



northern  
beaches  
council

# **MINUTES**

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

held via Teleconference on

**WEDNESDAY 17 JULY 2024**

## **Minutes of the Northern Beaches Local Planning Panel held on Wednesday 17 July 2024**

The public meeting commenced at 12.00pm and concluded at 12.06pm.

The deliberations and determinations commenced at 12.15pm following the public meeting and concluded at 1.36pm.

### **ATTENDANCE:**

#### **Panel Members**

Marcia Doheny	Chair
Lisa Bella Esposito	Town Planner
David Epstein	Urban Design/Architect
Sue Denham	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.

## **2.0 MINUTES OF PREVIOUS MEETING**

### **2.1 MINUTES OF NORTHERN BEACHES LOCAL PLANNING PANEL HELD ON 3 JULY 2024**

The Panel noted that the minutes of the Northern Beaches Local Planning Panel held on 3 July 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 PEX2024/0003 PLANNING PROPOSAL FOR LOT 2 WINBOURNE ROAD, BROOKVALE (DRAINAGE RESERVE)

#### PROCEEDINGS IN BRIEF

The proposal is to amend Warringah Local Environmental Plan 2011 by: rezoning the land from RE1 Public Recreation to E4 General Industrial, applying a maximum building height of 11m on the Height of Buildings Map, applying a minimum lot size of 4,000sqm on the Lot Size Map, and listing the land in Part 2 of Schedule 4 to reclassify the land as Operational.

At the public meeting which followed the Panel was not addressed by any neighbours or representatives of the applicant. Ashley Raso, as a representative of the land owner, attended the meeting to answer any questions from the Panel.

#### ADVICE OF PLANNING PANEL

The Northern Beaches Local Planning Panel recommends that Council **endorse** the Planning Proposal for Lot 2 Winbourne Road, Brookvale to be forwarded to the Department of Planning, Housing and Infrastructure for a Gateway Determination.

#### REASONS FOR RECOMMENDATION:

The Panel agrees generally with the Assessment Report. The site is currently classified as community land, zoned RE1 Public Recreation and is held as a drainage reserve.

It appears that these designations are anomalies as the land is not accessible to the general public and its narrow dimensions and isolation from other public land have made it unsuitable for community use. The Panel also notes the advice that it is not used or needed as a drainage reserve.

The Panel supports the proposed rezoning to E4 General Industrial. This change will enable the land to be amalgamated with adjoining site/s and developed for an industrial use which is consistent with Council's strategic planning objectives to support industrial and employment opportunities.

Vote: 4/0

## 5.0 NON PUBLIC MEETING ITEMS

### 5.1 DA2023/1400 - 13 LODGE LANE, FRESHWATER - DEMOLITION WORKS AND CONSTRUCTION OF A RESIDENTIAL FLAT BUILDING.

#### PROCEEDINGS IN BRIEF

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

#### DETERMINATION OF DEVELOPMENT APPLICATION

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2023/1400 for demolition works and construction of a Residential Flat Building on land at Lot CP SP 30051, 13 Lodge Lane, Freshwater subject to the conditions set out in the Assessment Report, subject to the following:

1. The amendment of condition 18 to read as follows:

#### **18. Amendments to the approved plans**

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

- The pool barrier (to be compliant with relevant legislation and standards) is to be shown on all relevant plans in a location that will not have an impact on proposed trees on the Landscape Plan. This includes showing that the pool barrier will be sufficiently separated from the trees to allow for the non-climbable zone. If necessary, the size of the pool may be reduced.
- RL notations are to be provided on all sections and elevations, with the lift overrun nominated at RL54.50. The dimensions of the lift overrun are to be notated on drawing 110-005 roof plan.

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:

#### **Services and Fire Hydrant Enclosure**

Prior to the issue of a Construction Certificate for works above ground level, Council's Executive Manager of Development Assessment is to be provided with plans to their satisfaction demonstrating that all Services (Gas meter, water meter & fire hydrant and sprinkler booster valves and the like) are enclosed in a manner that compliments the building, do not visually dominate the streetscape and are in accordance with the requirements of the BCA. An updated landscape plan is also to be provided to reflect the changes resulting from the fire hydrant and sprinkler booster detailed design.

Reason: To ensure essential services are appropriately screened.

3. The addition of the following condition:

#### **Level of Excavation – Geotechnical**

Prior to the issue of a Construction Certificate all geotechnical reports are to be updated to reflect the RL nominated on the approved excavation plan. The updated reports shall be the approved reports and will apply for the purposes of conditions 10, 19, 40, 52 and 70.

Reason: Consistency with the approved Development Application plans.

REASONS FOR DETERMINATION:

The Panel agrees generally with the Assessment Report.

Vote: 4/0

**5.2 DA2024/0328 - 1 / 84 LAUDERDALE AVENUE, FAIRLIGHT - ALTERATIONS AND ADDITIONS TO A DUAL OCCUPANCY.**

**PROCEEDINGS IN BRIEF**

The proposal is for alterations and additions to a dual occupancy.

**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 Environment Plan 2013 seeking to justify a contravention of Clause 4.3 Height of Buildings and Clause 4.4 Floor Space Ratio development standards 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. DA2024/0328 for alterations and additions to a dual occupancy on land at Lot 1 SP 71076, 1 / 84 Lauderdale Avenue, Fairlight subject to the conditions set out in the Assessment Report, subject to the following:

1. The addition of the following condition:

**Strata Subdivision**

If Development consent is required for Strata Subdivision it must be obtained.

Reason: Legislative requirement

**REASONS FOR DETERMINATION:**

The Panel agrees generally with the Assessment Report.

Vote: 4/0

This is the final page of the Minutes comprising 7 pages numbered 1 to 7 of the Northern Beaches Local Planning Panel meeting held on Wednesday 17 July 2024.