

DU3.9: N0275/09/S96/2 - Section 96 1(a) Modification - 2 Bilgola Terrace, Bilgola - Modifications including relocation of garage and deletion of condition B14.

Determination Level: Development Unit

Date: 17 May 2012

Proceedings in Brief

Ms Louise Byrne (Consultant) and Mr Greg Boston (Consultant Planner) addressed the meeting speaking against the Assessing Officer's recommendation.

Ms Diedre Gilmour (Applicant) and Mr Michael Wright (Consultant) addressed the meeting speaking in support of the Assessing Officer's recommendation.

RECOMMENDATION OF DEVELOPMENT OFFICER / PLANNER

That Council as the consent authority pursuant to Section 80 of the Environmental Planning and Assessment Act 1979 approve modifications to Development Application N0275/09 for alterations and additions to the existing dwelling at 2 Bilgola Terrace, Bilgola in the following way:

- *The consent is to be further modified by **architectural plans numbered 3/4 and 4/4 prepared by Emerald Designs dated May 2010.***
- **Delete condition D14: Safe vehicle access is to be provided and maintained to the adjoining property no. 3 Bilgola Terrace at all times during the construction process.**
- **Amend condition B14: Landscaping is to include coastal tolerant locally native species to a maximum mature height of 1 metre.**

DECISION

That the recommendation in the Development Officer's Report **not be endorsed** and Application N0275/09/S96/2 - Section 96 1(a) Modification - 2 Bilgola Terrace, Bilgola - Modifications including relocation of garage and deletion of condition B14 **be deferred** for the following:

1. Submission from the Applicant addressing the requirements of S96 in relation to
 - a) Whether or not the proposal is substantially the same development as originally approved, and
 - b) Whether or not the application is correctly made as a S96 1(a) being an application for minimal environment impact.
2. For the Submission from the Applicant of further discussions and consideration of alternatives to the approved garage and driveway arrangement that permits the driveway access to 3 Bilgola Terrace to be maintained.
3. For the Applicant to address any impacts of the proposal upon the neighbouring property

(Ms Anna Williams / Mr Paul Davies)