



northern  
beaches  
council

# **MINUTES**

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

held via Teleconference on

**WEDNESDAY 6 NOVEMBER 2024**

## **Minutes of the Northern Beaches Local Planning Panel held on Wednesday 6 November 2024**

The public meeting commenced at 12.07pm and concluded at 12.54pm.

The deliberations and determinations commenced at 1.10pm following the public meeting and concluded at 2.04pm.

### **ATTENDANCE:**

#### **Panel Members**

Marcia Doheny	Chair
Mary-Lynne Taylor	Law
Sue Weatherley	Planning & Government & Public Administration
Susan Denham	Community Representative

The Panel has 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 declared except:

Item 4.3 – Mary-Lynne Taylor declared a conflict of interest in this matter and did not participate in the hearing, deliberation or determination.

## **2.0 MINUTES OF PREVIOUS MEETING**

### **2.1 MINUTES OF THE NORTHERN BEACHES LOCAL PLANNING PANEL MEETING HELD ON 16 OCTOBER 2024**

The Panel noted that the minutes of the Northern Beaches Local Planning Panel Meeting held on 16 October 2024, 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 DA2024/0303 - 337 LOWER PLATEAU ROAD, BILGOLA PLATEAU - DEMOLITION OF EXISTING STRUCTURES, REMOVAL OF TREES AND SUBDIVISION OF ONE LOT INTO THREE LOTS.

#### PROCEEDINGS IN BRIEF

The Proposal is for demolition of existing structures, removal of trees and subdivision of one lot into three lots.

At the public meeting, the Panel was addressed by 1 neighbour and 3 representatives of the applicant.

The Panel received a Supplementary Memo from Council dated 5 November 2024.

#### DETERMINATION OF DEVELOPMENT APPLICATION

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **refuses** Application No. DA2024/0303 for demolition of existing structures, removal of trees and subdivision of one lot into three lots at Lot 5 DP 222134, 337 Lower Plateau Road, Bilgola Plateau for the reasons for refusal set out in the Assessment Report and Supplementary Memo.

#### REASONS FOR DETERMINATION

The Panel agrees generally with the Assessment Report and Supplementary Memo.

Vote: 4/4

**4.2 DA2023/0815 - 137A WOODLAND STREET & 2 NIELD AVENUE BALGOWLAH - DEMOLITION WORKS AND CONSTRUCTION OF MULTI DWELLING HOUSING.**

**PROCEEDINGS IN BRIEF**

The Proposal is for demolition works and construction of multi dwelling housing.

At the public meeting, the Panel was addressed by 1 neighbour on behalf of 4 neighbours and 1 representative of the applicant.

The Panel received a late submission dated 1 November 2024.

**DETERMINATION OF DEVELOPMENT APPLICATION**

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **refuses** Application No. DA2023/0815 for demolition works and construction of multi dwelling housing at Lot CP SP 810, 2 Nield Avenue & Lot 14 DP 31047, 137A Woodland Street, Balgowlah, for the reasons for refusal set out in the Assessment Report, subject to the following:

1. The amendment of the following reason for refusal is to read as follows:

1. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with the provisions of Clause 4.6 Exceptions to Development Standards of the Manly Local Environmental Plan 2013. The proposed development is of excessive size, mass, bulk and scale.

Particulars:

a) Council is not satisfied that the applicant's variation request under Clause 4.6 of PLEP 2014 seeking to justify a contravention of Clause 4.4 Floor Space Ratio:

i. has adequately demonstrated that compliance with the standards is unreasonable or unnecessary,

ii. that there are sufficient environmental planning grounds to justify the contravention

iii. that the proposed development will be in the public interest.

2. The addition of the following reason for refusal is to read as follows:

Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with the provisions of Clause 4.6 Exceptions to Development Standards of the Manly Local Environmental Plan 2013. The proposed development is of excessive size, mass, bulk and scale.

Particulars:

The proposal is not supported by a written request to vary the height of buildings development standard in accordance with Clause 4.6 of the MLEP 2013 and as such cannot be supported.

REASONS FOR DETERMINATION

The Panel agrees generally with the Assessment Report.

Vote: 4/4

**4.3 DA2024/0984 - 75 THE CORSO, MANLY - ALTERATIONS AND ADDITIONS TO THE EXISTING PUB (HOTEL STEYNE).**

**PROCEEDINGS IN BRIEF**

The Proposal is for alterations and additions to the existing pub (Hotel Steyne).

At the public meeting which followed the Panel was addressed by 0 neighbours and 1 representative of the applicant.

The Panel received a late submission dated 5 November 2024 and a Supplementary Memo from Council dated 6 November 2024.

**DECISION ON EXCEPTIONS TO DEVELOPMENT STANDARDS**

A. The Panel is satisfied that:

- 1) the applicant's written request under clause 4.6 of the Manly Local Environmental Plan 2013 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.

B. The Panel assumes the concurrence of the Secretary, Department Planning and Environment required under clause 4.6.

**DETERMINATION OF DEVELOPMENT APPLICATION**

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2024/0984 for alterations and additions to the existing pub (Hotel Steyne) at Lot 1 DP 1280856, 42 North Steyne, Manly & Lot 100, 101 & 102 DP 1069144 75 The Corso, Manly subject to the conditions set out in the Assessment Report.

**REASONS FOR DETERMINATION**

The Panel agrees generally with the Assessment Report. The Panel does not support the recommendation in the Supplementary Memo to insert a new condition, as the consent authority does not have jurisdiction to amend a liquor licence.

Vote: 3/3

**4.4 DA2024/0723 - LOT 225/ ABBOTT ROAD, NORTH CURL CURL - CONSTRUCTION OF ILLUMINATED SIGNAGE.**

**PROCEEDINGS IN BRIEF**

The Proposal is for construction of an illuminated scoreboard.

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

**DETERMINATION OF DEVELOPMENT APPLICATION**

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2024/0723 for construction of an illuminated scoreboard at Lot 225, 226, 228, 229, 230 DP 752038, 225 Abbott Road, North Curl Curl subject to the conditions set out in the Assessment Report.

**REASONS FOR DETERMINATION**

The Panel agrees generally with the Assessment Report.

Vote: 4/4

## 5.0 NON PUBLIC MEETING ITEMS

### 5.1 MOD2024/0402 - 8 COASTVIEW PLACE, FRESHWATER - MODIFICATION OF DEVELOPMENT CONSENT DA2019/0093 GRANTED FOR ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE INCLUDING A SWIMMING POOL AND CONVERSION OF EXISTING GARAGE INTO DETACHED STUDIO.

#### PROCEEDINGS IN BRIEF

The Proposal is for Modification of Development Consent DA2019/0093 granted for alterations and additions to a dwelling house including a swimming pool and conversion of existing garage into detached studio.

The Panel received two late submissions dated 4 November 2024.

#### 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 standard is unreasonable or unnecessary in the circumstances of the case; and
  - b) there are sufficient environmental planning grounds to justify the contravention.

B. The Panel assumes the concurrence of the Secretary, Department Planning and Environment required under Clause 4.6.

#### DETERMINATION OF DEVELOPMENT APPLICATION

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. Mod2024/0402 for Modification of Development Consent DA2019/0093 granted for alterations and additions to a dwelling house including a swimming pool and conversion of existing garage into detached studio at Lot 202 DP 1126065, 8 Coastview Place, Freshwater subject to the conditions set out in the Assessment Report.

#### REASONS FOR DETERMINATION

The Panel agrees generally with the Assessment Report.

Vote: 4/4

**5.2 DA2023/1821 - 106 FRENCHS FOREST ROAD WEST, FRENCHS FOREST - CONSTRUCTION OF A RESIDENTIAL FLAT BUILDING.**

**PROCEEDINGS IN BRIEF**

The Proposal is for demolition works and construction of a Residential Flat Building.

**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 standard is unreasonable or unnecessary in the circumstances of the case; and
  - b) there are sufficient environmental planning grounds to justify the contravention.

B. The Panel assumes the concurrence of the Secretary, Department Planning and Environment required under Clause 4.6.

**DETERMINATION OF DEVELOPMENT APPLICATION**

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2023/1821 for demolition works and construction of a Residential Flat Building at Lot 12 DP 524792, 106 Frenchs Forest Road West, Frenchs Forest subject to the conditions set out in the Assessment Report.

**REASONS FOR DETERMINATION**

The Panel agrees generally with the Assessment Report.

**COMMENT**

The Panel notes that there are only two charging points proposed for electric vehicles and encourages consideration of providing infrastructure for additional charging capacity in the future.

Vote: 4/4

**5.3 DA2024/1041 - 51 MONA VALE ROAD, MONA VALE - STRATA SUBDIVISION OF ONE (1) LOT INTO TWO (2) LOTS.**

**PROCEEDINGS IN BRIEF**

The Proposal is for strata subdivision of one (1) Lot into two (2) Lots.

**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 Environment Plan 2014 seeking to justify a contravention of Clause 4.2A Minimum Subdivision Lot Size development standard has adequately addressed and demonstrated that:
  - a) compliance with the standard is unreasonable or unnecessary in the circumstances of the case; and
  - b) there are sufficient environmental planning grounds to justify the contravention.

B. The Panel assumes the concurrence of the Secretary, Department Planning and Environment required under Clause 4.6.

**DETERMINATION OF DEVELOPMENT APPLICATION**

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2024/1041 for strata subdivision of one (1) Lot into two (2) Lots at Lot 3 DP 523694, 51 Mona Vale Road, Mona Vale subject to the conditions set out in the Assessment Report.

**REASONS FOR DETERMINATION**

The Panel agrees generally with the Assessment Report.

Vote: 4/4

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 November 2024.