



northern
beaches
council

MINUTES

NORTHERN BEACHES LOCAL PLANNING PANEL MEETING

held via Teleconference on

WEDNESDAY 21 JUNE 2023

Minutes of the Northern Beaches Local Planning Panel held on Wednesday 21 June 2023

The public meeting commenced at 12.00pm and concluded at 12.34pm.

The deliberations and determinations commenced at 1pm, following the public meeting and concluded at 2.39pm.

ATTENDANCE:

Panel Members

David Crofts	Chair
Heather Warton	Town Planner
David Epstein	Urban Design/Architect
Andrew Doherty	Community Representative

The Panel have visited all sites personally, or electronically, and have had regard to the assessment report, all accompanying documentation, submissions from the public and any supplementary reports in determining all applications.

1.0 APOLOGIES AND DECLARATIONS OF INTEREST

Nil

In accordance with Section 4.9 of the NSW Government Code of Conduct for Local Government Planning Panels, all members have signed a declaration of interest in relation to each item on the agenda. No conflicts of interest were disclosed.

2.0 MINUTES OF PREVIOUS MEETING

2.1 MINUTES OF NORTHERN BEACHES LOCAL PLANNING PANEL HELD 7 JUNE 2023

The Panel noted that the minutes of the Northern Beaches Local Planning Panel held 7 June 2023, were adopted by the Chairperson and have been posted on the Council's website.

3.0 CATEGORY 3 APPLICATIONS

Nil

4.0 PUBLIC MEETING ITEMS

4.1 DA2022/1874 - 26 ELTHAM STREET, BEACON HILL - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE.

PROCEEDINGS IN BRIEF

The Proposal is for alterations and additions to a dwelling house.

At the public meeting which followed the Panel was addressed by three (3) neighbours and four (4) representatives of the applicant.

The Panel received one confidential submission and one submission, dated 16 & 20 June 2023 and a supplementary memo from Council, dated 20 June 2023.

DETERMINATION OF DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2022/1874 for alterations and additions to a dwelling house on land at Lot 8 DP 30337, 26 Eltham Street, Beacon Hill, subject to the conditions set out in the Assessment Report and supplementary memo, subject to the following:

1. The amendment of condition 13 to read as follows:

13. Survey Certificate

A survey certificate prepared by a Registered Surveyor at the following stages of construction:

- (a) Commencement of perimeter walls columns and or other structural elements to ensure the wall or structure, to boundary setbacks are in accordance with the approved details.
- (b) At second level to ensure the finished floor levels are in accordance with the approved level of FFL 122.50, prior to concrete slab being poured/flooring being laid.
- (c) At completion of the roof frame confirming the parapet is in accordance with the approved level of RL 125.40.

Details demonstrating compliance are to be submitted to the Principal Certifier.

Reason: To determine the height of buildings under construction comply with levels shown on approved plans.

REASONS FOR DETERMINATION

The Panel agrees generally with the Assessment Report and supplementary memo.

Vote: 4/0

4.2 DA2023/0045 - 36 BARDO ROAD , NEWPORT - DEMOLITION WORKS AND CONSTRUCTION OF A SENIORS HOUSING DEVELOPMENT INCLUDING BASEMENT CAR PARKING.

PROCEEDINGS IN BRIEF

The Proposal is for demolition works and construction of a seniors housing development including basement car parking.

At the public meeting which followed the Panel was not addressed by any neighbours or representatives of the applicant.

The Panel received a request from the applicant to defer the application to another NBLPP meeting and a supplementary memo from Council to address this request, dated 19 June 2023.

DETERMINATION OF DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **refuses** Application No. DA2023/0045 for the demolition works and construction of a seniors housing development including basement car parking on land at Lot 34 DP 4689,36 Bardo Road, Newport, for the reasons for refusal set out in the Assessment Report, subject to the amendment of reason 2 to read as:

2. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the proposed development is inconsistent with the following provisions of the State Environmental Planning Policy (Housing) 2021:
 - Section 84(2)(c)(iii) - Development Standards (Building Envelope)
 - Section 93 - Location and access to facilities and services
 - Section 97 - Design of in-fill self-care housing
 - Section 99 - Neighbourhood amenity and streetscape
 - Section 100 - Visual and acoustic privacy
 - Section 101- Solar access and design for climate
 - Section 104 - Accessibility
 - Section 103 - Crime prevention
 - Section 108 (2)(c) - Floor Space Ratio
 - Section 108 (2)(i) - Private Open Space

Particulars:

- i) The application has failed to demonstrate, by written evidence, that residents of the proposed development will have satisfactory access to services and facilities.
- ii) The floor area of the proposed development is excessive and results in associated impacts on the character of the locality and the amenity of adjoining properties.
- iii) The proposed development has excessive bulk and scale which would result in unreasonable impacts upon the amenity of adjoining properties and inconsistency with the desired character of the locality.
- iv) The application has failed to demonstrate that the design of the proposed development provides adequate consideration for accessibility, in particularly provisions for visitor parking and access to services.
- v) The proposed development does not provide sufficient private open space for Apartment 05 and Apartment 06.

vi) The proposed development has not been designed to encourage crime prevention.

vii) The proposal does not include a mix of dwelling sizes, and is therefore not consistent with the Seniors Living Policy Urban Design Guideline for Infill Development March 2004.

REASONS FOR DETERMINATION

The Panel agrees generally with the Assessment Report. The Panel noted the applicant's request to defer the matter and this was not agreed due to the need to provide timely advice by determining the application.

Vote: 4/0

4.3 DA2022/1905 - 48 MACTIER STREET, NARRABEEN - CONSTRUCTION OF A SECONDARY DWELLING.

PROCEEDINGS IN BRIEF

The Proposal is for construction of a secondary dwelling.

At the public meeting which followed the Panel was not addressed by any neighbours or representatives of the applicant.

The Panel received a late submission dated 20 June 2023 and a supplementary memo from Council, dated 21 June 2023.

DETERMINATION OF DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2022/1905 for the construction of a secondary dwelling at 48 Mactier Street, Narrabeen, subject to the conditions set out in the Assessment Report and supplementary memo.

REASONS FOR DETERMINATION

The Panel agrees generally with the Assessment Report and supplementary memo.

Vote: 4/0

5.0 NON PUBLIC MEETING ITEMS

5.1 DA2023/0192 - 1 GRIFFITHS STREET, FAIRLIGHT - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE INCLUDING A SWIMMING POOL.

PROCEEDINGS IN BRIEF

The Proposal is for alterations and additions to a dwelling house including a swimming pool.

DETERMINATION OF DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2023/0192 for alterations and additions to a dwelling house including a swimming pool on land at Lot 12 DP 978699, 1 Griffiths Street, Fairlight, Lot 13 DP 978699, 1 Griffiths Street, Fairlight subject to the conditions set out in the Assessment Report, subject to the following:

2. The addition of the following condition:

Sandstone reuse

The stone wall and steps in the rear yard proposed to be demolished are to be salvaged and reused within the site.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of an Occupation Certificate.

Reason: To preserve the significance of the heritage item.

REASONS FOR DETERMINATION

The Panel agrees generally with the Assessment Report, subject to the above.

Vote: 4/0

This is the final page of the Minutes comprising 8 pages
numbered 1 to 8 of the Northern Beaches Local Planning Panel meeting
held on Wednesday 21 June 2023.