

DATE OF DETERMINATION	24 April 2025
DATE OF PANEL DECISION	24 April 2025
PANEL MEMBERS	Peter Debnam (Chair), Brian Kirk, Stephen O'Connor, Graham Brown
APOLOGIES	Annelise Tuor
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 17 April 2025.

MATTER DETERMINED

PPSSNH-583 – Northern Beaches– Mod2024/0550 at 181 Forest Way Belrose – Modification of Development Consent DA2018/1654 granted for Demolition works and Construction of a new aged care facility including underground parking (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 listed at item 8 in Schedule 1.

Application for modification of consent

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

The Panel noted the modifications generally relate to refinements to the internal floor layout, including a new rooftop and level 2 communal open space elements such as a lift overrun, pergola and plant screening.

The site has an 8.5m height of buildings development standard and the current consent has an approved height of 9.38m. The proposed works further increase the height to 11m, and the breach is limited to the lift overrun and acoustic screen. The assessment of the proposed height variation was extensively canvassed in Council's assessment report and the Panel concurs with Council that in the circumstances the height variation is acceptable.

The Panel agrees the application has been properly assessed in accordance with relevant planning controls and is consistent with the objectives of the DCP as well as the aims and zone objectives of the LEP. The Panel also concurs with Council that the modified development is substantially the same as the approved development and the modifications do not materially impact the amenity of the surrounding properties, the approved design nor do they impact the natural environment.

Accordingly, the Panel believes approval of the modification is acceptable.

CONDITIONS


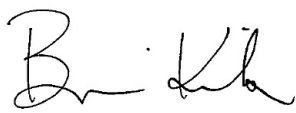


The Development Application was approved subject to the conditions in the Council Assessment Report.

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:

- Landslip
- Flooding stormwater run off
- Bushfire
- Building height and visual impact
- Amenity impacts

The Panel considers that concerns raised by the community have been adequately addressed in the Assessment Report.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Brian Kirk
 Stephen O'Connor	 Graham Brown

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSNH-583 – Northern Beaches – Mod2024/0550
2	PROPOSED DEVELOPMENT	Modification of Development Consent DA2018/1654 granted for Demolition works and Construction of a new aged care facility including underground parking
3	STREET ADDRESS	181 Forest Way, Belrose
4	APPLICANT/OWNER	Regis Aged Care Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.56 Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Housing) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 State Environmental Planning Policy (Biodiversity and Conservation) State Environmental Planning Policy (Resilience and Hazards) 2021 Warringah Local Environmental Plan 2000 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Warringah Development Control Plan 2000 Planning agreements: Nil Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</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: 4 April 2025 Written submissions during public exhibition: 2
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Preliminary Briefing: 12 March 2025 <ul style="list-style-type: none"> <u>Panel members</u>: Peter Debnam (Chair), Brian Kirk <u>Council assessment staff</u>: Kye Miles <u>Applicant representatives</u>: Vee Chin, Gemma Bassett <u>Department staff</u>: Nikita Lange, Jade Buckman Final briefing to discuss council's recommendation: 23 April 2025 <ul style="list-style-type: none"> <u>Panel members</u>: Peter Debnam (Chair), Brian Kirk, Stephen O'Connor, Graham Brown <u>Council assessment staff</u>: Kye Miles <u>Department staff</u>: Nikita Lange, Jade Buckman
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report