

Panel Members

Chair	Kevin Hoffman
Panel Experts	Lindsey Dey
Community Representative/s	Robert Carter

Central Coast Council Staff Attendance

Louise Rampling	Unit Manager Governance Risk and Legal
Emily Goodworth	Section Manager Employment and Urban Release
Rebecca Samways	Development Planner Employment and Urban Release
Lisa Martin	Civic Support Officer
Tess McGown	Civic Support Officer

The meeting was declared open at 9:01am.

Adjourned @ 9:07am
Reconvened @ 9:32am
Adjourned @ 9:46am
Reconvened @ 10:00am

The Local Planning Panel meeting closed at 10:22am.

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.

PLANNING REPORTS- OUTSIDE OF PUBLIC MEETING

2.1 Supplementary Report - DA/1849/2005/B - 2-6 Fairport Avenue & 46-48 Ocean Parade, The Entrance - Residential Flat Building and Demolition of Existing Structures (Amended Application)

Site Inspected	Yes
Relevant Considerations	As per Council assessment report
Material Considered	<ul style="list-style-type: none">• Documentation with application• Council assessment report• Submissions• Barrister's supplementary report
Council Recommendation	Refusal
Panel Decision	<ol style="list-style-type: none"><i>1 Lawful commencement of the development consent DA/1849/2005, granted on 19 June 2006, has not been established.</i><i>2 Therefore, the Panel has no power to approve the modification application.</i><i>3 The application to modify Development Application 1849/2005/B at Lot 200 DP 1140826, Lot B DP 364571 & Lot C DP 364571, 2-6 Fairport Ave & 46-48 Ocean Parade, THE ENTRANCE is refused.</i>
Reasons for refusal of the modification application:	<ol style="list-style-type: none">1 Insufficient evidence of lawful commencement has been produced to enable the Panel to be satisfied that the relevant demolition works carried out on the site prior to the lapsing date-were carried out in accordance with the relevant conditions of the consent, in particular, conditions 33, 34 and 42.2 As the consent has lapsed, there is no power for the Panel to approve the modification application.3 The Panel has had regard to the opinion of JE Lazarus SC Barrister dated

25 September 2024, provided to the Panel as a result of the adjournment on 22 August 2024.

Votes The decision was unanimous

The Local Planning Panel meeting closed at 10:22am.