

DETERMINATION AND STATEMENT OF REASONS

SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	26 May 2023
DATE OF PANEL DECISION	25 May 2023
DATE OF PANEL MEETING	24 May 2023
PANEL MEMBERS	Peter Debnam (Chair), Nicole Gurran, Brian Kirk, Peter Biscoe
APOLOGIES	Marcus Sainsbury
DECLARATIONS OF INTEREST	Annelise Tuor and Graham Brown participated in Local Planning Panel meeting and voted to refuse this application

Public meeting held by videoconference on 24 May 2023, opened at 11:30am and closed at 12:02pm.

MATTER DETERMINED

PPSSNH-370 - DA2021/1914 – Northern Beaches - 389 Pittwater Road, North Manly, 2-4 Lakeside Crescent, North Manly, 8 Palm Avenue, North Manly, Subdivision of 6 Lots into 4 Torrens Title Lots, including demolition works and tree removal.

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and briefings and the matters listed at item 8 in Schedule 1.

Development application

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined to approve the application for the reasons below and in Council's Assessment Report.

The application is a Crown Development and seeks consent for the subdivision of the existing six lots and simultaneous re-subdivision into four new Torrens title lots, including demolition works to the car park.

The site had previously been used as part of the Queenscliff Community Health Centre and is located within the R2 Low Density Residential Zone with land to the east, south and west all zoned R2 Low Density Residential. Across Pittwater Road to the north, the land is zoned IN2 General Industrial.

The Panel notes the proposed subdivision is a separate development application to the proposed adaptive reuse of the former Queenscliff Community Health Centre and also notes the three new lots along Pittwater Road will be subject to a further development application for future low density residential dwellings.





The Panel concurs with Council's Assessment that the proposed development is compliant with all relevant controls and will not result in unreasonable impacts on adjoining or nearby properties or the natural environment. Consequently, the Panel believes approval of the application is in the community interest.

CONDITIONS

The development application was approved subject to the conditions provided by Council on 24 May 2023.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered 53 written submissions made during public exhibition and heard from all those wishing to address the public meeting. The Panel notes issues of concern included bulk, scale, tree removal and pedestrian accessibility parking. The Panel considers that concerns raised by the community have been adequately addressed in the Assessment Report, in Applicant and Council responses during the public meeting and in the conditions.

PANEL MEMBERS	
Peter Debnam (Chair) 	Nicole Gurrán 
Brian Kirk 	Peter Biscoe 

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSNH-370 - DA2021/1914 – Northern Beaches
2	PROPOSED DEVELOPMENT	Subdivision of 6 Lots into 4 Torrens Title Lots, including demolition works and tree removal.
3	STREET ADDRESS	89 Pittwater Road, North Manly, 2-4 Lakeside Crescent, North Manly, 8 Palm Avenue, North Manly
4	APPLICANT/OWNER	Applicant: Zack Wilson Owner: Landcom
5	TYPE OF REGIONAL DEVELOPMENT	Crown development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Hazards and Resilience) 2021 State Environmental Planning Policy (Building Sustainability Index: BASIX) State Environmental Planning Policy (Transport and Infrastructure) 2021 Warringah Local Environmental Plan 2011 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Warringah Development Control Plan 2011 Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i> Coastal zone management plan: Nil The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality The suitability of the site for the development Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report: 10 May 2023 Written submissions during public exhibition: 53 Verbal submissions at the public meeting: <ul style="list-style-type: none"> Jennifer Hambling, Sean Fry, James Lovell Council assessment officer – Jordan Davies On behalf of the applicant – Janelle Goulding, Paul Grech, Andrew Elia, Dr. Brett Phillips, Andrew McAnulty, Jillian Sneyd
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: 15 March 2023 <ul style="list-style-type: none"> <u>Panel members</u>: Peter Debnam (Chair), Brian Kirk, Nicole Gurran, Marcus Sainsbury, Peter Biscoe <u>Council assessment staff</u>: Jordan Davies <u>Applicant representatives</u>: Bill Donohoe, Zack Wilson, Andrew McAnulty Final briefing to discuss council's recommendation: 24 May 2023 <ul style="list-style-type: none"> <u>Panel members</u>: Peter Debnam (Chair), Brian Kirk, Nicole Gurran, Peter Biscoe <u>Council assessment staff</u>: Jordan Davies

9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	Provided by Council on 24 May 2023