

MINUTES

NORTHERN BEACHES LOCAL PLANNING PANEL MEETING

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

WEDNESDAY 4 DECEMBER 2019

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

ATTENDANCE:

Panel Members

Lesley Finn	Chair
Marcus Sainsbury	Environmental Expert
Graham Brown	Town Planner
Lloyd Graham	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 27 NOVEMBER 2019

The Minutes of the Northern Beaches Local Planning Panel held 27 November 2019, were adopted by the Chairperson and have been posted on the Council's website

3.0 DEVELOPMENT APPLICATIONS

3.1 MOD2019/0440 - 1 QUEENS PARADE, NEWPORT - MODIFICATION OF DEVELOPMENT CONSENT 89/388 GRANTED FOR ALTERATIONS AND ADDITIONS TO A MARINA

PROCEEDINGS IN BRIEF

The proposed development seeks to amend Condition 57 of development consent No. 89/388 issued by the former Shire of Warringah on 21st September 1989 to increase the number of vessels on the hardstand to eight (8).

The condition currently states the following:

57. *A maximum number of 4 (four) vessels at any one time are to be stored on the hardstand area.*

This application seek to amended condition 57 to read:

57. *A maximum number of eight (8) vessels at any one time are to be stored on the hardstand area.*

The application does not require any physical works on the site.

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

The Panel received a Supplementary Memo addressing an amended Acoustic Report that recommended the deferred commencement condition relating to additional acoustic information could be deleted. The Panel also received supplementary advice regarding a total number of 20 employees (permanent employees and contractors) could be accommodated on the hard stand area without adverse acoustic impacts.

DECISION ON MODIFICATION APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** to Application No. Mod2019/0440 for Modification of Development Consent 89/388 granted for alterations and additions to a marina at Lot 315 DP 822344, 1 Queens Parade, Newport subject to the conditions and for the reasons set out in the Assessment Report subject to the following:

1. The deletion of the Deferred Commencement Condition.
2. The amendment of condition 64 to read as follows:

64. Maximum number of Employees for the Service and Repair Area

A maximum number of twenty (20) workers (including permanent employees and specialist contractors) shall be permitted to be working on the hardstand area of the service and repair component of the marina at any one time.

Reason: To ensure the maximum use of the hardstand area is not intensified.

3. The addition of the following condition:

65. Compliance with The Noise Policy for Industry NSW EPA 2017

The operation of the site is to comply with The Noise Policy for Industry NSW EPA, 2017 acoustic criteria and the Acoustic Report prepared by PKA Acoustic Consulting dated 27

November 2019 at all times.

Reason: To control noise emitted to neighbouring premises

Vote: 4/0

3.2 MOD2019/0313 - 571-575 SYDNEY ROAD, SEAFORTH - MODIFICATION OF DEVELOPMENT CONSENT DA2016/0373 GRANTED FOR DEMOLITION AND CONSTRUCTION OF SHOP TOP HOUSING AND STRATA/STRATUM SUBDIVISION

PROCEEDINGS IN BRIEF

The proposed modification includes changes to the approved shop top housing development as follows:

- Minor reconfiguration of basement levels, commercial tenancies and residential units
- Reconfiguration of internal lift and stair access
- Changes to building facade and rear balcony/terrace layouts
- Changes to doors and windows
- Reconfiguration of access to rear communal open space area
- Relocation of bin rooms

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.

The Panel heard from a number of residents who raised the following issues:

- The incorrect orientation of the north point on the Site Analysis Plan, particularly in relation to the solar access diagrams
- The inconsistencies between the original conditions of consent and the modification proposal, particularly in relation to privacy, bulk and scale which were to be addressed by original conditions ANS07A and ANS07B as set out below.

Regarding the concerns relating to the error on the Site Analysis Plan, the Panel was satisfied that the solar access analysis was carried out with the correct northern orientation, notwithstanding the drafting error on the Site Analysis Plan.

The Panel noted that the modification did not seek amendments to the following conditions:

- **ANS07**
The proposed development is to provide storage for 7 x 240L residential bins (2 x general waste, 2 x paper, 2 x comingled containers, 1 x vegetation recycling) and 6 x 240L commercial bins. Plans demonstrating compliance with this condition are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure adequate waste storage

- **ANS07A**
Commercial space 2 is to be reduced in size through the relocation of the south facing wall to align with the location of the balcony to apartment 1. Amended plans are to be submitted to Council prior to the issue of Construction Certificate.

Reason: To retain an adequate level of privacy for adjoining properties.

- **ANS07B**
The three metre wide areas of the podium at ground level 2 to the east and west of commercial 2 are to be non-trafficable and to have planters to achieve a minimum soil depth of 900mm and to be planted with dense screen planting to achieve a nominal mature height of 4.5m. Amended plans are to be submitted to Council prior to the issue of Construction Certificate.

Reason: To retain an adequate level of privacy for adjoining properties.

Conditions ANS07A and ANS07B were imposed by the previous Panel to ensure an adequate level of privacy for adjoining properties and reduce the bulk and scale. These conditions should be retained.

Condition ANS07 was not objected to by the applicant but sought to delete the amended condition 13A proposed by the Council. This condition stated:

"The proposed bin room areas within the Basement 1 & 2 Levels are to be deleted and the approved location retained.

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

Reason: The proposal does not provide suitable access to and from the modified bin room locations within the basement levels."

The residents who appeared at the panel meeting supported the retention of condition ANS07.

Noting the comments of Council's Waste Officer, the residential bins will need to be located at grade and accessible from the street. However, the commercial bins may be located in the basement as this service is not provided by the Council. This will require amendment to the modification plans.

DECISION ON MODIFICATION APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. Mod2019/0313 for Modification of Development Consent DA2016/0373 granted for demolition and construction of shop top housing and strata/stratum subdivision at Lot 43 DP 656428, 571-575 Sydney Road, Seaforth subject to the conditions and for the reasons set out in the Assessment Report, subject to the following:

1. The amendment of condition ANS07 to read as follows:

ANS07

The proposed development is to provide storage for 5 x 240L residential bins and 6 x 240L commercial bins.

The residential bin room is to be at street level to facilitate a wheel out and return service by Council and/or its agents. Bin room layout to show bins in single bin rows rather than double.

The pathway and access between the waste storage area and collection point will be:

- a) Solid, continuous, non-slip and clear of any obstructions and steps.
- b) A maximum ramp gradient of 1 in 8.
- c) Hazard free and not via a pathway with vehicular traffic.
- d) A minimum width of 1200mm.

Any doors fitted on the Waste Storage Area, pathway and access will be:

- e) A minimum width of 1200mm.
- f) Able to be latched in an open position.
- g) Unobstructed by any locks and security devices.
- h) Openable in an outward direction.

Commercial bins are to be stored in the basement area.

Plans demonstrating compliance with this condition are to be submitted to the satisfaction

of the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure adequate waste storage

2. The deletion of proposed condition 13A.

Vote: 4/0

3.3 MOD2019/0399 - 4 SYDNEY ROAD, MANLY - MODIFICATION OF DEVELOPMENT CONSENT DA0167/2017 GRANTED FOR CHANGE OF USE TO A CHILDCARE CENTRE INCLUDING ALTERATIONS AND ADDITIONS TO THE EXISTING BUILDING

PROCEEDINGS IN BRIEF

The proposed modifications to the approved child care centre consists of:

Ground Floor

- Bike store relocation and pram parking enlarged;
- Reception adjusted;
- Meeting room deleted and piazza added;
- Staff space and amenities converted to kitchen;
- WC and shower added;
- Tenancy extended eastwards.

First Floor

- Deletion of laundry;
- New entry to stair 01;
- Nappy change and WC relocated;
- Internal partitions removed;
- Cot rooms replanned;
- Indoor area enlarged;
- Stair and fire stair 02 adjusted;
- Retention of existing window on the eastern and southern elevations.

Second Floor

- Staff room and planning room added;
- Refuge area added adjacent to fire stair 01;
- Kitchen deleted and WC added;
- Piazza space reduced and external space enlarged;
- Nappy change added;
- Laundry Added;
- Changes to fenestration on eastern and southern elevations;

Roof Level

- Removal of the approved outdoor area on roof, including removal of shade sails and greenhouse;
- Removal of staircase to roof access;
- Removal of WC from roof;
- Acoustic screen to existing plant area;
- Removal of roof sheeting between grid lines 03-GL10 and weatherproofing/bracing of trusses to provide true open space for external play area below; and
- Skylights added.

The applicant also seeks to amend condition of consent ANS01 to reduce the capacity of the child care centre from a maximum 110 children to a maximum of 100 children. This change has been requested in order to achieve compliance with the indoor and outdoor floor space requirements under the Education and Care Service National Regulations.

The Panel viewed the site and its surrounds. At the public meeting which followed the Panel was addressed by one 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. Mod2019/0399 for Modification of Development Consent DA0167/2017 granted for change of use to a childcare centre including alterations and additions to the existing building at Lot 1 DP 628937, 4 Sydney Road, Manly subject to the conditions and for the reasons set out in the Assessment Report.

Vote: 4/0

3.4 DA2018/1692 - 78 WILLANDRA ROAD, NARRAWEENA - CONSTRUCTION OF A BOARDING HOUSE

PROCEEDINGS IN BRIEF

The proposed development seeks construction of a new two storey boarding house.

Specifically the proposal will contain the following:

- Twenty-nine (29) boarding rooms, comprising 28 x lodger rooms and one (1) boarding room set-up for a live-in manager, that includes office space and a terrace;
- Fifteen (15) parking spaces (including 1 disabled persons car space) and new driveway formation;
- Six (6) motorbike spaces and six (6) bicycle spaces;
- External garbage bin holding room and truck loading bay;
- Connection to (existing) private sewer line mains;
- Landscaping, ancillary site works, including bushland clearing for bushfire safety; and
- Footpath connection along Willandra Road.

The Panel viewed the site and its surrounds. At the public meeting which followed the Panel was addressed by five local residents with firsthand experience of the site and surrounding bushland. They generally concurred with the reasoning and conclusions in the Council Officer's Assessment Report.

DECISION ON DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **refuses** Application No. DA2018/1692 for Construction of a Boarding House Development at Lot 810 DP 752038, 78 Willandra Road, Narraweena for the reasons set out in the Assessment Report.

Vote: 4/0

The meeting concluded at 3.40pm

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 December 2019.