



northern  
beaches  
council

# MINUTES

## **NORTHERN BEACHES LOCAL PLANNING PANEL MEETING**

held via teleconference on

**WEDNESDAY 14 APRIL 2021**

## **Minutes of the Northern Beaches Local Planning Panel held on Wednesday 14 April 2021**

The public meeting commenced at 12.00pm and concluded at 12.54pm.

The deliberations and determinations commenced immediately following the public meeting and concluded at 2.48pm.

### **ATTENDANCE:**

#### **Panel Members**

Peter Biscoe	Chair
Annelise Tuor	Expert Member
Graham Brown	Expert Member
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 APRIL 2021****RECOMMENDATION**

That the Minutes of the Northern Beaches Local Planning Panel held 7 April 2021, were adopted by the Chairperson and have been posted on the Council's website

### 3.0 PUBLIC MEETING ITEMS

#### 3.1 MOD2021/0047 - 80-82 MONA VALE ROAD, MONA VALE - MODIFICATION OF DEVELOPMENT CONSENT DA2019/0123 GRANTED FOR USE OF PART OF THE CARPARKING AREA ASSOCIATED WITH THE PITTWATER RSL CLUB FOR THE PURPOSES OF AN ORGANIC FOOD MARKET

##### PROCEEDINGS IN BRIEF

The proposal has been made to modify a consent under DA2019/0123 which granted consent to the use of part of the car parking area associated with the Pittwater RSL Club for the purposes of an organic food market.

The Panel viewed the site and its surrounds. At the public meeting which followed the Panel was addressed by 2 neighbours.

The Panel considered the original Council Assessment Report recommending refusal and the Council officers memo dated 13 April 2021 recommending approval based on consideration of further information.

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##### DECISION ON MODIFICATION APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. Mod2021/0047 for Modification of Development Consent DA2019/0123 granted for use of part of the car parking area associated with the Pittwater RSL Club for the purposes of an organic food market at Lot 26 DP 654262, Lot 27 DP 5055 & Lot 120 DP 135512, 80-82 Mona Vale Road, Mona Vale, subject to the following:

1. Delete condition 10 and substitute with new condition 10 to read as follows:

##### **Condition 10 – Consent expiry date**

This consent will expire 5 years after commencement of the market, the expiration date being 1 September 2024.

Reason: To limit the activity to a temporary use of the land.

The Panel does not approve the application insofar as it seeks the deletion of condition 12 relating to the provision of traffic warden(s). Nor does the Panel approve the application insofar as it seeks to increase the maximum number of days that the market operates by reference to the temporary use provision in any relevant LEP.

##### REASONS FOR DETERMINATION:

The Panel agrees generally with the memo by a Council Officer dated 13 April 2021 that provides sufficient justification for the change in recommendation from refusal to approval. The Panel does not agree with the proposal in that memo for conditions for the construction of the footpath and submission of associated engineering plans because that is considered to be disproportionate to an approval for a market to be held as a temporary use. This was a conclusion confirmed by the traffic engineer.

Vote: 4/0



### 3.2 DA2020/1542 - 24 DOVE LANE, WARRIEWOOD - CONSTRUCTION OF A PERMANENT GROUP HOME

#### PROCEEDINGS IN BRIEF

The proposal is for the construction of a permanent group home.

The Panel viewed the site and its surrounds. At the public meeting which followed the Panel was addressed by no neighbours and 2 representatives of the applicant.

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#### DECISION ON DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2020/1542 for construction of a permanent group home at Lot 15 DP 1221920, 24 Dove Lane, Warriewood subject to the conditions set out in the Assessment Report.

#### REASONS FOR DETERMINATION:

The Panel agrees generally with the assessment report.

Vote: 4/0

### **3.3 DA2019/1420 - 8 WYATT AVENUE, BELROSE - ALTERATIONS AND ADDITIONS TO AN EXISTING SCHOOL**

The proposal is for Stage “Q” of staged development consent DA2015/0558 issued by the Joint Regional Planning Panel for new classrooms and ancillary works and a staged increase in student numbers.

The Panel notes that 2 of the panel members, namely Peter Biscoe and Graham Brown, declared a perceived conflict of interest for this item due to sitting on the Independent Public Hearing Panel on 4 November 2020 which recommended approval. Annelise Tuor also declared that she, in her role as an alternate member on the Sydney North Planning Panel, had considered applications for the School.

This item will be referred to next week’s meeting of a differently constituted Panel.

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### 3.4 DA2020/1178 - 5 DEVON PLACE, COLLAROY - DEMOLITION WORKS AND CONSTRUCTION OF A DWELLING HOUSE

#### PROCEEDINGS IN BRIEF

The proposal is for the demolition of the existing dwelling and detached dwelling, excavation to a depth of 3.2m the construction of a new part two (2) part three (3) storey dwelling.

The Panel viewed the site and its surrounds. At the public meeting which followed the Panel was addressed by 1 neighbour and 1 representatives of the applicant.

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#### DECISION ON DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2020/1178 for demolition works and construction of a dwelling house at Lot 11 & 12 DP 556019, 5 Devon Place, Collaroy subject to the conditions set out in the Assessment Report, subject to the following:

1. The amendment of the following condition:

#### 8. Amendments to the approved plans

The following amendments are to be made to the approved plans:

- The first floor office above the garage shall be deleted and replaced with a non-trafficable flat roof with a minimum pitch to allow for drainage.
- There are to be no balustrades provided to the eastern non-trafficable roof located on level 1
- The floor to ceiling height on all levels shall be reduced to 2.7m.
- The white rendered walls and garage doors are not supported and the colours and materials of development shall be amended to a more recessive neutral colour to blend in to the natural landscape.
- The colour of the roof shall be a dark recessive colour.
- Any solar panels installed on the roof must be positioned in the lowest section of the roof and shall be oriented away from properties to the south to avoid reflectivity and glare. No other plant is permitted on the roof.
- The species selection for the tree proposed in the front setback shall allow for a growth of 5m at maturity but no higher than 8m.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the construction certificate.

Reason: To ensure development minimises unreasonable impacts upon surrounding land.

2. The addition of the following condition:

#### 36. Height of Vegetation

The tree to be planted in the front setback shall be maintained at a height not exceeding 8m measured from the ground level adjacent to the trunk.

Reason: Protection of local amenity.



**REASONS FOR DETERMINATION:**

The Panel agrees generally with the assessment report subject to the above.

Vote: 4/0

### 3.5 DA2020/1287 - 58 FOREST WAY, FRENCHS FOREST - DEMOLITION WORKS AND CONSTRUCTION OF A SENIORS HOUSING DEVELOPMENT COMPRISING 4 SELF CARE HOUSING UNITS WITH ASSOCIATED PARKING

#### PROCEEDINGS IN BRIEF

The proposal is for the demolition of all structures and the construction of a two storey Seniors Housing development comprising four (4) x two (2) bedroom (plus study) infill self-care housing units and four (4) integrated garages in two detached building.

The Panel viewed the site and its surrounds. At the public meeting which followed the Panel was addressed by 2 neighbours.

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#### DECISION ON DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **refuses** Application No. DA2020/1287 for demolition works and construction of a Seniors Housing Development comprising 4 self-care housing units with associated parking at Lot 38 DP 20461, 58 Forest Way, Frenchs Forest for the reasons set out in the Assessment Report.

#### REASONS FOR DETERMINATION:

The Panel agrees generally with the assessment report.

Vote: 4/0

## 4.0 NON PUBLIC MEETING ITEMS

### 4.1 DA2020/1431 - 29/11 ADDISON ROAD, MANLY - ALTERATIONS AND ADDITIONS TO A DWELLING WITHIN A RESIDENTIAL FLAT BUILDING

#### PROCEEDINGS IN BRIEF

The proposal is for alterations and additions to the existing Unit 29, located on the upper level of the building.

The Panel viewed the site 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 Manly Local Environmental Plan 2013 seeking to justify a contravention of clause 4.3 Height of Buildings development standard and clause 4.4 Floor Space Ratio development standard has adequately addressed and demonstrated that:
  - a) compliance with the standards is unreasonable or unnecessary in the circumstances of the case; and
  - b) there are sufficient environmental planning grounds to justify the contraventions.
- 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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#### DECISION ON DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2020/1431 for alterations and additions to a dwelling within a residential flat building at Lot 29 SP 2373, 29/11 Addison Road, Manly subject to the conditions set out in the Assessment Report.

#### REASONS FOR DETERMINATION:

The Panel agrees generally with the assessment report.

Vote: 4/0

This is the final page of the Minutes comprising 12 pages  
numbered 1 to 12 of the Northern Beaches Local Planning Panel meeting  
held on Wednesday 14 April 2021.