



northern
beaches
council

MEMORANDUM

DATE: 4 June 2024

TO: Northern Beaches Local Planning Panel

CC: Peter Robinson, Executive Manager Development Assessment
CC Adam Croft – Principal Planner

FROM: Kye Miles, Planner

SUBJECT: Item 4.2 - DA2023/1532 - 15 Ocean Road, Palm Beach

The purpose of this memo is to advise the panel of a late submission from the applicant which raises the following matters:

- Bulk and scale,
- Landscaped area,
- General correspondence.

Bulk and Scale

The submission provides additional justification for the proposal in relation to its bulk and scale.

This information is noted; however the substantial variations to the building envelopes is symptomatic of excessive bulk and scale, which is discussed in detail in the assessment report.

Landscaped Area

The submission claims that the proposal is compliant with landscaping and that the non-compliant figure stated in the assessment report is incorrect.

The proposal involves a deep soil landscaped area of 54.8%, which constitutes a shortfall of 46.94m² from the 60% requirement.

The variations to the control permit up to 6% of the site area to be provided as impervious pathways or recreational areas, provided that the outcomes of the control are met. In this regard, the proposal includes 47.2m² (5.17%) of impervious areas that meet the criteria for the variations. However, due to the proposal's inconsistency with the control's outcomes, the variations cannot be applied in this case.

Therefore, the proposal is numerically non-compliant with the control as fully detailed in the assessment report and Working Plans prepared during the assessment.



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General Correspondence

Concerns have been raised regarding correspondence between the applicant and the Council about the amended proposal. Council provided general feedback on the amendments before the plans were lodged on the Planning Portal. It was noted at the time that a definite position on the acceptability of the amendments could not be made until a comprehensive assessment of height and envelope breaches could be made, which is upon receipt of the full plan set. This position was acknowledged by the applicant.

Conclusion

The position put forward by the applicant does not change Council's assessment or recommendation contained in the assessment report.

Recommendation

The Panel note the late submission by the Applicant.