

MINUTES

NORTHERN BEACHES LOCAL PLANNING PANEL MEETING

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

WEDNESDAY 4 MARCH 2020

**Minutes of a Meeting of the Northern Beaches Local Planning Panel
held on Wednesday 4 March 2020
at Council Chambers, Civic Centre, Dee Why
Commencing at 1.00pm**

ATTENDANCE:

Panel Members

Peter Biscoe	Chair
Steve Kennedy	Urban Design Expert
Marcus Sainsbury	Environmental Expert
Nick Lawther	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 19
FEBRUARY 2020**

The Panel notes that the Minutes of the Northern Beaches Local Planning Panel held 19 February 2020 were adopted by the Chairperson and have been posted on the Council's website.

3.0 DEVELOPMENT APPLICATIONS

3.1 DA2019/1021 - WEST ESPLANADE, MANLY - ALTERATIONS AND ADDITIONS TO AN EXISTING CAFE AND SIGNAGE

PROCEEDINGS IN BRIEF

The application seeks consent for the alterations and additions to an existing cafe and signage. In particular the works include:

- Internal reconfiguration to include a new commercial kitchen, service area, seating and office;
- Replacement of existing bi-fold doors at the front with new aluminium bi-fold doors;
- Seating - Outdoor seating within lease area for 24 patrons, with landscaping in movable planter boxes;
- Indoor seating for 24 patrons;
- Back-lit LED business identification sign anchored vertically to the northern elevation of the external wall; and
- Proposed hours of operation 7am to 10pm.

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. DA2019/1021 for alterations and additions to an existing cafe and signage at Lot 2 DP 1019352 & Lot 7340 DP 1144101, West Esplanade, Manly 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:

Planter Boxes

The proposed planter boxes must not contain artificial or synthetic plants.

Reason: For protection of the environment.

Vote: 4/0

3.2 MOD2019/0531 - 24 BONA CRESCENT, MORNING BAY - MODIFICATION OF DEVELOPMENT CONSENT DA2018/1548 GRANTED FOR ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE INCLUDING A BOAT SHED AND JETTY

PROCEEDINGS IN BRIEF

The modification application seeks consent for modifications to development consent DA2018/1548 granted for the alterations and additions to a dwelling house including a boat shed and jetty, specifically the following:

- deletion of Deferred Commencement Condition 1, as copied below:

Deferred Commencement Condition 1

Amended plans are to be submitted to provide for the following:

The proposed loading deck on the north-eastern elevation of the proposed boat shed is to include stairs on the north-western and south-eastern sides to enable public foreshore access.

This access:

- *is to provide safe public access along the foreshore*
 - *is to be maintained at all times.*
 - *should comply with all relevant standards and codes*
- as-built changes to the stormwater drainage system to replace the extended pipeline under the jetty structure with a rip-rap revetment located under the boat shed.

The deferred commencement condition was satisfied and an operational consent issued on 29 July 2019. Accordingly the deferred commencement condition is no longer part of the operational consent so cannot be modified. To accommodate the amendments Condition 3A will be included to update the modified plans and Condition 3B be added to ensure the stairs are deleted from the proposal.

The applicant proposes that public foreshore access be facilitated underneath the jetty structure.

The Panel viewed the site and its surrounds. At the public meeting which followed the Panel was addressed by 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. MOD2019/0531 for modification of Development Consent DA2018/1548 granted for alterations and additions to a dwelling house including a boat shed and jetty at Lot 8 DP 21880, 24 Bona Crescent, Morning Bay subject to the conditions and for the reasons set out in the Assessment Report.

Vote: 4/0

3.3 DA2019/1116 - 32 OLD BARRENJOEY ROAD, AVALON BEACH - USE OF LOWER LEVEL OF EXISTING BUILDING AS A COMMUNITY FACILITY

PROCEEDINGS IN BRIEF

The seeks approval for the change use of the existing undercroft area of the building for use as a creative arts space. There will be two (2) studio spaces with a larger flexible teaching space that will be able to accommodate up to ten (10) students. A Heritage Exemption Application under Pittwater LEP dated 2 October 2019 has been granted for some building works. This application seeks some alteration to the teaching space windows and doors which were not part of the Heritage Exemption Application.

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 DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2019/1116 for use of lower level of existing building as a community facility at Lot 1 DP 511908, 32 Old Barrenjoey Road, Avalon Beach 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 which must be complied with prior to issue of the construction certificate:

12A. Design for Access and Mobility

The applicant is to provide a report prepared by a suitably qualified access and mobility consultant demonstrating compliance with AS1428 or, if there is not compliance, containing recommendations for compliance. If there are any such recommendations for compliance the approved plans must be amended accordingly to the proposed works.

Reason: To ensure equitable and safe access to the proposed works.

Vote: 4/0

3.4 MOD2019/0325 - 76 WILLANDRA ROAD, NARRAWEENA - MODIFICATION OF DEVELOPMENT CONSENT DA2014/1180 GRANTED FOR THE CONSTRUCTION OF A BOARDING HOUSE

PROCEEDINGS IN BRIEF

The modifications to the approved development seek to increase the occupancy of the Boarding House from 13 accommodation rooms to 16 accommodation rooms, by reconfiguring internal elements of the building and some external changes.

The resultant development will comprise:

- Increasing from thirteen (13) to sixteen (16) the number of boarding rooms, comprising fifteen (15) x lodger rooms and one (1) boarding room set-up for a live-in manager that has a private terrace, and increasing the maximum number of occupants from 13 to 19 which equates to a 46% increase in occupancy;
- Eight (8) parking spaces (including 1 disabled persons car space) and redesigned driveway formation;
- Four (4) motorbike spaces and four (4) bicycle spaces;
- External garbage bin holding room and truck loading bay;
- Inclusion of a lift;
- Addition of a second communal living and storage area on the first floor;
- Selected reconfiguration of the internal floor layout;
- Reduced roof height from RL57.03 to RL56.62;
- Ancillary external changes for landscaping and site works.

Ancillary works include:

- Connection to (existing) private sewer line mains;
- Landscaping, ancillary site works, including bushland clearing for bushfire safety;
- Footpath connection along Willandra Road.

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

The Panel noted that comments by submitters included the point that the proposed intensification of the use of the site could give rise to increased impacts on threatened species in the area.

DECISION ON MODIFICATION APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **refuses** Application No. Mod2019/0325 for modification of Development Consent DA2014/1180 granted for the construction of a boarding house at Lot 811 DP 752038, 76 Willandra Road, Narraweena for the reasons set out in the Assessment Report and for the additional reason that the proposed intensification of the use of the site could give rise to increased impacts on threatened species in the area.

Vote: 4/0

3.5 DA2019/1195 - KEIRLE PARK, PITTWATER ROAD, MANLY - USE OF LAND FOR A MUSIC EVENT INCLUDING TEMPORARY INSTALLATION OF A STAGE, FENCING, TOILETS, BAR AND MARKETS - DROP FEST 2020

PROCEEDINGS IN BRIEF

The proposal involves the use of the playing fields area and adjacent changing room and canteen buildings at Keirle Park for a music event called “The Drop Festival” on 14 March 2020. The music event will commence at 1.00pm and finish by 10.30pm with a music curfew at 10.00pm. The music event has an estimated attendance of 9,000 patrons and a capacity of 12,000 patrons.

The Panel viewed the site and its surrounds. At the public meeting which followed the Panel was addressed by three 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 the determination** of Application No. DA2019/1195 for use of land for a music event including temporary installation of a stage, fencing, toilets, bar and markets (Drop Fest 2020) at Lot 1 DP 535058 and Lots 8-20 DP 1177, Keirle Park, Pittwater Road, Manly because revised versions of a number of reports and documents referenced in condition 1 have been provided and the Panel wishes Council’s external consultant to review the most recent versions. The Panel defers the determination for electronic determination which it is anticipated will occur in the next 48 hours.

Vote: 4/0

3.6 DA2019/1173 - 3 BERITH STREET, WHEELER HEIGHTS - DEMOLITION OF EXISTING DEVELOPMENT AND CONSTRUCTION OF A SENIORS HOUSING DEVELOPMENT COMPRISING 6 X INFILL SELF CARE HOUSING UNITS AND BASEMENT PARKING, AND STRATA SUBDIVISION

PROCEEDINGS IN BRIEF

The proposal seeks consent for demolition work and the construction of six (6) dwellings (in-fill self-care housing) for aged and disabled persons housing and strata-subdivision.

An objector made a late request that this application not be heard at today's meeting because of procedural issues. The Council Assessment Officer provided a memorandum in response dated 3 March 2020 (record number 2020/128919). In the Panel's opinion, that memorandum satisfactorily addresses the procedural issues. Accordingly, the Panel declines to accede to the objector's request.

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

One of the points raised by objectors was the negative impact of the liquid amber tree on the nature strip in front of the proposed building if it had to be removed and the real risk that at some point it would have to be removed. This tree is in the Council road reserve and it would be Council's responsibility to replace it if it is ever removed.

One of the points raised by the objector at 5 Berith Street concerned the solar impacts of the proposed development to their north facing window. The Panel notes that clause D6 of the Assessment Report confirms that appropriate solar access is maintained to the north facing window.

DECISION ON DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, grants **deferred commencement approval** to Application No. DA2019/1173 for demolition of existing development and construction of a Seniors Housing development comprising 6 x infill self-care housing units and basement parking, and strata subdivision at Lot A DP 411784, 3 Berith Street, Wheeler Heights subject to the conditions and for the reasons set out in the Assessment Report and Supplementary Memorandum by the Council Assessment Officer dated 3 March 2020 with the reference 'Amended conditions relating to dilapidation reports, rock breaking, asbestos and fencing'.

Vote: 4/0

The meeting concluded at 4.45pm

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 4 March 2020.