

MINUTES

NORTHERN BEACHES LOCAL PLANNING PANEL MEETING

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

WEDNESDAY 2 OCTOBER 2019

**Minutes of a Meeting of the Northern Beaches Local Planning Panel
held on Wednesday 2 October 2019
at Council Chambers, Civic Centre, Dee Why
Commencing at 1.00pm**

ATTENDANCE:

Panel Members

Paul Vergotis	Chair
Marcus Sainsbury	Environmental Expert
Brian Kirk	Town Planner
John Simmonds	Community Representative

1.0 APOLOGIES AND DECLARATIONS OF INTEREST

Brian Kirk declared a conflict in relation to item 4.2 due to being on the panel of the determination of the development application under review. Mr Kirk was not involved in the site inspection, public meeting or deliberation for this item.

2.0 MINUTES OF PREVIOUS MEETING

2.1 MINUTES OF NORTHERN BEACHES LOCAL PLANNING PANEL HELD 25 SEPTEMBER 2019

The Minutes of the Northern Beaches Local Planning Panel held 25 September 2019, were adopted by the Chairperson and have been posted on the Council's website

3.0 DEVELOPMENT APPLICATIONS

3.1 DA2019/0263 - 53 & 53B WARRIEWOOD ROAD, WARRIEWOOD - 17 LOT COMMUNITY TITLE SUBDIVISION AND ASSOCIATED INFRASTRUCTURE, INCLUDING THE EXTENSION OF LORIKEET GROVE

PROCEEDINGS IN BRIEF

The application seeks consent for the Community Title subdivision of the site, including:

- 15 residential lots for future dwelling houses,
- 1 Community lot comprising the extension/widening of Pheasant Place and stormwater management infrastructure,
- The construction and dedication of Lorikeet Grove,
- The dedication of the 25m inner creekline corridor, and
- Half road reconstruction of Warriewood Road.

To facilitate the extension/widening of Pheasant Place, minor works are also proposed to be undertaken within the existing roadway of Pheasant Place (Lot 1 of DP 270946). The application also seeks consent for the intensification of the use of the right of carriageway over the existing roadway of Pheasant Place.

The Panel viewed the site and its surrounds. At the public meeting which followed 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. DA2019/0263 for 17 Lot Community title subdivision and associated infrastructure, including the extension of Lorikeet Grove at Lot 3 DP 942319 & Lot 3 DP 1115877, 53 & 53B Warriewood Road, and Lot 1 DP 270946, Pheasant Place, Warriewood subject to the conditions and for the reasons set out in the Assessment Report.

Vote: 4/0

3.2 DA2018/2027 - 15 ADDISON ROAD, MANLY - ALTERATIONS AND ADDITIONS TO AN EXISTING DWELLING HOUSE

PROCEEDINGS IN BRIEF

The proposal includes alterations and additions to the existing dwelling resulting in:

Harbour/yard level:

- Repairs/refurbishment works to the existing boatshed structure
- New sandstone wall with elevator/lift behind
- New staircase adjacent to boatshed

Lower level:

- Bar/wine room
- Bedrooms 3 with ensuite/steam and robe
- Bedroom 4 with ensuite
- Laundry and WC
- Extended harbour deck

Ground level:

- Kitchen/dining and living room
- Library
- Bedroom 1
- Bedroom 2 with ensuite
- Bathroom
- Extended harbour deck

Attic/roof level:

- Bedroom 5 with ensuite
- Store
- Balcony
- New roof and minor changes to roof form

Garage level:

- New roof and parapet
- New garage door
- New car stacker

The Panel viewed the site and its surrounds. At the public meeting which followed the Panel was addressed by one objector and 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** Application No. DA2018/2027 for alterations and additions to an existing dwelling house at Lot C DP 316879, 15 Addison Road, Manly to afford the applicant (and the applicants expert ecologists) 21 days to review Preliminary 2019/20 Penguin Breeding Season Monitoring Report (DoPIE, 18 September 2019) and Manly Little Penguin Recovery Program 2018/19 Monitoring Report (OEH, received 31 May 2019) and to provide a detailed response in relation to the information provided.

Following receipt of this response, the Panel (as constituted on 2 October 2019) will determine the application electronically, unless the Chair determines that a further public meeting is required.

Vote: 4/0

4.0 REVIEW OF DETERMINATIONS

4.1 REV2019/0026 - 57 SMITH STREET, MANLY - REVIEW OF DETERMINATION OF MODIFICATION APPLICATION MOD2018/0703 IN RELATION TO ALTERATIONS AND ADDITIONS TO A SEMI-DETACHED DWELLING (DA0251/2017)

PROCEEDINGS IN BRIEF

The application has been lodged under the provisions of section 8.3 of the EP&A Act, seeking a review of the refusal of MOD2018/0703, which sought to modify the works approved in Development Application DA251/2017 in the following ways:

- Reduction in the depth of the approved first floor rear balcony (in accordance with condition of consent ANS01A, to allow for deletion of the condition);
- Internal reconfiguration of the first floor;
- Changes to approved windows;
- Replacement of the pitched upper floor roof, with a flat roof and parapet;
- Alteration of the lower roof from pitched apron to flat;
- Amendment of the first floor rear balcony privacy screen (in accordance with condition of consent ANS01B, to allow for deletion of the condition); and
- Changes to materials and finishes.

The subject review application remains entirely consistent with MOD2018/0703, with no changes to the proposal compared with those previously sought and refused.

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

DECISION ON REVIEW APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **refuses** Application No. REV2019/0026 for Review of Determination of Modification Application MOD2018/0703 in relation to alterations and additions to a semi-detached dwelling (DA0251/2017) at Lot 131 DP 603177, 57 Smith Street, Manly subject to the following reason:

1. The proposed modifications will result in an adverse visual impact upon the heritage significance of the Pittwater Road Conservation Area, inconsistent with the objectives set out in clause 5.10(a) & (b) (Heritage Conservation) of Manly Local Environmental Plan 2013, and clauses 3.2 (Heritage Considerations) and 5.2 (Pittwater Road Conservation Area) of Manly Development Control Plan 2013.
2. The proposed modifications will result in a development with an asymmetrical roofscape and dominating the existing building form and being highly visible from a number of viewpoints therefore impacting on the overall visual character of the Pittwater Road Conservation Area.

Vote: 4/0

4.2 REV2019/0032 - 16 FAIRLIGHT CRESCENT, FAIRLIGHT - REVIEW OF DETERMINATION OF APPLICATION DA2018/1634 FOR CONSTRUCTION OF A DWELLING HOUSE INCLUDING A SWIMMING POOL

PROCEEDINGS IN BRIEF

Brian Kirk declared a conflict in relation to item 4.2 due to being on the panel of the determination of the development application under review. Mr Kirk was not involved in the site inspection, public meeting or deliberation for this item.

The application has been lodged under the provisions of section 8.3 of the EP&A Act, seeking a review of the refusal of DA2018/1634, which sought approval for the construction of a new dwelling and swimming pool at the subject site. In response to the refusal of DA2018/1634, the proposed new dwelling has been amended in a number of ways, including but not limited to, the following:

- the distance between the front elevation of Bedroom 1 and the front boundary has been increased by 400mm, to a minimum setback of 6m,
- the eastern side setback of the upper floor has been increased,
- the layout of the upper floor has been amended,
- portions of the the western side setback of the upper floor have been decreased,
- the depth/length of the western side of the upper floor has been extended (decreasing the rear setback on this side of the dwelling),
- the position of the lift has been altered,
- the lift overrun and the maintenance hatch has been removed,
- the clerestory window on the roof has been deleted,
- windows along the eastern side setback of the upper floor have been deleted, relocated or converted to highlight windows,
- the design of the roof has been amended,
- the western side setback of the front upper floor balcony has been reduced,
- the external massing/height of the fireplace has been decreased, and
- the area to the west of the 'arrival' terrace on the ground floor has been replaced with stairs, and the setback to the boundary has been increased.

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

DECISION ON REVIEW APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. REV2019/0032 for Review of Determination of Application DA2018/1634 for construction of a dwelling house including a swimming pool at Lot 9 DP 3742, 16 Fairlight Crescent, Fairlight subject to the conditions and for the reasons set out in the Assessment Report, subject to the following:

1. The addition of the following condition under 'Conditions to be satisfied prior to the issue of a Construction Certificate':

Excavation Management Plan

Prior to the issue of a construction certificate an Excavation Management Plan shall be prepared and submitted to the Council. The plan shall include (but not limited to):

- a) Vibrations limits (as measured at adjoining properties) to be complied with during excavations.
- b) Ongoing vibration monitoring during the course of excavation works.
- c) Identified plant and equipment to be utilised during excavations.
- d) Management responses to be undertaken in the event that vibration limits are

- exceeded at any time during the excavation.
- e) Evidence of compliance is to be documented and available on site at all times for Council to inspect. This evidence is then to be provided to the Principal Certifying Authority prior to the issue of the Occupation Certificate.

Reason: To ensure the structural integrity of adjoining properties.

Vote: 3/0

The meeting concluded at 4.15pm

This is the final page of the Minutes comprising 9 pages
numbered 1 to 9 of the Northern Beaches Local Planning Panel meeting
held on Wednesday 2 October 2019.