

MINUTES

NORTHERN BEACHES LOCAL PLANNING PANEL MEETING

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

WEDNESDAY 19 DECEMBER 2018

**Minutes of a Meeting of the Northern Beaches Local Planning Panel
held on Wednesday 19 December 2018
at Council Chambers, Civic Centre, Dee Why
Commencing at 1:00pm**

ATTENDANCE:

Panel Members

Lesley Finn	Chair
Brian Kirk	Town Planner
Graham Brown	Town Planner
John Simmonds	Community Representative

1.0 DECLARATIONS OF INTEREST

Nil

2.0 MINUTES OF PREVIOUS MEETING**2.1 MINUTES OF NORTHERN BEACHES LOCAL PLANNING PANEL HELD 5 DECEMBER 2018**

The Minutes of the Northern Beaches Local Planning Panel held 5 December 2018, were adopted by the Chairperson and have been posted on the Council's website

3.0 DEVELOPMENT APPLICATIONS

3.1 DA2018/1652 - 57/20 BONNER AVENUE, MANLY - ALTERATIONS AND ADDITIONS TO THE EXISTING RESIDENTIAL FLAT BUILDING (UNIT 57)

PROCEEDINGS IN BRIEF

The proposal includes new glazed doors to unit No. 57.

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

DECISION ON EXCEPTION TO DEVELOPMENT STANDARD

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 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

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2018/1652 for alterations and additions to the existing residential flat building (Unit 57) at Lot 57 SP 7712, 57/20 Bonner Avenue, Manly subject to the conditions and for the reasons set out in the Assessment Report.

Reason: The Panel agrees with the Officer's Assessment Report and the recommendation contained therein.

Vote: 4/0

3.2 MOD2018/0441 - 2 CHALLENGER DRIVE, BELROSE - MODIFICATION OF DEVELOPMENT CONSENT DA2017/0986 GRANTED FOR INSTALLATION OF THREE 3 NEW SATELLITE DISH ANTENNAS IN ASSOCIATION WITH AN EXISTING TELECOMMUNICATIONS FACILITY

PROCEEDINGS IN BRIEF

The proposed modification seeks to increase the height of the three (3) approved satellite dishes to the existing telecommunication facility from 9.5m to 11m.

The Panel viewed the site and its surrounds. At the public meeting which followed the two representatives of the applicant were available for comment if necessary.

DECISION ON MODIFICATION APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. MOD2018/0441 for Modification of Development Consent DA2017/0986 granted for Installation of three 3 new satellite dish antennas in association with an existing telecommunications facility at Lot 2790 DP 46565, 2 Challenger Drive, Belrose subject to the conditions and for the reasons set out in the Assessment Report.

Reason: The Panel agrees with the Officer's Assessment Report and the recommendation contained therein.

Vote: 4/0

3.3 DA2018/1210 - 1 GONDOLA ROAD, NORTH NARRABEEN - CONSTRUCTION OF A SHOP TOP HOUSING DEVELOPMENT

PROCEEDINGS IN BRIEF

The proposal seeks consent for construction of a shop top housing development, comprising:

- Two levels of basement parking (19 residential spaces, including 2 accessible spaces);
- At-grade residential visitor parking (4 spaces);
- Ground floor retail premises; and
- Two levels of residential apartments, comprising:
 - 10 units (4 x 1-bedroom, 6 x 2-bedroom).

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

DECISION ON EXCEPTION TO DEVELOPMENT STANDARD

A. The Panel is not satisfied that:

- 1) the applicant's written request under clause 4.6 of the Pittwater Local Environmental Plan 2014 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 not 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

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **refuses** Application No. DA2018/1210 for construction of a shop top housing development at Lot 187 DP 16719, 1 Gondola Road, North Narrabeen for the reasons set out in the Assessment Report.

Reason: The Panel agrees with the Officer's assessment contained within the report and was in agreement with the reasons for refusal articulated in that report.

Vote: 4/0

3.4 DA2018/1421 - 5 EUSTACE STREET, MANLY - ALTERATIONS AND ADDITIONS TO THE EXISTING BUILDING TO CREATE AN ADDITIONAL UNIT AND STRATA SUBDIVISION

PROCEEDINGS IN BRIEF

The proposal is for alterations and additions to the existing residential flat building and includes the following:

Level one

- Planter box to street frontage
- Walkway to northern side of building
- Courtyard to unit 2
- Conversion of unit 2 to adaptable housing
- Outbuilding including garbage room and laundries to rear
- Landscaping

Level two

- Balcony to rear unit 4

Level three

- Level three addition for the provision of one unit including Master bedroom with walk in robe ensuite, study and attached eastern facing balcony, bathroom, bedroom, open plan living, kitchen and dining and attached western facing balcony.

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

DECISION ON EXCEPTION TO DEVELOPMENT STANDARD

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 Building 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

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2018/1421 for alterations and additions to the existing building to create an additional unit and strata subdivision at Lot 1 DP 126389, 5 Eustace Street, Manly subject to the conditions and for the reasons set out in the Assessment Report.

Reason: The Panel agrees with the Officer's Assessment Report and the recommendation contained therein.

Vote: 4/0

3.5 MOD2018/0314 - 257 HARBORD ROAD, DEE WHY - MODIFICATION OF DEVELOPMENT CONSENT DA2013/0324 GRANTED FOR DEMOLITION WORKS AND CONSTRUCTION OF A BOARDING HOUSE

PROCEEDINGS IN BRIEF

The proposed development seeks consent to modify development consent DA2013/0324 for a boarding house as follows:

Basement Level

- Convert the originally approved circulation space/manoeuvring area into enclosed storage spaces.
- Reconfigure the approved parking layout to provide all parking within the rear, eastern half of the basement.
- Relocate the approved motorbike and bicycle parking (6 spaces each) outside the building structure within the front setback.

Ground Floor Level

- Convert the approved communal living room at the front north-west corner of the site into a new 25m² double boarding room.

First Floor Level

- Convert the approved first floor level communal living room at the front north-west corner of the site into a new 30.5m² double boarding room.
- Convert the approved first floor communal terrace at the rear north-east corner of the site into a new 28.3m² double boarding room with a 17m² balcony extending past the existing footprint.

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 MODIFICATION APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **refuses** Application No. MOD2018/0314 for Modification of Development Consent DA2013/0324 granted for demolition works and construction of a boarding house at Lot 1770 DP 752038, 257 Harbord Road, Dee Why for the reasons set out in the Assessment Report, subject to renumbering as below.

1. Pursuant to Section 4.55 (1A) (a) and (b) of the Environmental Planning and Assessment Act, 1979, the proposed development is not considered to be of minimal environmental impact and does not satisfy the requirement for 'substantially the same development' as the modifications introduce a new prohibited use (self-storage units) within the R2 low density residential zone.
2. Pursuant to Section 4.15 (1) (a) (i) of the Environmental Planning and Assessment Act, 1979, the proposal is inconsistent with the requirements of State Environmental Planning Policy (Affordable Rental Housing) 2009.
3. Pursuant to Section 4.15 (1) (b) (ii) of the Environmental Planning and Assessment Act, 1979, the proposal will result in an adverse social impact on the locality.

4. Pursuant to Section 4.15 (1) (b) (ii) of the Environmental Planning and Assessment Act, 1979, the proposal will result in an adverse social impact on the locality as it fails to maintain compatibility with the surrounding character of the area.
5. Pursuant to Clause 29 (2) (e) of the State Environmental Planning Policy (Affordable Rental Housing) 2009, the proposal fails to provide compliant parking.
6. Pursuant to Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the Clause 1.2 Aims of The Plan of the Warringah Local Environmental Plan 2011.
7. Pursuant to Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the provisions of Clause Zone R2 Low Density Residential of the Warringah Local Environmental Plan 2011.
8. The proposed modifications are inconsistent with the overriding objectives of the DCP as the proposal is considered to result in unnecessary adverse impacts on the internal and local amenity.
9. The proposal is deficient in a number of respects with regard to the information submitted:
 - a) it does not include a traffic and parking assessment to address the traffic and parking implications of the self-storage use or for the parking compliance for the boarding house.
 - b) The proposed modifications result in the relocation of the bicycle storage to in front of the existing building. The application does not provide a site plan which identifies the true setback to the street. It is unknown if the new works are within the front setback as the front building alignment has not been constructed as approved. Accordingly, it cannot be accurately established whether the development complies with the front boundary setback requirements.
10. Pursuant to Section 4.15 (1) (e) the proposed development is not considered to be in the public interest:
 - a) as the development introduces a prohibited use within the R2 low density residential zone
 - b) the development fails to provide adequate parking and internal amenity

Reason: The Panel agrees with the Officer's Assessment Report and the recommendation contained therein, as amended by the Panel.

Vote: 4/0

3.6 DA2018/1106 - 1/43-45 NORTH STEYNE, MANLY - CHANGE OF USE TO A FOOD AND DRINK PREMISES

PROCEEDINGS IN BRIEF

The proposal involves the following:

- Change of use to a restaurant (defined as a 'restaurant or café' under the Manly LEP)
- Internal fitout
- Change to shop front
- Mechanical ventilation exhaust on the roof
- Seating capacity of 82
- Hours of operation 7am-10pm, Monday to Sunday.

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

DECISION ON DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **refuses** Application No. DA2018/1106 for change of use to a food and drink premises at Lot 1 SP 69948, 1/43-45 North Steyne, Manly subject for the reasons set out in the Assessment Report.

Reason: The Panel agrees with the Officer's Assessment Report and the recommendation contained therein.

Vote: 4/0

3.7 DA2017/1364 - 14 PONSONBY PARADE, SEAFORTH - DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF A SENIORS HOUSING DEVELOPMENT

PROCEEDINGS IN BRIEF

The development application seeks consent for the demolition of the existing dwelling house and construction of a seniors housing development comprising four self-contained dwellings.

Specifically the works involve:

Basement Level:

- Plant and store room;
- Accessible entry lobby;
- Four car spaces; and
- Lift and stairwell.

Ground Floor:

- Two x two bedroom + study apartments with balcony and patio areas;
- Bin enclosure; and
- Lift and stairwell.

First Floor:

- Two x two bedroom + study apartments with front and rear balconies; and
- Lift and stairwell.

Associated site works:

- Driveway off Ponsonby Parade;
- Pedestrian access path and stairs; and
- Perimeter landscaping works.

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

DECISION ON EXCEPTION TO DEVELOPMENT STANDARD

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 and clause 40(4)(c) of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 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

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **refused** Application No. DA2017/1364 for demolition of existing building and construction of a seniors housing development at Lot 22 DP 7577, 14 Ponsonby Parade, Seaforth for the following reasons:

1. Pursuant to Section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the provisions of Clause 3.4.3 Maintenance of Views of the Manly Development Control Plan .

Reason: The Panel has formed the view that the variations to the development control/standards can be justified with the exception of the view sharing from 9/14 Ross Street, Seaforth where all views of Middle Harbour from the living areas of the unit were lost.

Vote: 4/0

3.8 DA2018/1300 - 18 INMAN ROAD, 69 MIDDLETON ROAD AND 4, 6 & 7 VILLIERS PLACE, CROMER - DEMOLITION WORKS, EXCAVATION, STORMWATER INFRASTRUCTURE WORKS AND CONSTRUCTION OF A MIXED USE BUILDING CONTAINING STORAGE PREMISES AND INDUSTRIAL WAREHOUSE UNITS WITH ASSOCIATED CAR PARKING, SIGNAGE, SITE AMALGAMATION AND STRATUM SUBDIVISION

PROCEEDINGS IN BRIEF

In detail, the development application seeks consent for the following:

- Demolition of all structures and remediation of 18 Inman Road, and 4, 6 and 7 Villiers Place;
- Construction of an industrial development accommodating:
 - 145 self-storage units (GFA 5,268m²) on the lower ground level;
 - 61 warehouse units and associated mezzanine office space (GFA 6,079m² warehouse and 2,029m² office) on the ground and upper ground levels;
 - 150 car parking spaces;
- Access available to self-storage units: 24 hours a day, 7 days a week;
- Access available to warehouse units: 6:00am - 7:00pm, Monday to Saturday;
- Installation of signage at the street-frontages of the building;
- Landscaping works;
- Site amalgamation of all lots;
- Stratum subdivision.

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

DECISION ON EXCEPTION TO DEVELOPMENT STANDARD

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

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2018/1300 for demolition works, excavation, stormwater infrastructure works and construction of a mixed use building containing storage premises and industrial warehouse units with associated car parking, signage, site amalgamation and stratum subdivision at Lot 27 DP 28882, Lot 3 DP 397714 and Lots 6,7,8,9,10 DP 201553, 18 Inman Road, 69 Middleton Road and 4, 6 and 7 Villiers Place, Cromer subject to the conditions and for the reasons set out in the Assessment Report, subject to the following:

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

1. 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) Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
DA 020 Issue A - Demolition Plan	27 July 2018	PBD Architects
DA 101 Issue B - Lower Ground Plan	19 November 2018	PBD Architects
DA 102 Issue C - Ground Floor Plan	30 November 2018	PBD Architects
DA 103 Issue C - Ground Floor Mezzanine Plan	30 November 2018	PBD Architects
DA 104 Issue B - Upper Ground Plan	19 November 2018	PBD Architects
DA 105 Issue B - Upper Ground Floor Mezzanine Plan	19 November 2018	PBD Architects
DA 106 Issue B - Roof & Site Plan	19 November 2018	PBD Architects
DA 201 Issue B - Elevations	19 November 2018	PBD Architects
DA301 Issue B - Section 01	19 November 2018	PBD Architects
DA302 Issue A - Section 02	19 November 2018	PBD Architects
DA303 Issue A - Section & Gate Details	27 July 2018	PBD Architects
DA 501 Issue A - External Finishes	27 July 2018	PBD Architects
DA 511 Issue A - Indicative Building Signage Details	27 July 2018	PBD Architects
Plan of Stratum Subdivision of Lot 27 D.P.28882, Lots 6 - 10 D.P.201553, and Lot 3 D.P397714 - Sheets 1 through to 4	31 July 2018	Beveridge Williams
L/01 Rev. H	23 July 2018	A Total Concept Landscape Architects & Swimming Pool Designers

L/02 Rev. H	23 July 2018	A Total Concept Landscape Architects & Swimming Pool Designers
L/03 Rev. H	23 July 2018	A Total Concept Landscape Architects & Swimming Pool Designers
L/04 Rev. H	23 July 2018	A Total Concept Landscape Architects & Swimming Pool Designers
L/05 Rev. G	23 July 2018	A Total Concept Landscape Architects & Swimming Pool Designers
L/06	23 September 2016	A Total Concept Landscape Architects & Swimming Pool Designers
L/07	23 September 2016	A Total Concept Landscape Architects & Swimming Pool Designers

Engineering Plans		
Drawing No.	Dated	Prepared By
Cover Sheet, Locality Plan and Drawing List Rev 06	5 September 2018	Northrop Consulting Engineers
Specification Notes Rev 05	21 August 2018	Northrop Consulting Engineers
Concept Sediment and Erosion Control Plan Rev 05	21 August 2018	Northrop Consulting Engineers
Sediment and Erosion Management Details Rev 05	21 August 2018	Northrop Consulting Engineers
Siteworks Grading Plan – Lower Ground Level Rev 06	5 September 2018	Northrop Consulting Engineers
Siteworks Grading Plan – Ground Level Rev 06	5 September 2018	Northrop Consulting Engineers
Alignment Control Plan Rev 05	21 August 2018	Northrop Consulting Engineers
Capping Beam and Stormwater Channel Alignment Control Plan Rev 04	21 August 2018	Northrop Consulting Engineers

Site Longitudinal Sections – Sheet 01 Rev 06	5 September 2018	Northrop Consulting Engineers
Site Longitudinal Sections – Sheet 02 Rev 05	21 August 2018	Northrop Consulting Engineers
Site Longitudinal Sections – Sheet 03 Rev 06	5 September 2018	Northrop Consulting Engineers
Site Longitudinal Sections – Sheet 04 Rev 04	21 August 2018	Northrop Consulting Engineers
Site Longitudinal Sections – Sheet 05 Rev 04	21 August 2018	Northrop Consulting Engineers
Site Longitudinal Sections – Sheet 06 Rev 04	21 August 2018	Northrop Consulting Engineers
MC01 Cross Sections – Sheet 01 Rev 05	21 August 2018	Northrop Consulting Engineers
MC01 Cross Sections – Sheet 02 Rev 05	21 August 2018	Northrop Consulting Engineers
MC01 Cross Sections – Sheet 03 Rev 05	21 August 2018	Northrop Consulting Engineers
MC01 Cross Sections – Sheet 04 Rev 06	5 September 2018	Northrop Consulting Engineers
MC01 Cross Sections – Sheet 05 Rev 04	21 August 2018	Northrop Consulting Engineers
MC05 Cross Sections – Sheet 01 Rev 05	5 September 2018	Northrop Consulting Engineers
MC05 Cross Sections – Sheet 02 Rev 02	21 August 2018	Northrop Consulting Engineers
Stormwater Management Plan – Lower Ground Level Rev 05	21 August 2018	Northrop Consulting Engineers
Stormwater Management Plan – Ground Level Rev 06	5 September 2018	Northrop Consulting Engineers
Stormwater Management Plan – Upper Ground Level Rev 05	21 August 2018	Northrop Consulting Engineers
Stormwater Longitudinal Section – Sheet 01 Rev 03	21 August 2018	Northrop Consulting Engineers
Stormwater Longitudinal Section – Sheet 02 Rev 03	21 August 2018	Northrop Consulting Engineers

Stormwater Catchment Plan – Sheet 01 Rev 03	21 August 2018	Northrop Consulting Engineers
Services Coordination Plan – Sheet 01 Rev 04	21 August 2018	Northrop Consulting Engineers
Services Coordination Plan – Sheet 02 Rev 01	21 August 2018	Northrop Consulting Engineers
Details – Sheet 01 Rev 05	21 August 2018	Northrop Consulting Engineers
Details – Sheet 02 Rev 06	5 September 2018	Northrop Consulting Engineers
Details – Sheet 03 Rev 04	21 August 2018	Northrop Consulting Engineers
Details – Sheet 04 Rev 05	29 August 2018	Northrop Consulting Engineers
Details – Sheet 05 Rev 04	21 August 2018	Northrop Consulting Engineers
Details – Sheet 06 Rev 02	21 August 2018	Northrop Consulting Engineers
Details – Sheet 07 Rev 01	21 August 2018	Northrop Consulting Engineers
Council Easement Plan Rev 01	23 August 2018	Northrop Consulting Engineers

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Preliminary Contamination Assessment (project 44830-1)	June 2007	Douglas Partners
Addendum to Preliminary Contamination Assessment (project 44830-1)	24 February 2017	Douglas Partners
Preliminary Site Investigation: Proposed Commercial Development, 18 Inman Road & 4 Villiers Place, Cromer, NSW (P 1806593JR01V01)	July 2018	Martens & Associates Pty Ltd

Preliminary Site Investigation: Proposed Commercial Development, Lot 10 DP 201553, 7 Villiers Place, Cromer, NSW (P 1806593JR02V01)	July 2018	Martens & Associates Pty Ltd
Detailed Site Investigation: Proposed Commercial Development, Lot 10 DP 261553, 7 Villiers Place, Cromer, NSW (P 1806593JR03V01)	July 2018	Martens & Associates Pty Lrd
Arboricultural Impact Assessment - 69 Middleton Road & 6 Villiers Place, Cromer - Rev. 0.3	8 March 2017	Footprint Green Pty Ltd
Arboricultural Assessment and Development Impact Report (Ref. RTC-8618)	28 June 2018	Rain Tree Consulting
Building Code of Australia 2016 (Amendment 1) Final BCA Report for DA Submission - Rev. R07	27 July 2018	Philip Chun Building Code Consulting
Bushland Rehabilitation Plan - 69 Middleton Road & 6 Villiers Place, Cromer - Rev. 0.3	8 March 2018	Footpring Green Pty Ltd
Overland Flow Study Report Rev. A	24 July 2018	Northrop Consulting Engineers
Concept Construction Management Plan	July 2018	Trend Living Pty Ltd
Flora & Fauna Assessment, & Proposed Development at 69 Middleton Road, Cromer	18th September 2007	Footprint Green Pty Ltd
Geotechnical Assessment - 18 Inman Road and 4 and 7 Villiers Place, Cromer (P1806593JR04V01)	25 July 2018	Martens & Associates Pty Ltd
Report on Geotechnical Investigation (Project 85649.00)	September 2016	Douglas Partners
Stormwater Management Report Rev. A	24 July 2018	Northrop Consulting Engineers
Traffic and Parking Assessment Report (Ref. 16457)	2 August 2018	Varga Traffic Planning Pty Ltd
Disability Access Report (Ref. J000265)	30 July 2018	Cheung Access Pty Ltd

DA Acoustic Assessment (TJ326-03F01 Acoustic Assessment (r2))	27 July 2018	Renzo Tonin & Associates
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b) 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:

Waste Management Plan		
Report Title	Dated	Prepared By
Waste Management Plan	July 2018	Trend Living

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.

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

3. **Approved Land Use**

Nothing in this consent shall authorise the use of site/onsite structures/units/tenancies as detailed on the approved plans on the Lower Ground Level for any land use of the site beyond the definition of *self-storage units*.

Self-storage units are defined as:

"premises that consist of individual enclosed compartments for storing goods or materials (other than hazardous or offensive goods or materials)."

note: self-storage units are a type of storage premises."

Nothing in this consent shall authorise the use of the site/onsite structures units/tenancies as detailed on the approved plans on the Ground Floor Level and the Upper Ground Level beyond the definition of a *warehouse and distribution centre* and *light industry*.

A *Warehouse and distribution centre* is defined as:

"a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made, and includes local distribution premises."

A *Light Industry* is defined as:

"means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following:

- (a) *high technology industry,*
- (b) *home industry,*
- (c) *artisan food and drink industry.*

Note. Light industries are a type of industry—see the definition of that term in this Dictionary."

(development is defined by the Warringah Local Environmental Plan 2011 (as amended) Dictionary)

Any variation to the approved land use and/or occupancy of any unit beyond the scope of the above definition will require the submission to Council of a new development application.

Reason: To ensure compliance with the terms of this consent.

3. The amendment of condition 8 to read as follows:

8. Construction, Excavation and Associated Works Bond (Drainage)

The applicant must lodge with Council a Bond of \$1,032,570.00 as security against any damage or failure to complete the construction of stormwater drainage works as part of this consent. This bond is to be refunded upon Condition 42 being satisfied.

All bonds and fees shall be deposited with Council prior to Construction Certificate or demolition work commencing, details demonstrating payment are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

To process the inspection fee and bond payment a Bond Lodgement Form must be completed with the payments (a copy of the form is attached to this consent and alternatively a copy is located on Council's website at www.NorthernBeaches.nsw.gov.au/your-council/forms).

Reason: Protection of Council's Infrastructure

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

14. Submission of engineering plans for Infrastructure Works on Private Properties

The approved engineering plans under the provisions of Section 68 of the Local Government Act 1993 referred to in Condition 1 of this consent are to be constructed.

Reason: To ensure engineering works are constructed in accordance with relevant standards and Council's specification.

5. The amendment of condition 16 to read as follows:

16. Submission of Engineering Plans for infrastructure works on Council roadway

The infrastructure works within Council's roadway are to be carried out in accordance with the approved plans referred to in Condition 1 of this consent.

Reason: To ensure engineering works are constructed in accordance with relevant standards and Council's specification.

Reason: The Panel agrees with the Officer's Assessment Report and the recommendation contained therein, as amended by the Panel.

Vote: 4/0

The meeting concluded at 5.17pm

This is the final page of the Minutes comprising 21 pages numbered 1 to 21 of the Northern Beaches Local Planning Panel meeting held on Wednesday 19 December 2018.