



northern  
beaches  
council

# MINUTES

## **NORTHERN BEACHES LOCAL PLANNING PANEL MEETING**

held via teleconference on

**FRIDAY 25 MARCH 2022**

## **Minutes of the Northern Beaches Local Planning Panel held on Friday 25 March 2022**

The public meeting commenced at 9.30am and concluded at 10.16am.

The deliberations and determinations commenced immediately following the public meeting and concluded at 11.00am. The Panel reconvened at 3.30pm and concluded at 5.45pm

### **ATTENDANCE:**

#### **Panel Members**

Peter Biscoe	Chair
Kara Krason	Town Planner
Graham Brown	Town Planner
Lloyd Graham	Community Representative

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

Nil

## 4.0 PUBLIC MEETING ITEMS

### 4.1 DA2021/1522 - 189 RIVERVIEW ROAD, AVALON BEACH - DEMOLITION WORKS AND CONSTRUCTION OF A DWELLING HOUSE

#### PROCEEDINGS IN BRIEF

The proposal is for demolition of the existing dwelling and for the construction of a new detached dwelling house inclusive of an elevated swimming pool.

The public meeting was adjourned from the meeting on 2 February 2022. At the resumed public meeting the Panel was addressed by four neighbours and three representatives of the applicant.

#### DETERMINATION OF DEVELOPMENT APPLICATION

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2021/1522 for demolition works and construction of a dwelling house at Lot C DP 381427 and Lot LIC 567410, 189 Riverview Road, Avalon Beach subject to the conditions set out in the Assessment Report and Supplementary Assessment Report, subject to the following:

- The amendment of condition 1 to read as follows:

#### 1. Approved Plans and Supporting Documentation

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

- Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
001-101 Rev. K - Site Plan	15 November 2021	Durie Design
001-120 Rev. K - Existing and Demolition Plans	15 November 2021	Durie Design
001-200 Rev. K - Ground Floor	15 November 2021	Durie Design
001-201 Rev. K - Level-1	15 November 2021	Durie Design
001-202 Rev. K - Level-2	15 November 2021	Durie Design
001-203 Rev. K - Level-3	15 November 2021	Durie Design
001-204 Rev. K - Level-4	15 November 2021	Durie Design
001-205 Rev. K - Level-5	15 November 2021	Durie Design
001-206 Rev. K - Roof	15 November 2021	Durie Design
001-210 Rev. K - Level-2 Pool Detail	15 November 2021	Durie Design
001-211 Rev. K - Pool Detail Section and Elevations	15 November 2021	Durie Design
001-212 Rev. K - Garage Detail	15 November 2021	Durie Design
001-300 Rev. K - North Elevation	15 November 2021	Durie Design
001-301 Rev. K - South Elevation	15 November 2021	Durie Design
001-302 Rev. K - West Elevation	15 November 2021	Durie Design
001-303 Rev. K - East Elevation	15 November 2021	Durie Design

001-310 Rev. K - Section A-A	15 November 2021	Durie Design
001-311 Rev. K - Section B-B	15 November 2021	Durie Design
<b>L009 Rev E Inclinator Setout Option 1</b>	<b>25 March 2022</b>	<b>Durie Design</b>
<b>L012 Rev 02 Nth Elevation Inclinator</b>	<b>25 March 2022</b>	<b>Durie Design</b>
<b>L013 Rev A Roof Garden Detail</b>	<b>24 February 2022</b>	<b>Durie Design</b>

Note: condition 62 in relation to the location of the northern external stairs

<b>Reports / Documentation – All recommendations and requirements contained within:</b>		
<b>Report No. / Page No. / Section No.</b>	<b>Dated</b>	<b>Prepared By</b>
Arboricultural Impact Assessment and Management Plan	November 2021	Botanics Tree Wise People Pty Ltd
BASIX Certificate No. 1227940S_02	18 November 2021	Gradwell Consulting
Revised Biodiversity Development Assessment Report (BDAR)	16 November 2021	ACS Environmental Pty Ltd
Geotechnical Assessment <b>Version 2</b> (ref: AG20235)	<b>21 February 2022</b>	Ascent Geotechnical Consulting

- a) Any plans and / or documentation submitted to satisfy the Conditions of this consent.  
b) The development is to be undertaken generally in accordance with the following:

<b>Landscape Plans</b>		
<b>Drawing No.</b>	<b>Dated</b>	<b>Prepared By</b>
L001 Rev. <b>D</b> - Ground Floor Landscape Plan	10 November 2021	Durie Design
L002 Rev. C - Level-1 Landscape Plan	10 November 2021	Durie Design
L003 Rev. C - Level-2 Landscape Plan	10 November 2021	Durie Design
L004 Rev. C - Level-3 Landscape Plan	10 November 2021	Durie Design
L005 Rev. C - Level-4 Landscape Plan	10 November 2021	Durie Design
L006 - Rev. C - Roof Level Landscape Plan	10 November 2021	Durie Design
L007 Rev. C - Planting Schedule	10 November 2021	Durie Design
L008 Rev. C - Planting Details	10 November 2021	Durie Design

2. The addition of the following condition:

**Operation of the Inclinator**

The inclinator shall not be operated between the hours of 10pm and 6am.

Reason: To protect residential amenity.

3. The addition of the following condition:

**External Stairs along Northern Boundary**

The external stairs on the northern side of the proposed dwelling are to be located to the south of tree T27, between tree T27 and the building. This condition prevails over any inconsistencies in the approved plans that may show the external stairs in another location.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the construction certificate.

Reason: To protect residential amenity.

4. The addition of the following condition:

**Retention of Tree**

Tree T27 is to be retained and adjustments made to any structures, buildings, stairs to ensure its retention and longevity, subject to Council's Executive Manager, Development Assessment approving any such adjustment.

Reason: To protect tree T27.

**REASONS FOR DETERMINATION:**

The Panel generally agrees with the assessment report and supplementary assessment report. Except that the last sentence in the penultimate paragraph of the supplementary assessment report under the heading 'Survey Considerations' contains errors and has been disregarded. The Panel notes that the differences in survey reports relates to the use of different datum points on which each survey was conducted. The Panel accepts the general conclusion of the Council officers report that the development will not have any unreasonable impact on the sharing of views.

Vote: 3/1

The dissenter does not support the proposal in its current form due to:

1. Concerns over potential impacts of the building, external stairs and inclinator on Tree 27 and insufficient arboricultural assessment and tree root mapping to confirm that design amendments would not be required to ensure retention of this significant tree.
2. Some aspects of the proposed design, including but not limited to the lowest living level (level 5), result in visual and physical impacts on the natural environment. Accordingly, some aspects of the proposed design do not satisfy the objectives of the zone or contribute to a scale that is consistent with the desired character of the locality and the scale of surrounding development.

This is the final page of the Minutes comprising 6 pages  
numbered 1 to 6 of the Northern Beaches Local Planning Panel meeting  
held on Friday 25 March 2022.