
Panel Members

Chairperson	Donna Rygate
Panel Experts	Grant Christmas Linda McClure
Community Representative/s	David Kitson

Central Coast Council Staff Attendance

Andrew Roach	Unit Manager Development Assessment
Emily Goodworth	Section Manager Development Assessment North
Ailsa Prendergast	Section Manager Development Assessment South
Mark Dowdell	Principal Development Assessment Engineer
Robert Eyre	Principal Development Planner Development Assessment South
Janice Wheeler	Senior Development Planner Development Assessment North
Sarah Georgiou	Section Manger Civic Support
Rachel Callachor	Meeting Support Officer Civic Support

The Chairperson, Donna Rygate, declared the meeting open at 2:04pm 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.

1.1 Disclosures of Interest

The Panel noted that no disclosures had been identified and forms had been submitted by members.

Unanimous

2.1 Confirmation of Minutes of Previous Meeting

The Minutes of the following Meeting of the Local Planning Panel, which had been

endorsed by the Chair of that meeting, were submitted for noting:

- *Local Planning Panel Meeting held on 10 June 2021.*

*Moved: Linda McClure
Unanimous*

Public Forum

The following people addressed the Panel:

Agenda item 3.1

- 1 Michael Leavey - on behalf of D & P Nicolas Investments Pty Ltd & S & L Nicolas Investments Pty Ltd – for the recommendation
- 2 Doug Sneddon - Doug Sneddon Planning, on behalf of the applicant - against the recommendation
- 3 David Sutton - Slater Architects, on behalf of the applicant – against the recommendation

Agenda item 4.1

- 1 Chris and Wendy Lewis - against the recommendation.
- 2 Claudio Minns, Development Manager, Blueview and Bill Ryder Director, Blueview - against the recommendation.
- 3 Adam Crampton - Planning Manager, ADW Johnson and Ben Myles, Civil Engineer, ADW Johnson – answered questions on behalf of the applicant

The Local Planning Panel public meeting closed at 3:12pm. The Panel moved into deliberation from 3:24pm, which concluded at 4:10pm.

3.1 DA/52083/2017/4 - 5-7 Church Street, Terrigal - Modification of approved commercial premises and shop top housing

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

Council Recommendation

Refusal

Panel Decision

1 That the Local Planning Panel refuse the application to modify DA52083/2017 Part 4 for commercial/shop top housing development on Lots 19 and 20 DP7861 No 5 and 7 Church Street, Terrigal, for the reasons below and having regard to the matters for consideration detailed in Sections 4.15 and 4.55(2) of the Environmental Planning and Assessment Act 1979.

- i. The proposed modification significantly increases the height and floor space of the approved development and exceeds the development standards of Clause 4.3 and 4.4 of the Gosford Local Environmental Plan 2014.**
- ii. The proposed modification does not comply with the objectives and development standards of the B2 zone State Environmental Planning Policy 65, Gosford Local Environmental Plan 2014, or Gosford Development Control Plan 2013.**
- iii. The proposed modification would have additional impacts on adjoining sites resulting in additional view loss and amenity impacts.**
- iv. Approval is not in the public interest.**

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

Reasons

- 1 The proposal is not satisfactory having regard to the relevant environmental planning instruments, plans and policies.
- 2 The proposal represents an unacceptable departure from the development standards under the Gosford Local Environmental Plan 2014 and Gosford Development Control Plan 2013.
- 3 Approval of the proposal would set a precedent and compromise the achievement of the strategic planning objectives for the Centre.
- 4 There are significant issues or impacts identified with the proposal under s.4.15 of the *Environmental Planning and Assessment Act 1979*.

Votes

The decision was unanimous

4.1 DA/530/2019 - 2 and 11 Bryant Drive, Tuggerah - Mixed Use Development comprising Specialised Retail Premises, Signage and Food and Drink Premises

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
Council Recommendation	Approval
Panel Decision	<ol style="list-style-type: none"><i>1 That the Local Planning Panel defer a decision regarding DA/530/2019 – 2 & 11 Bryant Drive - Mixed Use Development comprising Specialised Retail Premises, Signage and Food and Drink Premises and request the Council to notify all adjoining owners who have not previously been notified and provide them the opportunity to make a submission on the proposal within 14 days of the notification.</i><i>2 The matter is to be reported back to the Panel for determination within 28 days of the closing date for submissions in accordance in 1. above.</i><i>3 This report should include information detailing the basis on which contributions are being levied, including the net developable area for contributions that have been paid and contributions that are proposed.</i>
Reasons	<ol style="list-style-type: none">1 The Panel considered that it was arguable that the proposed development may be a change of use triggering a requirement to notify all adjoining owners.2 Clarification is required as regards contributions.
Votes	The decision was unanimous