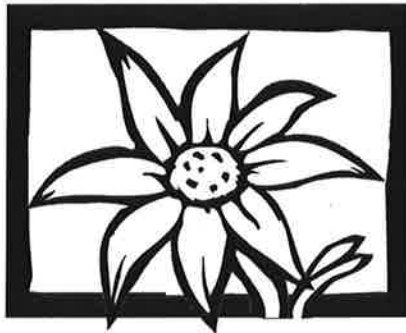




Warringah Council

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

21 March 2013

Time: 11.15am

Location: Office of Deputy General Manager, Environment

ATTENDANCE:

Panel Member

Malcolm Ryan, Chairperson, Deputy General Manager, Environment

Peter Robinson, Group Manager Development and Compliance Services

David Kerr, Group Manager Strategic Planning

Advisors

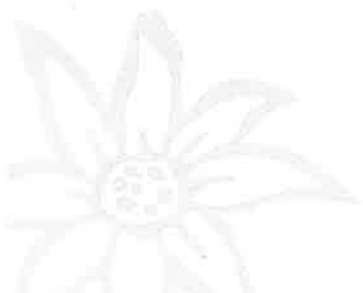
Steve Findlay, Development Assessments Manager

Luke Perry, Development Assessment Officer

Minute Secretary

Cathie Arkell, Development Panel Coordinator, Development Assessments

Belinda Tricker, Development Assessment Liaison Officer



Application Determination Panel

Table of Contents

Item No.	Item	Page No
1.0	Confirmation of Minutes	
	Minutes of 21 February 2013	3
2.0	Declaration of Pecuniary Interest	
3.0	Development Applications	
3.1	<u>Mod2012/0230</u> - 1304 Pittwater Road NARRABEEN - Modification of Development Consent DA2011/0619 granted for Alterations and additions to existing commercial and retail building and construction of new restaurant and new three bedroom apartment	3

1. CONFIRMATION OF MINUTES

DECISION OF APPLICATION DETERMINATION PANEL

That the Minutes of the Application Determination Panel Meeting held on 21 February 2013, are true and accurate record of that meeting and have been signed off by all Panel members.

2. DECLARATION OF PECUNIARY INTEREST

Nil

3. DEVELOPMENT APPLICATIONS

3.1	1304 Pittwater Road NARRABEEN - Modification of Development Consent DA2011/0619 granted for Alterations and additions to existing commercial and retail building and construction of new restaurant and new three bedroom apartment
------------	--

Proceedings in Brief

The Panel concurred with the recommendation in the Assessment Report with an additional condition in relation to the encroachment onto the road reserve.

The Panel resolved to include a condition for the encroachment of the building on the road reserve to be resolved prior to any subdivision approval. The following additional condition to be included in the modification of consent.

“CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO ISSUE OF ANY STRATA SUBDIVISION OR SUBDIVISION CERTIFICATE

24a. Encroachment on Road Reserve

The closure, sale and transfer of the section of Council's road reserve in Lagoon Street, on which the building encroaches upon, must be finalised prior to the issue of any subdivision certificate for strata subdivision or stratum subdivision.

In this regard, the portion of land which relates to the encroachment within the road reserve is to be consolidated with Lot 12, DP 545666, No. 1304 Pittwater Road, Narrabeen.

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

Reason: To ensure all works are contained within the lot boundaries and to rectify the existing encroachment on Council's road reserve.”

DECISION OF APPLICATION DETERMINATION PANEL

THAT Council as the consent authority grant approval Modification Application No. Mod2012/0230 for Modification of Development Consent DA2011/0619 granted for Alterations and additions to existing commercial and retail building and construction of new restaurant and new three bedroom apartment on land at Lot 12 DP 545666, 1304 Pittwater Road, NARRABEEN, subject to the conditions printed below:

- A. Add Condition No.1B - Modification of Consent - Approved Plans and supporting Documentation to read as follows:

1B - Modification of Consent - 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:

- a) Modification Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
S9601	October 2012	McDivitt Group Architects
S9602A	13/02/2012	McDivitt Group Architects
S9603A	13/02/2012	McDivitt Group Architects
S9604	October 2012	McDivitt Group Architects

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
BCA Section J Report	1 November 2012	Gradwell Consulting
Accessibility Statement #2	20 October 2012	Accessibility Solutions

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans. (DACPLB01)

- B. Add Condition No. 2a. No Approval for works Beyond Lot Boundaries - to read as follows:

2a. No Approval for works Beyond Lot Boundaries

Nothing in this consent grants approval for works outside the boundaries of the subject lot.

Reason: To ensure works are contained wholly within the site boundaries and compliance with the terms of this consent.

- C. Add Condition No. 20a. Fire Safety Matters to read as follows:

No. 20a. Fire Safety Matters

At the completion of all works, a Fire Safety Certificate will need to be prepared which references all the Essential Fire Safety Measures applicable and the relative standards of Performance (as per Schedule of Fire Safety Measures). This certificate must be prominently displayed in the building and copies must be sent to Council and the NSW Fire Brigade.

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

Each year the Owners must send to the Council and the NSW Fire Brigade an annual Fire Safety Statement which confirms that all the Essential Fire Safety Measures continue to perform to the original design standard.

Reason: Statutory requirement under Part 9 Division 4 & 5 of the Environmental Planning and Assessment Regulation 2000. (DACPLF07)

- D. Additional condition 24a under the heading "**Conditions which must be complied with prior to issue of any Strata Subdivision or Subdivision Certificate.**"

CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO ISSUE OF ANY STRATA SUBDIVISION OR SUBDIVISION CERTIFICATE

24a. Encroachment on Road Reserve

The closure, sale and transfer of the section of Council's road reserve in Lagoon Street, on which the building encroaches upon, must be finalised prior to the issue of any subdivision certificate for strata subdivision or stratum subdivision.

In this regard, the portion of land which relates to the encroachment within the road reserve is to be consolidated with Lot 12, DP 545666, No. 1304 Pittwater Road, Narrabeen.

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

Reason: To ensure all works are contained within the lot boundaries and to rectify the existing encroachment on Council's road reserve.

Meeting Concluded 12.20pm



Malcolm Ryan
**Deputy General Manager, Environment
Chairperson**



David Kerr
Group Manager, Strategic Planning



Peter Robinson
Group Manager, Compliance and Development Services