

# **MINUTES**

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

held via Teleconference on

**WEDNESDAY 5 JULY 2023**

## **Minutes of the Northern Beaches Local Planning Panel held on Wednesday 5 July 2023**

The public meeting commenced at 12.00pm and concluded at 12.38pm.

The deliberations and determinations commenced at 1.00pm following the public meeting and concluded at 1.51pm.

### **ATTENDANCE:**

#### **Panel Members**

Peter Biscoe KC	Chair
Graham Brown	Town Planner
Marcia Doheny	Law
Nicole Glenane	Community Representative

The Panel have visited all sites personally, or electronically, and have had regard to the assessment report, all accompanying documentation, submissions from the public and any supplementary reports in determining all applications.

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

Nil

In accordance with Section 4.9 of the NSW Government Code of Conduct for Local Government Planning Panels, all members have signed a declaration of interest in relation to each item on the agenda. No conflicts of interest were disclosed.

## **2.0 MINUTES OF PREVIOUS MEETING**

### **2.1 MINUTES OF NORTHERN BEACHES LOCAL PLANNING PANEL HELD 21 JUNE 2023**

The Panel noted that the minutes of the Northern Beaches Local Planning Panel held 21 June 2023, were adopted by the Chairperson and have been posted on the Council's website.

## **3.0 CATEGORY 3 APPLICATIONS**

Nil

## 4.0 PUBLIC MEETING ITEMS

### 4.1 DA2022/1370 - 32A WOLLOMBI ROAD, NEWPORT - CONSTRUCTION OF A TELECOMMUNICATIONS FACILITY.

#### PROCEEDINGS IN BRIEF

The proposal is for construction of a telecommunications facility.

At the public meeting which followed the Panel was addressed by one (1) neighbour and one (1) representative of the applicant.

#### 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 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.

#### DETERMINATION OF DEVELOPMENT APPLICATION

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2022/1370 for construction of a telecommunications facility on land at Lot 1 DP 531064, 32A Wollombi Road, Newport, Lot 2 DP 531064, 32A Wollombi Road, Newport, subject to the conditions set out in the Assessment Report.

#### REASONS FOR DETERMINATION

The Panel agrees generally with the Assessment Report. The Panel notes that, contrary to a statement in the Assessment Report, the application was in fact advertised.

Vote: 4/0

#### 4.2 DA2022/0616 - 76 WILLANDRA ROAD, NARRAWEENA - CONSTRUCTION OF A SENIORS HOUSING DEVELOPMENT COMPRISING 36 SELF-CONTAINED LIVING UNITS, ASSOCIATED COMMUNITY CENTRE AND BASEMENT PARKING.

##### PROCEEDINGS IN BRIEF

The proposal is for construction of housing for older people or people with disabilities as 36 Independent Living Units, with associated community centre, basement car parking and ancillary works.

At the public meeting which followed the Panel was addressed by four (4) neighbours and no representatives of the applicant.

##### DETERMINATION OF DEVELOPMENT APPLICATION

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **refuses** Application No. DA2022/0616 for construction of housing for older people or people with disabilities as 36 Independent Living Units, with associated community centre, basement car parking and ancillary works, at No. 76 Willandra Road, Narrabeena, for the reasons for refusal set out in the Assessment Report, with the addition of the following reason:

1. The addition of the following reason:
  8. Pursuant to regulation 23 (1)(b) of the Environmental Planning and Assessment Regulation 2021 owner's consent has not been provided for Lot 807 DP752038. The application necessitates asset protection zones extending over Lot 807 DP752038.

##### REASONS FOR DETERMINATION

The Panel agrees generally with the Assessment Report, subject to the above.

Vote: 4/0

## 5.0 NON PUBLIC MEETING ITEMS

### 5.1 DA2022/1205 - 49 CHARD ROAD, BROOKVALE - DESIGNATED DEVELOPMENT - CHEMICAL STORAGE FACILITY (INSTALLATION OF CO2 STORAGE TANK).

#### PROCEEDINGS IN BRIEF

The proposal is for Designated Development – chemical storage facility (installation of CO2 storage tank).

The panel received a supplementary memo from Council dated 30 June 2023.

#### DETERMINATION OF DEVELOPMENT APPLICATION

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2022/1205 for Designated Development – chemical storage facility (installation of CO2 storage tank) on land at Lot B DP 401454, 49 Chard Road, Brookvale subject to the conditions set out in the Assessment Report and supplementary memo.

#### REASONS FOR DETERMINATION

The Panel agrees generally with the Assessment Report and supplementary memo.

Vote: 4/0

## 5.2 DA2022/2232 - 154 SYDNEY ROAD, FAIRLIGHT - ALTERATIONS AND ADDITIONS TO A MIXED USE BUILDING.

### PROCEEDINGS IN BRIEF

The proposal is for alterations and additions to a mixed use building.

The panel received a late submission dated 30 June 2023 and a supplementary memo from Council dated 4 July 2023.

### 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.

### DETERMINATION OF DEVELOPMENT APPLICATION

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2022/2232 for alterations and additions to a mixed use building on land at Lot 1 DP 329155, 154 Sydney Road, Fairlight, subject to the conditions set out in the Assessment Report and supplementary memo.

### REASONS FOR DETERMINATION

The Panel agrees generally with the Assessment Report and supplementary memo.

Vote: 4/0

**5.3 DA2023/0128 - SOUTH CURL CURL SURF LIFE SAVING CLUB CARRINGTON PARADE, CURL CURL - ALTERATIONS AND ADDITIONS TO SOUTH CURL CURL SURF LIFE SAVING CLUB TO PROVIDE A STORE ROOM.**

**PROCEEDINGS IN BRIEF**

The proposal is for alterations and additions to South Curl Curl Surf Life Saving Club to provide a store room.

**DETERMINATION OF DEVELOPMENT APPLICATION**

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2023/0128 for alterations and additions to South Curl Curl Surf Life Saving Club to provide a store room on land at Lot 7356 DP 1167221, Carrington Parade, Curl Curl, 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 8 pages  
numbered 1 to 8 of the Northern Beaches Local Planning Panel meeting  
held on Wednesday 5 July 2023.