

# MINUTES

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

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

**WEDNESDAY 17 APRIL 2019**

**Minutes of a Meeting of the Northern Beaches Local Planning Panel  
held on Wednesday 17 April 2019  
at Council Chambers, Civic Centre, Dee Why  
Commencing at 1:00pm**

**ATTENDANCE:**

**Panel Members**

Lesley Finn	Chair
Annelise Tuor	Town Planner
Graham Brown	Town Planner
John Simmonds	Community Representative

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

Nil

## **2.0 MINUTES OF PREVIOUS MEETING**

### **2.1 MINUTES OF NORTHERN BEACHES LOCAL PLANNING PANEL HELD 3 APRIL 2019**

The Minutes of the Northern Beaches Local Planning Panel held 3 April 2019, were adopted by the Chairperson and have been posted on the Council's website.

### 3.0 DEVELOPMENT APPLICATIONS

#### 3.1 DA2018/2005 - 12 ETTALONG STREET, WHEELER HEIGHTS - DEMOLITION WORKS AND SUBDIVISION OF ONE LOT INTO TWO LOTS

##### PROCEEDINGS IN BRIEF

The application proposes the following:

- Demolition of an existing garage and ancillary site preparation works
- Torrens Title subdivision of one (1) lot into two (2) lots as follows:
- Proposed Lot 1: 530.6 sqm - Total lot area is 702.6sqm (including the right of carriageway & passing bay)
- Proposed Lot 2: 904.4 sqm - Total lot area is 1013qm (including the right of carriageway & passing bay)
- Construction of a driveway along the eastern boundary (and creation of a right-of-way) for shared access to each lot
- Connections for infrastructure services and ancillary site works

The Panel viewed the site and its surrounds. At the public meeting which followed the Panel was addressed by 2 representatives of the applicant.

##### DECISION ON EXCEPTIONS TO DEVELOPMENT STANDARDS

A. The Northern Beaches Local Planning Panel (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 4.1 Minimum subdivision lot size 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 Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2018/2005 for demolition works and subdivision of one lot into two lots at Lot C DP 420487, 12 Ettalong Street, Wheeler Heights subject to the conditions and for the reasons set out in the Assessment Report.

**Vote: 4/0**

### 3.2 MOD2018/0658 - 17 LAUDERDALE AVENUE, FAIRLIGHT - MODIFICATION OF DEVELOPMENT CONSENT DA0082/2016 GRANTED FOR ALTERATIONS AND ADDITIONS TO AN EXISTING RESIDENTIAL FLAT BUILDING AND STRATA SUBDIVISION

#### PROCEEDINGS IN BRIEF

The proposal seeks to modify Development Application 82/2016 with the deletion of two planter boxes on the first floor balcony of Apartment 4.

The Panel viewed the site and its surrounds. At the public meeting which followed the Panel was addressed by 2 neighbours and a representative of the applicant.

#### DECISION ON DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. MOD2018/0658 for Modification of Development Consent DA0082/2016 granted for alterations and additions to an existing Residential Flat Building and Strata Subdivision at Lot B DP 965042, 17 Lauderdale Avenue, Fairlight subject to the conditions and for the reasons set out in the Assessment Report, subject to the following:

1. The deletion of condition D.

**Vote: 4/0**

## 4.0 REVIEW OF DETERMINATIONS

### 4.1 REV2018/0035 - 14 WYATT AVENUE, BELROSE - REVIEW OF DETERMINATION OF APPLICATION DA2018/0401 FOR CONSTRUCTION OF A BOARDING HOUSE WITH 24 ROOMS INCLUDING A MANAGERS RESIDENCE

#### PROCEEDINGS IN BRIEF

The proposal seeks consent for the following works:

- Construction of a boarding house, comprising:
  - Basement car park containing 12 car spaces, 8 motorcycle spaces, 18 bicycle spaces, laundry facilities, services and circulation spaces (lift and stairs);
  - 24 boarding rooms (including one caretaker's unit and two adaptable units), capable of holding up to 48 residents (including caretaker);
  - Two communal living areas (one indoor and one outdoor); and
  - Two communal kitchen/dining rooms.
- New driveway; and
- Landscaping works.

The Panel viewed the site and its surrounds. At the public meeting which followed the Panel was addressed by 5 neighbours and 4 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. REV2018/0035 for Review of Determination of Application DA2018/0401 for construction of a Boarding house with 24 rooms including a managers residence at Lot 2597 DP 752038, 14 Wyatt Avenue, Belrose for the following reasons:

1. The development application is for a 'boarding house' as defined under WLEP 2000. A 'boarding house' is a form of 'housing'. The housing density standard therefore applies. The proposal does not comply with the housing density standard contained within locality C8 Belrose North, whether considered to be one dwelling or 24 dwellings. Although the Panel has a discretion to consent notwithstanding this contravention, it does not consent given the smallness of the site relative to 20 hectares, the large size of the development relative to the site size, and the inconsistency of the proposal with the C8 desired future character statement, in that:
  - The present character will not remain unchanged
  - The natural landscape, including landform and vegetation, will not be protected or enhanced
  - The development will not be limited to 'new detached style housing' or will not be a low intensity or low impact use
2. The flood risk impacts of the proposal remain unresolved and further assessment of the supplementary information would be required.
3. The Panel is not satisfied that the site is suitable given the matters referred to above and the Panel's assessment is that it is an overdevelopment of the site because the building footprint and the total built upon area are too large for the site.
4. It is not in the public interest to consent given the matters referred to above.

**Vote: 4/0**

*The meeting concluded at 3.02pm*

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 Wednesday 17 April 2019.