



northern  
beaches  
council

# MINUTES

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

held in the Council Chambers, Civic Centre, Dee Why on

**WEDNESDAY 3 APRIL 2019**

**Minutes of a Meeting of the Northern Beaches Local Planning Panel  
held on Wednesday 3 April 2019  
at Council Chambers, Civic Centre, Dee Why  
Commencing at 1:00pm**

**ATTENDANCE:**

**Panel Members**

|               |                          |
|---------------|--------------------------|
| Peter Biscoe  | Chair                    |
| Steve Kennedy | Urban Design Expert      |
| Brian Kirk    | Town Planner             |
| Phil Jacombs  | Community Representative |

## **1.0 DECLARATIONS OF INTEREST**

Phil Jacombs declared a conflict of interest in relation to Item 3.6 – 16 Fairlight Crescent, Fairlight and took no part in the site inspection, public meeting, deliberations or determination

## **2.0 MINUTES OF PREVIOUS MEETING**

### **2.1 MINUTES OF NORTHERN BEACHES LOCAL PLANNING PANEL HELD 6 MARCH 2019**

#### **RECOMMENDATION**

That the Minutes of the Northern Beaches Local Planning Panel held 6 March 2019, were adopted by the Chairperson and have been posted on the Council's website

### 3.0 DEVELOPMENT APPLICATIONS

#### 3.1 DA2018/2040 - BLACKBUTTS ROAD, FRENCHS FOREST - INSTALLATION OF AN ELECTRONIC SCOREBOARD IN ASSOCIATION WITH AN EXISTING RECREATION FACILITY (LIONEL WATTS RESERVE)

##### PROCEEDINGS IN BRIEF

The proposal is to install an electronic scoreboard on the northern side of Lionel Watts Reserve (near the proposed cricket nets and synthetic playing fields currently under construction - adjacent to Light Pole No. 3).

The scoreboard is to display the scores and relevant information for the sporting activities carried out on the fields.

The scoreboard has the following dimensions:

- Height : 5.73m
- Width : 5.76m
- Depth : 0.2m
- Slab : 28sqm (7m x 4m x 0.6m)
- Scoreboard Area : 14.0sqm (4.48m wide x 2.88m high)

At the public meeting there were no speakers.

##### DECISION ON DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2018/2040 for installation of an electronic scoreboard in association with an existing recreation facility (Lionel Watts Reserve) at Lot 2 DP 595183, Blackbutts Road, Frenchs Forest subject to the conditions and for the reasons set out in the Assessment Report.

Vote: 4/0

### 3.2 MOD2018/0604 - 1184-1186 PITTWATER ROAD, NARRABEEN - MODIFICATION OF DEVELOPMENT CONSENT DA2008/1216 GRANTED FOR ALTERATIONS AND ADDITIONS TO AN EXISTING RESIDENTIAL FLAT BUILDING AND STRATA SUBDIVISION

#### PROCEEDINGS IN BRIEF

The application is for a modification to existing consent DA2008/1216, pursuant to Section 4.55 (2) of the Environmental Planning & Assessment Act 1979.

The modifications in detail consist of:

- Extending the eastern side of the ground and 1st floor of Units 2, 4 and 5 by approximately 3m;
- Corresponding increase in the floor area of Units 2, 4 and 5 of between 32m<sup>2</sup> and 52m<sup>2</sup>;
- Enlarging the basement area adjoining the Pittwater Road frontage by approximately 117m<sup>2</sup>, for storage area;
- Partial deletion of the rear path leading to the rear stairs; and
- Staging of works into three (3) components.

The Panel viewed the site and its surrounds. At the public meeting which followed the Panel was addressed by a representative of the applicant.

#### DECISION ON MODIFICATION APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. MOD2018/0604 for modification of development consent DA2008/1216 granted for alterations and additions to an existing residential flat building and strata subdivision at Lot 6 DP 659074, 1184-1186 Pittwater Road, Narrabeen subject to the conditions and for the reasons set out in the Assessment Report, subject to the following:

1. The amendment of Condition No 4 as follows:

##### **Conservation Management Plan**

- (i) The '*Conservation Management Plan for 1184-1186 Pittwater Road, Narrabeen*' prepared by Graham Brooks and Associates dated September 2006 is to be amended to include a detailed 'Conservation Policy' which clearly identifies the fabric of the heritage building that is to be retained and provides recommendations in relation to the maintenance and conservation of the fabric of the heritage item.
- (ii) There is to be a report from a structural engineer that the heritage fabric to be maintained will be able to be conserved during the excavation or demolition and throughout the construction period on site. All heritage works on the site are to be undertaken, where necessary by an appropriately qualified Heritage Technician and supervised by a Heritage Consultant with appropriate conservation skills and experience.
- (iii) The plan and report referred to above are to be updated in light of MOD2018/0604.

**Reason:** *To ensure the heritage item is adequately managed and protected.*

Vote: 4/0

### 3.3 MOD2019/0054 - 128 PITTWATER ROAD, MANLY - MODIFICATION OF DEVELOPMENT CONSENT DA0274/2017 GRANTED FOR ALTERATIONS AND ADDITIONS TO THE EXISTING DWELLING

#### PROCEEDINGS IN BRIEF

The proposal modification is for the deletion of condition ANS01B which reads as follows:

***“ANS01B***

*Windows W6, W7, W8 and W9 shall have a minimum sill height of 1.6metres.*

*Reason: To protect the privacy of adjoining premises”*

This condition was not proposed by the assessment officer but was imposed by the Northern Beaches Local Planning Panel.

The Panel viewed the site and its surrounds and was of the view that the model proposed within this particular development, which proposed an upper storey setback from its southern boundary and with its windows predominately on the northern façade presented a good model for similar upper storey development of this type in the future. At the public meeting which followed the Panel was addressed by a representative of the applicant.

#### DECISION ON MODIFICATION APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. MOD2019/0054 for modification of Development Consent DA0274/2017 granted for alterations and additions to the existing dwelling at Lot 1 DP 74239, 128 Pittwater Road, for the reasons set out in the Assessment Report and for the reason set out below.

Statement of Reasons: With the benefit of a site inspection at a stage when the development is under construction, the Panel agrees that the condition previously imposed (the subject of the modification application) is unnecessary and should be deleted.

Vote: 4/0

### 3.4 DA2018/1773 - 16/7 THE CRESCENT, MANLY - ALTERATIONS AND ADDITIONS TO AN EXISTING RESIDENTIAL FLAT BUILDING

#### PROCEEDINGS IN BRIEF

The proposal includes the replacement of existing glazing to Unit No. 16.

The Panel viewed the site and its surrounds. At the public meeting which followed the Panel was addressed by a representative of the applicant.

#### DECISION ON EXCEPTION TO DEVELOPMENT STANDARD

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 4.3 Height of Building development standard 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.
- 2) the proposed development will be in the public interest because it is consistent with the objectives of the standard and the objectives for development within the zone in which the development is proposed to be carried out.

B. The Panel assumes the concurrence of the Secretary, Department Planning and Environment required under clause 4.6.

#### DECISION ON DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2018/1773 for alterations and additions to an existing residential flat building at Lot 16 SP 70727, 16/7 The Crescent, Manly subject to the conditions and for the reasons set out in the Assessment Report.

Vote: 4/0

### **3.5 DA2018/1293 - 727 PITTWATER ROAD, DEE WHY - ALTERATIONS AND ADDITIONS TO AN EXISTING COMMERCIAL BUILDING AND USE AS A BOARDING HOUSE WITH 26 ROOMS**

#### **PROCEEDINGS IN BRIEF**

The proposed development proposes alterations and additions to an existing mixed use building to accommodate a twenty-five (25) room boarding house plus on-site manager accommodation. The proposed boarding house will accommodate up to 46 people including an on-site manager.

The proposed boarding house will provide for the following:

#### **Basement level (RL 17.800)**

- Existing driveway access retained from Kingsway
- Five (5) parking spaces retained
- Waste storage room
- Motorcycle parking for ten (10) motorcycles
- Parking for five (5) bicycles

#### **Ground Level (RL19.500)**

- Main pedestrian entry from Pittwater Road
- Units 1, 2 and 3 (double rooms)
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#### **Upper Ground Floor Level (RL 20.110)**

- Units 4, 5 and 6 (double rooms)
- Communal kitchen, Communal Living 1 and Communal Living 2
- Laundry
- Parking for eight (8) bicycles

#### **Level 01 (RL 22.555)**

- Unit 7 (single room), units 8, 9, 10 and 11 (double rooms)

#### **Upper Level 01 (RL23.165)**

- Units 12, 13, and 14 (double rooms)

#### **Level 02 (RL 25.195)**

- Units 15, 16 (identified as on-site Managers residence and includes a 15.71m<sup>2</sup> east facing balcony), and 17 (double rooms)

#### **Upper Level 02 (RL25.805)**

- Units 18, 19 (including a 4.12m<sup>2</sup> north facing balcony) and 20 (all double rooms)

#### **Level 03 (RL 28.55)**

- Units 21 (including a 3.2m<sup>2</sup> east facing balcony), 22, 23 (double rooms)

#### **Upper Level 03 (RL 31.405)**

- Units 24, 25 and 26 (double rooms)

The existing vehicular access to the site from Kingsway will be retained on the north-eastern side of the property.

The proposed will provide a total of five (5) car parking spaces, within the basement.

The Panel viewed the site and its surrounds. At the public meeting which followed the Panel was addressed by 3 representatives of the applicant.

**DECISION ON DEVELOPMENT APPLICATION**

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **refuses** Application No. DA2018/1293 for alterations and additions to an existing commercial building and use as a boarding house with 26 rooms at Lot 9 Sec 1 DP 9125, 727 Pittwater Road, Dee Why for the following reason:

1. The development contravenes a development standard, namely the maximum height of a building shown for the land on the Height of Buildings Map. Consequently, pursuant to Clause 4.6 of WLEP 2011, development consent must not be granted for the proposed development unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating certain prescribed matters and the consent authority is satisfied that the applicant's written request has adequately addressed those matters and is satisfied that the proposed development will be in the public interest for prescribed reasons. The applicant has not made any such written request. In these circumstances it is unnecessary for the Panel to consider the merits of the proposal.

Vote: 4/0

### 3.6 DA2018/1634 - 16 FAIRLIGHT CRESCENT, FAIRLIGHT - CONSTRUCTION OF A DWELLING HOUSE INCLUDING A SWIMMING POOL

#### PROCEEDINGS IN BRIEF

The development application seeks consent for the construction of a three storey (including basement) detached dwelling house with swimming pool, construction of a driveway and crossover and associated landscaping works.

The Panel viewed the site and its surrounds. At the public meeting which followed the Panel was address by 9 neighbours and 3 representatives of the applicant.

Phil Jacombs declared a conflict of interest in relation to this matter and took no part in the site inspection, public meeting, deliberations or determination.

#### DECISION ON DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **refuses** Application No. DA2018/1364 for construction of a dwelling house including a swimming pool at Lot 9 DP 3742, 16 Fairlight Crescent, Fairlight for the following reasons:

1. The first (top) floor on the eastern side does not comply with the side setback provisions contained in the Manly DCP 2013 and bedroom 1 on that floor does not comply with the front setback provisions in the Manly DCP 2013.
2. The Panel is not satisfied that the extent of the lift overrun is necessary.

Vote: 3/0

*The meeting concluded at 5:05pm*

This is the final page of the Minutes comprising 11 pages  
numbered 1 to 11 of the Northern Beaches Local Planning Panel meeting  
held on Wednesday 3 April 2019.