
 - Appoint a manager who shall be contactable 24 hours per day. Provide adjoining neighbours with the phone number of the manager for them to contact in case there is a need to address an immediate concern regarding the use of the property for dog breeding facility.

2 That Council advise those who made written submissions of the Panel's decision.

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Reasons

- 1 The proposal is satisfactory having regard for the relevant environmental planning instruments, plans and policies.
- 2 There are no significant issues or impacts identified with the proposal under s.4.15 of the Environmental Planning and Assessment Act 1979.
- 3 The potential constraints of the site have been assessed and it is considered that the site is suitable for the proposed development.
- 4 Subject to the imposition of appropriate conditions, the proposed development is not expected to have an adverse social or economic impact.

Votes The decision was unanimous