

**DETERMINATION AND STATEMENT OF REASONS
SYDNEY NORTH PLANNING PANEL**

DATE OF DETERMINATION	20 October 2021
PANEL MEMBERS	Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Graham Brown, Annelise Tuor
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 8 October 2021.

MATTER DETERMINED

PPSSNH-260 – Northern Beaches - MOD2021/0444 at 184 Garden Street, Warriewood – Modification of Development Consent N0123/17 for demolition of an existing aged care facility and construction of a new residential aged care facility (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.

Modification application

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 Panel were briefed by Council Officers on their Assessment Report and sought confirmation that approval of the modification would not conflict with the original Consent Authority’s reasons for Approval. Council’s email of 20th October confirmed there would be no conflict. The Panel then resolved to approve the Modification Application for the reasons detailed in Council’s Assessment Report.

CONDITIONS

The Application was approved subject to the conditions in Council’s Assessment Report.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel noted there were no community submissions made during public exhibition.

PANEL MEMBERS	
Peter Debnam (Chair) 	Brian Kirk 
Julie Savet Ward 	Graham Brown 

Annelise Tuor

Annelise Tuor

SCHEDULE 1

1	PANEL REF – LGA – DA NO.	PPSSNH-260 – Northern Beaches - MOD2021/0444
2	PROPOSED DEVELOPMENT	Modification of Development Consent N0123/17 for demolition of an existing aged care facility and construction of a new residential aged care facility
3	STREET ADDRESS	184 Garden Street, Warriewood
4	APPLICANT/OWNER	Opal Aged Care Principal Healthcare Finance Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental Planning and Assessment Act 1979 • Environmental Planning and Assessment Regulation 2000 • State Environmental Planning Policy No. 55 – Remediation of Land • State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 • State Environmental Planning Policy – Infrastructure 2011 • Pittwater Local Environmental Plan 2014 (PLEP 2014) • Pittwater 21 Development Control Plan (PDCP)
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report: 8 October 2021 • Written submissions during public exhibition: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing: 20 October 2021 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Graham Brown, Annelise Tuor ○ <u>Council assessment staff</u>: Jordan Davies, Lashta Haidari • Site inspection: Panel members visited the site individually on different days due to Covid-19 precautions. • Final briefing to discuss council’s recommendation: 20 October 2021 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Graham Brown, Annelise Tuor ○ <u>Council assessment staff</u>: Jordan Davies, Lashta Haidari
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report