

# MINUTES

## NORTHERN BEACHES LOCAL PLANNING PANEL

held in closed session on

**WEDNESDAY 19 AUGUST 2020**

No public meeting was held for the items in these Minutes as a statutory Direction by the Minister of Planning and Public Spaces states the panel is only required to hold a public meeting where the development application has attracted 10 or more unique submissions by way of objection. These applications do not satisfy that criterion.

## **Minutes of the Northern Beaches Local Planning Panel held in closed session on Wednesday 19 August 2020**

### **ATTENDANCE:**

#### **Panel Members**

Lesley Finn	Chair
Robert Hussey	Town Planner
Graham Brown	Town Planner
Peter Cotton	Community Representative

## **1.0 APOLOGIES AND DECLARATIONS OF INTEREST**

Nil

## 2.1 DA2019/1539 - 165 SEAFORTH CRESCENT, SEAFORTH - ALTERATIONS AND ADDITIONS TO EXISTING GARAGE AND BOUNDARY RE-ALIGNMENT

### PROCEEDINGS IN BRIEF

The proposal is for a boundary adjustment and demolition of a portion of the existing single car garage and construction of new double garage.

The Panel viewed the site and its surrounds.

### DECISION ON EXCEPTIONS TO DEVELOPMENT STANDARDS

A. The Panel is satisfied that:

- 1) the applicant's written request under clause 4.6 of the Manly Local Environmental Plan 2013 seeking to justify a contravention of clause 4.1 Minimum Lot Size development standard have adequately addressed and demonstrated that:
  - a) compliance with the standard is unreasonable or unnecessary in the circumstances of the case; and
  - b) there are sufficient environmental planning grounds to justify the contravention.
- 2) the proposed development will be in the public interest because it is consistent with the objectives of the standards and the objectives for development within the zone in which the development is proposed to be carried out.

B. The Panel assumes the concurrence of the Secretary, Department Planning and Environment required under clause 4.6.

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### 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** Application No. DA2019/1539 for alterations and additions to existing garage and boundary re-alignment at Lots 1 & 2 DP 747438, 165 Seaforth Crescent, Seaforth subject to the conditions and for the reasons set out in the Assessment Report and Supplementary Memo subject to the following:

1. The addition of the following Deferred Commencement Condition:

#### **Deferred Commencement**

Detailed Geotechnical and Structural Engineering details are required which address the proposed footings, supporting columns and floor slabs and the measures required to protect Tree 2.

Evidence required to satisfy the deferred commencement condition/s must be submitted to Council within two (2) years of the date of this consent. This consent does not operate until such time as such evidence is provided to Council.

2. The addition of the following condition:

#### **Stormwater Disposal**

The applicant is to demonstrate how stormwater from the new development within this consent is disposed of to an existing approved system or in accordance with Northern Beaches Council's MANLY SPECIFICATION FOR ON-SITE STORMWATER MANAGEMENT 2003.

Details by an appropriately qualified and practicing Civil Engineer demonstrating that the

existing approved stormwater system can accommodate the additional flows, or compliance with the Council's specification are to be submitted to the Certifying Authority for approval prior to the issue of the Construction Certificate.

Reason: To ensure appropriate provision for disposal and stormwater management arising from development.

3. The addition of the following condition:

**Structural Adequacy and Excavation Work**

Excavation work is to ensure the stability of the soil material of adjoining properties, the protection of adjoining buildings, services, structures and / or public infrastructure from damage using underpinning, shoring, retaining walls and support where required. All retaining walls are to be structurally adequate for the intended purpose, designed and certified by a Structural Engineer, except where site conditions permit the following:

- (a) maximum height of 900mm above or below ground level and at least 900mm from any property boundary, and
- (b) Comply with AS3700, AS3600 and AS1170 and timber walls with AS1720 and AS1170.

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

Reason: To provide public and private safety.

4. The addition of the following condition prior to the issue of the Construction Certificate:

**Geotechnical Certification**

The subject site is located within area 'G1' in the Potential Geotechnical Landslip Hazard Map at Schedule 1 of the Manly Development Control Plan. Therefore, a Geotechnical Assessment Report for the works is to be completed.

The recommendations of the risk assessment required to manage the hazards as identified in the Geotechnical Report are to be incorporated into the construction plans and submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure geotechnical risk is mitigated appropriately.

5. The addition of the following condition prior to the issue of the Occupation Certificate:

**Geotechnical Certification**

A Geotechnical Engineer is to certify that all measures and recommendations of the Geotechnical Report have been complied with and undertaken prior to issue of the Occupation Certificate.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Occupation Certificate.

Reason: To ensure geotechnical risk is mitigated appropriately.

Vote: 4/0

This is the final page of the Minutes comprising 6 pages  
numbered 1 to 6 of the Northern Beaches Local Planning Panel  
held in closed session on Wednesday 19 August 2020