

# MINUTES

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

Electronically determined on

**MONDAY 25 NOVEMBER 2019**

## **Minutes of a Meeting of the Northern Beaches Local Planning Panel**

### **Electronically determined on Monday 25 November 2019**

#### **Panel Members**

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

**ELECTRONIC DETERMINATION OF THE NORTHERN BEACHES LOCAL PLANNING PANEL – 25 NOVEMBER 2019 – SCHEDULE 2, PART 5, ITEM 26 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (NSW)**

**Panel constituted by:** Paul Vergotis (Chair), Brian Kirk (Expert), Marcus Sainsbury (Expert) & John Simmonds (Community Representative).

**Development application:** DA 2018/2027.

**Proposed development:** Alterations and additions to an existing dwelling.

**Premises:** Lot C, DP 316879 (No. 15) Addison Road, Manly.

**Determination:** Pursuant to s 4.16 (1) of the *Environmental Planning and Assessment Act 1979* (NSW) development application no. 2018/2027 for alterations and additions at Lot C, DP 316879 (No. 15) Addison Road, Manly (**DA**) is determined with the granting of consent subject to the conditions set out the assessment report published on the Northern Beaches Local Planning Panel's business papers of 2 October 2019 with the exception that proposed condition no. 19 be deleted on the basis that Building Information Certificate No. BC 2019/0212 dated 6 November 2019 has been issued.

**Date of determination:** 25 November 2019.

**Voting:** Unanimous.

**Statement of reasons:**

On 2 October 2019 the Panel inspected the subject premises heard oral submissions at its meeting by the applicant and the applicant's representatives. The Panel's decision to defer its determination of the DA was based on allowing the applicant additional time to access and review a report prepared by the Department of Planning, Industry and Environment in relation to the Manly Little Penguin (**Report**) which was pertinent to the proposed development.

The applicant's ecologist after reviewing the Report and doing further research responded with a further submission dated 29 October 2019 (**further submission**) which, amongst other things, recommended that the proposed development could proceed subject to a Plan of Management (**PoM**). It is important to note that the proposed alterations and additions included the erection of an external lift, a sandstone wall and works to the existing boatshed which all have the likelihood of interfering with the habitat of nesting little penguins. Hence these aspects of the development required further assessment and consideration.

The applicant's further submission was duly assessed by the Council's technical staff and even though the submission provided additional information, the staff have recommended that no works be undertaken to erect the proposed external lift/elevator, sandstone wall or the boatshed.

Upon the receipt of the further submission and its assessment by the council's technical staff, it is the Panel's view after carefully consideration the DA should only be partially approved with the deletion of the sandstone wall and lift/elevator from the plans. The reasons for the Panel reaching such a conclusion are primarily related to the lack of information provided in the further submission and the degree of uncertainty that the erection of the contemplated external works will not have any adverse effects on the little penguin habitat(s).

Accordingly, the Panel is only prepared to grant a development consent which does not involve the approval of the external sandstone wall or lift/elevator; and does not involved the retrospective approval to works to the boatshed.

For the above reasons the recommendation in the report (Item 3.2) entitled '*DA2018/2027 – 15 Addison Road, Manly – Alterations and Additions to an Existing Dwelling House*' as presented to the Panel on 2 October 2019 is adopted subject to the conditions provided on pages 107 to 123 inclusive of that report with the exception of condition no. 19 which is to be deleted from the notice of determination.

**Confirmed:** Paul Vergotis (Chair), Brian Kirk (Expert), Marcus Sainsbury (Expert) & John Simmonds (Community Representative) as the constituted Northern Beaches Local Planning Panel pursuant to Part 4 of the *Environmental Planning and Assessment Act 1979* (NSW).