



northern  
beaches  
council

# **MINUTES**

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

held via Teleconference on

**THURSDAY 23 MAY 2024**

## **Minutes of an Extraordinary Meeting of the Northern Beaches Local Planning Panel**

**held on Thursday 23 May 2024**

The deliberations and determinations commenced at 11:00am and concluded at 1:30pm.

### **ATTENDANCE:**

#### **Panel Members**

David Crofts	Chair
Lisa Bella Esposito	Town Planner
Jason Perica	Town Planner/Architect

The Panel had regard to the assessment report, all accompanying documentation, written representations from the public and any supplementary reports in its deliberations.

## **1.0 APOLOGIES AND DECLARATIONS OF INTEREST**

Frank Bush submitted his apologies for the meeting.

*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.*

Lisa Bello Esposito identified a reasonably perceived conflict of interest in relation to the written representation received from Aldi. The Chair noted this reasonably perceived conflict of interest and stated that should that matter relating to Aldi be deliberated during the meeting, Ms Esposito would be required to exit the meeting for the duration of that matter.

No other conflicts of interest were raised by other Panel members.

## **2.0 MINUTES OF PREVIOUS MEETING**

### **2.1 MINUTES OF NORTHERN BEACHES LOCAL PLANNING PANEL HELD ON 15 MAY 2024**

The Panel noted that the minutes of the Northern Beaches Local Planning Panel held on 15 May 2024, were adopted by the Chairperson and have been posted on the Council's website.

## **3.0 CATEGORY 3 APPLICATIONS**

NIL

## 4.0 NON PUBLIC MEETING ITEMS

### 4.1 PLANNING PROPOSAL - NORTHERN BEACHES LOCAL ENVIRONMENTAL PLAN (LEP)

#### PROCEEDINGS IN BRIEF

The purpose of the meeting was to seek the advice of the Panel regarding the Planning Proposal for the new Northern Beaches Local Environmental Plan in accordance with the Ministerial Direction on referral criteria for Local Planning Panels: Local Planning Panels Direction – Planning Panels (August 2018).

The Panel received 4 written representations from the community and two supplementary memos. The Panel received written comments from the community member of the Panel who was unable to attend the meeting. The Panel considered all of the above material.

The Panel commends Council Officers for the comprehensive approach undertaken in the development of the Planning Proposal and on the thoroughness of the supporting material and consideration of community consultation.

#### DECISION

The Panel is of the view that the Planning Proposal is appropriate for submission to the Minister for Planning and Public Spaces for issue of a Gateway Determination, in accordance with the Ministerial Direction on referral criteria for Local Planning Panels: Local Planning Panels Direction – Planning Panels (August 2018).

The NBLPP notes the contents of the Assessment Report at Attachment 1 of the distributed papers, the Planning Proposal at Attachment 2 and Attachment 3 being the associated Appendices A, B, C1-C24, D, E, F, G, H, I, J, J1-J6, and K with 41 hyperlinks to these Appendices.

The Panel also notes:

1. The complex and difficult task for consolidating four Local Environmental Plans.
2. The diversity of the Northern Beaches LGA and the challenges of meeting its planning needs in a single Local Environmental Plan.
3. That considerable dialogue with the Department of Planning, Housing and Infrastructure is likely to occur prior to public exhibition of the Planning Proposal which may further shape its form and content.
4. The need to balance strategic objectives with the practical constraints of a Local Environmental Plan (LEP), and that the LEP forms one part of the suite of planning tools available to Council. In this context the concurrent exhibition of a draft Development Control Plan (DCP) and the Planning Proposal is supported.
5. The considerable background studies that have been undertaken to provide an evidence base for certain key provisions of the Planning Proposal.
6. The community consultation that has been undertaken during the development of the Planning Proposal.
7. The community consultation process that is planned to be undertaken following a Gateway determination.

The approach and methodology of the Conservation Zones review was comprehensive, innovative and from first-principles. In principle, the Panel supports the Council's initial approach of including areas with high environmental hazards in a Conservation Zone (such as high-hazard flooding, bushfire, land instability and potential sea level rises). The approach by Council staff in the Conservation Zones review appears a good model for other Councils related to this issue.

The Panel is of the view the following matters should be considered:

- a) Ensuring approaches to minimum lot size provisions for community title as well as strata subdivisions are consistent;
- b) Appropriate framing of objectives to retain clarity but which also provide an appropriate degree of flexibility;
- c) Grouping similar clauses, such as those related to attached and detached dual occupancies;
- d) Defining the term “front building line”, and providing definitions of all new terms not in the Dictionary;
- e) Consideration of corner sites and lot width controls in relation to dual occupancies;
- f) Review of proposed content of the LEP and DCP to avoid conflict with equivalent provisions in State Environmental Planning Policies (SEPP).
- g) Review of LEP and DCP provisions to ensure that provisions are located within the most appropriate regulatory instrument, and to maximise complementarity.
- h) Review of the wording of LEP development standards with an objective to reduce the number of Clause 4.6 variation requests where an alternative wording or approach will achieve the desired outcome.
- i) Reconsideration of the necessity of the clause regarding noise impacts from licensed venues, including if any Special Entertainment Precincts are being considered;

The Panel notes with the potential amendments to Appendix I as outlined in the Supplementary Memo - 2024/374329.

The Panel notes the contents of the Supplementary Memo - 2024/374328. The Panel agrees generally with the Assessment Report.

Vote 3/0

This is the final page of the Minutes comprising 5 pages numbered 1 to 5 of the Extraordinary Northern Beaches Local Planning Panel meeting held on Thursday 23 May 2024.