



DETERMINATION AND STATEMENT OF REASONS
SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	Monday 4 December 2017
PANEL MEMBERS	John Roseth (Chair), Sue Francis, Julie Savet Ward, Paul Stein, Steve Kennedy
APOLOGIES	Deborah Dearing
DECLARATIONS OF INTEREST	None

Public meeting held at Christie Conference Centre, 100 Walker Street North Sydney, on 4 December 2017, opened at 10.05am and closed at 11.15am.

MATTER DETERMINED

2017SNH060 – Northern Beaches – DA2017/0711 at 11 Tilley Lane Frenchs Forest (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 the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

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

The decision was unanimous.




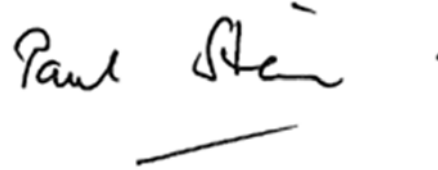

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- The proposal complies with the principal planning controls, except for a minor non-compliance with the site coverage and, consequently, with the landscaped area control. The variation of the western setback is also minor and generally consistent with other nearby development.
- The proposal provides medical services close to a major hospital.
- The Panel considered the objection of the neighbour to the north, which related mainly to loss of view. However, the Panel concluded that this did not justify refusal of the application, given that there is no height limit on the site and the loss of view was from offices. In addition, the Panel noted that the application includes the planting of four *Angophora costata* trees in the northern setback to reduce the visual impact. With regard to the concern about noise from operating plant, the Panel is satisfied that this will be adequately managed by the location and containment of the plant on the roof. With regard to the concern about parking, the Panel notes that the proposal provides parking in excess of that required.

CONDITIONS

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

PANEL MEMBERS	
 John Roseth (Chair)	 Sue Francis
 Julie Savet Ward	 Paul Stein
 Steve Kennedy	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SNH060 – Northern Beaches – DA2017/0711
2	PROPOSED DEVELOPMENT	Construction of a Health Services facility, being a private Hospital with multiple health care services, basement parking, signage and landscaping.
3	STREET ADDRESS	Lot 11 DP 270323, 11 Tilley Lane Frenchs Forest
4	APPLICANT/OWNER	Applicant – Space For Health Pty Ltd Owner - PMK Investments
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities 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 No.55 Remediation of Land ○ State Environmental Planning Policy No.64 Advertising and Signage ○ State Environmental Planning Policy (Infrastructure) 2007 ○ Warringah Local Environmental Plan 2011 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Warringah Development Control Plan 2011 ○ Warringah Section 94A Development Contribution Plan • 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	<ul style="list-style-type: none"> • Council assessment report: 24 November 2017 • Written submissions during public exhibition: 3 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ In objection – Bruce Downie ○ On behalf of the applicant – David McGirr
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing meeting: 9 October 2017 • Final briefing meeting to discuss council's recommendation, 4 December 2017 at 9.30am. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: John Roseth (Chair), Sue Francis, Julie Savet Ward, Paul Stein, Steve Kennedy ○ <u>Council assessment staff</u>: Alex Keller, Phill Lane
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report