
Panel Members

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

Central Coast Council Staff Attendance

Salli Pendergast	Section Manager Development Assessment North
Robert Eyre	Principal Development Planner Development Assessment South
Susana Machuca	Senior Development Planner Development Assessment South
Amanda Hill	Development Planner Development Assessment North
Ailsa Prendergast	Section Manager, Development Assessment South
Sonia Witt	Meeting Support Coordinator
Maggie Rowland	Councillor and Meeting Support Officer

The Chairperson, Donna Rygate, 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 material conflicts of interest had been identified.

Stephen Glen declared a less than significant interest in relation to item 3.1 as the speaker Mr Tony Tuxworth and he are on a board together.

The Chair accepted the nature of this disclosure and noted Mr Tuxworth had also been appointed by the elected Council as a Panel community representative.

2.1 Confirmation of Minutes of Previous Meeting

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 17 September 2020.*

Moved: Donna Rygate

Seconded: Grant Christmas

Public Forum

Speakers

Item 3.1

Zoe Wall, Frank Neijts, Tony Voller, John Dawson, Michael Tatam and Gay Murrills spoke for the recommendation for item 3.1 – Use of Existing Premises for the purpose of an Animal Boarding and Training Facility – Dog Breeding, 604 Ourimbah Creek Road, PALM GROVE.

Item 3.2

There were no registered speakers.

Item 3.3

James Grant and Tony Tuxworth responded on behalf of the applicant to questions on item 3.3 – DA57145/2019 – Demolition of existing dwelling houses and construction of a Residential Flat Building, 93-95 Henry Parry Drive, GOSFORD.

The Local Planning Panel public meeting closed at 2.50pm. The Panel moved into deliberation from 2.55pm, which concluded at 4.00pm.

3.1 Development Application DA/97/2020 - Use of Existing Premises for the purposes of an Animal Boarding and Training Facility - Dog Breeding 604 Ourimbah Creek Road, PALM GROVE

Site Inspected Yes

Relevant Considerations As per Council assessment report

Material Considered

- Documentation with application
- Council assessment report and additional information
- Submissions

Council Recommendation Refusal

Panel Decision

The Local Planning Panel deferred the consideration of the proposal to allow:

- 1 *Council's Senior Environmental Protection Officer to identify and design the*

parameters for an acoustic study report that properly addresses the noise impacts of the proposed development. This will identify the shortcomings of the current acoustic report and require measurement of the actual noise currently generated by dogs on the site. This specification is to be provided to the applicant within 7 days of the date of the Panel's decision.

2 ***Within 3 weeks of the Panel's decision, the applicant is to:***

- Provide an acoustic report undertaken on the design parameters identified by the Council as per 1 above.***
- Provide amended plans and information that mitigate and ameliorate the noise impacts on receptors based on the findings of the acoustic report, which includes treatments and a revised plan of management.***

Reasons

- 1 To allow the panel to consider necessary information.
- 2 In recognition that the land use is permitted in the zone.
- 3 In the current noise report, dog noise was assessed via a model and not as an actual noise measurement.

Votes The decision was unanimous

3.2 DA 55491/2018 - Designated/Integrated Poultry Farm - 1411 Peats Ridge Road PEATS RIDGE

Site Inspected Yes

Relevant Considerations As per Council assessment report

Material Considered

- Documentation with application
- Council assessment report and additional information
- Submissions

Council Recommendation Approval

Panel Decision

1 ***That the Local Planning Panel grant consent subject to the conditions 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 1979.***

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

3 That Council advise the relevant State Government Agencies of the Panel's decision.

Reasons

- 1 The proposal is satisfactory having regard for the relevant environmental planning instruments, plans and policies.
- 2 The proposal has been considered against the provisions of Gosford Local Environmental Plan 2014 and has been found to be satisfactory.
- 3 There are no 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

**3.3 DA 57145/2019 - Demolition of existing dwelling houses and construction of a Residential Flat Building
93-95 Henry Parry Drive, Gosford**

Site Inspected Yes

Relevant Considerations As per Council assessment report

Material Considered

- Documentation with application
- Council assessment report
- Submissions

Council Recommendation Approval

Panel Decision

- 1 The Local Planning Panel defer consideration of the proposal to allow the applicant to submit the following within two weeks of the Panel's decision:**
 - **Amended plans that provide for additional deep soil planting, preferably in the south west corner of the site.**
 - **Amended plans that relocate the communal open space to level 5. The communal open space should be landscaped and have an area that is equal to 25% of the site area.**
 - **An amended clause 4.6 request.**
- 2 That Council approach Roads and Maritime Services to consider measures in Henry Parry Drive to provide for left in/left out traffic to/from the site only.**

Reasons

- 1 The proposal does not satisfactorily comply with the communal open space and deep soil planting requirements under the Apartment Design Guidelines (ADG) and State Environmental Planning Policy No 65 (Design Quality of Residential Flat Buildings).
- 2 Road safety.

Votes The decision was unanimous