

MINUTES

NORTHERN BEACHES LOCAL PLANNING PANEL MEETING

Electronically determined on

TUESDAY 17 MARCH 2020

Minutes of a Meeting of the Northern Beaches Local Planning Panel

Electronically determined on Tuesday 17 March 2020

Panel Members

Peter Biscoe	Chair
Steve Kennedy	Urban Design Expert
Graham Brown	Town Planner
Lloyd Graham	Community Representative

3.0 DEVELOPMENT APPLICATIONS

3.4 DA2019/0238 - 10-12 WYATT AVENUE, BELROSE - CONSTRUCTION OF A CHILD CARE CENTRE AND ANCILLARY CARETAKER RESIDENCE

ELECTRONIC DETERMINATION OF THE NORTHERN BEACHES LOCAL PLANNING PANEL – 17 MARCH 2020 – SCHEDULE 2, PART 5, ITEM 26 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (NSW)

Panel constituted by: Paul Vergotis (Chair), Graham Brown (Expert), Steve Kennedy (Expert) & Lloyd Graham (Community representative).

Development application: 2019/0238.

Proposed development: Erection of a child care centre with an ancillary caretaker's residence.

Premises: Lot 2616, DP752038 (No. 12) Wyatt Ave, Belrose.

Determination: Pursuant to s 4.16 (1) of the *Environmental Planning and Assessment Act 1979* (NSW) development application no. 2019/0238 for the erection of a child care centre with an ancillary caretaker's residence is **granted** subject to the recommended conditions set out in the 'development assessment report' presented to the Panel on 6 November 2019 and recommended conditions set out in the 'supplementary report' dated 22 January 2020 with the following variations imposed by the Panel:

1. The following amendments are to be made to the Plan of Management:
 - (a) Paragraph 3 of the Plan of Management (**PoM**) shall be amended to include extracurricular events which may be conducted outside normal operation hours and which are events such as Christmas events; parent/carer information events, working bees (and the like) & fund raising events. Provision must be made within the PoM to specify the frequency and the times when these extracurricular events are to occur; and
 - (b) Paragraph 4 of the PoM shall be amended to include the provision to ensure both parents/carers and staff 'sign in' and 'sign off' all children attending the centre when entering and leaving;
 - (c) Paragraph 8 of the PoM shall be amended to include condition that all deliveries to the centre shall only occur between the hours of 10.00 a.m. to 3.00 p.m. on any day so as to avoid any or likely conflict between 'drop off' and 'pick up' times of children;
 - (d) Paragraph 11 of the PoM shall be amended to provide for notification to be given to surrounding residents within a 100 metre radius of the centre to be advised about the making of complaints to the centre's management; and
2. An additional condition shall be imposed on the development consent to ensure the PoM is reviewable every 12 months (i.e. from 1 July to 30 June) in conjunction with the Council.
3. The amendment of condition 1 to read as follows:

1. Approved Plans and Supporting Documentation

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

- a) Approved Plans

Architectural Plans - Endorsed with Council's stamp
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Drawing No.	Dated	Prepared By
a2100 - Issue g	12/02/2020	Rfa architects
a2101, a2102, a2103, a3100 - Issue d	12/07/2019	Rfa architects
a4101, a4102 - Issue e	06/03/2019	Rfa architects
a5101 - Issue c	06/03/2019	Rfa architects
a8101 - Issue f	12/02/2020	Rfa architects

Engineering Plans		
Drawing No.	Dated	Prepared By
C10.01, C11.01, C12.01, C12.02, C12.03, C12.04, C12.05, C12.06, C12.07, C12.08, C13.01, C13.02, C13.03, and C13.04 - Rev. G	05/12/2019	Engineering Studio
a6101 - Issue d	12/07/2019	Engineering Studio

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Access Report	14/02/2019	Wall to Wall
Acoustic Report - Ref. BGMA 170406 C	February 2019	BGMA Pty Ltd
Arborist Report	21/06/2019	Hugh the Arborist
BCA Report - Ref. P217_089-1	18/02/2019	Design Confidence
Bushfire Report - Ref. 18RFA02: NVD	25/02/2019	TBE Environmental Pty Ltd
Emergency Management Plan	15/02/2019	Beaware Solutions Pty Ltd
Flora and Fauna Report - Ref. REF: A16240F	21/04/2017	TBE Environmental Pty Ltd
Overland Flow Path Assessment Report	December 2019	Engineering Studio
DRAINS Model	13/01/2019	Engineering Studio
Traffic and Parking Report	April 2017	TSA
Supplementary Traffic Impact Statement	13 February 2020	TSA
Operational Plan of Management	March 2020	Not stated

b) Any plans and / or documentation submitted to satisfy the Conditions of this consent.

c) The development is to be undertaken generally in accordance with the following:

Landscape Plans		
Drawing No.	Dated	Prepared By
a8104 - Issue d	12/07/2019	Rfa architects
1- Landscape Plan 2- Outdoor Play Facilities 3- Detail 1 + Specification 4- Detail 2 5- Sections and Barrier Details	December 2019	Conzept Landscape Architects

Waste Management Plan		
Drawing No/Title.	Dated	Prepared By
Waste Management Plan	26/02/2019	Frank Moschella

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent will prevail.

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans.

Date of determination: 17 March 2020.

Voting: Unanimous.

Statement of reasons:

This development application (**DA**) was before the Panel at its meeting held on 6 November 2019. At that time the Panel, after considering the matters set out in development assessment report and the relevant matters raised by resident submitters, the Panel deferred the determination of the DA so that the proponent could address the following matters:

- Traffic issues raised by resident submitters;
- Discrepancies with the plans in relation to the proposed acoustic barrier ;
- Discrepancies with the submitted landscape plan;
- Clarification in relation to drainage regime;

Amended plans were submitted which addressed the above matters set out in the Panel's decision. These plans have now been reported on and assessed by the Council's technical officers who have recommended approval to the plans and modifications now sought.

The Panel has considered the amendments and the evaluation report submitted to it by the Council's technical staff and has reached the unanimous decision to adopt the recommendations made by the officers subject to some minor variations which the Panel has imposed to address concerns. These variations seek to improve the useability of the development and will improve how the proposed use will operate in the locality and neighbourhood.

Accordingly the recommendations in the development assessment report and the supplementary report (together with the variations imposed by the Panel) are acceptable to the Panel and as such the DA is worthy of approval.

Confirmed: Paul Vergotis (Chair), Graham Brown (Expert), Steve Kennedy (Expert) & Lloyd Graham (Community representative) as the constituted Northern Beaches Local Planning Panel pursuant to Part 4 of the *Environmental Planning and Assessment Act 1979* (NSW).

This is the final page of the Minutes comprising 5 pages
numbered 1 to 5 of the Northern Beaches Local Planning Panel meeting
electronically determined on Monday 9 March 2020.