

MINUTES

NORTHERN BEACHES LOCAL PLANNING PANEL MEETING

held in the Council Chambers, Civic Centre, Dee Why on

WEDNESDAY 6 FEBRUARY 2019

**Minutes of a Meeting of the Northern Beaches Local Planning Panel
held on Wednesday 6 February 2019
at Council Chambers, Civic Centre, Dee Why
Commencing at 1:00pm**

ATTENDANCE:

Panel Members

Lesley Finn	Chair
Steve Kennedy	Urban Design Expert
Robert Hussey	Town Planner
Peter Cotton	Community Representative

1.0 DECLARATIONS OF INTEREST

Nil

2.0 MINUTES OF PREVIOUS MEETING

2.1 MINUTES OF NORTHERN BEACHES LOCAL PLANNING PANEL HELD 19 DECEMBER 2018

RECOMMENDATION

That the Minutes of the Northern Beaches Local Planning Panel held 19 December 2018, were adopted by the Chairperson and have been posted on the Council's website

3.0 DEVELOPMENT APPLICATIONS

3.1 MOD2018/0554 - 20 JUBILEE AVENUE, WARRIWOOD - MODIFICATION OF DEVELOPMENT CONSENT N0116/06 GRANTED FOR CONSTRUCTION OF AN ADMINISTRATION AND PACKAGING FACILITY FOR BLACKMORES

PROCEEDINGS IN BRIEF

The proposal seeks to modify Development Consent N0116/06 granted for Construction of an administration and packaging facility for Blackmores Limited. Specifically the proposal seeks to delete Condition No. B42A which relates to a 12 month trial period of operation hours of the hardstand/loading dock area.

The Panel viewed the site and its surrounds. At the public meeting which followed the Panel was addressed by two neighbours.

DECISION ON MODIFICATION APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. MOD2018/0554 for modification of Development Consent N0116/06 granted for Construction of an administration and packaging facility for Blackmores Limited at Lot 50 and 54 DP 1237461, 20 Jubilee Avenue, Warriewood subject to the conditions and for the reasons set out in the Assessment Report, subject to the following:

The amendment of Condition No 48A to read as follows:

On-going Noise Minimisation

1. The Applicant must submit to Council an annual Acoustic Report (prepared by a suitably qualified Acoustic Engineer) that demonstrates compliance with the noise criteria in the NSW EPA Industrial Noise Policy for Industry 2017;
2. Deliveries and dispatch must be limited to 10pm; and
3. Daily truck log records are to be kept onsite.
4. A complaints register is to be established to record the nature of all complaints, date, time and actions taken to address the complaint.

The reports and records detailed above must be made available to Council upon request.

Reason: To ensure noise minimisation to maintain the amenity of the area.

Statement of reasons: The Panel agrees with the reasons set out in the assessment report which justify the grant of approval of the modification application to remove the trial period.

Vote: 4/0

3.2 DA2018/1254 - 4-6 NIANGALA CLOSE, BELROSE - ALTERATIONS AND ADDITIONS TO THE BELROSE SUPA CENTRE AND THE ADDITION OF TWO TAKEAWAY FOOD AND DRINK PREMISES

PROCEEDINGS IN BRIEF

The proposed development seeks alterations and additions to the existing bulky goods retail centre and a change of use.

The Panel viewed the site and its surrounds. At the public meeting which followed there were no registered speakers.

DECISION ON EXCEPTION TO DEVELOPMENT STANDARD

A. The Panel is satisfied that:

- 1) the applicant's written request under clause 4.6 of the Warringah Local Environmental Plan 2011 seeking to justify a contravention of clause 4.3 Height of Building development standard has adequately addressed and demonstrated that:
 - a) compliance with the standard is unreasonable or unnecessary in the circumstances of the case; and
 - b) there are sufficient environmental planning grounds to justify the contravention.
- 2) the proposed development will be in the public interest because it is consistent with the objectives of the standard and the objectives for development within the zone in which the development is proposed to be carried out.

B. The Panel assumes the concurrence of the Secretary, Department Planning and Environment required under clause 4.6.

DECISION ON DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2018/1254 for alterations and additions to the Belrose Supa Centre and the addition of two takeaway food and drink premises at Lot 1 DP 1104786, 4-6 Niangala Close, Belrose subject to the conditions and for the reasons set out in the Assessment Report.

Statement of reasons: The Panel agrees with the assessment report and the reasons given therein for granting approval of the application.

Vote: 4/0

3.3 DA2018/0639 - 7 BRUCE AVENUE, MANLY - ALTERATIONS AND ADDITIONS TO AN EXISTING DWELLING HOUSE

PROCEEDINGS IN BRIEF

The proposal is for alterations and additions to the existing dwelling house including:

- Second floor addition.
- Internal alterations
- External alterations.
- New windows and balconies.
- Demolition.
- Landscaping.

The Panel viewed the site and its surrounds. The Panel also visited the properties of those residents who raised concerns about the potential view loss from their properties as a consequence of the proposal. At the public meeting which followed the Panel was addressed by five neighbours who were concerned about view loss and other amenity issues and two representatives of the applicant.

DECISION ON EXCEPTION TO DEVELOPMENT STANDARD

A. The Panel is satisfied that:

- 1) the applicant's written request under clause 4.6 of the Manly Local Environmental Plan 2013 seeking to justify a contravention of clause 4.3 Height of Building development standard has adequately addressed and demonstrated that:
 - a) compliance with the standard is unreasonable or unnecessary in the circumstances of the case; and
 - b) there are sufficient environmental planning grounds to justify the contravention.
- 2) the proposed development will be in the public interest because it is consistent with the objectives of the standard and the objectives for development within the zone in which the development is proposed to be carried out.

B. The Panel assumes the concurrence of the Secretary, Department Planning and Environment required under clause 4.6.

DECISION ON DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves via deferred commencement** Application No. DA2018/0639 for Alterations and additions to an existing dwelling house at Lot 2 DP 218836, 7 Bruce Avenue, Manly subject to the conditions and for the reasons set out in the Assessment Report, subject to the following:

1. The addition of a deferred commencement condition to read as follows:

The design of the roof is to be amended to ensure that there is no loss of sunlight to the north-east facing window of the north-east facing courtyard accessed off the principal living area of 9 Bruce Avenue between 10am and 12 noon on the 21st of June.

Amended plans and solar access diagrams are to be submitted to Council for approval prior to activation of the consent.

Reason: To maintain the amenity and reasonable solar access of the occupants of 9 Bruce

Avenue, Manly.

Statement of reasons: The Panel agrees with the assessment of the Council officer that the view loss and privacy impacts from the neighbouring properties was reasonable and results in reasonable view sharing and privacy outcomes.

Vote: 4/0

3.4 DA2018/1716 - STIRGESS AVENUE, CURL CURL - CONSTRUCTION OF AN ELECTRONIC SCOREBOARD

PROCEEDINGS IN BRIEF

The proposal is to construct an electronic scoreboard on the western side of Weldon Oval. The scoreboard is to display the scores and relevant information for the sporting activities played on the oval.

The Panel viewed the site and its surrounds. At the public meeting which followed the Panel was addressed by two neighbours and one representative of the applicant.

DECISION ON DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2018/1716 for construction of an electronic scoreboard at Lot 75 DP 456141, Stirgess Avenue, Curl Curl subject to the conditions and for the reasons set out in the Assessment Report, subject to the following:

1. The amendment of Condition No. 20 to read as follows:

Hours of Operation

The hours of operation of the scoreboard are to be restricted to when Weldon Oval is being used for organised sports purposes and not later than 7pm.

Reason: To ensure the amenity of the surrounding locality is maintained. (DACHPGOG1)

Statement of reasons: The Panel was in agreement with the assessment carried out by the Council officer and the scale of the proposed scoreboard is consistent with the context of the existing Weldon Oval character and uses.

Vote: 4/0

5.0 PLANNING PROPOSALS

5.1 PEX2018/0008 - WANDELLA ROAD, ALLAMBIE HEIGHTS - MANLY WARRINGAH MEMORIAL PARK REZONING

PROCEEDINGS IN BRIEF

The intended outcome of the Planning Proposal is to rezone certain Crown Land parcels within the riparian corridor of Manly Creek, downstream of Manly Dam, Manly Vale from Low Density Residential R2 to Public Recreation RE1 to provide for a range of recreational settings, activities and land uses that are compatible with the values of the land. The proposal will also better protect and enhance the natural environment and the values of the land.

The Panel viewed the site and its surrounds. At the public meeting which followed the Panel was addressed by a representative of the applicant.

DECISION OF THE PANEL

That:

- A. Council submit the attached Planning Proposal to the Department of Planning and Environment for a Gateway Determination to rezone the following parcels of land from Low Density Residential (R2) to Public Recreation (RE1) and to remove height and minimum allotment size controls from the land:
- Lot 7370 DP1165551 being land adjoining 102 King Street, Manly Vale;
 - Lot 7369 DP1165551 Wandella Road, Allambie, south of Jenna Close;
 - Lot 7371 DP1165577, Allambie, south of Blamey Street; and
 - Part unmade road at the southern end of Wandella Road, King Street, Manly Vale.
- B. Council prepare and exhibit consequential amendments to Warringah DCP 2011 to remove residential development controls, including setback and minimum landscaped area controls, from this land.

Statement of Reasons: The Panel was of the opinion that the planning proposal should proceed as the proposal constitutes the optimal use of the land whilst preserving the environmental integrity of the subject land.

Vote: 4/0

The meeting concluded at 3:15pm

This is the final page of the Minutes comprising 9 pages
numbered 1 to 9 of the Northern Beaches Local Planning Panel meeting
held on Wednesday 6 February 2019.