

# MINUTES

## **NORTHERN BEACHES LOCAL PLANNING PANEL**

held via teleconference on

**WEDNESDAY 21 OCTOBER 2020**

## **Minutes of the Northern Beaches Local Planning Panel held on Wednesday 21 October 2020**

The public meeting commenced at 1.00pm and concluded at 2.15pm.

The deliberations and determinations commenced immediately following the public meeting and concluded at 4.00pm.

### **ATTENDANCE:**

#### **Panel Members**

Paul Vergotis	Chair
Robert Hussey	Town Planner
Graham Brown	Town Planner
John Simmonds	Community Representative

## **1.0 APOLOGIES AND DECLARATIONS OF INTEREST**

Nil

## **2.0 MINUTES OF PREVIOUS MEETING**

### **2.1 MINUTES OF NORTHERN BEACHES LOCAL PLANNING PANEL HELD 7 OCTOBER 2020**

The Panel notes that the Minutes of the Northern Beaches Local Planning Panel held 7 October 2020, were adopted by the Chairperson and have been posted on the Council's website

### 3.0 PUBLIC MEETING ITEMS

#### 3.1 DA2020/0077 - 1 TABALUM ROAD, BALGOWLAH HEIGHTS - DEMOLITION WORKS AND CONSTRUCTION OF A DWELLING HOUSE INCLUDING SWIMMING POOL

##### PROCEEDINGS IN BRIEF

The application proposes the demolition of a house and pool and the construction of a new dwelling house with basement garage, including, site preparation, excavation and landscaping.

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

The applicant raised concern with the condition to remove the entry structure, however the Panel accepts the reasoning in the officer's report.

##### DECISION ON EXCEPTIONS TO DEVELOPMENT STANDARDS

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 Buildings 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 standards 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.

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##### DETERMINATION OF DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2020/0077 for demolition works and construction of a dwelling house at Lot 20 DP 758044, 1 Tabalum Road, Balgowlah Heights subject to the conditions set out in the Assessment Report.

##### REASONS FOR DETERMINATION:

The Panel agrees with the assessment report.

Vote: 4/0

### 3.2 DA2020/0264 - 57 MYOORA ROAD, TERREY HILLS - USE OF BUILDING FOR HARDWARE AND BUILDING SUPPLIES

#### PROCEEDINGS IN BRIEF

The application seeks consent for the use of the existing building as a Warehouse or distribution centre pursuant to Warringah LEP 2011.

Specifically, the proposed development consists of:

- Use of the existing building as a warehouse and distribution Centre;
- Internal fit out including loading area, office space, storage facilities;
- Signage;
- Hours of Operation: 6:00am - 6:00pm Monday to Friday. 7:00am - 4:00pm Saturday (No operation Sunday and Public Holidays);
- 4 staff;
- 15 Parking Spaces;
- Front fencing;
- Racking.

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

The Panel notes the degree of concern and opposition to the proposal expressed by members of the public in respect to the operation of the premises, potential pedestrian conflicts between the vehicle exiting and entering the site, in particular the safety in relation to school students and respects their position.

Specific matters to which the Panel gave particular consideration included (but were not limited to) the following:

- Driveway arrangement
- Marshall for deliveries
- Manoeuvrability on site
- Visibility
- Enter/exit in forward direction
- Loading and unloading of trucks to start at 7am
- Acoustic wall
- Operation Plan of Management

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#### DETERMINATION OF DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **defers the determination of** Application No. DA2020/0264 for use of industrial building as a warehouse facility for storage and distribution of hardware and building supplies at Lot 2 DP 530175, 57 Myoora Road, Terrey Hills to allow the submission of amended plans to address the followings matters:

1. An amended acoustic report by a suitably qualified engineer to address the acoustic wall specification (i.e. material of construction and finishes)
2. An amended design for the acoustic wall that demonstrates sight lines that satisfy the appropriate standard for drivers to exit the site onto Myoora Road. Confirmation that all other entry and exits to the site also satisfy the appropriate standard for visibility.
3. Turning paths are to be provided for both trucks and customer vehicles to show that all vehicles enter and leave in a forward direction
4. Further details on the Operational Plan of Management in relation to the operation between

the nos. 57 and 59 Myoora Road by staff

The plans are to be submitted to Council by 4 November 2020 otherwise the application will be determined on the information currently provided. Following receipt of this information, the Panel (as constituted on 21 October 2020) will determine the application electronically, unless the Chair determines that a further public meeting is required.

Vote: 4/0

### 3.3 DA2020/0263 - 59 MYOORA ROAD, TERREY HILLS - USE OF BUILDING FOR HARDWARE AND BUILDING SUPPLIES

#### PROCEEDINGS IN BRIEF

The application seeks consent for the use of the existing building for hardware and building supplies pursuant to Warringah LEP 2011.

Specifically, the proposed development consists of:

- Use of the existing building as hardware and building supplies;
- Internal fit out including sales area, office space, storage facilities;
- Signage;
- Hours of Operation: 6:00am - 6:00pm Monday to Friday. 7:00am - 4:00pm Saturday (No operation Sunday and Public Holidays);
- 4 staff;
- 6 Parking Spaces;
- Front and side fencing;
- Racking.

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

The Panel notes the degree of concern and opposition to the proposal expressed by members of the public in respect to the operation of the premises, potential pedestrian conflicts between the vehicle exiting and entering the site, in particular the safety in relation to school students and respects their position.

Specific matters to which the Panel gave particular consideration included (but were not limited to) the following:

- Driveway arrangement
- Marshall for deliveries
- Manoeuvrability on site
- Visibility
- Enter/exit in forward direction
- Loading and unloading of trucks to start at 7am
- Acoustic wall
- Operation Plan of Management

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#### DETERMINATION OF DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **defers the determination of** Application No. DA2020/0263 for use of building for hardware and building supplies at Lot 4 DP 547022, 59 Myoora Road, Terrey Hills to allow the submission of amended plans to address the following matters:

1. An amended acoustic report by a suitably qualified engineer to address the acoustic wall specification (i.e. material of construction and finishes)
2. An amended design for the acoustic wall that demonstrates sight lines that satisfy the appropriate standard for drivers to exit the site onto Myoora Road. Confirmation that all other entry and exits to the site also satisfy the appropriate standard for visibility.
3. Turning paths are to be provided for both trucks and customer vehicles to show that all vehicles enter and leave in a forward direction
4. Further details on the Operational Plan of Management in relation to the operation between the nos. 57 and 59 Myoora Road by staff

**21 OCTOBER 2020**

The plans are to be submitted to Council by 4 November 2020 otherwise the application will be determined on the information currently provided. Following receipt of this information, the Panel (as constituted on 21 October 2020) will determine the application electronically, unless the Chair determines that a further public meeting is required.

Vote: 4/0



### **3.4 PLANNING PROPOSAL - 4 BELLARA AVENUE, NORTH NARRABEEN (PEX2020/0007)**

#### **PROCEEDINGS IN BRIEF**

The Planning Proposal is to amend Pittwater Local Environmental Plan 2014 to allow residential development on 4 Bellara Avenue, North Narrabeen NSW and apply a minimum lot size of 550sqm to the site.

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

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#### **ADVICE OF NORTHERN BEACHES LOCAL PLANNING PANEL**

The Panel:

- A. Recommends that Council endorse the Planning Proposal, lodged for 4 Bellara Ave, North Narrabeen, to be submitted to the Department of Planning, Infrastructure and Environment to seek a Gateway Determination.
- B. Recommends Council request the applicant prepare and provide a preliminary contamination report prior to formal statutory exhibition

Vote: 4/0

## 4.0 NON PUBLIC MEETING ITEMS

### 4.1 DA2020/0793 - 119 RICHARD ROAD, SCOTLAND ISLAND - CONSTRUCTION OF A BOAT SHED AND ASSOCIATED WORKS

#### PROCEEDINGS IN BRIEF

The proposal is The application seeks consent for the construction of a boat shed and associated works.

The Panel viewed the site virtually and its surrounds.

#### DECISION ON EXCEPTIONS TO DEVELOPMENT STANDARDS

A. The Panel is satisfied that:

- 1) the applicant's written request under clause 4.6 of the Pittwater Local Environmental Plan 2014 seeking to justify a contravention of clause 4.3 Height of Buildings 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 standards 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.

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#### DETERMINATION OF DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2020/0793 for construction of a boat shed and associated works at Lot 156 DP 12749, 119 Richard Road, Scotland Island subject to the conditions set out in the Assessment Report, subject to the following:

1. The amendment of condition 23 to read as follows:

##### **23. Use of Boat Shed**

The boat shed shall not be used for residential purposes or as a residential domicile. As such, no kitchen, toilet, shower and/or bathroom shall be added to the boat shed.

Reason: To ensure no additional loading on the onsite waste water system at this address without assessment of that the capacity of the system is conducted to ensure onsite waste water system does not fail.

#### REASONS FOR DETERMINATION:

The Panel agrees with the assessment report.

Vote: 4/0

This is the final page of the Minutes comprising 11 pages  
numbered 1 to 11 of the Northern Beaches Local Planning Panel  
held on Wednesday 21 October 2020.