



PITTWATER COUNCIL

REPORT TO DEVELOPMENT UNIT

SUBJECT: N0102/10 - 1112 - 1116 BARRENJOEY ROAD, PALM BEACH (Lot 21 DP 571298) Shop Top Housing development comprising 5 residential units, ground floor commercial space and kiosk with basement carparking for 22 cars

Determination Level: Development Unit

Date: 13th December 2010

Proceedings in Brief

Mr Greg Boston (Consultant Planner), Mr David Dickson (Geotechnical Engineer Consultant), Mr Storm Jacklin (on behalf of Palm Beach and Whale Beach Association Incorporated), Mr Bill Anderson, Mrs Susan Anderson and Mr Tony Mattox (Respondents), Dr Steven Lesuik and Mr Chris Shaw (Consultants on behalf of the Applicant) addressed the meeting on this item.

RECOMMENDATION OF DEVELOPMENT OFFICER / PLANNER

That Council, as the consent authority pursuant to Section 80 of the Environmental Planning and Assessment Act 1979, grant consent to development application N0102/10 for a Shop Top Housing development comprising 5 residential units, ground floor commercial space and kiosk, with basement carparking for 22 cars at 1112-1116 Barrenjoey Rd Palm Beach subject to conditions as contained in the attached draft consent.

DECISION

That the recommendation in the Development Officer's report **be endorsed** and that the Development Application N0102/10 - 1112 - 1116 Barrenjoey Road, Palm Beach (Lot 21 DP 571298) Shop Top Housing development comprising 5 residential units, ground floor commercial space and kiosk with basement carparking for 22 cars **be granted development consent** under the Delegated Authority of the Development Unit subject to the conditions contained in the Draft Determination and the following amended and additional conditions of consent:

Amended Conditions:

B3

The lowest habitable floor level shall be at **or above** the Estuarine Planning level.

B36

No mechanical plant shall be located at any point on the roof of the building. **Non mechanical wind driven ventilators are not excluded by this condition.**

C6

A Dilapidation Report is required in relation to **all** structures on the adjoining property. The report is to be prepared by a qualified **Structural** Engineer.

C20

A detailed Landscape Plan prepared by a qualified Landscape Architect / Horticultural Designer to be prepared as part of documentation for the Construction Certificate generally in accordance with the landscape concept plan as prepared by Lesiuk Architects.

The Landscape Plan is to detail the following elements:

- 3 street trees provided to the front road reserve set in proposed paving (dimension 1.5 wide / 2 metres long (*Glochidion ferdinandi*) installed at 400 litre size.
- Front road reserve to the unit paved to match with existing pavement pattern/ type (header to all edges) laid on concrete sub-base.
- All works in road reserve to be approved/ liaised with Council's Landscape Architect prior to commencement – ph: 9970 1356.
- Indicated palm grove to site frontage to be *Livistonia australis/howea forstrana*, with clear trunk height of minimum 3 metres. Canopy trees to southern/ northern boundary and central planter to be minimum 400 litre in size and endemic to area.
- Trees must have minimum 10m³ planting volume to allow realistic growth and prevent long term damage to proposed retaining walls.
- Those trees located to the rear boundary area to be minimum 100 litre size at installation and endemic to the Palm Beach locality.
- All planter boxes to be detailed in relation to structural capability (i.e. concrete core filled to deal with large growth and associated roots) growing medium minimum depth (800mm) and mulch treatment.
- All planters built on slab to incorporate drainage membranes/ drainage layer with inspection pits connected to proposed stormwater system and allow minimum of 800mm depth growing medium. Waterproof membrane to be independently certified by qualified contractor.
- All landscape works to be maintained for the life of the development.
- A report confirming construction of the landscape works in accordance with the Concept Plan and detail Landscape Plan to be prepared by qualified Landscape Architect and approved by the nominated Certifier prior to release of Occupation Certificate.
- **The *Livistrona australis* nominated for the rear of the development is to be clumped to the north and south ends of the skillion roof form at the rear boundary area. Between these clumps 25 Blueberry Ash (40 litre pot size) to be included which at maturity will achieve approximately 5 metres in height.**

Additional Conditions:

E17

A Dilapidation Report is required in relation to all structures on the adjoining property. The report is to be prepared by a qualified Structural Engineer.

C21

All rear windows to level 5 above 2.1 metres above finished floor level to level 5 are to be finished with opaque or obscure glazing in order to minimise potential overlooking into neighbouring properties. Details are to be submitted with the construction certificate.

C22

The Applicant shall provide a Disaster Management Plan to address the potential for retaining wall failure. The Applicant will monitor retaining wall movement by the installation of 3 inclinometers to be monitored weekly during excavation and at 3 monthly intervals up to 6 months after building structural completion. The Applicant will test any ground anchors by "lift off" 48 hours and 3 months after installation.

Inclusion of the following Plan reference in the schedule of approved plans; Landscape Plan Issue C dated 10 December 2010 and the associated Landscape Schedule dated 13 December 2010.

(Mr Matthew Edmonds / Mr Paul Davies)

Note:

1. The Item was adjourned and agreed to be brought back to the meeting with a view to resolving the item at this Development Unit meeting. The Applicants and Respondents representing 21A, 21B and 23 Palm Beach Road, Palm Beach and 1108 Barrenjoey Road, Palm Beach left the meeting at 10.40am.
2. The Applicants and Respondents returned to the meeting at 10.55am and advised the Development Unit that they had agreed on conditions relating to the Landscaping Plan and Geotechnical issues.