



northern
beaches
council

MINUTES – EXTRAORDINARY MEETING

NORTHERN BEACHES LOCAL PLANNING PANEL MEETING

held via Teleconference on

MONDAY 9 DECEMBER 2024

Minutes of the Northern Beaches Local Planning Panel held on Monday 9 December 2024

ATTENDANCE:

Panel Members

David Crofts	Chair
David Epstein	Urban Design/Architect
Frank Bush	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

Nil

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.

3.0 CATEGORY 3 APPLICATIONS

Nil

4.0 PUBLIC MEETING ITEMS

4.2 DA2023/1395 - 1010, 1012 & 1014 PITTWATER ROAD, COLLAROY - DEMOLITION WORKS AND CONSTRUCTION OF SHOP TOP HOUSING.

PROCEEDINGS IN BRIEF

The Proposal is for demolition works and construction of shop top housing.

This application was deferred on 16 October NBLPP meeting to allow the applicant to provide additional information and potential plan changes to satisfy the Panel's concerns.

The Panel received a supplementary memo from Council dated 29 November 2024. The Panel also noted a submission from the owner of a neighbouring property made in response to the amended plans and lodged on the Planning Portal.

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.

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, grants **deferred commencement approval** for Application No. DA2023/1395 for Demolition works and construction of Shop Top housing on land at Lot 3 DP 6777, 1012 Pittwater Road, COLLAROY, Lot 2 DP 314645, 1014 Pittwater Road, COLLAROY, Lot 4 DP 6777, 1010 Pittwater Road, COLLAROY subject to the conditions set out in the Assessment Report, subject to the following:

1. The amendment of the following recommended conditions:

1. Stormwater Drainage Easement

As the natural fall of the land is towards the rear of the site the disposal of stormwater drainage is to be in accordance with the drainage plan submitted by ISTRUCT Consulting Engineers, drawing number 230602 D01 Rev C and D08 Rev B and D09 Revision B dated 16/08/2024.

The easement is to be created under Sections 46 and/or 46A of the Real Property Act 1900 No 25 or under Sections 88B and/or 88K of the Conveyancing Act 1919.

Council is aware of the existence of a Sydney Water sewer that may impact on the practicality of the easement. In addition, any street stormwater drainage infrastructure as well as other public utilities within the street will need to be addressed in providing a practical solution.

The applicant must provide Council with evidence of the created easement on title

in order to activate the Consent.

Reason: To ensure adequate provision is made for stormwater drainage from the site in a satisfactory manner that protects adjoining properties.

Evidence required to satisfy these conditions must be submitted to Council (through the NSW Planning Portal) within two (2) years of the date of this consent, or the consent will lapse in accordance with the Environmental Planning and Assessment Regulation.

Applicants must submit a request for operational consent to Council via the NSW Planning Portal and upload all relevant documentation. This can be completed through accessing the relevant portal application ID and navigating to 'Request for Operational Consent' in the Actions dropdown menu.

2. 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
DA-02	F	Site Plan	Gartner Trovato Architects	28/10/2024
DA-03	K	Basement Plan	Gartner Trovato Architects	28/10/2024
DA-04	K	Ground Floor Plan	Gartner Trovato Architects	28/10/2024
DA-05	G	Level 1 Plan	Gartner Trovato Architects	28/10/2024
DA-06	F	Level 2 Plan	Gartner Trovato Architects	28/10/2024
DA-07	G	Level 3 Plan	Gartner Trovato Architects	28/10/2024
DA-08	F	Roof Plan	Gartner Trovato Architects	28/10/2024
DA-09	F	Section A	Gartner Trovato Architects	28/10/2024
DA-10	F	Section B	Gartner Trovato Architects	28/10/2024
DA-11	F	Section C	Gartner Trovato Architects	28/10/2024
DA-12	F	Section D	Gartner Trovato Architects	28/10/2024
DA-13	F	Section E	Gartner Trovato Architects	28/10/2024
DA-14	F	Section 2	Gartner Trovato Architects	28/10/2024
DA-15	F	Section 3	Gartner Trovato Architects	28/10/2024

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DA-16	F	North & East Elevations	Gartner Trovato Architects	28/10/2024
DA-17	F	South & West Elevations	Gartner Trovato Architects	28/10/2024
DA-19	E	Schedule of Exterior Finishes & Materials	Gartner Trovato Architects	28/10/2024
DA-002	A	Indicative Plant Schedule	Sym Studio	5 April 2024
DA-101	C	Landscape Plan - Ground Level	Sym Studio	12 April 2024
DA-102	C	Landscape Plan - Level 1	Sym Studio	12 April 2024
DA-103	C	Landscape Plan - Level 2	Sym Studio	12 April 2024
DA-104	C	Landscape Plan - Level 3	Sym Studio	12 April 2024

Approved Reports and Documentation			
Document Title	Version Number	Prepared By	Date of Document
BASIX Certificate No. 1421151M_03	-	The Trustee for THE GTA TRUST	29 April 2024
DA Noise Assessment	1	Acoustic Dynamics	25 September 2023
Report on Geotechnical Investigation	0	Crozier Geotechnical Consultants	4 August 2023
Preliminary Site Investigation	1	EIAustralia	20 July 2023
Arboricultural Impact Assessment Report	-	Jacksons Nature Works	24 June 2023
BCA Assessment Report	2	Jensen Hughes	11 April 2024
Access Assessment Report	2	Jensen Hughes	12 April 2024
Waste Management Plan	-	-	-

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.

2. The addition of the following condition:

Amendments to Northern Setback

Units 09 and 18 shall be amended to setback the north facing external wall of the laundry space to be generally in line with the northern edge of the doorway to bedroom 1 and to reconfigure the proposed laundry within the residual floor space.

Reason: To increase the setback of that part of the building adjacent to the south western corner of number 26 Ocean Grove to improve the amenity of the neighbouring property.

REASONS FOR DETERMINATION

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

Vote: 3/3

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 Monday 9 December 2024.