

# **MINUTES**

## **NORTHERN BEACHES LOCAL PLANNING PANEL MEETING**

held via Teleconference on

**WEDNESDAY 6 AUGUST 2025**

## **Minutes of the Northern Beaches Local Planning Panel held on Wednesday 6 August 2025**

The public meeting commenced at 12.00pm and concluded at 12.20pm.

The deliberations and determinations commenced immediately following the public meeting and concluded at 1.15pm.

### **ATTENDANCE:**

#### **Panel Members**

David Crofts	Chair
Oliver Klein	Town Planner
Michael Leavey	Planning & Government & Public Administration
Philip Young	Community Representative

The Panel have visited all sites personally, or electronically, 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**

No Apologies.

In accordance with Section 4.9 of the NSW Government Code of Conduct for Local Government Planning Panels, all members have signed a declaration of interest in relation to each item on the agenda. No conflicts of interest were disclosed except:

Item 4.2 – Michael Leavey declared a conflict of interest in this matter and did not participate in the hearing, deliberation and determination.

## **2.0 MINUTES OF PREVIOUS MEETING**

### **2.1 MINUTES OF THE NORTHERN BEACHES LOCAL PLANNING PANEL MEETING HELD ON 16 JULY 2025**

The Panel notes that the minutes of the Northern Beaches Local Planning Panel Meeting held on 16 July 2025, were adopted by the Chairperson and have been posted on the Council's website.

## **3.0 CATEGORY 3 APPLICATIONS**

Nil

## 4.0 PUBLIC MEETING ITEMS

### 4.1 DA2025/0178 - 11 PLATEAU ROAD, AVALON BEACH - CONSTRUCTION OF ACCESS STAIRS, RETAINING WALLS AND ASSOCIATED LANDSCAPING WORKS

The Proposal is for construction of access stairs, retaining walls and associated landscaping works.

At the public meeting the Panel was addressed by 1 representative of the applicant.

#### DETERMINATION OF DEVELOPMENT APPLICATION

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2025/0178 for construction of access stairs, retaining walls and associated landscaping works at Lot 150 DP 16902, 11 Plateau Road, Avalon Beach subject to the conditions set out in the Assessment Report and the following:

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

#### **2. Roads Act Approval**

Separate approval must be obtained for all works shown to take place within the adjacent road reserve by way of a Section 138 Application under the *Roads Act 1993*, made to the appropriate authority. This approval must be obtained prior to the issue of the Construction Certificate for the works subject to this consent.

Reason: Statutory requirement (*Roads Act 1993* Section 138) and to maintain the integrity of Council's infrastructure.

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

#### **External Finishes**

The timber stairs and screen to the bin store are to be finished with natural timber. The masonry wall is to be clad with sandstone finish.

Details demonstrating compliance are to be submitted to the Certifier prior to the issue of the Construction Certificate.

Reason: To ensure appropriate finishes are provided with the development.

#### REASONS FOR DETERMINATION

The Panel agrees generally with the Assessment Report.

Vote: 4/0

#### 4.2 DA2025/0173 - 140-142 OCEAN STREET, NARRABEEN - DEMOLITION WORKS AND CONSTRUCTION OF A RESIDENTIAL FLAT BUILDING

The Proposal is for demolition works and construction of a residential flat building.

At the public meeting the Panel was addressed by 1 neighbour and 2 representatives of the applicant.

#### DECISION ON EXCEPTIONS TO DEVELOPMENT STANDARDS

A. The Panel is 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.

#### DETERMINATION OF DEVELOPMENT APPLICATION

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2025/0173 for demolition works and construction of a residential flat building at Lot 12 & 13 DP 111254 & 606591, 140-142 Ocean Street, Narrabeen subject to the conditions set out in the Assessment Report and the following:

1. The amendment of the following conditions to read as follows:

##### **25. Amendments to approved plans**

The following amendments are to be made to the approved plans:

- The new side boundary fencing along the northern and southern side boundaries is not consented to and must be deleted from the construction plans.
- The non-identified square located on roof terrace for apartment 11 is to be removed from the plans. No approval is given to any rooftop pools or spas

Details demonstrating compliance are to be submitted to the Certifier prior to the issue of the Construction Certificate.

Reason: To require amendments to the plans endorsed by the consent authority following assessment of the development.

##### **90. Mechanical Plant Noise**

Any mechanical plant shall not produce noise levels that exceed 5dBA above the background noise when measured from the nearest property boundary or any habitable rooms within the development.

Reason: To ensure that the development does not impact on the acoustic privacy of surrounding residential properties.

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

**Restrictions on Noise**

Noise levels from the use of rooftop balconies and terraces shall not exceed 5dB(A) above the background noise level (L90, 15 min) measured at the boundary of the nearest residential receiver. Furthermore, there is to be no amplified sound (eg. music) on the rooftop balconies and terraces.

Reason: To ensure the appropriate acoustic amenity for neighbouring properties.

**REASONS FOR DETERMINATION**

The Panel agrees generally with the Assessment Report.

Vote: 3/0

## 5.0 NON PUBLIC MEETING ITEMS

### 5.1 DA2024/1684 - 638 PITTWATER ROAD, BROOKVALE - ALTERATIONS AND ADDITIONS TO A SHOP TOP HOUSING DEVELOPMENT APPROVED UNDER DEVELOPMENT CONSENT DA2019/0239

The Proposal is for alterations and additions to a shop top housing development approved under development consent DA2019/0239.

#### DECISION ON EXCEPTIONS TO DEVELOPMENT STANDARDS

A. The Panel is 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.

#### DETERMINATION OF DEVELOPMENT APPLICATION

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2024/1684 for alterations and additions to a shop top housing development approved under Development Consent DA2019/0239 at Lot 1 DP 1001963, 638 Pittwater Road, Brookvale subject to the conditions set out in the Assessment Report and the following:

1. The amendment of the Terms and Reasons for Conditions to read as follows:

##### **Terms and Reasons for Conditions**

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under sections 4.17(1)(b) & (5) and 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

#### REASONS FOR DETERMINATION

The Panel agrees generally with the Assessment Report.

Vote: 4/0

## 5.2 DA2024/1422 - 27 WIMBLEDON AVENUE, NORTH NARRABEEN - DEMOLITION WORKS AND CONSTRUCTION OF A DWELLING HOUSE INCLUDING SWIMMING POOL

The Proposal is for demolition works and construction of a dwelling house including swimming pool.

### DECISION ON EXCEPTIONS TO DEVELOPMENT STANDARDS

A. The Panel is satisfied that:

- 1) the applicant's written request under clause 4.6 of the Pittwater Local Environmental Plan 2014 seeking to justify a contravention of clause 7.8 Limited development on foreshore area 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.

### DETERMINATION OF DEVELOPMENT APPLICATION

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2024/1422 for demolition works and construction of a dwelling house including swimming pool at Lot 15 DP 14491, 27 Wimbledon Avenue, North Narrabeen subject to the conditions set out in the Assessment Report.

1. The amendment of the following conditions to read as follows:

#### 1. Approved Plans and Supporting Documentation

Development must be carried out in accordance with the following approved plans (stamped by Council) and supporting documentation, except where the conditions of this consent expressly require otherwise.

Approved Plans				
Plan Number	Revision Number	Plan Title	Drawn By	Date of Plan
DA04	A	Site/ Roof/ Sediment Control / Waste/ SW Concept Plan	Action Plans	23/09/2024
DA05	A	Existing Ground Floor Plan - Demolition	Action Plans	23/09/2024
DA06	A	Proposed Ground Floor Plan	Action Plans	23/09/2024
DA07	A	Proposed First Floor Plan	Action Plans	23/09/2024
DA08	A	North/ East Elevation	Action Plans	31/07/2024
DA09	A	South/ West Elevation	Action Plans	31/07/2024
DA10	A	Long/ Cross Section	Action Plans	31/07/2024
DA11	A	Long/ Cross Section	Action Plans	31/07/2024
DA16	A	Sample Board	Action Plans	31/07/2024



Approved Reports and Documentation			
Document Title	Version Number	Prepared By	Date of Document
Geotechnical Assessment	AG 24382	Ascent Geo	23 September 2024
BASIX Certificate	1763913S	BASIX	11 September 2024
Flood Risk Management Report	240810	Barrenjoey Consulting Engineers Pty Ltd	September 2024
Waste Management Plan	-	Applicant	17/10/2024

In the event of any inconsistency between the approved plans, reports and documentation, the approved plans prevail.

In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

## 8. Amended Landscape Plan

a) Amended Landscape Plan(s) shall be issued to the Certifier prior to the issue of a

Construction Certificate to include the following details:

i) two native trees shall be installed within the property boundary, one in the front setback and one in the rear setback, to achieve at least 6 metres height at maturity; generally selected from Northern Beaches Council's Native Planting Guide, or Council's Tree Guide; located at least 3.0 metres from buildings and other trees or more, and at least 1.5 metres from common boundaries; and be nominated 75 litre pot size,

ii) include plant species, locations and quantities for the green roof suited to the proposed soil depth of 300mm,

iii) the Viburnum hedge, along the front boundary, shall consist of at least 8 plants at 800mm centres to be installed at 200mm pot size.

iv) additional landscaping as a result of the deck being setback an additional 3m (as per condition 24)

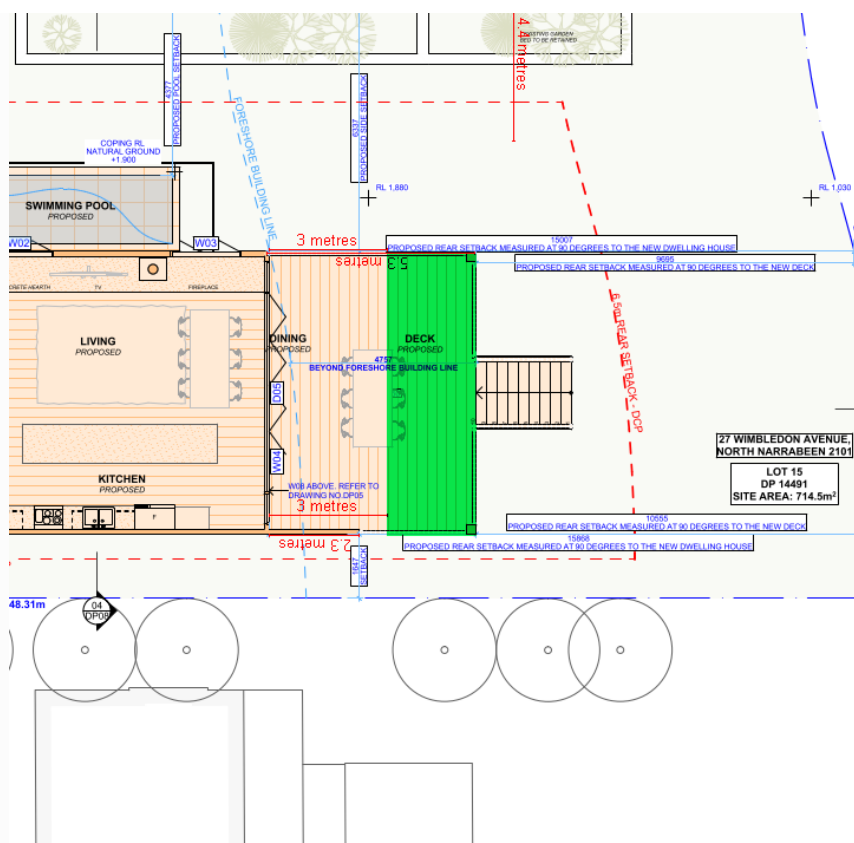
b) Certification shall be submitted to the Certifier that these amendments have been documented.

Reason: Landscape amenity.

## 24. Amendments to the approved plans

The following amendments are to be made to the approved plans:

- The depth of the deck is to be reduced in depth to be 3m (as shown below). The proposed roof and stairs are to be also to be redesigned (reduced back) accordingly.
- Additional landscaping as a result of the reduced depth of the deck.



Details demonstrating compliance are to be submitted to the Certifier prior to the issue of the Construction Certificate.

Reason: To require amendments to the plans endorsed by the consent authority following assessment of the development.

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

### Lowering of Garage Floor Level

The floor proposed garage is to be lowered by 400mm (to be RL3.15) and internal access to the remainder of the dwelling (RL3.55) be redesigned to accommodate the resultant difference in floor levels. Amendments to be considered to the detailing of the facade of the garage to maintain the relationship and proportionality of the architectural elements of the front elevation of the building in response to the lower garage floor occurring with no change to the ridge height (RL 7.586), side fascia height (RL 6.449/6.446), pitch, and design of the roof of the garage.

Details are to be provided and approved by Council's Executive Manager of Development Assessment prior to the issue of a Construction Certificate.

Reason: To ensure an appropriate gradient for the driveway without requiring fill in the road reserve, and to maintain the external architectural integrity of the dwelling.

## REASONS FOR DETERMINATION

The Panel agrees generally with the Assessment Report.

Vote: 4/0

**MINUTES OF NORTHERN BEACHES LOCAL PLANNING PANEL MEETING - 6 AUGUST 2025**

This is the final page of the Minutes comprising 11 pages  
numbered 1 to 11 of the Northern Beaches Local Planning Panel meeting  
held on Wednesday 6 August 2025.