



northern
beaches
council

MINUTES

NORTHERN BEACHES LOCAL PLANNING PANEL MEETING

held in the Council Chambers, Manly on

WEDNESDAY 1 MAY 2019

**Minutes of a Meeting of the Northern Beaches Local Planning Panel
held on Wednesday 1 May 2019
at Council Chambers, Manly
Commencing at 1:00pm**

ATTENDANCE:

Panel Members

Peter Biscoe	Chair
Brian Kirk	Town Planner
Graham Brown	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 17 APRIL 2019**

The Panel notes that the Minutes of the Northern Beaches Local Planning Panel held 17 April 2019, were adopted by the Chairperson and have been posted on the Council's website

3.0 DEVELOPMENT APPLICATIONS

3.1 DA2018/1123 - 65 RYAN PLACE, BEACON HILL - SUBDIVISION OF ONE LOT INTO TWO AND CONSTRUCTION OF A DWELLING HOUSE ON PROPOSED LOT 2

PROCEEDINGS IN BRIEF

The application consists of the:

- subdivision of the existing allotment of land into two (2) allotments; and
- the construction of a dwelling house on the proposed additional allotment of land.

The proposed allotments, Lots 1 and 2, are 461.4m² and 833.9m² in area, respectively.

Proposed Lot 1 will retain the existing dwelling on the land, which has direct frontage to Ryan Place. Proposed Lot 2 is to be occupied by a new two-storey dwelling house.

Both allotments will have vehicular access from an existing right of carriageway that traverses the site and provides access to existing adjoining properties.

The Panel viewed the site and its surrounds. At the public meeting which followed the Panel were addressed by a representative 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 Warringah Local Environmental Plan 2011 seeking to justify a contravention of clause 4.1 minimum subdivision lot size 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, **grants a deferred commencement consent** to Application No. DA2018/1123 for subdivision of one lot into two and construction of a dwelling house on proposed Lot 2 at Lot 168 DP 215972, 65 Ryan Place, Beacon Hill subject to the conditions and for the reasons set out in the Assessment Report, subject to the following:

1. The amendment of deferred commencement approval Condition 1 to read as follows:

Stormwater Drainage Easement

As the natural fall of the land is towards the rear of the site the disposal of stormwater drainage is to be in accordance with the drainage plan submitted by Taylor Consulting, Drawing No.17717-1 an dated 17/5/2017. The easement is to be created under Sections 88B

and/or 88K of the Conveyancing Act 1919. The applicant must provide Council with evidence of the creation of the easement in order to activate the consent.

Reason: To ensure adequate provision is made for stormwater drainage from the site in a proper manner that protects adjoining properties.

Evidence required to satisfy the deferred commencement condition/s must be submitted to Council within five (5) years of the date of this consent.

This evidence is to be submitted along with a completed 'Deferred Commencement Document Review Form' (available on Council's website) and the application fee, as per Council's Schedule of Fees and Charges.

Upon satisfaction of the deferred commencement condition/s, the following conditions apply:

Vote: 4/0

5.0 PLANNING PROPOSALS

5.1 PLANNING PROPOSAL - 1294-1300 PITTWATER ROAD AND 2-4 ALBERT STREET NARRABEEN

PROCEEDINGS IN BRIEF

The planning proposal is seeking to amend the Warringah Local Environmental Plan (WLEP) 2011 in relation to land located at 1294-1300 Pittwater Road and 2-4 Albert Street Narrabeen.

It seeks to increase the maximum height of buildings permitted on the site from 8.5 metres to 11 metres and to allow the additional permitted uses of commercial premises, medical centre and shop top housing on the land.

The Council officer's report recommends that Council submits an amended planning proposal.

The Panel viewed the site and its surrounds. At the public meeting which followed the Panel were addressed by two residents and three representatives of the applicant.

ADVICE OF PANEL

The Panel advises the Council to accept the recommendation in the Council officer's report, subject to the amendment of A. b., c. and d. as set out below:

- A. That Council submits an amended Planning Proposal to the Department of Planning and Environment which:
 - a. increases the maximum building height standard on the site to 11 metres with the exception of 2 Albert Street, Narrabeen being lot 1 DP613544 (containing heritage listed dwelling house) and the front part of 4 Albert Street, Narrabeen being part lot 8C DP200030 which will retain an 8.5 metre height limit; and,
 - b. permits the additional uses of commercial premises, medical centre and shop-top housing in an area of the site on the corner of Pittwater Road and Albert Street, Narrabeen.
 - c. permits a maximum of 1150 square metres of medical centre and commercial floor space (including the retail and business premises within shop-top housing) in the area referred to in b.
 - d. requires a proportion of the additional number of dwellings resulting from the planning proposal to be dedicated to Council as affordable rental housing, with the exact requirement being established by a financial feasibility analysis undertaken by Council in consultation with the proponent following the issue of a Gateway determination.
- B. That the applicant is requested to submit draft site-specific planning controls to be incorporated in Council's DCP to further guide the redevelopment of the site having regard to the Urban Design Guidelines accompanying the planning proposal and addressing the matters outlined in this report and in this advice by the Panel.
- C. That the applicant be requested to provide an amended Traffic Impact Assessment Report addressing the issues outlined in this report for exhibition with any Gateway determination issued by the Department of Planning and Industry.

Reasons: The Panel agrees with the reasons set out in the report except in relation to the following:

- In relation to A. b. and c., without affecting the intention of these recommendations, the amended language used above is more appropriate
- In relation to A. d., the Council officer's recommended provision of affordable housing at a

rate of 10% may , in the Panel's opinion, be an inappropriately high percentage given the limited nature of the planning proposal. The issue of affordable housing should be addressed instead as set out in A. d. above.

Vote: 4/0

5.2 PLANNING PROPOSAL - LOT 76 DP504237, LOT 77 DP 504237, LOT 2 DP710023, LOT 1 DP 1200869, LOT 1 DP 710023 AND LOT 1 DP 835123 - ALLAMBIE HEIGHTS/NORTH BALGOLWAH**PROCEEDINGS IN BRIEF**

This planning proposal seeks to rezone certain land located within and surrounded by the Manly Warringah War Memorial State Park from R2 (Low Density Residential) to RE1 (Public Recreation) and SP2 (Infrastructure) and to omit residential development standards and controls that would no longer be relevant to the proposed zones.

The Panel viewed the site and its surrounds. At the public meeting which followed the Panel were addressed by two members of the public who supported the planning proposal.

ADVICE OF PANEL

The Panel advises the Council to accept the recommendation in the Council officer's report:

- A. That Council submit the attached Manly Warringah War Memorial State Park Planning Proposal to the Department of Planning and Industry for a Gateway Determination to amend Warringah Local Environmental Plan 2011 to (in summary):
 - a) Rezone the following lots from R2 (Low Density Residential) to RE1 (Public Recreation):
 - Lot 76 DP 504237 (Crown Land)
 - Lot 77 DP 504237 (Crown Land)
 - Lot 2 DP 710023 (Crown Land)
 - Lot 1 DP 1200869 (Crown Land)
 - Lot 1 DP 710023 (Sydney Water - Surplus Bushland Site)
 - b) Rezone Sydney Water Lot 1 DP 835123 (Water Tower - Reservoir) from R2 (Low Density Residential) to SP2 (Infrastructure)- 'Water Supply System':
 - c) Amend the Height of Building Map and Minimum Lot Size Map to remove the residential development standards for height and minimum lot size from all of the subject lots.
- B. That Council requests approval to exercise the function of 'Local Plan Making Authority' from the Department of Planning and Industry via the Gateway Determination for this Manly Warringah War Memorial State Park Planning Proposal.
- C. That Council prepare and exhibit consequential amendments to Warringah Development Control Plan 2011 to remove residential development controls, including setback and minimum landscaped area controls, from land covered by the Manly Warringah War Memorial State Park Planning Proposal.
- D. That Council seeks approval from Sydney Water and the Department of Planning and Industry (Water, Property and Housing) to rezone land for a public purpose (RE1 (Public Recreation)) following a Gateway Determination being issued by the Department of Planning and Industry (Planning and Places).
- E. That Council writes to the relevant Minister to advocate for the inclusion of Sydney Water Lot 1 DP 710023 (Surplus Bushland Site) and Crown Land (Lot 1 DP 1200869) into the Manly Warringah War Memorial State Park.

Reasons: The Panel agrees with the reasons set out in the report.

Vote: 4/0

The meeting concluded at 3:25pm

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 1 May 2019.