



northern
beaches
council

MEMORANDUM

DATE: 16 October 2023

TO: Northern Beaches Local Planning Panel (NBLPP)

CC: Peter Robinson, Executive Manager Development Assessment

FROM: Jordan Davies – A/ Manager of Development Advisory Services

SUBJECT: Item No 4.2 – 20 September 2023 NBLPP (DA2023/1250 - Lot 305/
Coonawarra Road, Terry Hills)

TRIM REFERENCE: 2023/669661

The purpose of this memo is to advise the Panel of the additional information and amended plans provided following deferral of item 4.2 of the 20 September NBLPP meeting.

At the meeting of 20 September 2023, the Panel's decision was as follows:

*"The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **defers** further consideration of Application No. DA2022/1250 for demolition of outbuildings and construction of a dwelling-house, including a swimming pool/spa, pool pavilion/pool house, tennis court, shed and entry gates, with associated tree removal and landscaping on land at Lot 305 DP 752017, 305 / 0 Coonawarra Road, Terrey Hills, to give the applicant the opportunity to submit to Council by 11 October 2023 amended plans to maximise the retention of trees, which address the following:*

- a) relocate the shed to the cleared area in the north*
- b) delete the circular driveway and replace with a single driveway to access the shed*
- c) adjust the location of the loop road*
- d) reduce the removal of trees in other areas outside the development footprint*

The additional trees to be retained are to be of moderate to high significance and comply with Asset Protection Zone (APZ).

The applicant should also submit information justifying the removal of significant to moderate trees in areas outside of the development footprint.

If the requested information is not received by the date above, the Panel may proceed to determine the application on the material before it. The Chair will have the discretion to extend the above date if reasonable grounds are provided by the applicant.

Following receipt of this information, the Panel will determine the application electronically, unless the Chair determines that a further public meeting is required. If the information is not provided, the application will be determined on the basis of the current information.”

Amended and Additional Information Response

On 6 October 2023, the applicant provided the following documentation to Council and the Panel for their consideration:

- Additional plan titled 'Bushfire Constraints (APZ) Overlay Ref 220125, Revision D, dated 6/10/2023 and prepared by 'Building Code & Bushfire Hazard Solutions'
- Amended Site Plan DA02 Rev 05, dated 6/10/2023 prepared by Cadence and Co;
- Email from Ian Tyerman of 'Bushfire Hazard Solutions' dated 6 October 2023.

The amended plans include the following changes:

- Deletion of the circular driveway in the north-eastern portion of the site adjacent to the shed;
- Amendment of the location of the shed in the north-eastern corner;
- Amendment of the alignment of the access road at the north-western corner and western edge of the access road;
- Retention of an additional 18 trees because of the above changes and as per the advice provided by 'Bushfire Hazard Solutions' regarding tree retention within the APZ to a maximum of 15% canopy cover to comply with Planning for Bushfire Protection.

On 16 October 2023, the amended plans and additional plans were uploaded to the NSW Planning Portal thereby formally amending the development application.

In accordance with the Northern Beaches Community Consultation Plan, the amended application was not required to be renotified or public exhibited as the changes reduce the impact of the proposal.

Conclusion

The applicant has amended the application in accordance with the Panel's minutes. Subject to updating several conditions to reflect the new plans and outcomes the revised documentation is supported.

Recommendation

The Panel note the additional information provided.

The application be approved, subject to the conditions outlined within the assessment report and the amended conditions below (amendment to conditions are in **bold**):

1. Approved Plans and Supporting Documentation

The development must be carried out in compliance with the endorsed stamped plans and documentation listed below, except as amended by any other condition of consent:

a) Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
DA02 Rev 5	6/10/2023	Cadence and Co
DA03 Rev 3	12/05/2023	Cadence and Co
DA04 Rev 1	12/07/2022	Cadence and Co
DA05 Rev 1	12/07/2022	Cadence and Co
DA06 Rev 3	12/05/2023	Cadence and Co
DA07 Rev 3	12/05/2023	Cadence and Co
DA08 Rev 3	12/05/2023	Cadence and Co
DA09 Rev 3	12/05/2023	Cadence and Co
DA11 Rev 1	12/07/2022	Cadence and Co
DA12 Rev 3	12/05/2023	Cadence and Co
DA14 Rev 1	14/07/2023	Cadence and Co
EXF 01 - External Finishes	Undated	Cadence and Co

Engineering Plans		
Drawing No.	Dated	Prepared By
D01 to D06 Issue B	09/02/2023	NB Consulting Engineers
D07 to D16 Issue A	30/06/2022	NB Consulting Engineers

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Vegetation Management Plan - Revised July 2023	July 2023	Kingfisher Urban Ecology
Biodiversity Development Assessment Report - Revised July 2023	July 2023	Kingfisher Urban Ecology
On-Site Wastewater Report REF 2376-WW-A-04	11/05/2023	Broadcrest Consulting
Bushfire Assessment Report Ref 220125C	18/05/2023	Bushfire Hazard Solutions
Lighting Design Prediction Rev 1	24/01/2023	IWE Lighting
Aboriginal Due Diligence Assessment Version B.2022.1068	21/12/2022	Unearthed Archaeology and Heritage
Geotechnical Report Ref 34818Brpt	22/04/2022	JK Geotechnics

Arboricultural Impact Assessment Report	22/06/2022	Martin Peacock Tree Care
BASIX Certificate No.1311962S	17/06/2022	Efficient Living
Bushfire Constraints (APZ) Overlay, Ref 220125 Rev D	6/10/2023	Bushfire Hazard Solutions

d) Any plans and / or documentation submitted to satisfy the Conditions of this consent.

c) The development is to be undertaken generally in accordance with the following:

Landscape Plans		
Drawing No.	Dated	Prepared By
DWG 615_DA_01 Issue D	26/07/2023	Myles Baldwin Design
DWG 615_DA_02 Issue D	26/07/2023	Myles Baldwin Design
DWG 615_DA_03 Issue D	26/07/2023	Myles Baldwin Design
DWG 615_DA_04 Issue D	26/07/2023	Myles Baldwin Design
DWG 615_DA_05 Issue D	26/07/2023	Myles Baldwin Design
DWG 615_DA_10 Issue D	26/07/2023	Myles Baldwin Design
DWG 615_DA_11 Issue D	26/07/2023	Myles Baldwin Design
DWG 615_DA_12 Issue D	26/07/2023	Myles Baldwin Design
DWG 615_DA_13 Issue D	26/07/2023	Myles Baldwin Design

Waste Management Plan		
Drawing No/Title.	Dated	Prepared By
Waste Management Plan	26/05/2022	Cadence and Co

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent will prevail.

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

21. Tree Removal Within the Property

This consent approves the removal of the trees within the property as indicated on Site Plan **Dwg No. DA02 Rev 5 dated 6/10/2023** prepared by Cadence and Co. Any trees identified within the arborist report that are not shown on Site Plan **Dwg No. DA02 Rev 5 dated 6/10/2023** are not approved for removal under this consent.

Note: Exempt Species as listed in the Development Control Plan or the Arboricultural Impact Assessment do not require Council consent for removal.

Reason: To enable authorised building works.

22. Tree Removal Within the Road Reserve

This consent approves the removal of the following tree within the road reserve as indicated on Site Plan Dwg No. **DA02 Rev 5 dated 6/10/2023** prepared by Cadence and Co:

- Tree 12

Removal of the approved tree/s in the road reserve shall only be undertaken by a Council approved tree contractor. Details of currently approved tree contractors can be obtained from Northern Beaches Council's Trees Services Section prior to removal.

Reason: Public liability.