



northern
beaches
council

MINUTES

NORTHERN BEACHES LOCAL PLANNING PANEL MEETING

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

WEDNESDAY 4 SEPTEMBER 2019

**Minutes of a Meeting of the Northern Beaches Local Planning Panel
held on Wednesday 4 September 2019
at Council Chambers, Civic Centre, Dee Why
Commencing at 1.00pm**

ATTENDANCE:

Panel Members

Lesley Finn	Chair
Robert Hussey	Town Planner
Annelise Tuor	Town Planner
Lloyd Graham	Community Representative

1.0 DECLARATIONS OF INTEREST

Annelise Tuor declared a conflict of interest in relation to Item 3.3 – 31 The Crescent, Manly and took no part in the site inspection, public meeting and deliberations for this item.

2.0 MINUTES OF PREVIOUS MEETING

2.1 MINUTES OF NORTHERN BEACHES LOCAL PLANNING PANEL HELD 29 AUGUST 2019

The Panel notes that the minutes of the Northern Beaches Local Planning Panel meeting held 29 August 2019, were adopted by the Chairperson and have been posted on the Council's website

3.0 DEVELOPMENT APPLICATIONS

3.1 MOD2019/0303 - 3 OGILVY ROAD, CLONTARF - MODIFICATION OF DEVELOPMENT CONSENT DA0203/2013 GRANTED FOR ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE INCLUDING A SWIMMING POOL

PROCEEDINGS IN BRIEF

The proposal is for:

- Deletion of Condition 31C - Deck amendments to enable the extension and alteration of the approved lower ground and ground floor decks to the rear of the property.
- Roof alterations

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

The Panel were presented with documents by the neighbours.

DECISION ON MODIFICATION APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. Mod2019/0303 for Modification of Development Consent DA0203/2013 granted for alterations and additions to a dwelling house including a swimming pool at Lot 10 Sec J DP 2610, 3 Ogilvy Road, Clontarf subject to the conditions and for the reasons set out in the Assessment Report, subject to the following:

1. The amendment of Condition No. 31C to read as follows:
 - (a) The proposed ground floor deck (nominated on the plans as 'upper deck') adjoining the dining room is to be reduced from 3.450m to 3.0m.
 - (b) The proposed lower ground floor deck is to be amended to align with the same side and rear boundary setback as the proposed ground floor deck as amended by (a).

Reason: To protect the amenity of adjoining neighbours, to provide an increased setback from the watercourse and to increase the landscaped open space.

2. The deletion of draft Condition No. 31D.

Vote: 3/1- Annelise Tuor dissented.

3.2 MOD2019/0270 - 20 PERONNE AVENUE, CLONTARF - MODIFICATION OF DEVELOPMENT CONSENT DA0041/2017 GRANTED FOR CONSTRUCTION OF A SECONDARY DWELLING

PROCEEDINGS IN BRIEF

The proposal involves a modification to the approved secondary dwelling. In detail, the proposal includes:

- New planter and retaining walls
- Increased floor area
- Increase to terrace area
- New laundry
- A privacy screen (to satisfy a condition in the original consent)
- Clarification of RL's (to satisfy a condition in the original consent)

The Panel viewed the site and its surrounds. At the public meeting which followed the Panel was addressed by two neighbours and 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. MOD2019/0270 for Modification of Development Consent DA0041/2017 granted for construction of a secondary dwelling at Lot 201 DP 1170957, 20 Peronne Avenue, Clontarf subject to the conditions and for the reasons set out in the Assessment Report, subject to the following:

1. The addition of a condition to read as follows:

Construction/Traffic Management Program

A Construction/Traffic Management Plan is to be prepared for the development given its unusual location and access arrangements.

The Construction/Traffic Management Plan should include (but not be limited to) the following:

- Details for maintaining access to adjacent properties
- Details regarding access to the site for trucks
- Details for storage of materials
- Provision of parking for workers
- Details for loading and unloading of materials

The management plan is to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate and complied with for the duration of works.

Reason: To ensure appropriate measures have been considered for site access, storage and the operation of the site during all phases of the construction process in a manner that respects adjoining owner's property rights and protects amenity in the locality, without unreasonable inconvenience to the community.

Vote: 4/0

3.3 DA2019/0215 - 31 THE CRESCENT, MANLY - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE

PROCEEDINGS IN BRIEF

The proposal includes demolition works and alterations and additions to the existing dwelling house for the following:

Ground Floor

- Rumpus room and bedroom with attached patio, services/storage lift

First Floor

- Alterations to provide for open plan living, dining and kitchen, attached pantry, bedroom, bathrooms,
- laundry, lift, guest room and bedroom with ensuite and walk in robe

Second Floor

- Addition for parents retreat with bar, library, study, bathroom, lift, outdoor entertainment area and
- bedroom with walk in robe and ensuite.

Site

- Landscaping
- Privacy screening
- Garage with 1.8m high automatic door

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

Annelise Tuor declared a conflict of interest in relation to this item and took no part in the site inspection, public meeting and deliberations for this item.

DECISION ON DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2019/0215 for alterations and additions to a dwelling house at Lot 1 DP 1085978, 31 The Crescent, Manly subject to the conditions and for the reasons set out in the Assessment Report, subject to the following:

1. The addition of a condition to read as follows:

Dilapidation Report

A photographic survey of adjoining properties of adjoining property assets, detailing the physical condition of those properties, both internally and externally (as appropriate to the proximity of site work risks), including such items as walls, ceilings, roof, structural members, access and other similar items, SHALL BE submitted to Council/Accredited Certifier prior to the issue of a Construction Certificate. This survey is to be prepared by an appropriately qualified person.

On completion of the excavation and building works and prior to occupation of the building, a certificate prepared by the appropriately qualified person to the effect that no damage has resulted to adjoining premises, is to be provided to the Principal Certifying Authority.

If damage is identified by the appropriately qualified person which is considered to require rectification, the damage shall be rectified or a satisfactory agreement for rectification of the damage is to be made with the affected person/s as soon as possible and prior to a final Occupation Certificate being issued.

All costs incurred in achieving compliance with this condition shall be borne by the person entitled to act on this Consent.

In the event that access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant **MUST DEMONSTRATE**, in writing, to the satisfaction of Council/Accredited Certifier that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed.

(Note: This documentation is for record keeping purposes only, and may be used by an applicant or affected property owner to assist in any action required to resolve any dispute over damage to adjoining properties arising from the works. It is in the applicant's and adjoining owner's interest for it to be as full and detailed as possible).

Reason: Proper management of records to minimize dilapidation risks (DACPLDPC1)

2. The addition of a condition to read as follows:

Construction/Traffic Management Program

A Construction/Traffic Management Plan is to be prepared for the development given its unusual location and access arrangements.

The Construction/Traffic Management Plan should include (but not be limited to) the following:

- Details for maintaining access to adjacent properties
- Details regarding access to the site for trucks
- Details for storage of materials
- Provision of parking for workers
- Details for loading and unloading of materials

The management plan is to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate and complied with for the duration of works.

Reason: To ensure appropriate measures have been considered for site access, storage and the operation of the site during all phases of the construction process in a manner that respects adjoining owner's property rights and protects amenity in the locality, without unreasonable inconvenience to the community.

Vote: 3/0

3.4 DA2018/1828 - 3 BERITH STREET, WHEELER HEIGHTS - CONSTRUCTION OF A SENIORS HOUSING DEVELOPMENT COMPRISING 6 X INFILL SELF CARE HOUSING UNITS AND BASEMENT PARKING

PROCEEDINGS IN BRIEF

The proposal involves the construction of six (6) dwellings (in-fill self-care housing) for aged and disabled persons housing including the following manner:

- Demolition of all on-site structures (house, swimming pool, ancillary works), including tree removal;
- Excavation and site works, including driveway areas, on-site detention and drainage works;
- RL72.0 Basement: Carparking for eight (8) cars with disabled persons accessibility, stair and lift, plant/services, bike parking space and storage.
- RL76.0 to 77.0 Ground Floor: Entry area, stairs & lift, four (4) Units of 2 x 3 bedroom and Two (2) x 2 bedroom, bathrooms, kitchen / dining / living areas, storage, deck / terrace areas, ramped paths, outdoor space;
- RL79.0 First Floor: Entry area, stairs & lift, Two (2) x 3 bedroom Units, bathrooms, kitchen / dining / living areas, storage, deck / terrace areas;
- Landscaping works including fencing, bins storage, ancillary structures and access paths.
- (Strata subdivision by separate application)

The Panel viewed the site and its surrounds. At the public meeting which followed the Panel was addressed by four 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. DA2018/1828 for Construction of a seniors housing development comprising 6 x infill self-care housing units and basement parking at Lot A DP 411784, 3 Berith Street, Wheeler Heights subject to the conditions and for the reasons set out in the Assessment Report, subject to the following:

1. The amendment of Condition No. 21 to read as follows:

Tree protection

- (a) Existing trees which must be retained
 - i) All trees not indicated for removal on the approved plans, unless exempt under relevant planning instruments or legislation. Specifically the Site Manager and Appointed Certifier is to ensure that Trees "T1, T2, T4, T9, T10 and T11" are protected within their Critical Root Zones from adverse site work impacts and retained in situ.
 - ii) Trees located on adjoining land
- (b) Tree protection
 - i) No tree roots greater than 25mm diameter are to be cut from protected trees unless authorised by a qualified Arborist on site.
 - ii) All structures are to bridge tree roots greater than 25mm diameter unless directed otherwise by a qualified Arborist on site.
 - iii) All tree protection to be in accordance with AS4970-2009 Protection of trees on development sites, with particular reference to Section 4 Tree Protection Measures.
 - iv) All tree pruning within the subject site is to be in accordance with WDCP2011 Clause E1 Private Property Tree Management and AS 4373 Pruning of amenity trees
 - v) All tree protection measures, including fencing, are to be in place prior to

commencement of works.

Reason: To ensure compliance with the requirement to retain and protect significant planting on the site.

2. The amendment of Condition No. 10 to read as follows:

On-site Stormwater Detention Compliance

Certification of Drainage plans detailing the provision of On-site Stormwater Detention in accordance with Northern Beaches Council's WARRINGAH WATER MANAGEMENT POLICY PL850 and generally in accordance with the concept drawing by Taylor Consulting, drawing number SHEET - 1/A dated 10 September 2018 and SHEET - 2, dated 21 August 2018.

The stormwater drainage is to be re-designed to comply with the following requirement(s):

- 1) Connection point to Council's pipeline in Berith Street must be to the south of the proposed vehicle crossing.
- 2) Where there are any conflicts between the proposed stormwater pipeline and any utility services in the road reserve, all costs related to re-locating the affected utility services must shall be borne by the applicant.
- 3) Connection to Council's pipeline must be in accordance with Council's standard drawing A2 5476/A and must include a minimum 1.8 m lintel.
- 4) Above stormwater inlet pit and lintel must be located minimum 1 metre from the driveway.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to issue of the Construction Certificate

Reason: To ensure engineering works are constructed in accordance with relevant standards and Council's specification.

3. The deletion of Condition No. 17.

Vote: 4/0

3.5 DA2019/0409 - POR 1113 / 752038 OXFORD FALLS ROAD, FRENCHS FOREST - DEMOLITION WORKS AND CONSTRUCTION OF A SENIORS HOUSING DEVELOPMENT COMPRISING SERVICED SELF-CARE UNITS WITH ASSOCIATED BASEMENT CARPARKING, INTERNAL ROADS AND SITE LANDSCAPING

PROCEEDINGS IN BRIEF

The proposal seeks consent for demolition works and construction of a Seniors Housing Development, comprising the following:

- Site clearance and removal of trees and demolition of the site's existing dwelling
- Excavation for 95 basement car parking spaces, a gym, pool and ancillary recreational facilities
- The construction of 41 serviced Independent Living Units (ILU's)
- Landscaping works
- Riparian rehabilitation works
- Construction of internal roads
- Use of Barnes Road as an Asset Protection Zone (APZ)
- Site improvement, civil works, staff facilities and sediment collection

The Panel viewed the site and its surrounds. At the public meeting which followed the Panel was addressed by two neighbours and four 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, **defers** of Application No. DA2019/0409 for demolition works and construction of a seniors housing development comprising serviced self-care units with associated basement carparking, internal roads and site landscaping at Lot 1113 DP 752038, 1113 / 752038 Oxford Falls Road, Frenchs Forest for the following reasons:

The additional information provided by the applicant to the Panel be assessed by Council and a supplementary report be provided to the Panel.

Following receipt of this report, the Panel (as constituted on 4 September 2019) will determine the application electronically, unless the Chair determines that a further public meeting is required.

Vote: 4/0

The meeting concluded at 6:31pm

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 4 September 2019.