



northern  
beaches  
council

# **MINUTES**

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

held via Teleconference on

**WEDNESDAY 19 JUNE 2024**

## **Minutes of the Northern Beaches Local Planning Panel held on Wednesday 19 June 2024**

The public meeting commenced at 12.04pm and concluded at 12:10pm.

The deliberations and determinations commenced immediately following the public meeting and concluded at 2:30pm.

### **ATTENDANCE:**

#### **Panel Members**

David Crofts	Chair
Kara Krason	Town Planner
Oliver Klein	Town Planner
Phillip 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.*

Oliver Klein did not participate in any discussion, deliberations or the determination of Agenda Item 5.2 REV2024.0012 - 207-217 Pittwater Road MANLY because he was a member of the Panel that refused the proposed development and therefore could not participate in the review of the previous determination of this DA.

## **2.0 MINUTES OF PREVIOUS MEETING**

### **2.1 MINUTES OF NORTHERN BEACHES LOCAL PLANNING PANEL HELD ON 5 JUNE 2024**

The Panel noted that the minutes of the Northern Beaches Local Planning Panel held on 5 June 2024, were adopted by the Chairperson and have been posted on the Council's website.

### **3.0 CATEGORY 3 APPLICATIONS**

#### **3.1 DA2023/0714 - 212 FOREST WAY, BELROSE - ALTERATIONS AND ADDITIONS TO AN EDUCATIONAL ESTABLISHMENT**

##### **DISCUSSION**

This Proposal is for demolition works and alterations and additions to the Covenant Christian School.

The Panel notes that additional information is to be provided in relation to engineering details of stormwater management but is satisfied that subject to detail stormwater management can be satisfactorily managed. It is understood this detail is to be provided by the applicant to Council for its assessment and recommendation prior to the matter being considered by the Sydney North Planning Panel.

##### **DESIRED FUTURE CHARACTER**

The Panel agrees with the Assessment Report that the proposed development will be consistent with the Desired Future Character of the C8 Belrose North Locality under the Warringah Local Environment Plan 2000.

##### **RECOMMENDATION**

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council, recommends to the Sydney North Planning Panel approval of Application No. DA2023/0714 for alterations and additions to an educational establishment at Lot 101 DP1159742, Lot 1 & 2 DP725754 No.212 Forest Way, Belrose having regard to the Assessment Report, draft conditions, and the above note regarding stormwater management detail.

##### **REASONS FOR DETERMINATION**

The Panel agrees generally with the Assessment Report.

Vote 4/0

## 4.0 PUBLIC MEETING ITEMS

### 4.1 DA2024/0013 - 219 - 227 OCEAN STREET NARRABEEN - ALTERATIONS AND ADDITIONS TO AN EXISTING COMMUNITY FACILITY (NORTH NARRABEEN SURF LIFE SAVING CLUB)

#### PROCEEDINGS IN BRIEF

The proposal is for alterations and additions to an existing community facility (North Narrabeen Surf Life Saving Club)

At the public meeting which followed the Panel was addressed by 0 neighbours and 0 representatives 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. DA2024/0013 for alterations and additions to an existing community facility (North Narrabeen Surf Life Saving Club) at Lot B DP 376822, Lot 1 DP 339162, Lot 2 DP 339162, Lot 6 DP 5768, Lot 8 DP 5768, 219 - 227 Ocean Street NARRABEEN subject to the conditions set out in the Assessment Report.

#### REASONS FOR DETERMINATION

The Panel agrees generally with the Assessment Report.

Vote 4/0

## 5.0 NON PUBLIC MEETING ITEMS

### 5.1 DA2024/0091 - 45 BOYLE STREET BALGOWLAH - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE INCLUDING A SWIMMING POOL

#### PROCEEDINGS IN BRIEF

This Proposal is for alterations and additions to a dwelling house including a swimming pool.

The Panel received late submissions dated 17 June 2024 and a Supplementary Memo from Council dated 17 June 2024.

#### DEFERRAL FOR FURTHER CONSIDERATION OF DEVELOPMENT APPLICATION

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **defers** Application No. DA2024/0091 for Alterations and additions to a dwelling house including a swimming pool at Lot 1 DP 175524, 45 Boyle Street BALGOWLAH, to give the applicant the opportunity to submit to Council by 5 July 2024 the following:

- a) Information regarding the status of the sewer tunnel at the rear of the property and its implications for the proposed development.
- b) Information regarding the legal status and restrictions relating to the easement for water and sewerage (A566646) and its implications for the proposed development.

If the requested information is not received by the date above, the Panel may proceed to determine the application on the material before it. The Chair will have the discretion to extend the above date if reasonable grounds are provided by the applicant.

Following receipt of this information, the Panel will determine the application electronically.

Notwithstanding the above, the Panel is of the view that the recommended conditions of consent are satisfactory subject to:

- A. The addition of the following condition ‘Section 73 Compliance Certificate- Sydney Water’ under ‘CONDITIONS - PRIOR TO OCCUPATION CERTIFICATE’ to read as follows**

#### **Section 73 Compliance Certificate- Sydney Water**

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site [www.sydneywater.com.au](http://www.sydneywater.com.au) <<http://www.sydneywater.com.au>> then refer to “Water Servicing Coordinator” under “Developing Your Land” or telephone 13 20 92 for assistance.

Following application a “Notice of Requirements” will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of an Occupation Certificate.

Reason: To ensure compliance with the statutory requirements of Sydney Water.

- B. The addition of the following condition ‘Sydney Water “Tap In’ under - ‘PRIOR TO CONSTRUCTION CERTIFICATE’ to read as follows:**

### **Sydney Water "Tap In"**

The approved plans must be submitted to the Sydney Water Tap in service, prior to works commencing, to determine whether the development will affect any Sydney Water assets and/or easements. The appropriately stamped plans must then be submitted to the Certifier demonstrating the works are in compliance with Sydney Water requirements.

Please refer to the website [www.sydneywater.com.au](http://www.sydneywater.com.au) for:

"Tap in" details - see <http://www.sydneywater.com.au/tapin>

Guidelines for Building Over/Adjacent to Sydney Water Assets.

Or telephone 13 000 TAP IN (1300 082 746).

Reason: To ensure compliance with the statutory requirements of Sydney Water.

### **REASONS FOR DEFERRAL**

The Panel's preliminary view is that the proposed design has merit however this is conditional on the applicant satisfactorily clarifying the implications for the proposed development of existing sewer infrastructure and an easement.

The Panel agrees generally with the Assessment Report, and Supplementary Memo, subject to the above.

Vote 4/0

**5.2 REV2024/0012 - 207 - 217 PITTWATER ROAD MANLY - REVIEW OF DETERMINATION OF APPLICATION DA2023/0386 FOR ALTERATIONS AND ADDITIONS TO THE SERVICE STATION INCLUDING AN AUTOMATIC CAR WASH FACILITY, EXTENSION OF THE SALES AREA, A LAUNDROMAT AND SIGNAGE**

**PROCEEDINGS IN BRIEF**

This Proposal is for review of Determination of Application DA2023/0386 for Alterations and additions to the service station including an automatic car wash facility, extension of the sales area, a laundromat and signage.

The Panel received a late submission dated 13 June 2024 and a Supplementary Memo from Council dated 17 June 2024.

**DETERMINATION OF REVIEW APPLICATION**

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. REV2024/0012 for Review of Determination of Application DA2023/0386 for alterations and additions to the service station including an extension of the sales area, a laundromat and signage at Lot 1 DP 829523, 207 - 217 Pittwater Road MANLY subject to the conditions set out in the Assessment Report, subject to the following:

**A. The amendment of Condition 19 'Hours of operation' under 'ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES' to read as follows:**

**19. Hours of Operation**

The hours of operation for the service station and laundromat are to be restricted to:

- Monday to Friday – 6am to 11pm
- Saturday, Sunday and Public Holidays – 7am to 11pm

The hours of operation for the existing carwash and vacuum facilities:

- Monday to Friday – 7am to 8pm
- Saturday – 8am to 8pm
- Sunday and Public Holidays – 8:30am to 8pm.

Upon expiration of the permitted hours, all service shall immediately cease, no customers shall be permitted entry and all customers on the premises shall be required to leave within the following 30 minutes.

Reason: To ensure that amenity of the surrounding locality is maintained.

**B. The addition of the following condition 'Waste Collection' under 'ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES' to read as follows:**

**20. Waste Collection**

Waste collection from the premises shall not occur between the hours of 10pm and 7am Monday to Sunday, without the prior approval of Council.

Reason: To ensure that amenity of the surrounding locality is maintained.

**C. The addition of the following condition 'Delivery of Goods and Fuels' under 'ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES' to read as follows:**

**21. Delivery of Goods and Fuels**

Deliveries of goods to the premises including fuel shall not occur between 10pm and 7am.

Reason: To ensure that amenity of the surrounding locality is maintained.



**REASONS FOR DETERMINATION**

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

Vote 3/0

**5.3 DA2023/1371 - 8 ROGER STREET BROOKVALE - DEMOLITION WORK AND CONSTRUCTION OF SHOP TOP HOUSING**

**PROCEEDINGS IN BRIEF**

This Proposal is for demolition work and construction of Shop Top Housing.

The Panel received a Supplementary Memo from Council dated 18 June 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.
- 2) The proposed development will be in the public interest because it is consistent with the objectives of the standard and the objectives for development within the zone in which the development is proposed to be carried out.

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

**DETERMINATION OF DEVELOPMENT APPLICATION**

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2023/1371 for demolition work and construction of Shop Top Housing at Lot 1 DP 307134, 8 Roger Street BROOKVALE, subject to the conditions set out in the Assessment Report.

**REASONS FOR DETERMINATION**

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

Vote 4/0

This is the final page of the Minutes comprising 10 pages numbered 1 to 10 of the Northern Beaches Local Planning Panel meeting held on Wednesday 19 June 2024.