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beaches  
council

## MEMORANDUM

**DATE:** 2 July 2020  
**TO:** Development Determination Panel  
**CC:** Rodney Piggott, Manage Development Assessments  
**FROM:** Claire Ryan, Principal Planner  
**SUBJECT:** MOD2019/0253 – 24 Lancaster Crescent, Collaroy

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Dear Panel,

The following memo is supplementary to the Assessment Report prepared for MOD2019/0253.

### **Assessment Report Errors:**

It is noted the Assessment Report contains two errors:

#### **Error 1:**

The section of the Assessment Report titled “PROPOSED DEVELOPMENT IN DETAIL” erroneously omitted one detail in relation to the ground floor, and is intended to read as follows (paraphrased, with change in **bold red**):

*The proposal seeks consent for the following modifications to development consent DA2016/0963...*

- *Ground Floor:*
  - ...
  - *Addition of **stairs and** access gate from pool area to front yard*
  - ...

Accordingly, the addition of the stairs results in a non-compliance with the front boundary setback, and a 2.2sqm reduction of the landscaped area on site. These matters are addressed as follows:

| Standard                                      | Requirement | Approved           | Proposed            | Complies    |
|---|-------------|--------------------|---------------------|-------------|
| B7 Front Boundary Setbacks                    | 6.5m        | -                  | 3.9m to pool stairs | No          |
|   |             | 3.465m to pool     | No change           | As approved |
|   |             | 4.726m to dwelling |                     |             |
| D1 Landscaped Open Space and Bushland Setting | 40%         | 40.3% (283.9sqm)   | 39.98% (281.7sqm)   | No          |



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The non-compliances are addresses as follows:

### **B7 Front Boundary Setbacks**

The proposed modifications include the addition of access stairs with gate in the front setback area, 3.9m from the front boundary, where 6.5m is required. The development is considered against the underlying objectives of the control as follows:

*To create a sense of openness.*

Comment:

The proposed stairs and gate are located such that they are not visible from the street level in that they are behind a large boulder, and the street level is set well below the location of the stairs. As such, they do not result in a visual interruption to the openness of the front yard.

*To maintain the visual continuity and pattern of buildings and landscape elements.*

Comment:

The proposed stairs and gate are located such that they are not visible from the street level, as above. Additionally, the reduction in landscaped area is minor in nature, being 2.2sqm. As such, the proposed stairs and gate do not impact upon the visual continuity and pattern of buildings, and do not pose more than a negligible interruption to landscaping in the front setback.

*To protect and enhance the visual quality of streetscapes and public spaces.*

Comment:

The proposed stairs and gate are located such that they are not visible from the street level, as above. As such, the stairs do not impact upon the visual quality of the streetscape.

*To achieve reasonable view sharing.*

Comment:

The proposed stairs and gate do not result in any obscuring of views.

### **D1 Landscaped Open Space and Bushland Setting**

The proposed modifications include the addition of access stairs with gate in the front setback area, reducing the landscaped area to 39.98% of the site, where 40% is required. The development is considered against the underlying objectives of the control as follows:

*To enable planting to maintain and enhance the streetscape.*

Comment:

The proposed stairs and gate result in a reduction of landscaped area in the front yard of 2.2sqm. This is a minor reduction, and the front yard is still well capable of providing planting to maintain and enhance the streetscape. This is demonstrated by the amended landscape plan, which includes significant planting to the front yard.

*To conserve and enhance indigenous vegetation, topographical features and habitat for wildlife.*

Comment:

The proposed stairs and gate do not impact upon indigenous vegetation, topographical features, or habitat for wildlife.



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*To provide for landscaped open space with dimensions that are sufficient to enable the establishment of low lying shrubs, medium high shrubs and canopy trees of a size and density to mitigate the height, bulk and scale of the building.*

Comment:

Despite the addition of the stairs and gate, the subject site remains well capable of providing a range of vegetation in the front yard responding to the proposed built form, as demonstrated by the amended landscape plan.

*To enhance privacy between buildings.*

Comment:

The proposed stairs and gate are located adjacent to, and lower than, an existing masonry wall, within the front setback area. As such, the stairs and gate do not result in any unreasonable reduction in privacy between buildings.

*To accommodate appropriate outdoor recreational opportunities that meet the needs of the occupants.*

Comment:

The inclusion of the proposed stairs and gate does not unreasonably reduce opportunities for appropriate outdoor recreation, given their minimal dimensions and location adjacent to the pool.

*To provide space for service functions, including clothes drying.*

Comment:

The inclusion of the proposed stairs and gate does not prevent opportunity for service functions on the site.

*To facilitate water management, including on-site detention and infiltration of stormwater.*

Comment:

The proposed stairs and gate do not impact upon stormwater management measures on the site.

Error 2:

Recommended Condition 15B Frosting to Windows contains an error, and is intended to read as follows (change in **bold red**).

**C. Add Condition 15B Frosting to Windows to read as follows:**

*The east-facing windows to the ensuite and walk-in-robe at the second floor are to be frosted to a minimum height of 1500mm above finished floor level. The north-facing windows to the second floor ensuite are to be frosted to a minimum height of 1500mm above finished floor level. The east-facing windows to the daybed at the second floor are to be frosted to a minimum height of **1650mm** above finished floor level. Details 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 visual privacy to adjoining properties.*

It is recommended Condition 15B be amended accordingly.



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### **Boundary Wall**

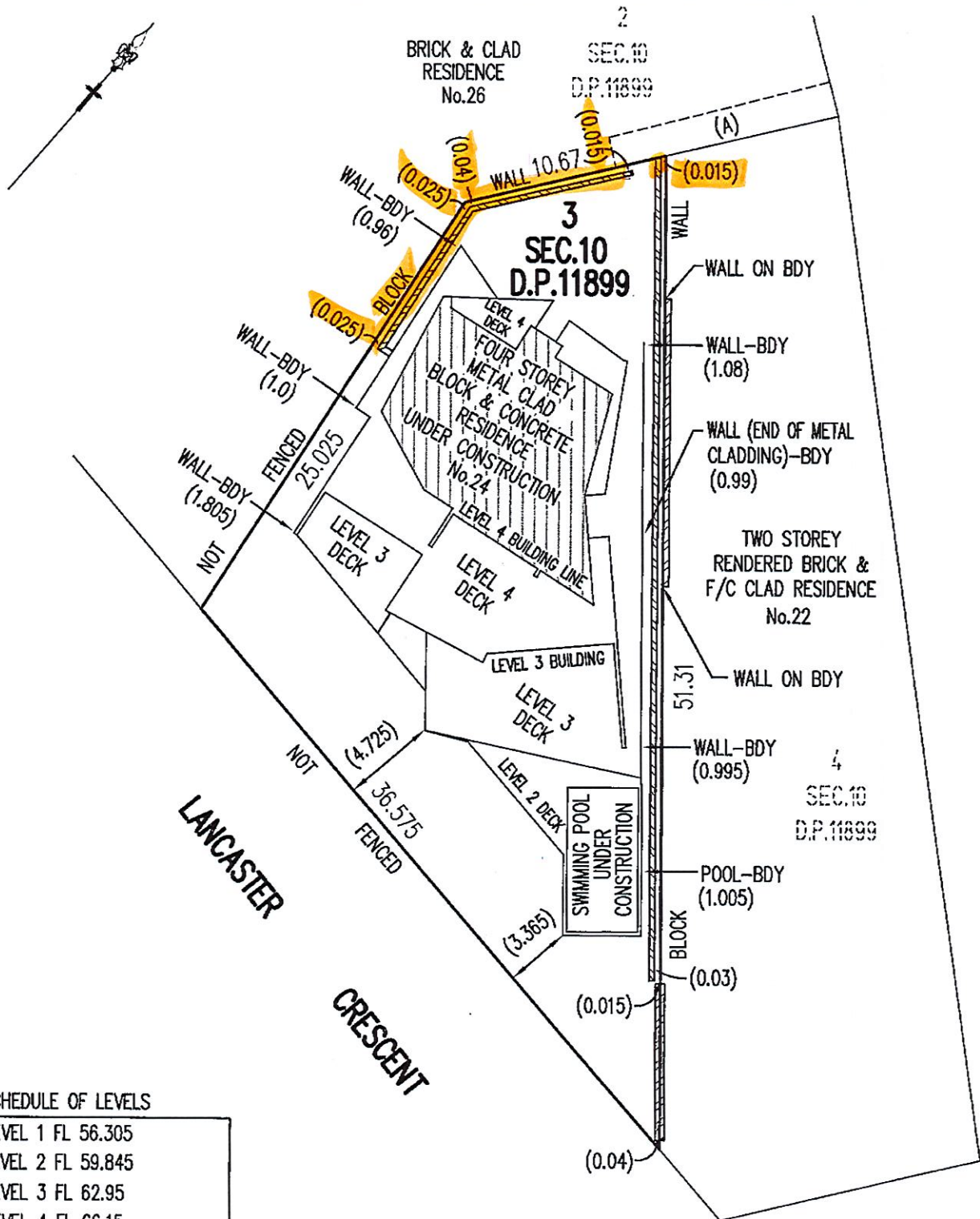
An objector has provided a survey that identifies an already constructed wall (for which, retrospective consent is sought by MOD2019/0253) encroaches onto 26 Lancaster Crescent, across the western boundary of the subject site. This is in contradiction with a survey provided by the Applicant, which demonstrates the boundary is entirely on the subject site. The relevant surveys are attached to this memo for the information of the Panel.

Claire Ryan  
Principal Planner  
Planning and Place

# Survey Submitted by the Applicant

## SKETCH

THIS SKETCH ACCOMPANIES MY REPORT TO MADE CONTRACTING DATED 07/01/2020



### SCHEDULE OF LEVELS

|                      |        |
|----------------------|--------|
| LEVEL 1 FL           | 56.305 |
| LEVEL 2 FL           | 59.845 |
| LEVEL 3 FL           | 62.95  |
| LEVEL 4 FL           | 66.15  |
| TOP OF LIFT SHAFT RL | 69.69  |

(A) - RIGHT OF WAY (G252638)

REFERENCE: 9296/16

I, David Stutchbury, Surveyor, registered under the Surveying and Spatial Information Act, 2002 hereby certify that the survey represented by this sketch has been made in accordance with Regulation 10 of the Surveying and Spatial Information Regulation, 2017, and is correct

*D. Stutchbury*

Surveyor Registered under the Surveying and Spatial Information Act 2002.

21

D.P. 16081



**19.495**

$$\underline{7.62}$$

0.010 TO FRONT BOUNDARY

0.070 TO SIDE BOUNDARY

THIS IS THE SKETCH REFERRED TO IN & TO ACCOMPANY  
MY REPORT TO Mr & Mrs N. VAN WEERAN  
DATED 08/05/2020

COPLAND C. LETHBRIDGE  
REGISTERED SURVEYOR N.S.W.  
IDENTIFICATION No. 1470

PLAN SHOWING SURVEY MARKS PLACED & VARIOUS IMPROVEMENTS  
IN RELATION TO THE PARTIAL BOUNDARIES OF LOT 2 OF SECTION 10  
IN D.P. 11899, KNOWN AS No. 26 LANCASTER CRESCENT, COLLAROY.

L.G.A.: NORTHERN BEACHES

10  
11899

## SECTION

D.P.

19.8/

NAIL ON TOP OF  
RENDERED BLOCK WALL

FACE OF BLOCK  
WALL ON BDY

RIGHT OF FOOTWAY  
0.915 WIDE (G252638)

NEW LAPPED AND CAPPED PALING FENCE

15.24

(3.66 WIDE)

PUBLIC

PEG  
NAIL ON TOP OF  
FENCE CAPPING

CLIENT      Mr & Mrs N. VAN WEERAN

PROPERTY No. 26 LANCASTER CRESCENT, COLLAROY

DATUM \_\_\_\_\_

SCALE 1:150 @ A3

|      |            |
|------|------------|
| DATE | 08/05/2020 |
|------|------------|

SURVEYED C.L./J.H.

|       |      |
|-------|------|
| DRAWN | R.M. |
|-------|------|

DWG No. 20509soA

REF No.

20509

SHEET No. 1 of 1

|         |    |
|---------|----|
| REV No. | 00 |
|---------|----|



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