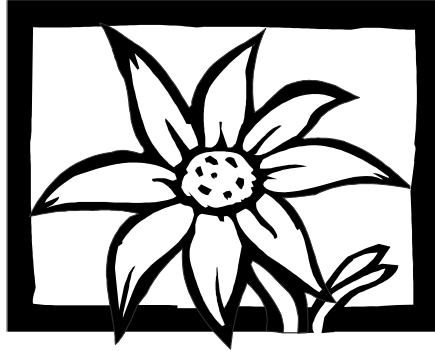




Warringah Council

**Minutes of
Application Determination
Panel Meeting
held on Thursday**

5 August 2010

Time: 11.30am
Location: Office of Director,
Planning and Development Services

ATTENDANCE:

Panel Member

John Warburton, Chairperson, Director Corporate Services

Malcolm Ryan, Director Planning and Development Services

David Kerr, Manager Strategic Planning, Planning and Development Services

Advisors

Ryan Cole, Team Leader, Development Assessments (PDS)

Keith Wright, Senior Development Assessment Officer, Development Assessments (PDS)

Alex Keller, Senior Development Assessment Officer, Development Assessments (PDS)

Kevin Short, Development Assessment Officer, Development Assessments (PDS)

Eleanor Robertson, Development Assessment Officer, Development Assessments (PDS)

Andrew Cowan, Development Assessment Officer, Development Assessments (PDS)

Minute Secretary

Bronwyn Neal, Development Panel Coordinator, Development Assessments (PDS)



Application Determination Panel

Table of Contents

Item No.	Item	Page No
1.0	Confirmation of Minutes	3
	Minutes of 15 July 2010	
2.0	Declaration of Pecuniary Interest	3
3.0	Development Applications	
3.1	64B Beacon Hill Road Brookvale - Change of Use of the Premises from a Dwelling to a Boarding House and Ancillary Works	3-4
3.2	5 & 5A Wyuna Avenue Freshwater - Construction of Two Dwelling Houses with Associated Swimming Pools	4
3.3	33 Water Reserve Road North Balgowlah – Modification DA2009/0606 for Alterations and Additions to a Dwelling House and Garage, Swimming Pool and Front Fence	5
3.4	56A Consul Road, North Narraweena.- Subdivision of 1 Lot into 2 Lots & Construction of a Single Dwelling	5



1 CONFIRMATION OF MINUTES

DECISION OF APPLICATION DETERMINATION PANEL

That the Minutes of the Application Determination Panel Meeting held on 15 July 2010, are true and accurate record of that meeting and have been signed off by Gayle Sloan as Chairperson of that meeting.

2 DECLARATION OF PECUNIARY INTEREST

Nil

3 DEVELOPMENT APPLICATIONS

3.1	64B Beacon Hill Road Brookvale - Change of Use of the Premises from a Dwelling to a Boarding House and Ancillary Works
-----	--

DA2010/0715

Proceedings in Brief

The revised BCA Fire Safety Report and RFS Referral Comments were tabled at this meeting.

The Panel concurred with the Development Assessment Officer's recommendation for refusal however within the recommendations and reasons for refusal the following changes were to be made:

- a. Insert the words "*and ancillary works*" within the description of the proposal to read "*Change of Use of the Premises from a Dwelling to a Boarding House and Ancillary Works*"
- b. The Panel recommended reason No. 3 to be amended as follows:
 - 1) "Clause 64 Private Open Space" to be deleted.
 - 2) "Clause 76 Management of Stormwater" to be added to the reason for refusal.

Reason No.3 to read as follows:

3. Pursuant to Section 79C(1)(a) of the Environmental Planning and Assessment Act, 1979, and Clause 12(1)(a) and Clause 18(1) of Warringah Local Environment Plan 2000 (as amended) the proposed development is inconsistent with the General Principles outlined under Part 4 of WLEP 2000 as follows:

- Clause 40 – Housing or older people or people with disabilities;
- Clause 43 - Noise;
- Clause 48 – Potentially contaminated land;
- Clause 50 – Safety and security;
- Clause 56 – Retaining unique environmental features on site;
- Clause 57 – Development on sloping land;
- Clause 63A – Rear building setback;
- Clause 65 – Privacy;
- Clause 70 – Site facilities;
- Clause 72 – Traffic access and safety;
- Clause 73 – Onsite loading and unloading;

- Clause 74 – Provision of carparking;
- Clause 75 - Design of carparking areas;
- Clause 76 - Management of Stormwater
- Clause 77 - Landfill

DECISION OF APPLICATION DETERMINATION PANEL

That the recommendation of the Development Assessment Officer for refusal be adopted with the following recommendations to No. 3:

3. Pursuant to Section 79C(1)(a) of the Environmental Planning and Assessment Act, 1979, and Clause 12(1)(a) and Clause 18(1) of Warringah Local Environment Plan 2000 (as amended) the proposed development is inconsistent with the General Principles outlined under Part 4 of WLEP 2000 as follows:

- Clause 40 – Housing or older people or people with disabilities;
- Clause 43 - Noise;
- Clause 48 – Potentially contaminated land;
- Clause 50 – Safety and security;
- Clause 56 – Retaining unique environmental features on site;
- Clause 57 – Development on sloping land;
- Clause 63A – Rear building setback;
- Clause 65 – Privacy;
- Clause 70 – Site facilities;
- Clause 72 – Traffic access and safety;
- Clause 73 – Onsite loading and unloading;
- Clause 74 – Provision of carparking;
- Clause 75 - Design of carparking areas;
- Clause 76 - Management of Stormwater
- Clause 77 - Landfill

3.2	5 & 5A Wyuna Avenue Freshwater - Construction of Two Dwelling Houses with Associated Swimming Pools
-----	--

REV2010/0012

Proceedings in Brief

The Panel concurred with the Development Assessment Officer's recommendation for approval with the following comment:

The revised architectural drawings in the Section 82A application demonstrate that with the reduction in the projected building envelope non-compliance, the amount of effective sunlight entering the ground floor east facing balconies at 7-9 Wyuna Avenue is calculated at 2.25hr which satisfies the numerical requirements of *Clause 62 - Access to Sunlight*.

DECISION OF APPLICATION DETERMINATION PANEL

That the recommendation of the Development Assessment Officer for approval be adopted.

3.3	33 Water Reserve Road North Balgowlah – Modification DA2009/0606 for Alterations and Additions to a Dwelling House and Garage, Swimming Pool and Front Fence
------------	---

MOD2010/0123

Proceedings in Brief

The Panel concurred with the Development Assessment Officer's recommendation for approval, however resolved to add proposed modification description to the report.

PROPOSED MODIFICATIONS

Amendments to the dwelling including enlarging the front balcony, laundry entry and swimming pool, window and internal changes and relocation of the pool an additional metre from the rear and southern boundaries.

DECISION OF APPLICATION DETERMINATION PANEL

That the recommendation of the Development Assessment Officer for approval be adopted.

3.4	56A Consul Road, North Narraweena.- Subdivision of 1 Lot into 2 Lots & Construction of a Single Dwelling
------------	---

REV2010/0010

Proceedings in Brief

The Panel concurred with the Development Assessment Officer's recommendation for refusal.

DECISION OF APPLICATION DETERMINATION PANEL

That the recommendation of the Development Assessment Officer for refusal be adopted

Meeting Concluded 12.10pm



John Warburton
Director Corporate Services
Chairperson