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**Panel Members**

Chairperson	Kara Krason
Panel Experts	Grant Christmas Greg Flynn
Community Representative/s	Scott McGrath

**Central Coast Council Staff Attendance**

Alisa Prendergast	Section Manager Development Assessment South
Robert Eyre	Principal Development Planner Development Assessment South
Janice Wheeler	Senior Development Planner Major Projects
Cade Tracey	Trainee Development Planner Development Assessment South
Rachel Callachor	Local Planning Panel Support Coordinator

The Chair, Kara Krason, declared the meeting open at 2:03pm 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.*

**Disclosures of Interest**

**The Panel noted that disclosure forms had been submitted by members.**

**2.1 Confirmation of Minutes of Previous Meeting**

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**The Minutes of the following Meeting of the Local Planning Panel, which have been endorsed by the Chair of that meeting, were submitted for noting:**

- **Local Planning Panel meeting held on 4 February 2021**

**Moved: Kara Krason**

## Public Forum

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### Item 3.1

Angelique Perak, Melissa Stephens (on behalf of Gareth Stephens), and Graham Hughes all spoke against the recommendation.

Paul Davidson (Telstra) and Phil Hull (Kordia) spoke on behalf of the applicant and provided responses to enquiries from the Panel.

### Item 3.2

Steve Barr (Barr Property and Planning) spoke on behalf of the applicant and provided responses to enquiries from the Panel.

The Local Planning Panel public meeting closed at 3:25pm. The Panel moved into deliberation from 3:27pm, which concluded at 4:05pm.

### 3.1 **DA57958/2020 - 138-140 Davistown Road, Saratoga - Telecommunications Tower**

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**Site Inspected** Yes

**Relevant Considerations** As per Council assessment report

#### Material Considered

- Documentation with application
- Council assessment report
- Submissions
- Supplementary Memo, 24 February 2021

**Council Recommendation** Approval

#### Panel Decision

***That the Local Planning Panel defer consideration of DA57958/2020 - 138-140 Davistown Road, Saratoga - Telecommunications Tower and invite the applicant to:***

- 1 Make an amended clause 4.6 request addressing the correct height development standard applicable to the site***
- 2 Undertake further investigation and justification of the proposal in relation to site selection and location with regard to clause 115(3) of State Environmental Planning Policy (Infrastructure) 2007. Updated coverage diagrams clearly***

***identifying additional land to be serviced by the proposal and whether such land is currently serviced by other facilities or not at all should be provided. Consideration of other sites as discussed at the meeting is encouraged to adequately demonstrate to the Panel that the proposal meets the requirements of the guidelines referred to within SEPP (Infrastructure) 2007.***

***The amended details and plans referred to above are to be submitted to Council within 21 days.***

**Reasons**

- 1 The Panel does not consider that the current clause 4.6 request properly reflects the provisions of Gosford Local Environmental Plan 2014. The site is subject to a maximum 8.5m height control, however the clause 4.6 request incorrectly references an 11.5m height control applying to the site.
- 2 The Panel considers that further investigation and justification of the proposal in terms of site selection is required, including overlay of coverage details of the local area serviced by other telecommunications facilities.

**Votes** The decision was unanimous

**3.2 DA/420/2019 - 139 Main Road, Toukley - Construction of a mixed use building containing commercial uses and a residential flat building comprising 9 apartments (affordable rental housing)**

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**Site Inspected** Yes

**Relevant Considerations** As per Council assessment report

**Material Considered**

- Documentation with application
- Council assessment report
- Submissions

**Council Recommendation** Refusal

**Panel Decision**

- 1 ***That the Local Planning Panel refuse the application DA/420/2019 - 139 Main Road, Toukley - Construction of a mixed use building containing commercial uses and a residential flat building comprising 9 apartments (affordable rental housing)***

***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.***

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

#### **Reasons**

- 1 The proposal does not meet the objectives of Clauses 4.3 or 4.6 of the Wyong Local Environmental Plan 2013 in relation to building height and built form. The proposal does not achieve a compatible bulk that is appropriate for the site and it does not sufficiently integrate with the streetscape and character of the area. The proposed mass and scale of the building form is inappropriate and does not adequately respond to the R2 zone interface.
- 2 The proposal fails to meet a fundamental character test that is required by State Environmental Planning Policy (Affordable Rental Housing) 2009. The proposed building is not sufficiently compatible with the character of the surrounding locality and fails to relate to its context. The building bulk and height result in an overbearing visual impact upon the adjoining R2 Low Density Residential zone and adjoining B4 Mixed Use zoned land.
- 3 The proposal fails to adequately respond to its context that is required by State Environmental Planning Policy 65 (Design Quality of Residential Apartment Development) and the Apartment Design Guide (ADG).
- 4 The proposal does not satisfactorily address likely impacts to the coastal environment as required by the provisions of State Environmental Planning Policy (Coastal Management) 2018.
- 5 The development application has insufficient information and detail to adequately assess all impacts of the proposed development application.

**Votes** The decision was unanimous