



northern
beaches
council

MINUTES

NORTHERN BEACHES LOCAL PLANNING PANEL MEETING

held via teleconference on

WEDNESDAY 6 OCTOBER 2021

Minutes of the Northern Beaches Local Planning Panel held on Wednesday 6 October 2021

The public meeting commenced at 12.00pm and concluded at 12.56pm.

The deliberations and determinations commenced immediately following the public meeting and concluded at 2.25pm.

ATTENDANCE:

Panel Members

David Crofts	Chair
Brian Kirk	Town Planner
Robert Hussey	Town Planner
Nick Lawther	Community Representative

The Panel have visited all sites personally, or electronically (due to COVID restrictions), and have had regard to the assessment report, all accompanying documentation, submissions from the public and any supplementary reports in determining all applications.

1.0 APOLOGIES AND DECLARATIONS OF INTEREST

Nil

2.0 MINUTES OF PREVIOUS MEETING

2.1 MINUTES OF NORTHERN BEACHES LOCAL PLANNING PANEL HELD 15 SEPTEMBER 2021

The Panel notes that the Minutes of the Northern Beaches Local Planning Panel held 15 September 2021, were adopted by the Chairperson and have been posted on the Council's website

3.0 PUBLIC MEETING ITEMS

3.1 PLANNING PROPOSAL - 159-167 DARLEY STREET WEST MONA VALE (PEX2021/0001)

PROCEEDINGS IN BRIEF

The proposal is to rezone properties 159-167 Darley Street West, Mona Vale from R2 Low Density Residential under PLEP 2014 to R3 Medium Density Residential.

At the public meeting which followed the Panel was addressed by four representatives of the applicant.

RECOMMENDATION OF PLANNING PANEL

That the Northern Beaches Local Planning Panel recommends that Council **not proceed with** the Planning Proposal for 159-167 Darley Street Mona Vale, and not forward it to the NSW Department of Planning, Industry and Environment for a Gateway determination for the reasons set out in the assessment report.

The Panel recommends that the site be included in the Mona Vale Centre Investigation Area and the appropriateness of clause 4.5A of the Pittwater LEP 2014 for the locality be reviewed as part of the Mona Vale Centre Investigation Area investigations.

The Panel agrees generally with the assessment report. The Panel considers this application is premature considering the strategic planning initiatives being undertaken.

Vote: 4/0

3.2 REV2021/0014 - 321-331 CONDAMINE STREET, MANLY VALE - REVIEW OF DETERMINATION OF APPLICATION DA2020/0824 FOR DEMOLITION WORKS AND CONSTRUCTION OF A SHOP TOP HOUSING DEVELOPMENT AND STRATA SUBDIVISION

PROCEEDINGS IN BRIEF

The proposal is for Review of Determination of Application DA2020/0824 for demolition works and construction of a shop top housing development and strata subdivision.

At the public meeting which followed the Panel was not addressed by any speakers.

DECISION ON EXCEPTIONS TO DEVELOPMENT STANDARDS

A. The Panel is not satisfied that:

- 1) the applicant's written request under clause 4.6 of the Warringah Local Environmental Plan 2011 seeking to justify a contravention of clause 4.3 Height of Buildings development standard has adequately addressed and demonstrated that:
 - a) compliance with the standards is unreasonable or unnecessary in the circumstances of the case; and
 - b) there are sufficient environmental planning grounds to justify the contraventions.
- 2) the proposed development will be in the public interest because it is consistent with the objectives of the standards and the objectives for development within the zone in which the development is proposed to be carried out.

DETERMINATION OF DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **confirms** the determination of Application DA2020/0824 following consideration of the amended proposal in REV2021/0014 for demolition works and construction of a shop top housing development and strata subdivision at Lot 20, 21, 22 & 25 DP 11320 & Lot 123 DP 737259, 321-331 Condamine Street, Manly Vale for the reasons for refusal set out in the Assessment Report.

REASONS FOR DETERMINATION:

The Panel agrees generally with the assessment report.

Vote: 4/0

4.0 NON PUBLIC MEETING ITEMS

4.1 DA2021/0139 - 2 CROSS STREET, BROOKVALE - DEMOLITION WORKS AND CONSTRUCTION OF A MIXED USE BUILDING ACCOMMODATING 17 SELF STORAGE UNITS AND 23 INDUSTRIAL UNITS INCLUDING CARPARKING AND LANDSCAPE WORKS

PROCEEDINGS IN BRIEF

The proposal is for demolition works and construction of a mixed use building accommodating 17 self storage units and 23 industrial units including carparking and landscape works.

At the public meeting which followed the Panel was addressed by one representative of the applicant.

DECISION ON EXCEPTIONS TO DEVELOPMENT STANDARDS

A. The Panel is not satisfied that:

- 1) the applicant's written request under clause 4.6 of the Warringah Local Environmental Plan 2011 seeking to justify a contravention of clause 4.3 Height of Buildings development standard has adequately addressed and demonstrated that:
 - a) compliance with the standards is unreasonable or unnecessary in the circumstances of the case; and
 - b) there are sufficient environmental planning grounds to justify the contraventions.
- 2) the proposed development will be in the public interest because it is consistent with the objectives of the standards and the objectives for development within the zone in which the development is proposed to be carried out.

DETERMINATION OF DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **refuses** Application No. DA2021/0139 for demolition works and construction of a mixed use building accommodating 17 self storage units and 23 industrial units including carparking and landscape works at Lot 100 DP 817162, 2 Cross Street, Brookvale for the reasons for refusal set out in the assessment report.

REASONS FOR DETERMINATION:

The Panel agrees generally with the assessment report.

The Panel were aware of foreshadowed amendments to the application. However, it appears that the amendments were not lodged formally via the Planning Portal. Further, in any case, Council officers would be unable to review the foreshadowed amendments once they have been formally lodged, and the Panel consider the officers' assessment, in a reasonable timeframe.

As a result the Panel considered the application and Council officers' assessment before them.

Vote: 4/0

4.2 DA2021/0957 - 108A ELIMATTA ROAD, MONA VALE - CONSTRUCTION OF A SWIMMING POOL

PROCEEDINGS IN BRIEF

The proposal is for construction of a swimming pool.

DETERMINATION OF DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2021/0957 for construction of a swimming pool at Lot C DP 417868, 108A Elimatta Road, Mona Vale subject to the conditions set out in the Assessment Report, subject to the following:

1. The addition of the following condition to read as follows:

13. Implementation of Site Assessment

In accordance with the Site Assessment report prepared by Top Gun Cranes and referenced in Condition 1 of this consent, surrounding neighbouring properties should not be affected during installation works nor should works impede on safe distances during crane travel.

Reason: To ensure consistency with the conditions of this consent

REASONS FOR DETERMINATION:

The Panel agrees generally with the assessment report and the above.

Vote: 4/0

**4.3 DA2021/1069 - 172A HUDSON PARADE, CLAREVILLE - CONSTRUCTION OF
COASTAL PROTECTION WORKS (SEAWALL AND LAND STABILISATION)**

PROCEEDINGS IN BRIEF

The proposal is for Coastal Protection works which consist of the construction of a new Seawall to replace a previously collapsed sea wall and provide slope stabilisation for the embankment adjoining the waterway.

DETERMINATION OF DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2021/1069 for construction of Coastal Protection Works (seawall and land stabilisation) at Part Lot 142 DP 13760, 172A Hudson Parade, Clareville subject to the conditions set out in the Assessment Report.

REASONS FOR DETERMINATION:

The Panel agrees generally with the assessment report.

Vote: 4/0

This is the final page of the Minutes comprising 8 pages
numbered 1 to 8 of the Northern Beaches Local Planning Panel meeting
held on Wednesday 6 October 2021.