

Panel Members

Chairperson	Kara Krason
Panel Experts	Garry Fielding Greg Flynn
Community Representative/s	Tony Tuxworth

Central Coast Council Staff Attendance

Ailsa Prendergast	Section Manager Development Assessment South
Chris Ross	Senior Development Planner Development Assessment South
Brian McCourt	Development Planner Development Assessment South
Rachel Callachor	Local Planning Panel Support Coordinator

Public Forum Attendance

Aliecha Weiss for the recommendation for item 3.1
Charles Raneri on behalf of the applicant for item 3.1
Anthony Banham on behalf of the applicant for item 3.1

The Chairperson, Kara Krason, declared the meeting open at 2:00pm and advised in accordance with the Code of Meeting Practice that the meeting is 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 disclosure forms had been submitted and no conflicts of interest had been identified.

2.1 Confirmation of Minutes of Previous Meeting

The Minutes of the following Meetings of the Local Planning Panel, which have been endorsed by the Chair of those meetings, are submitted for noting:

- *Local Planning Panel Meeting and Briefing with Applicant and Council staff held on 6 August 2020*
- *Supplementary Local Planning Panel Meeting held on 10 August 2020.*

Public Forum

Aliecha Weiss spoke for the recommendation for item 3.2

Charles Raneri spoke on behalf of the applicant for item 3.1 and provided responses to enquiries from the Panel.

Anthony Banham spoke on behalf of the applicant for item 3.1 and provided responses to enquiries from the Panel.

The Chair noted that in addition to submissions received during the notification period, written submissions were received from Ross Ward, Robyn and Roslyn Jenkins, W Anderson and Julie Collimore as an alternative to addressing the panel and provided to panel members ahead of the meeting, consistent with the procedure outlined on Council's website.

The Chair also noted that the Panel had received a Supplementary Assessment Report from Council Officers in relation to Item 3.2 and that Council had placed the supplementary assessment report on its website.

The Local Planning Panel public meeting closed at 3:23pm. The Panel moved into deliberation from 3:25pm, which concluded at 4:00pm.

3.1 DA57231/2019 - 454 Ocean Beach Road, Umina Beach Proposed 11 Room Boarding House Development with Caretakers Residence

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• Additional written submissions in lieu of addressing Panel
Council Recommendation	Approval subject to conditions

Panel Decision **1** ***That the Local Planning Panel grant consent to the proposed development, pursuant to section 4.16 of the Environmental Planning and Assessment Act 1979, subject to amendment of the conditions in the schedule attached to the report, and modified/additional conditions as detailed below, and having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979.***

2 ***That Condition 1.1 regarding the architectural plan references description be amended as follows:***

1.1 Implement the development substantially in accordance with the plans and supporting documents listed below as submitted by the applicant and to which is affixed a Council stamp "Development Consent" unless modified by any following condition.

Architectural Plans by CDR Design PTY LTD

Drawing	Description	Issue	Date
DA/02	Site Analysis	B	30.08.2019
DA/03	Site Plan	C	30.11.2019
DA/04	Ground Floor Plan	E	30.11.2019
DA/05	First Floor Plan	C	30.11.2019
DA/06	Roof Plan	C	30.11.2019
DA/07	Street Elevations	C	30.11.2019
DA/08	East and West Elevations	C	30.11.2019
DA/09	North and South Elevations	D	30.11.2019
DA/10	Sections AA and BB	C	30.11.2019
DA/11	Section CC	B	30.08.2019
DA/12	Context Sections	C	30.11.2019
DA/31	Bin Enclosure Design	A	30.11.2019

3 ***That new condition 2.3 be included as follows:***

2.3 Submit amendments to the approved plans and Boarding House Management Plan to Council pursuant to clause 139 of the Environmental Planning and Assessment Regulation 2000 that must detail:

a) *Plan DA/04 – Ground Floor Plan is to be modified in the following manner:*

1. *Room 2 is to have the entry door and adjoining window relocated to the southernmost portion of the western wall.*

2. *The disabled car park and associated manoeuvring space for passengers is*

to be mirrored, with the car space and driveway shifted north to the area currently shown as the manoeuvring space, and the manoeuvring space shifted south to the area currently shown as the parking space.

3. The entry door to Room 2 is to open directly to the manoeuvring area of the relocated disabled car park, enabling direct access from the door through the manoeuvring area to the pathway of the boarding house, allowing access from Room 2 to the communal living room without the need for occupants to exit the site.

b) Plans DA/02, DA/03, DA/07, DA/08 are to be modified to reflect the changes required under C2.3(a)

c) The Boarding House Plan of Management is to be amended to include:

- 1. Details for an alternate contact person should the boarding house manager not be contactable.***
- 2. Arrangements for an alternate manager to be on-site during periods the manager is on leave.***
- 3. No smoking is to be permitted within the communal outdoor area.***

4 That Condition 5.16 be amended to change the Height of screen to 1500mm, as detailed below:

5.16 The privacy screens located atop the outer wall of the balconies of rooms 7, 8, 9, and 10 as shown on First Floor Plan DA/05, Revision C, dated 30.11.2019, and on North & South Elevations DA09, Revision D, dated 30.11.2019, both prepared by CDR Design Pty Ltd, are to be permanently fixed in place to a minimum height of 1500mm above RL8.60m with the horizontal slats angled such that no view in a downward manner is available to residents of the rooms from either within the room, or on the balcony.

5 That Condition 5.17 be amended to replace the word opaque with obscured or translucent, as detailed below:

5.17 Northern windows to Room 6 as shown on First Floor Plan DA/05, Revision C, dated 30.11.2019, and on North & South Elevations DA09, Revision D, dated 30.11.2019, both prepared by CDR Design Pty Ltd are to be finished in an obscured or translucent glazing to a height of 1500mm above RL 8.75m.

6 That Condition 6.17 be amended to replace the word opaque with obscured or translucent, as detailed below:

6.17 Northern windows to Room 6 are to remain as obscured or translucent glazing to the height specified in Condition 5.17 of this consent for the lifetime of the development.

7 That a new Condition be included in relation to site management, as detailed below:

6.18 Contact phone numbers for the boarding house manager and an alternate contact person (should the manager not be contactable), are to be provided to all boarding house residents and to neighbouring residents should they have enquiries regarding the Boarding House operations.

8 That a new Condition be included in relation to length of stay, as detailed below:

6.19 The minimum period of stay is six (6) months as per the approved Plan of Management. No rooms is to be let to any person without a contract of tenancy entered into that stipulates the minimum stay as detailed within this condition.

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

10 That Council advise the relevant external authorities of the Panel's decision.

Reasons

- 1 The Panel supports the proposal for the reasons provided in the assessment report.
- 2 The proposed development meets the objectives of the zone and satisfies the objectives and development standards of State Environmental Planning Policy (Affordable Rental Housing) 2009.
- 3 The proposed development is considered to be compatible with the character of the area, and subject to the conditions of consent including additional conditions relating to operational matters, will not have unreasonable impacts on the streetscape or the residential amenity of neighbouring properties.
- 4 The Proposal provides for housing choice and is of public benefit and in the public interest.

- 5 Adjoining property owners were notified of the proposed development in accordance with Council's policy. The panel considered written submissions made during and subsequent to the public exhibition including written submissions received as an alternative to addressing the panel consistent with Council procedures. The Panel considered that issues raised by the community have been adequately addressed in the assessment report and that no new issues were raised during the public meeting.

Votes The decision was unanimous

**3.2 DA 58092/2020 - 73 Caroline Street, East Gosford - 2 Lot
Subdivision/Demolition of Existing Swimming Pool**

Site Inspected Yes

Relevant Considerations As per Council assessment report

Material Considered

- Documentation with application
- Council assessment report & Supplementary report
- Submissions

Council Recommendation Approval subject to conditions

Panel Decision **1** *That the Panel is satisfied that the clause 4.6 written request from the applicant to vary the minimum lot size standard in Clause 4.1 of Gosford Local Environmental Plan 2014 adequately addresses the matters required to be addressed and demonstrated under clauses 4.6(3) and 4.6(4) of the LEP. The Panel is satisfied that the written request demonstrates that there are sufficient environmental planning grounds to justify the non-compliance with the development standard and that compliance with the development standards is unreasonable and unnecessary in the circumstances of the case, as the proposed development will be consistent with the objectives of the clause, the R2 – Low Density Residential zone and the Environmental Planning and Assessment Act 1979. The concurrence of the Secretary of the Department of Planning Industry & Environment may be assumed.*

2. That the Local Planning Panel grant consent to the proposed development, pursuant to section 4.16 of the Environmental Planning and Assessment Act 1979, subject to the conditions in the Council assessment report, and having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979.

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

Reasons

- 1 The Panel supports the proposal for the reasons provided in the assessment reports.
- 2 It is considered that the proposed development meets the objectives and relevant provisions of Gosford LEP 2014 and Gosford Development Control Plan 2013 and is compatible with the character of the area and the prevailing subdivision pattern of neighbouring allotments (completed and approved).
- 3 Subject to the recommended conditions of consent, the proposed development will not have unreasonable impacts on the streetscape or the residential amenity of neighbouring properties.
- 4 The Proposal is considered to be of public benefit and is in the public interest.
- 5 Adjoining property owners were notified of the proposed development in accordance with Council's policy. The Panel considered the concerns raised by the community in the submissions have been adequately addressed in the assessment report. No new issues were raised by the public at the meeting.

Votes

The decision was unanimous