

DETERMINATION AND STATEMENT OF REASONS
SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	11 September 2025
DATE OF PANEL DECISION	10 September 2025
PANEL MEMBERS	Peter Debnam (Chair), Brian Kirk, Sue Francis, Graham Brown
APOLOGIES	Annelise Tuor, Marcus Sainsbury
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 3 September 2025.

MATTER DETERMINED

PPSSNH-635 - Northern Beaches - Mod2025/0156 - 28 Lockwood Avenue, Belrose - Modification of Development Consent DA2020/0393 (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 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 Assessment Report.

The Panel notes the proposal is consistent with the DCP objectives and the zone objectives of the LEP and concurs with Council that the proposed modified development is substantially the same as the originally approved development. The development as modified is also reasonable in its context.

The Panel notes the proposed modifications are entirely within the approved building footprint and do not significantly alter the built form, appearance or density relative to the approved development. The modifications are generally a refinement of the approved development and will not result in additional adverse visual, amenity or environmental impacts.

In summary, the Panel believes the modification application has been properly assessed against relevant planning controls, does not result in any unreasonable impacts on adjacent and nearby properties and warrants approval.

CONDITIONS

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

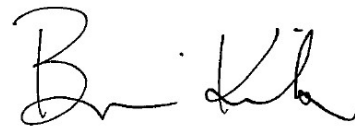
CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered one written submission made during public exhibition. The Panel considers that concerns raised by the community have been adequately addressed in the Assessment Report.

PANEL MEMBERS

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Peter Debnam (Chair)

A handwritten signature in black ink, appearing to read 'Brian Kirk'.

Brian Kirk

A handwritten signature in black ink, appearing to read 'Sue Francis'.

Sue Francis

A handwritten signature in black ink, appearing to read 'Graham Brown'.

Graham Brown

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSNH-635 - Northern Beaches - Mod2025/0156
2	PROPOSED DEVELOPMENT	Modification of Development Consent DA2020/0393 granted for Demolition works and construction of a shop top housing development comprising retail premises, 47 dwellings, basement carparking and landscaping.
3	STREET ADDRESS	(Lot 1: DP 1199795) 28 Lockwood Avenue, Belrose, NSW, 2085
4	APPLICANT/OWNER	Krikor Simonian
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.56 Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	• Environmental planning instruments: ○ State Environmental Planning Policy (Biodiversity and Conservation) 2021 ○ State Environmental Planning Policy (Housing) 2021 ○ State Environmental Planning Policy (Resilience and Hazards) 2021 ○ State Environmental Planning Policy (Transport and Infrastructure) 2021 ○ Warringah Local Environmental Plan 2011 • Draft environmental planning instruments: Nil • Development control plans: ○ Warringah Development Control Plan 2011 • 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	• Council Assessment Report: 2 September 2025 • Written submissions during public exhibition: 1
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	• Preliminary Briefing: 13 August 2025 ○ <u>Panel members</u>: Brian Kirk (Chair), Sue Francis ○ <u>Council assessment staff</u>: Kye Miles ○ <u>Applicant representatives</u>: Eli Gescheit, William John McGarry, Jawad Samrani • Final briefing to discuss Council's recommendation: 10 September 2025 ○ <u>Panel members</u>: Peter Debnam (Chair), Brian Kirk, Sue Francis, Graham Brown ○ <u>Council assessment staff</u>: Kye Miles ○ <u>Applicant representatives</u>: Applicant attendance not required ○ <u>Department staff</u>: Lillian Charlesworth, Anaise Nagy
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report