

MINUTES

NORTHERN BEACHES LOCAL PLANNING PANEL MEETING

held via Teleconference on

WEDNESDAY 2 APRIL 2025

Minutes of the Northern Beaches Local Planning Panel held on Wednesday 2 April 2025

The public meeting commenced at 12.00pm and concluded at 1.00pm.

The deliberations and determinations commenced at 1.30pm following the public meeting and concluded at 3.15pm.

ATTENDANCE:

Panel Members

David Crofts	Chair
Lisa Bella Esposito	Town Planner
Michael Leavey	Planning & Government & Public Administration
Carolyn Hill	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 THE NORTHERN BEACHES LOCAL PLANNING PANEL MEETING HELD ON 19 MARCH 2025

RECOMMENDATION

The Panel notes that the minutes of the Northern Beaches Local Planning Panel Meeting held on 19 March 2025 were adopted by the Chairperson and have been posted on Council's website.

3.0 CATEGORY 3 APPLICATIONS

Nil

4.0 PUBLIC MEETING ITEMS

4.1 DA2024/1171 - LOT 2742/9999 CONDAMINE STREET, MANLY VALE - CONSTRUCTION OF A SINGLE STOREY BUILDING AND USE OF PREMISES AS A RECREATIONAL FACILITY (INDOOR) AND ASSOCIATED SIGNAGE

PROCEEDINGS IN BRIEF

The proposal is for construction of a single storey building and use of premises as a recreational facility (indoor) and associated signage.

At the public meeting the Panel was addressed by 1 representative 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. DA2024/1171 for Construction of a single storey building and use of premises as a recreational facility (indoor) and associated signage at Lot 2742 DP 752038, 2742/9999 Condamine Street, Manly Vale subject to the conditions set out in the Assessment Report and the below:

1. The amendment of the following condition to read as follows:

29. Staff and Contractor Parking

The applicant is to make provision for parking for all construction staff and contractors for the duration of the project. All Staff and Contractors are to use the parking. All necessary facilities are to be provided to accommodate this requirement including lighting, security cameras, etc.

Reason: To ensure minimum impact of construction activity on local parking amenity.

1. Deferred Commencement Consent Condition

This consent is granted on the condition that the applicant provides the following information to the satisfaction of the Consent Authority before the commencement of any development works:

i. Car parking, Access and Stormwater

Approval of the car parking areas, access and stormwater works proposed under the Warringah Recreation Centre Masterplan, comprising of the proposed tennis court facilities, pedestrian bridge, east and west car parks and associated works, are required to be provided to, and approved by the appropriate authority, prior to activating the Development Consent.

Evidence required to satisfy this condition must be submitted to the Consent Authority (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 the Consent Authority 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. The addition of the following condition under the heading 'Prior to the issue of Construction

Certificate' to read as follows:

On-Site Stormwater Disposal Details

The Applicant is to provide a certification of drainage plans detailing the provision of on-site stormwater disposal in accordance with Northern Beaches Council's Water Management for Development Policy, and generally in accordance with the concept drainage plans prepared by Acor, drawing number C01-0102, C03-0001, C03-0101 and C03-0201, C08-001 and C08-0301 dated 30 July 2024. Detailed drainage plans are to be prepared by a suitably qualified Civil Engineer, who has membership to Engineers Australia, National Engineers Register (NER) or Professionals Australia (RPENG) and registered in the General Area of Practice for civil engineering.

Detailed drainage plans, including engineering certification, are to be submitted to the Certifier for approval prior to the issue of the Construction Certificate.

Reason: To ensure appropriate provision for the disposal of stormwater and stormwater management arising from the development.

3. The addition of the following condition under the heading 'Prior to the issue of Occupation Certificate' to read as follows:

Stormwater Disposal

The stormwater drainage works shall be certified as compliant with all relevant Australian Standards and Codes by a suitably qualified person.

The stormwater drainage is to be consistent with that proposed and approved under the Warringah Recreation Centre Masterplan.

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

Reason: To ensure appropriate provision for the disposal of stormwater arising from the development.

REASONS FOR DETERMINATION

The Panel agrees generally with the Assessment Report.

Vote: 4/0

4.2 DA2023/1853 - 203 MCCARRS CREEK ROAD, CHURCH POINT - CONSTRUCTION OF A SECONDARY DWELLING

PROCEEDINGS IN BRIEF

The proposal is for construction of a secondary dwelling.

At the public meeting the Panel was addressed by 5 neighbours and 2 representatives of the applicant.

DETERMINATION OF DEVELOPMENT APPLICATION

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **refuses** Application No. DA2023/1853 for construction of a secondary dwelling at Lot 123 DP 607963, 203 McCarrs Creek Road, Church Point for the reasons for refusal set out below:

1. The application has not demonstrated that it meets the requirements of Clause 5.4(9) of PLEP 2014 in relation to the maximum total floor area for the secondary dwelling. If it does not meet the requirements of Clause 5.4(9) the proposed development is not permissible and cannot be approved.
2. The application does not achieve the objectives of the R5 Large Lot Residential Zone in particular to provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality.
3. The application is not compliant with Clause D2.1 Character as Viewed from a Public Place (Pittwater 21 DCP). In particular, it does not deliver the following outcomes:
 - Landscaping integrated with the building design to screen the visual impact of the built form. In residential areas, buildings are to give the appearance of being secondary to landscaping and vegetation. It is noted that the bushfire APZ requirements make the achievement of this outcome difficult given the siting of the dwelling within the Front Boundary Setback.
 - The proposed dwelling not being prominent within the streetscape. The submitted design is unable to be sufficiently softened to reduce its bulk and scale. As a result, the Proposal alters the existing character of the streetscape of the locality.
4. The application is not compliant with Clause D2.5 Front Building Line (Pittwater 21 DCP). In particular, it does not deliver the following outcomes:
 - Achieve the desired future character of the locality
 - Vegetation is retained and enhanced to visually reduce the built form
 - Preserve and enhance the rural and bushland character of the locality
 - Enhance the existing streetscapes and promote the scale and density that is keeping with the height of the natural environment
 - Encourage attractive street frontages and improve pedestrian amenity
 - Ensure new development responds to reinforces and sensitively relates to the spatial characteristics of the existing urban environment.
5. The application has not provided sufficient information to assess its impact on native

flora and fauna.

6. The application does not demonstrate a built form, colours and materiality which respond sufficiently to the topography and landscape setting of the site.

REASONS FOR DETERMINATION

The Panel does not generally agree with the Assessment Report and Supplementary Memo. The Panel was of the view the proposed development did not adequately respond to the Site and its surroundings. The Panel noted the application did not demonstrate its permissibility through compliance with Clause 5.4(9) of the Pittwater LEP.

Vote: 4/0

5.0 NON PUBLIC MEETING ITEMS

5.1 DA2024/1500 - 119 RICHARD ROAD, SCOTLAND ISLAND - DEMOLITION WORKS AND CONSTRUCTION OF A DWELLING HOUSE INCLUDING AN INCLINATOR

PROCEEDINGS IN BRIEF

The proposal is for demolition works and construction of a dwelling house including an inclinator.

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 Environmental Plan 2014 seeking to justify a contravention of clause 7.8 Limited development on foreshore area 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.

DETERMINATION OF DEVELOPMENT APPLICATION

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2024/1500 for demolition works and construction of a dwelling house including an inclinator at Lot 156 DP 12749 & Lot LIC 641068, 119 Richard Road, Scotland Island subject to the conditions set out in the Assessment Report.

REASONS FOR DETERMINATION

The Panel agrees generally with the Assessment Report.

Vote: 4/0

5.2 DA2024/1082 - 6 CAMERA STREET, MANLY - ALTERATIONS AND ADDITIONS TO AN EXISTING RESIDENTIAL FLAT BUILDING

PROCEEDINGS IN BRIEF

The proposal is for alterations and additions to an existing 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 Manly Local Environmental Plan 2013 seeking to justify a contravention of clause 4.4 Floor Space Ratio 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.

DETERMINATION OF DEVELOPMENT APPLICATION

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2024/1082 for alterations and additions to an existing residential flat building at Lot CP SP 15805, 6 Camera Street, Manly subject to the conditions set out in the Assessment Report, Supplementary Memo and the following:

1. The amendment of the following condition to read as follows:

13. Amendments to the approved plans (heritage)

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

- Proposed balustrade to the new decking above the garages should sit inside the existing face-brick parapet wall, not above it, and the existing face-brick parapet walls should be retained including their edge/capping detail.
- New sliding doors at ground floor must be timber framed with detailing sympathetic to the existing building.

Details demonstrating compliance with this condition should be submitted to Council's Heritage Advisor prior to the issue of the Construction Certificate.

Reason: To retain the heritage values of the existing building and to minimise the visibility of the upper floor from the street level.

REASONS FOR DETERMINATION

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

Vote: 4/0

5.3 DA2024/1737 - 292 HUDSON PARADE, CLAREVILLE - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE INCLUDING A SWIMMING POOL

PROCEEDINGS IN BRIEF

The proposal is for alterations and additions to a dwelling house including a swimming pool.

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 Environmental Plan 2014 seeking to justify a contravention of clause 7.8 Limited development on foreshore area 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.

DETERMINATION OF DEVELOPMENT APPLICATION

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2024/1737 for alterations and additions to a dwelling house including a swimming pool at Lot 10 DP 228119, 292 Hudson Parade, Clareville subject to the conditions set out in the Assessment Report and the following:

1. The addition of the following condition under the heading 'Prior to the issue of a Construction Certificate' to read as follows:

Retaining Wall Colours and Materials

All retaining walls within the rear yard which face the Pittwater Waterway are to be finished with sandstone or sandstone facing.

Details demonstrating compliance are to be submitted to the Certifier prior to issue of Construction Certificate.

Reason: To ensure that the development presents to the public waterway in a visually appealing way and in accordance with the requirements of the Pittwater 21 Development Control Plan Clause D3.14 Construction, Retaining walls, terracing and undercroft areas.

REASONS FOR DETERMINATION

The Panel agrees generally with the Assessment Report.

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 2 April 2025.