

DETERMINATION AND STATEMENT OF REASONS

SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	Tuesday 18 June 2019
PANEL MEMBERS	Peter Debnam (Chair), Mark Grayson, Peter Brennan, Steve Kennedy, Marcus Sainsbury
APOLOGIES	John Roseth, Sue Francis, Annelise Tuor
DECLARATIONS OF INTEREST	None

Public meeting held at Northern Beaches Council Chambers, 725 Pittwater Road Dee Why, on 18 June 2019, opened at 2pm and closed at 3.15pm.

MATTER DETERMINED

2018SNH066 – Northern Beaches – MOD2018/0585 at 39 Frenchs Forest Road East Frenchs Forest modification to an approved development (as described in Schedule 1)

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 observed at site inspections listed at item 8 in Schedule 1.

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

The Panel determined to approve the development application pursuant to section 4.55 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The proposed development will result in a development that is substantially the same as that previously approved by the Land and Environment Court.

The modifications requested are considered to be minor and will not compromise the original approved design or uses, the changes will not be unreasonable externally and have been adjusted in detail to ensure that the functionality of the uses is not compromised.

The amendments to conditions substantially relate to construction detail and administrative matters.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition. The Panel notes that issues of concern included acoustic impacts, construction related impacts, lighting from signage impacts and the siting of the substation.

The Panel considers that concerns raised by the community have been adequately addressed in the assessment report and that no new issues requiring assessment.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Mark Grayson
 Peter Brennan	 Steve Kennedy
 Marcus Sainsbury	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SNH066 – Northern Beaches – MOD2018/0585
2	PROPOSED DEVELOPMENT	Modification of Development Consent DA2015/0901 granted for demolition works, alterations and additions to the existing pub and construction of hotel or motel accommodation and retail liquor store.
3	STREET ADDRESS	Lot X DP 405206, 39 Frenchs Forest Road East, Frenchs Forest
4	APPLICANT/OWNER	ALH Group Property Holdings Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(2) Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	• Environmental planning instruments: - o State Environmental Planning Policy No. 55 – Remediation of Land - o State Environmental Planning Policy – Infrastructure 2011 - o Warringah Local Environmental Plan 2011 • Draft environmental planning instruments: Nil • Development control plans: - o Warringah Development Control Plan 2011 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil • 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	• Council assessment report: 4 June 2019 • Written submissions during public exhibition: 2 • Verbal submissions at the public meeting: - o On behalf of the applicant – Peter Strudwick
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	• Site inspection: 18 June 2019 • Final briefing to discuss council's recommendation, 18 June 2019, 12.15pm. Attendees: - o <u>Panel members</u>: Peter Debnam (Chair), Mark Grayson, Peter Brennan, Steve Kennedy, Marcus Sainsbury - o <u>Council assessment staff</u>: Lashta Haidari, Steve Findlay
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report