



northern  
beaches  
council

## MEMORANDUM

**Date:** 28 February 2023

**To:** Northern Beaches Local Planning Panel (Panel)

**Cc:** Steve Findlay, Manager and Peter Robinson, Executive Manager

**From:** Tom Prosser, Principal Planner

**Subject:** Item 5.2 - Mod2022/0565 - 8 Delecta Avenue, Clareville

**Record Number:** 2023/136631

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The purpose of this Memorandum is to address submissions made to the NBLPP by two sets of neighbours, A & R Barker and G & S Coops.

### **Barker Submission**

The submission raises concern with the deletion of Condition 19.

The previous Panel decision involved a determination that imposed the following additional condition as Condition No. 19, which reads:

*"19. Deletion of Powder room, boat store and laundry*

*The powder room, watercraft storage, and laundry (off the hallway) and the storage (off the garage) are to be deleted from the plans and replaced with landscaped area with planting to screen the hallway.*

*These areas may be incorporated into the remaining floor space of the proposed dwelling.*

*Details are to be provided prior to the issue of a Construction Certificate.*

*Reason: To increase Landscaped area, screen the length and bulk of the dwelling from adjoining property and remove built form from near Tree 5."*

The current application seeks to reinstate some of the floorspace excluded by the above condition. It is considered that the proposal to reinstate some of the originally proposed floor space, along with providing additional total landscaped area will result in an outcome that is consistent with the intention of the originally imposed panel condition.

In particular, the total amount of Landscaped Area will be increased, the length and bulk is satisfactory due to the minimisation of wall length (reduced from the originally proposed), and Council's Landscape Officer is satisfied that the built form is sufficiently separated from Tree 5 to ensure its retention.

Other concerns regarding compliance with the original consent have been referred to Council's Building Compliance team for investigation.

### **Coops Submission**

The submission raises concern with Landscaped Area. It is noted that there is a nett increase (of 11.1sm) in the total amount of landscaped area under this modification application.

This is discussed in detail in the Assessment report.

### **Compliance Issue**

Both submitters have raised concerns regarding work practices on site.

These issues have been conveyed to Council's Building Compliance Team for investigation.

### **Conclusion**

The issues raised regarding the proposed removal of Condition 19 are largely addressed in the assessment report and the late submissions do not raise any additional issues that would warrant altering the recommendation in the agenda.

### **RECOMMENDATION**

That the Northern Beaches Local Planning Panel note the submissions.

That no changes are required to the recommendation contained in the assessment report.