

# MINUTES

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

held in the Council Chambers, Civic Centre, Dee Why on

**WEDNESDAY 18 APRIL 2018**

**Minutes of a Meeting of the Northern Beaches Local Planning Panel  
held on Wednesday 18 April 2018  
at Council Chambers, Civic Centre, Dee Why  
Commencing at 1.00PM**

**ATTENDANCE:**

**Panel Members**

Peter Biscoe	Chair
Annelise Tuor	Town Planner
Ray Mathieson	Community Representative

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

Apologie: Steve Kennedy      Urban Design Expert

## **2.0 MINUTES OF PREVIOUS MEETING**

The Minutes of the Northern Beaches Local Planning Panel held 4 April 2018, were adopted by the Chairperson and have been posted on the Council's website

### 3.0 DEVELOPMENT APPLICATIONS

#### 3.1 DA2017/1352 - 9 LAURA STREET, SEAFORTH - CONSTRUCTION OF A NEW DWELLING HOUSE

##### PROCEEDINGS IN BRIEF

The proposal is for the construction of a new dwelling house.

The Panel viewed the site and its surrounds. At the public meeting which followed the Panel was addressed by a representative of the applicant.

##### DECISION ON EXCEPTIONS TO DEVELOPMENT STANDARDS

A. The Panel is satisfied that:

- 1) the applicant's written request under clause 4.6 of the Manly Local Environmental Plan 2013 seeking to justify a contravention of clause 4.3 Height of Buildings development standard and clause 4.4 Floor Space Ratio development standard has adequately addressed and demonstrated that:
  - a) compliance with the standards is unreasonable or unnecessary in the circumstances of the case; and
  - b) there are sufficient environmental planning grounds to justify the contraventions.
- 2) the proposed development will be in the public interest because it is consistent with the objectives of the standards and the objectives for development within the zone in which the development is proposed to be carried out.

B. The Panel assumes the concurrence of the Secretary, Department Planning and Environment required under clause 4.6.

##### DECISION ON DEVELOPMENT APPLICATION

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2017/1352 for construction of a new dwelling house at Lot 1 DP 120934, 9 Laura Street, Seaforth subject to the conditions and for the reasons set out in the Assessment Report, and subject to the following:

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

##### 1. **Approved Architectural 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) Approved Architectural Plans - Endorsed with Council's stamp

Drawing No.	Dated	Prepared By
DA203 - Rev A - Site Plan	22.12.2017	Robert Ursino Design
DA301- Rev A - Garage Floor Plan	22.12.2017	Robert Ursino Design
DA302- Rev A- Upper Floor Plan	22.12.2017	Robert Ursino Design
DA303- Rev A- Middle Floor Plan	22.12.2017	Robert Ursino Design
DA304- Rev A- Lower Floor Plan	22.12.2017	Robert Ursino Design
DA305- Rev A- Rear Yard Plan	22.12.2017	Robert Ursino Design

DA306- Rev A- Roof Plan	22.12.2017	Robert Ursino Design
DA401- Rev A- Sections 01	22.12.2017	Robert Ursino Design
DA402- Rev A- Sections 02	22.12.2017	Robert Ursino Design
DA501- Rev A- North Elevation and Rear fence Elevation	22.12.2017	Robert Ursino Design
DA502- Rev A- South Elevation	22.12.2017	Robert Ursino Design
DA503- Rev A- East Elevation	22.12.2017	Robert Ursino Design
DA504- Rev A- West Elevation	22.12.2017	Robert Ursino Design

b) Approved Landscape Plans - Endorsed with Council's stamp

Drawing No.	Dated	Prepared By
L-01- Landscape Plan- Rev C	20-12-2017	Eco Design (Outdoor Living Environments)

c) The recommendations in the following report

Report	Dated	Prepared By
Arboricultural Impact Assessment Report	21-08-2017	Jacksons Nature Works

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 the Panel and approved plans and Arboricultural recommendations.

2. The amendment of condition 5 to read as follows:

5. **On-site Stormwater Detention Compliance Certification**

Drainage plans detailing the provision of On-site Stormwater Detention in accordance with Manly Specification for On-site Stormwater Management 2003 and the concept drawing by ML Civil, Job number 17.058 SW 1 dated 24/07/2017 are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure appropriate provision for the disposal of stormwater and stormwater management arising from the development

3. The amendment of condition 6 to read as follows:

6. **Waterproofing Garage Roof**

Details must be submitted to the Council/Accredited Certifier prior to issue of the Construction Certificate indicating the proposed method of water proofing and drainage of the concrete slabs over the proposed garage.

Reason: To ensure the appropriate type of water proofing is carried out and descriptive information about drainage is provided.

4. The addition of condition 10A to read as follows:

**10A. Fencing**

The proposed fence along Laura Lane and the public accessway is to be no more than 1.5m in height. If a higher fence is required, the applicant must submit a drawing for approval by Council's Executive Manager Development Assessment. Any such higher fence must include landscaped screening to the public domain.

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

Reason: To reduce the impact of the fence on the street.

5. The amendment of condition 17 to read as follows:

**17. Landscaping**

A qualified Landscape Consultant is to submit a Certificate of Practical Completion to the Principal Certifying Authority prior to the issue of the Occupation Certificate, stating that the work has been carried out in accordance with the approved Landscape Plan and that a maintenance program has been established.

Additionally, the recommendations in the "Arboricultural Impact Assessment Report" dated 21 August 2017 prepared by Jacksons Nature Works shall be complied with including replacement trees as listed in 4(e) of the Report.

Reason: To ensure the landscaping is planted in accordance with the approved Landscape Plan and maintained appropriately and that the Arboricultural recommendations are complied with.

Vote: 3/0

### 3.2 DA2017/1219 - 8A ASHBURNER STREET, MANLY - ALTERATIONS AND ADDITIONS TO THE EXISTING BUILDING

#### PROCEEDINGS IN BRIEF

The proposal includes alterations and addition to the existing building.

The Panel viewed the site and its surrounds. At the public meeting which followed the Panel was addressed by a representative of the applicant.

#### DECISION ON EXCEPTIONS TO DEVELOPMENT STANDARDS

A. The Panel is satisfied that:

- 1) the applicant's written request under clause 4.6 of the Manly Local Environmental Plan 2013 seeking to justify a contravention of clause 4.4 Floor Space Ratio development standard has adequately addressed and demonstrated that:
  - a) compliance with the standard is unreasonable or unnecessary in the circumstances of the case; and
  - b) there are sufficient environmental planning grounds to justify the contravention.
- 2) the proposed development will be in the public interest because it is consistent with the objectives of the standard and the objectives for development within the zone in which the development is proposed to be carried out.

B. The Panel assumes the concurrence of the Secretary, Department Planning and Environment required under clause 4.6.

#### DECISION ON DEVELOPMENT APPLICATION

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2017/1219 for alterations and additions to the existing building at Lot 1 DP 1008804, 8A Ashburner Street, Manly subject to the conditions and for the reasons set out in the Assessment Report, and subject to the following:

1. The amendment of condition 14 to read as follows:

14. **Reinstatement of Kerb etc.**

In lieu of the redundant vehicular crossing there shall be reinstatement, to match the existing, of the kerb and gutter, footpath and grassed verge with all costs borne by the applicant.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim/final Occupation Certificate.

Reason: To facilitate the preservation of on street parking spaces.

Vote: 3/0

### 3.3 DA2017/1312 - 40 AUGUSTA ROAD, FAIRLIGHT - ALTERATIONS AND ADDITIONS TO THE EXISTING SEMI DETACHED DWELLING

#### PROCEEDINGS IN BRIEF

The proposal includes alterations and additions to the existing semi-detached dwelling.

The Panel viewed the site and its surrounds. At the public meeting which followed there were no registered speakers.

#### DECISION ON EXCEPTIONS TO DEVELOPMENT STANDARDS

A. The Panel is satisfied that:

- 1) the applicant's written request under clause 4.6 of the Manly Local Environmental Plan 2013 seeking to justify a contravention of clause 4.4 Floor Space Ratio development standard has adequately addressed and demonstrated that:
  - a) compliance with the standard is unreasonable or unnecessary in the circumstances of the case; and
  - b) there are sufficient environmental planning grounds to justify the contravention.
- 2) the proposed development will be in the public interest because it is consistent with the objectives of the standard and the objectives for development within the zone in which the development is proposed to be carried out.

B. The Panel assumes the concurrence of the Secretary, Department Planning and Environment required under clause 4.6.

#### DECISION ON DEVELOPMENT APPLICATION

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2017/1312 for alterations and additions to the existing semi detached dwelling at Lot 112 DP 616175, 40 Augusta Road, Fairlight subject to the conditions and for the reasons set out in the Assessment Report.

Vote: 3/0



### **3.4 DA2017/0662 - 44 ROSE AVENUE AND 43 LANTANA AVENUE, WHEELER HEIGHTS - DEMOLITION WORKS, CONSTRUCTION OF A SENIORS HOUSING DEVELOPMENT AND STRATA SUBDIVISION**

#### **PROCEEDINGS IN BRIEF**

The proposal seeks consent for the demolition of the existing structures, construction of housing for seniors or people with a disability (in-fill self-care housing) and strata subdivision pursuant to the provisions of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

The Panel viewed the site and its surrounds. At the public meeting which followed the Panel was addressed by seven neighbours and two representatives of the applicant. The Panel was also provided with a copy of a barristers legal advice to the applicant.

The Panel decided to **defer** a decision on this application until the Panel has given it further consideration.

### 3.5 DA2017/1137 - 22-24 LAGOON STREET, NARRABEEN - DEMOLITION WORKS AND CONSTRUCTION OF A SENIORS LIVING DEVELOPMENT

#### PROCEEDINGS IN BRIEF

The proposal seeks development consent for the demolition of the existing two dwelling houses and associated structures and the construction of a part two/part three storey building that is housing for seniors or people with a disability pursuant to the provisions of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

The building will contain 9 self-contained dwellings and basement car parking for 18 vehicles.

The Panel viewed the site and its surrounds. At the public meeting which followed the Panel was addressed by seven neighbours and a representative of the applicant.

#### DECISION ON EXCEPTIONS TO DEVELOPMENT STANDARDS

A. The Panel is satisfied that:

- 1) the applicant's written request under clause 4.6 of the Warringah Local Environmental Plan 2011 seeking to justify a contravention of clause 4.3 Height of Buildings development standard has adequately addressed and demonstrated that:
  - a) compliance with the standard is unreasonable or unnecessary in the circumstances of the case; and
  - b) there are sufficient environmental planning grounds to justify the contravention.
- 2) the proposed development will be in the public interest because it is consistent with the objectives of the standard and the objectives for development within the zone in which the development is proposed to be carried out.

B. The Panel assumes the concurrence of the Secretary, Department Planning and Environment required under clause 4.6.

#### DECISION ON DEVELOPMENT APPLICATION

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2017/1137 for demolition works and construction of a Seniors Living Development at Lots A and B DP 383293, 22-24 Lagoon Street, Narrabeen subject to the conditions and for the reasons set out in the Assessment Report, and subject to the following:

1. The amendment of condition 22 to read as follows:

22. **Privacy**

The balcony area located on the northern side of Unit No. 8 is to be deleted and replaced with a landscaped planter box that extends for the entire length of the northern edge of Unit No. 8.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: In order to maintain privacy to the adjoining / nearby property and to improve internal amenity.

2. The addition of condition 60 to read as follows:

60. **Driveway**

A 'No Right Turn' sign (R2-6(R)) and thermoplastic Left Turn arrow markings must be provided within the property at the point where the driveway meets the Wellington Street property boundary.

Reason: To address safety and traffic management concerns.

3. The addition of condition 61 to read as follows:

61. **Fencing**

Subject to the agreement of the owners of 26 Lagoon Street, Narrabeen, the fence on the boundary between the subject property and 26 Lagoon Street, Narrabeen is to be replaced by a lapped and capped timber fence to a minimum height of 1.8 metres.

Reason: To maintain privacy.

Vote: 3/0

#### **4.0 REVIEW OF DETERMINATIONS**

Nil

#### **5.0 PLANNING PROPOSALS**

Nil

*The meeting concluded at 5.35pm*

This is the final page of the Minutes comprising 12 pages  
numbered 1 to 12 of the Northern Beaches Local Planning Panel meeting  
held on Wednesday 18 April 2018.