

**RECORD OF DEFERRAL
Decision Review Panel of the
SYDNEY NORTH PLANNING PANEL**

DATE OF DETERMINATION	23 May 2023
DATE OF PANEL DECISION	23 May 2023
DATE OF PANEL MEETING	16 May 2023
PANEL MEMBERS	Susan Francis – Chair, Alice Spizzo, Pamela Dean-Jones
APOLOGIES	None
DECLARATIONS OF INTEREST	Peter Debnam, Douglas Lord, Hannah Power, Graham Brown, Annelise Tuor, Greg Britton, Bruce Thom, Angus Gordon.

Public meeting held by Public Teleconference on 16 May 2023, opened at 12.30pm and closed at 1.50pm. Papers circulated electronically on 14 March 2023.

MATTER DEFERRED

PPSSNH-351 - REV2022/0024, Lot 7094 DP 1059297, 394 Barrenjoey Road NEWPORT, Lot 1 DP 1139445, 394 Barrenjoey Road NEWPORT, Review of Determination of Application DA2021/2173 for alterations and additions and coastal protection works to Newport Surf Life Saving Club (as described in Schedule 1).

BACKGROUND

The original application was refused by the Sydney North Planning Panel at the Panel meeting on 05 October 2022. The Panel members were Peter Debnam – Chair, Douglas Lord, Graham Brown, Annelise Tuor. Following this meeting, on 29 November 2022, the applicant lodged the current application pursuant to Section 8.2 of the Environmental Planning and Assessment Act 1979 for the review of the Sydney North Planning Panel’s determination of refusal for DA2021/2173.

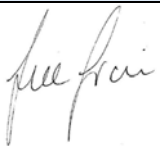


REASONS FOR DEFERRAL

The Panel heard from members of the community, Applicant team and Independent Assessor during the public meeting. Key issues were outlined and considered at length.

The Panel decided to defer the determination to enable further consideration of complex statutory and policy requirements relating this matter and to ensure that an informed decision can be made.

When the Panel has considered these requirements, the Panel will determine the matter electronically.

The Panel’s decision to defer the matter was unanimous. The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution

PANEL MEMBERS	
 Susan Francis (Chair)	 Alice Spizzo
 Pamela Dean-Jones	

SCHEDULE 1

1	PANEL REF – LGA – DA NO.	PPSSNH-351 - REV2022/0024, Northern Beaches
2	PROPOSED DEVELOPMENT	Review of Determination of Application DA2021/2173 for alterations and additions and coastal protection works to Newport Surf Life Saving Club
3	STREET ADDRESS	Lot 7094 DP 1059297, 394 Barrenjoey Road NEWPORT, Lot 1 DP 1139445, 394 Barrenjoey Road NEWPORT
4	APPLICANT/OWNER	Northern Beaches Council NSW Government – Department of Industry and Lands
5	TYPE OF REGIONAL DEVELOPMENT	Council related development with a CIV over \$5million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (Resilience and Hazards) 2021 ○ State Environmental Planning Policy (Transport and Infrastructure) 2021 ○ Pittwater Local Environmental Plan 2014 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Pittwater 21 Development Control Plan • Planning agreements: Nil • Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> • Coastal zone management plan: Nil • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality • The suitability of the site for the development • Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations <p>The public interest, including the principles of ecologically sustainable development</p>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report – 22 February 2023 • Council memo dated 16 May 2023 • Statement of Environmental Effects prepared by Don Fox Planning dated September 2021 • Amended Statement of Environmental Effects prepared by Rhelm dated November 2022 • Survey Plan • Architectural Plans prepared by Adriano Pupilli Architects • Coastal Engineering and Flooding Report prepared by Horton Coastal Engineering • BCA Assessment Report prepared by BCA Logic • Arboricultural Impact Assessment prepared by Tree Management Strategies • Acoustic Report prepared by GHD • Preliminary Acid Sulfate Soil Screening prepared by JK Environments • Access Assessment Report prepared by BCA Logic • Operational Management Plan • NCC BCA 2019 Section J JV3 Assessment prepared by Greenview Consulting • Geotechnical Investigation prepared by JK Geotechnics • ESD Report prepared by Greenview Consulting • Statement of Heritage Impact prepared by Heritage 21

		<ul style="list-style-type: none"> • Conservation Management Plan prepared by Heritage 21 • Coastal Engineering Report and Statement of Environmental Effects for Buried Coastal Protection Works prepared by Horton Coastal Engineering • Public Domain View Assessment prepared by Don Fox Planning • Traffic and Parking Assessment prepared by TTPA • Structural Feasibility Report prepared by Partridge Structural Pty Ltd • Review of Coastal Processes and Potential Impacts prepared by Rhelm • Responses to NSPP on items raised in the deferral letter dated 26.09.22 prepared by Horton Coastal Engineering • Options Assessment and Review prepared by Rhelm • Stormwater Drainage Concept Plan prepared by Rise Consulting Engineers • Site Sediment Control Plan prepared by Rise Consulting Engineers • Buried Coastal Protection Works Plans prepared by Horton Coastal Engineering • Waste Management Plan • SLSC response to panel questions – 4 October 2022 • Council Assessment Report: 2 September 2022 • Written submissions during public exhibition: 117 • Verbal submissions at the public meeting – 16 May 2023: <ul style="list-style-type: none"> ○ Members of the community – Guyren Smith, Glen Borg, Rudi Valla, Brendan Donohoe on behalf of Surfrider Foundation, Edward Richards, Angus Gordon. ○ Council Assessment Officer – Adam Croft, Greg Britton, Craig Morrison, Peter Robinson, Melissa Rodrigues and Margaret Roberts (Independent Consultant Planners – GAT & Associates) ○ On behalf of the applicant – Campbell Pfeiffer, James Carley, Louise Collier, Donald Gibson, Bernard Koon, Tanja Mackenzie, Rebecca Englund.
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Final briefing to discuss council’s recommendation: 16 May 2023 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Susan Francis, Alice Spizzo and Pamela Dean-Jones ○ <u>Council assessment staff</u>: Adam Croft, Greg Britton, Craig Morrison, Peter Robinson, Melissa Rodrigues and Margaret Roberts (Independent Consultant Planners – GAT & Associates)
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report