



Land and Environment Court New South Wales

Medium Neutral Citation:	Platinum Property Advisors No 1 Pty Ltd ATF The Trustee for Platinum Property Advisors No 1 Trust v Northern Beaches Council (No. 2) [2021] NSWLEC 1676
Hearing dates:	7 October 2021
Date of orders:	8 November 2021
Decision date:	08 November 2021
Jurisdiction:	Class 1
Before:	Clay AC
Decision:	See [2]
Catchwords:	DEVELOPMENT APPLICATION – shop top housing – character of the neighbourhood – appropriate urban form – design quality – breach of height control – bulk and scale – loss of trees – traffic impacts – adequacy of parking – pedestrian access and safety – experts agreement as to issues – matters raised by objectors – public interest
Cases Cited:	Platinum Property Advisors No 1 Pty Ltd ATF The Trustee for Platinum Property Advisors No 1 Trust v Northern Beaches Council [2021] NSWLEC 1675
Category:	Principal judgment
Parties:	Platinum Property Advisors No 1 Pty Ltd ATF The Trustee for Platinum Property Advisors No 1 Trust (Applicant) Northern Beaches Council (Respondent)
Representation:	Counsel: A Galasso SC (Applicant) S Patterson (Solicitor) (Respondent) Solicitors: Mills Oakley (Applicant) Wilshire Webb Staunton Beattie (Respondent)
File Number(s):	2020/283826
Publication restriction:	Nil

JUDGMENT

- 1 On 8 October 2021 I delivered an ex tempore judgment (Platinum Property Advisors No 1 Pty Ltd ATF The Trustee for Platinum Property Advisors No 1 Trust v Northern Beaches Council [2021] NSWLEC 1675) giving reasons why I proposed to grant development consent subject to conditions. The parties were required to file conditions consequent upon the reasons given.
- 2 The agreed conditions reflective of the reasons having now been filed I make the following orders:

- (1) Appeal upheld;
- (2) Development consent is granted to development application number DA2020/0393 for demolition of existing structures, construction of a mixed use development comprising retail uses and shop top housing containing 49 dwellings, basement car park for 238 vehicles, landscaping and a public square at lot 1 in Deposited Plan 1199795 known as 28 Lockwood Avenue, Belrose subject to the conditions in Annexure A.
- (3) The exhibits other than exhibits A, B, C, D and 1 be returned.

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P Clay

Acting Commissioner of the Court

[Annexure A \(442793,.pdf\)](#)

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Decision last updated: 08 November 2021