



REZONING REVIEW RECORD OF DECISION

STRATEGIC PLANNING PANEL of the
SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	21 March 2025
DATE OF DECISION	19 March 2025
PANEL MEMBERS	Peter Debnam (Chair), Alice Spizzo, Juliet Grant, Graham Brown and Marcus Sainsbury
APOLOGIES	None
DECLARATIONS OF INTEREST	None

REZONING REVIEW

RR-2024-34 – Northern Beaches LGA – PP-2024-1593

29-31 Moore Rd and 64 Undercliff Rd, Freshwater (As described in Schedule 1).

Reason for Review:

- ☒ The council has notified the proponent that the request to prepare a planning proposal has not been supported.
- ☐ The council has failed to indicate its support 115 days after the proponent submitted a request to prepare a planning proposal.
- ☐ The council has not submitted the planning proposal for a Gateway determination within 28 days of indicating its support for the proposal.

PANEL CONSIDERATION AND DECISION

The Panel considered the material listed at item 4 and the matters raised and/or observed at briefings and site inspections listed at item 5 in Schedule 1.

Based on this review, the Panel recommends that the proposed instrument:

- ☒ **should** be submitted for a Gateway determination because the proposal has demonstrated strategic and site specific merit
- ☐ **should not** be submitted for a Gateway determination because the proposal has:
 - ☐ not demonstrated strategic merit
 - ☐ demonstrated strategic merit but not site specific merit

The decision was unanimous.

REASONS FOR THE DECISION

The Panel considered the documentation, was briefed by the Department of Planning, Housing and Infrastructure (Department), and heard from Northern Beaches Council (Council) and the proponent: Boston Blyth Fleming Town Planners (Planning Consultant) and Harbord Hotel Holdings (Proponent).

Strategic Merit

The Panel agreed that the planning proposal had Strategic Merit given that:

- The planning proposal is consistent with applicable strategic planning documents, particularly as they relate to the general objectives for housing. These include the Greater Sydney Region Plan: A Metropolis of Three Cities (GSRP), North District Plan, Northern Beaches Local Strategic Planning Statement – Beyond 2040 (LSPS), Destination Northern Beaches, NSW 2021: A Plan to Make NSW Number One, NSW Visitor Economy Strategy 2030, NSW 2040 Economic Blueprint, Sydney 24-

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hour Economy Strategy, relevant State Environmental Planning Policies (SEPPs) and Relevant Section 9.1 Ministerial Directions.

- There is an identified need for short term accommodation in the area. Increasing the supply of short term accommodation will support local business and tourism in the area.

Site Specific Merit

The Panel agreed that the planning proposal had Site Specific Merit given that:




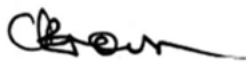

- the material provided and reviewed by the Department and the council staff in their reports (Date name) did not indicate there are site specific concerns that cannot be addressed through the planning proposal and Development Application process’.
- The Panel notes that preliminary concept plans are sympathetic to the current hotel surrounds and the intended compliance with the Warringah DCP.

Panel recommendations

The Panel recommends that the Planning Proposal is submitted to the Department for a Gateway determination.

Northern Beaches Council has resolved not to support the planning proposal, and thus are unable to accept the role of Planning Proposal Authority (PPA) for this planning proposal. In accordance with Section 3.32(1) of the *Environmental Planning and Assessment Act 1979*, the Planning Panel as delegate of the Minister for Planning has determined to appoint itself as the PPA for this planning proposal.

Should the proponent fail to pay the PPA fee by the designated date, then the Panel will no longer proceed with the planning proposal and the making of a local environmental plan amendment.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Alice Spizzo
 Juliet Grant	 Graham Brown
 Marcus Sainsbury	

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SCHEDULE 1		
1	PANEL REF – LGA – DEPARTMENT REF - ADDRESS	RR-2024-34 – Northern Beaches LGA – PP-2024-1593: <ul style="list-style-type: none"> 29 Moore Road, Freshwater (Lots 1-5, DP 7022); 64 Undercliff Road, Freshwater (Lot 6, DP 7022); and 31 Moore Road, Freshwater (Lot 13, DP 7022)
2	LEP TO BE AMENDED	Warringah Local Environmental Plan 2011
3	PROPOSED INSTRUMENT	<p>The proposal seeks to amend the Additional Permitted Uses Map of Warringah LEP 2011 to expand the existing “Area 14” to include land at 64 Undercliff Road, Freshwater and apply the additional permitted use of Hotel Accommodation across the whole site.</p> <p>The proposal also seeks to amend Clause 14 of Schedule 1 of Warringah LEP 2011 to:</p> <p>14 Use of certain land at Moore Road and Undercliff Road, Freshwater</p> <p><i>(1) This clause applies to the following land identified as “Area 14” on the Additional Permitted Uses Map:</i></p> <ul style="list-style-type: none"> <i>a. 29 Moore Road, Freshwater, being Lots 1–5, Section 1, DP 7022</i> <i>b. 31 Moore Road, Freshwater, being Lot 13, Section 1, DP 7022, and</i> <i>c. 64 Undercliff Road, Freshwater, being Lot 6, Section 1, DP7022.</i> <p><i>(2) Development for the purposes of pubs and hotel accommodation is permitted with consent.</i></p>
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Rezoning review request documentation Department of Planning, Housing and Infrastructure, Rezoning Review Briefing Report, 5 March 2025 Slide presentations from DPHI, 17 March 2025
5	SITE INSPECTIONS AND BRIEFINGS BY THE PANEL	<ul style="list-style-type: none"> Site inspection with Department of Planning, Housing and Infrastructure (DPHI): 9:35am – 9:49am, 19 March 2025 <ul style="list-style-type: none"> Panel members in attendance: Peter Debnam (Chair), Alice Spizzo, Juliet Grant and Graham Brown DPHI staff in attendance: Murray Jay, Ayva Hamed, Angela Hynes and Adam Williams Key issues discussed: <ul style="list-style-type: none"> Council’s resolution relating to staff and LPP recommendation Visual impacts Site specific considerations Local character Community interest Briefing with Department of Planning, Housing and Infrastructure (DPHI): 1:33pm – 1:49pm, 19 March 2025 <ul style="list-style-type: none"> Panel members in attendance: Peter Debnam (Chair), Alice Spizzo, Juliet Grant, Graham Brown and Marcus Sainsbury

		<ul style="list-style-type: none"> ○ DPHI staff in attendance: Louise McMahon, Murray Jay, Alex Galea, Ayva Hamed, Angela Hynes, James Shelton, Adam Williams and Taylah Fenning ○ Key issues discussed: <ul style="list-style-type: none"> • Overview of the site and proposal • Traffic generation • Noise impacts • Various site-specific issues • DCP considerations ● Briefing with Northern Beaches Council and Blyth Fleming Planners (Planning Consultant) and Harbord Hotel Holdings (Proponent): 3:02pm – 3:15pm, 19 March 2025 <ul style="list-style-type: none"> ○ Panel members in attendance: Peter Debnam (Chair), Alice Spizzo, Juliet Grant, Graham Brown and Marcus Sainsbury ○ DPHI staff in attendance: Louise McMahon, Murray Jay, Alex Galea, Ayva Hamed, Angela Hynes, James Shelton, Adam Williams and Taylah Fenning ○ Council representatives in attendance: Malcom McDonald, Liza Cordoba, and Rebecca Sio ○ Proponent representatives in attendance: Greg Boston and Greg Flynn ○ Key issues discussed: <ul style="list-style-type: none"> • History of Council consultation and amendments to the planning proposal • Carpark operational issues and mitigation plans • Nearby short term accommodation • Development of concept scheme • Current construction and community feedback ● Panel Discussion: 3:15pm – 3:21pm, 19 March 2025 <ul style="list-style-type: none"> ○ Panel members in attendance: Peter Debnam (Chair), Alice Spizzo, Juliet Grant, Graham Brown and Marcus Sainsbury ○ DPHI staff in attendance: Louise McMahon, Murray Jay, Alex Galea, Ayva Hamed, Angela Hynes, James Shelton, Adam Williams and Taylah Fenning
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