

DETERMINATION AND STATEMENT OF REASONS

SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	18 August 2021
PANEL MEMBERS	Peter Debnam (Chair), Julie Savet Ward, Susan Budd, Graham Brown and Annelise Tuor
APOLOGIES	Brian Kirk
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 6 August 2021.

MATTER DETERMINED

PPSSNH-224 – Northern Beaches – DA2021-0199, Lot B DP 402309, Lot 1 DP 595298, Lot 7 DP 455967, Lot 6 DP 8561, Lot 5 DP 8561, Lot 4 DP 654321, Lot 6 DP 737137, and Lot 8 DP 455967, 4 Jacksons Road, Warriewood. Lot 3 DP 8561, Lot 2 DP 8561, Lot 1 DP 8561, and Lot 15 DP 26902, 2 Jacksons Road, Warriewood, Demolition works, consolidation of the Boondah Reserve site into one (1) lot and construction of a community centre with associated carparking and landscaping (as described in Schedule 1)

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and listed at item 8 in Schedule 1.

The Panel determined to approve the application pursuant to section 4.16 of the Environmental Planning and Assessment Act 1979.

The decision was unanimous.

REASONS FOR DECISION

The Panel determined to approve the application for the reasons set out below and in the Independent Assessment Report.

Given Council ownership of the site, an Independent Assessor was appointed to assess the proposal.

The Panel noted while only one community submission was received during public exhibition of the proposal, the Council had previously undertaken extensive two-stage community consultation, which provided substantial feedback for the final design response.

The proposal will provide considerable community benefit in the form of various sized halls, meeting rooms, amenities, and gardens areas for community use. The proposal will also provide a public building that is capable of acting as a natural disaster Evacuation and Recovery Centre.

While the proposal involves the removal of 30 prescribed trees, the Panel notes 63 native canopy trees of appropriate species and densities will be planted.

The application was assessed having regard to the provisions of Section 4.15 of the Environmental Planning and Assessment Act, 1979, including the provisions of relevant Environmental Planning Instruments such as Pittwater Local Environment Plan 2014, as well as Pittwater Development Control Plan 2014, the Sportsground Reserve Plan of Management (POM) and the relevant codes and policies of Council.

In relation to the POM, the Panel noted the generic POM for Sportsgrounds does not apply to the south-eastern corner of the Boondah Reserve block which is within the area zoned 5(a) Special Uses Community

Centre and the proposal replaces an existing community facility located in this area. While the POM is focused on sportsgrounds, the proposal was appropriately assessed against the POM provisions.

The proposed development has been generally sited on the location of the existing buildings and therefore minimises potential impacts with regards to existing flora and fauna, drainage and visual impacts. Additionally, the building is single storey and is below the 8.5m building height limit.

The Panel concurs with the Independent Assessor that the proposed development satisfies the appropriate planning controls. The Proposal will deliver a new community facility and the Panel believes approval is in the public interest.

CONDITIONS

The development application was approved subject to the conditions in the Independent Assessment Report with an amendment to add the following words to the end of Condition 13 - Acid Sulfate Soils Management Plan - *"...if required by the Preliminary Site Investigation Report prepared by Douglas Partners and referred to in Condition 1."*

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered one community submission, which raised concerns with the design, artworks and landscaping. The Panel considers community concerns raised have been adequately addressed in the Independent Assessment Report and in the conditions.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Julie Savet Ward
 Susan Budd	 Graham Brown
 Annelise Tuor	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSNH-224 – Northern Beaches – DA2021-0199
2	PROPOSED DEVELOPMENT	Demolition works and construction of a community centre with associated carparking and landscaping
3	STREET ADDRESS	Lot B DP 402309, Lot 1 DP 595298, Lot 7 DP 455967, Lot 6 DP 8561, Lot 5 DP 8561, Lot 4 DP 654321, Lot 6 DP 737137, and Lot 8 DP 455967, 4 Jacksons Road, Warriewood. Lot 3 DP 8561, Lot 2 DP 8561, Lot 1 DP 8561, and Lot 15 DP 26902, 2 Jacksons Road, Warriewood
4	APPLICANT/OWNER	Northern Beaches Council
5	TYPE OF REGIONAL DEVELOPMENT	Crown development application over \$5million

6	RELEVANT MANDATORY CONSIDERATIONS	• Environmental planning instruments: ○ State Environmental Planning Policy No. 55 – Remediation of Land ○ Pittwater Local Environmental Plan 2014 ○ State Environmental Planning Policy (Infrastructure) 2007 • Draft environmental planning instruments: Nil • Development control plans: ○ Pittwater Development Control Plan 2014 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil • Coastal zone management plan: State Environmental Planning Policy (Coastal Management) 2018 • 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 • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	• Council assessment report: August 2021 • Written submissions during public exhibition: 1
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	• Briefing – 23 June 2021 • Panel members - Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Steve Kennedy and Annelise Tuor • Council assessment staff - Lashta Haidari, Steve Findlay and Danielle Deegan – External Independent Assessor • Final briefing to discuss council's recommendation: 18 August 2021 ○ <u>Panel members</u>: Peter Debnam (Chair), Julie Savet Ward, Susan, Graham Brown and Annelise Tuor ○ <u>Council assessment staff</u>: Lashta Haidari, Steve Findlay and Danielle Deegan – External Independent Assessor ○ <u>Applicant representative</u>: Michael Baker, Joshua Lynch and Cody Mather
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Subject to conditions provided in Attachment 4