

**PUBLIC REGISTER OF PLANNING DECISIONS MADE BY  
MOSMAN MUNICIPAL COUNCIL  
HELD IN THE COUNCIL CHAMBERS, MOSMAN SQUARE,  
ON TUESDAY, 21 OCTOBER 2008 COMMENCING AT 07:03 PM**

**PRESENT**

The Mayor (Councillor D J Lopez OAM) in the Chair, Councillors A S Connon, B L Halloran, P S Menzies, E A Moline, J T Reid, T Sherlock, D M Wilton and K W Yates together with the General Manager, Director Environment and Planning, Manager Governance, Manager Development Services, Manager Assets and Services and Team Leader Admin & Support.

*Cr Moline arrived at 7.43pm and was not present for National Anthem, Prayers, Apologies, Disclosures of Pecuniary and Non-Pecuniary Interests, Confirmation of Minutes, Items MM/14, EP/143, EP/144, EP/148, EP/150, EP/153 and EP/154.*

**APOLOGIES AND LEAVE OF ABSENCE**

An apology was received from Councillor Moline.

**Motion** Reid/Menzies

That the apology be received and leave of absence be granted to Councillor Moline.

**CARRIED UNANIMOUSLY**

- |           |                   |   |
|-----------|-------------------|---|
| <b>1.</b> | <b>EP/143</b>     | <b>23 Boyle Street</b>  |
|           | <b>DA NUMBER:</b> | <b>8.2008.160.1</b>   |
|           | <b>PROPOSAL:</b>  | <b>Alterations and additions to dwelling including new first floor, ground floor extension and reconfiguration, and extension of garage</b> |

*Cr Yates, having declared a Pecuniary Interest in Item EP/143, retired from the Meeting between 7.14 and 7.16pm and took no part in the discussion or voting thereon.*

**RESOLVED BY THE COMMITTEE UNDER DELEGATED AUTHORITY**

**Motion** Reid/Sherlock

That the application be deferred at the applicant's request.

**CARRIED UNANIMOUSLY**

For: Lopez, Sherlock, Reid, Wilton, Menzies, Connon, Halloran

Against: Nil

2. **EP/144** **9 Badham Avenue**

**DA NUMBER:** **8.2008.141.1**

**PROPOSAL:** **Demolition of existing structures and construction of a multiple dwelling containing two three bedroom units with basement car parking**

*Councillor Wilton, having declared a Non-Pecuniary Interest in Item EP/144, retired from the Meeting between 7.16 and 7.43pm and took no part in the discussion or voting thereon.*

**RESOLVED BY THE COMMITTEE UNDER DELEGATED AUTHORITY**

**Motion** Sherlock/ Menzies

That the Officer's Recommendation for deferred commencement consent be adopted.

**CARRIED**

For: Sherlock, Yates, Menzies, Connon

Against: Lopez, Reid, Halloran

**Amendment** Reid/Halloran

That the Officer's Recommendation for deferred commencement consent be adopted subject to the deletion of condition Part A.1.

**LOST**

For: Lopez, Reid, Halloran

Against: Sherlock, Yates, Menzies, Connon

3. **EP/145** **8 Stanton Road**

**DA NUMBER:** **8.2008.99.1**

**PROPOSAL:** **Changes to roof, new window openings, decks, infill of an existing garage, a new double garage and a driveway**

**RESOLVED BY THE COMMITTEE UNDER DELEGATED AUTHORITY**

**Motion** Wilton/Connon

That the Officer's Recommendation for approval with conditions be adopted with an additional condition requiring the height of the chimney be reduced by 0.5m.

**Amendment** Menzies/Lopez

That the matter be deferred to allow inspection from 32 Burran Avenue.

**CARRIED**

For: Lopez, Sherlock, Moline, Reid, Yates, Menzies, Halloran

Against: Wilton, Connon

**and on being put as the Motion CARRIED**

For: Lopez, Sherlock, Moline, Reid, Wilton, Yates, Menzies

Against: Connon, Halloran

- 4. EP/146 10 Euryalus Street**
- DA NUMBER: 8.2008.204.1**
- PROPOSAL: Demolition of an existing dwelling house and the construction of a new dwelling house, garage and swimming pool**

**RESOLVED BY THE COMMITTEE UNDER DELEGATED AUTHORITY**

**Motion** Yates/Halloran

That the Officer's Recommendation for approval with conditions be adopted but with the following alterations to the conditions for approval:

- (a) Stormwater
- (i) All downpipes from the roof to either drain to the street or terminate in a tank
  - (ii) The rear water storage tank be equipped with a pump that operates when the tank is half full and pumps any excess to the street
  - (iii) The rear tank overflow is directed to the absorption pit
  - (iv) That the absorption pit be fitted with a pump to pump any overflow to the street

- (b) Landscaping

The conditions relating to landscaping in the officer's recommendation be removed.

**Amendment** Wilton/Menzies

That the Officer's Recommendation for approval with conditions be adopted with the following alterations to the conditions of approval:

- (a) Stormwater
- (i) All downpipes from the roof to either drain to the street or terminate in a tank
  - (ii) The rear water storage tank be equipped with a pump that operates when the tank is half full and pumps any excess to the street
  - (iii) The rear tank overflow is directed to the absorption pit
  - (iv) That the absorption pit be fitted with a pump to pump any overflow to the street

**CARRIED**

For: Lopez, Moline, Wilton, Menzies, Connon, Halloran

Against: Sherlock, Reid, Yates

**Foreshadowed Amendment Reid/Sherlock**

That the Officer's Recommendation for approval with conditions be adopted with the following alterations to the conditions of approval:

- (a) Stormwater
  - (i) All downpipes from the roof to either drain to Euryalus Street or terminate in a tank. The overflow from this tank, be it stormwater detention or rainwater re-use, be directed to Euryalus Street;
  - (ii) The rear water storage tank be equipped with a pump that operates when the tank is half full and pumps any excess to the street;
  - (iii) The rear tank overflow is directed to the absorption pit; and
  - (v) That the absorption pit be fitted with a pump to pump any overflow to the street.

**CARRIED**

For: Lopez, Sherlock, Moline, Reid, Connon, Halloran

Against: Wilton, Yates, Menzies

**and on being put as the Motion CARRIED**

For: Lopez, Sherlock, Moline, Reid, Yates, Menzies, Connon, Halloran

Against: Wilton

5. **EP/147** **3/120 Prince Albert Street (Bacino Espresso)**  
**DA NUMBER:** **8.2006.133.4**  
**PROPOSAL:** **S96 modification application to change seating and review of hours of operation in accordance with condition 55A of the consent**

**OFFICER'S RECOMMENDATION:** **Approval**

**COUNCIL RESOLUTION**

**Motion** Menzies/Connon

That the matter be deferred for consultation with the Applicant.

**Amendment** Wilton/Connon

That the Officer's Recommendation for approval be adopted.

**CARRIED**

For: Lopez, Sherlock, Moline, Reid, Wilton, Yates, Connon, Halloran

Against: Menzies

**and on being put as the Motion CARRIED UNANIMOUSLY**

For: Lopez, Sherlock, Moline, Reid, Wilton, Yates, Menzies, Connon, Halloran

Against: Nil

6. **EP/148: 803 Military Road (Harmony Pharmacy)**  
**DA NUMBER: 8.2005.63.2**  
**PROPOSAL: Section 96 Modification of a consent for alterations to the mixed use development at ground floor level, first floor level, attic level and a new roof top terrace**

**COUNCIL RESOLUTION**

**Motion** Reid/Lopez

That the Officer's Recommendation for approval with conditions be adopted.

**CARRIED UNANIMOUSLY**

For: Lopez, Sherlock, Reid, Wilton, Yates, Menzies, Connon, Halloran

Against: Nil

7. **EP/149 78 Bay Street**  
**DA NUMBER: 8.2008.10.1**  
**PROPOSAL: Demolition of an existing dwelling and the construction of a new two storey residence, garage and replacement pool**

**RESOLVED BY THE COMMITTEE UNDER DELEGATED AUTHORITY**

**Motion** Menzies/Wilton

That the Officer's Recommendation for approval with conditions be adopted.

**CARRIED UNANIMOUSLY**

For: Lopez, Sherlock, Moline, Reid, Wilton, Yates, Menzies, Connon, Halloran

Against: Nil

8. **EP/150: 41 Middle Head Road**  
**DA NUMBER: 8.2006.432.5**  
**PROPOSAL: Modification of consent for the removal and replacement of a tree and changes to approved landscaping to a multiple dwelling**

## **COUNCIL RESOLUTION**

### **Motion** Reid/Lopez

That the Officer's Recommendation for approval with conditions be adopted.

**CARRIED UNANIMOUSLY**

For: Lopez, Sherlock, Reid, Wilton, Yates, Menzies, Connon, Halloran

Against: Nil

**9. EP/151 8 Musgrave Street**

**DA NUMBER: 8.2007.423.1**

**PROPOSAL: Section 82A review of Council's refusal:  
Demolition of the existing dwelling and  
construction of a new dwelling.**

## **RESOLVED BY THE COMMITTEE UNDER DELEGATED AUTHORITY**

### **Motion** Connon/Halloran

That the Officer's Recommendation for approval with conditions be adopted.

**CARRIED UNANIMOUSLY**

For: Lopez, Sherlock, Moline, Reid, Wilton, Yates, Menzies, Connon,  
Halloran

Against: Nil

**10. EP/152 Balmoral Oval - Upgrade of Oval Lighting**

**DA NUMBER: 8.2007.210.2**

**PROPOSAL: S. 96 modification of consent to erect lighting in  
Balmoral Park by installation of two (2) seventeen  
(17) metre high light poles**

## **COMMITTEE RECOMMENDATION**

### **Motion** Lopez/Menzies

That the matter be delegated to the Mayor and General Manager to activate the Officer's Recommendation subject to the deletion of 'target' with 'maximum average' following consultation with Councillors Yates, Reid and Halloran and the lighting consultant to address the issues raised by Councillors Yates and Reid.

**CARRIED UNANIMOUSLY**

For: Lopez, Sherlock, Moline, Reid, Wilton, Yates, Menzies, Connon,  
Halloran

Against: Nil

## **COUNCIL RESOLUTION**

### **Motion** Reid/Menzies

That the Committee's Recommendation be adopted.

**CARRIED UNANIMOUSLY**

For: Lopez, Sherlock, Moline, Reid, Wilton, Yates, Menzies, Connon, Halloran

Against: Nil

**MINUTES OF THE ORDINARY MEETING OF MOSMAN MUNICIPAL COUNCIL  
HELD IN THE COUNCIL CHAMBERS, MOSMAN SQUARE,  
ON TUESDAY 4 NOVEMBER 2008 COMMENCING AT 7.02PM  
ADJOURNED AT 11.23PM ON TUESDAY 18 NOVEMBER 2008**

**PRESENT**

The Mayor (Councillor D J Lopez OAM) in the Chair, Councillors A S Connon, B L Halloran, P S Menzies, E A Moline, J T Reid, T Sherlock, D M Wilton and K W Yates together with the General Manager, Director Corporate Services, Director Environment and Planning, Director Community Development, Manager Finance, Manager Governance, Manager Development Services, and Executive Assistant.

**APOLOGIES AND LEAVE OF ABSENCE**

There were no apologies.

1. **EP/156:** **8 Stanton Road**
- DA NUMBER:** **8.2008.99.1**
- PROPOSAL:** **Changes to roof, new window openings, decks, infill of an existing garage, a new double garage and a driveway**

*Mr Roy Bendall (93 The Esplanade), Mrs Connie Sievers (9/69 The Esplanade), Mr Rowland Watson (1/24 Wolseley Road), Mrs Sue Halmagyi (1 Awaba Street), Mr Steve O'Halloran (32 Burran Avenue), Mr Richard Purcell (8A Stanton Road), Mr Ken Whiteman (34 Burran Avenue), Mr Michael Rich (30 Burran Avenue), Mr Tim Shellshear (architect) and Mr Richard Smythe (Smythe Planning) addressed the Committee on this Item.*

**RESOLVED BY THE COMMITTEE UNDER DELEGATED AUTHORITY**

**Motion** Wilton/Menzies

That the Officer's Recommendation for approval with conditions be adopted.

**CARRIED**

For: Sherlock, Moline, Reid, Wilton, Yates, Menzies, Connon, Halloran

Against: Lopez

**Amendment** Sherlock/Lopez

That the Officer's Recommendation for approval with conditions be adopted subject to the provision of an independent geotechnical report.

**LOST**

For: Lopez, Sherlock, Moline

Against: Reid, Wilton, Yates, Menzies, Connon, Halloran

**PUBLIC REGISTER OF PLANNING DECISIONS MADE BY  
MOSMAN MUNICIPAL COUNCIL  
HELD IN THE COUNCIL CHAMBERS, MOSMAN SQUARE,  
ON TUESDAY 4 NOVEMBER 2008 COMMENCING AT 7.02 PM  
ADJOURNED AT 11.23 PM AND RECONVENED AT 8.59 PM  
ON TUESDAY 18 NOVEMBER 2008**

**PRESENT**

The Mayor (Councillor D J Lopez OAM) in the Chair, Councillors A S Connon, B L Halloran, P S Menzies, E A Moline, J T Reid, T Sherlock, D M Wilton and K W Yates together with the General Manager, Director Corporate Services, Director Environment and Planning, Director Community Development, Manager Finance, Manager Governance, Manager Development Services, and Executive Assistant.

**APOLOGIES AND LEAVE OF ABSENCE**

There were no apologies.

1. **EP/156** **8 Stanton Road**
- DA NUMBER:** **8.2008.99.1**
- PROPOSAL:** **Changes to roof, new window openings, decks, infill of an existing garage, a new double garage and a driveway**
- OFFICER'S RECOMMENDATION:** **Approval with conditions**

*Mr Roy Bendall (93 The Esplanade), Mrs Connie Sievers (9/69 The Esplanade), Mr Rowland Watson (1/24 Wolseley Road), Mrs Sue Halmagyi (1 Awaba Street), Mr Steve O'Halloran (32 Burran Avenue), Mr Richard Purcell (8A Stanton Road), Mr Ken Whiteman (34 Burran Avenue), Mr Michael Rich (30 Burran Avenue), Mr Tim Shellshear (architect) and Mr Richard Smythe (Smythe Planning) addressed the Committee on this Item.*

**RESOLVED BY THE COMMITTEE UNDER DELEGATED AUTHORITY**

**Motion** Wilton/Menzies

That the Officer's Recommendation be adopted.

**CARRIED**

For: Sherlock, Moline, Reid, Wilton, Yates, Menzies, Connon, Halloran

Against: Lopez

**Amendment** Sherlock/Lopez

That the Officer's Recommendation be adopted subject to the provision of an independent geotechnical report.

**LOST**



For: Lopez, Sherlock, Moline

Against: Reid, Wilton, Yates, Menzies, Connon, Halloran

**PUBLIC REGISTER OF PLANNING DECISIONS MADE BY  
MOSMAN MUNICIPAL COUNCIL  
HELD IN THE COUNCIL CHAMBERS, MOSMAN SQUARE,  
ON TUESDAY, 18 NOVEMBER 2008 COMMENCING AT 7:05 PM**

**PRESENT**

The Mayor (Councillor D J Lopez OAM) in the Chair, Councillors A S Connon, B L Halloran, P S Menzies, E A Moline, J T Reid, T Sherlock, D M Wilton and K W Yates together with the General Manager, Director Environment and Planning, Manager Governance, Manager Development Services and Team Leader Admin & Support.

*Councillor Yates, having declared a Pecuniary Interest in Item EP/166, retired from the Chambers between 7.12 and 8.07 pm and took no part in the discussion or voting thereon.*

*Councillor Connon arrived at the meeting at 8.07pm and was not present for Apologies, Declarations of Interests, Items not Called, and Item EP/166.*

**APOLOGIES AND LEAVE OF ABSENCE**

The General Manager advised that Councillor Connon had been detained with her attendance at the Australian Council of Local Government, Parliament House, Canberra and that it would be appropriate to grant Leave of Absence in the event that she was unable to attend.

**Motion** Menzies/Moline

That the apology be received and leave of absence be granted to Councillor Connon.

**CARRIED UNANIMOUSLY**

*Councillor Connon subsequently arrived at the meeting at 8.07 pm.*

- |           |                                  |   |
|-----------|----------------------------------|---|
| <b>1.</b> | <b>EP/166</b>                    | <b>23 Boyle Street</b>  |
|           | <b>DA NUMBER:</b>                | <b>8.2008.160.1</b>   |
|           | <b>PROPOSAL:</b>                 | <b>Alterations and additions to dwelling including new first floor, ground floor extension and reconfiguration, and extension of garage</b> |
|           | <b>OFFICER'S RECOMMENDATION:</b> | <b>Approval with conditions</b>   |

*Cr Yates, having declared a Pecuniary Interest in Item EP/166, retired from the Chambers between 7.12 and 8.07 pm and took no part in the discussion or voting thereon.*

**RESOLVED BY THE COMMITTEE UNDER DELEGATED AUTHORITY**

**Motion** Reid/Lopez

That the Officer's Recommendation be adopted with the deletion of Conditions 3 & 4.

**Amendment** Wilton/Menzies

That the Officer's Recommendation be adopted and that the privacy screen referred to in Condition 7 being increased from 1.6m to 1.8m in height.

**CARRIED and on being put as the Motion CARRIED**

For: Sherlock, Moline, Wilton, Menzies, Halloran

Against: Lopez, Reid

2. **EP/167** **710 Military Road (Cache Shopping Centre)**  
**DA NUMBER:** **8.2008.223.1**  
**PROPOSAL:** **Alterations and additions to a mixed use commercial/retail building including changes to car parking and internal and external reconfiguration including changes to both façades**

**OFFICER'S RECOMMENDATION:** **Approval subject to conditions**

*Councillor Connon arrived at 8.07pm.*

**RESOLVED BY THE COMMITTEE UNDER DELEGATED AUTHORITY**

**Motion** Wilton/Menzies

That the Officer's Recommendation be adopted.

**CARRIED UNANIMOUSLY**

For: Lopez, Sherlock, Moline, Reid, Wilton, Yates, Menzies, Connon, Halloran

Against: Nil

3. **EP/168:** **912 Military Road (Mosman Day Spa)**  
**DA NUMBER:** **8.2008.355.1**  
**PROPOSAL:** **Change of use from commercial use to a shop and commercial use, alterations to shopfront and internal modifications**

**OFFICER'S RECOMMENDATION:** **Approval with conditions**

**COUNCIL RESOLUTION**

**Motion** Reid/Menzies

That the Officer's Recommendation be adopted.

**CARRIED UNANIMOUSLY**

For: Lopez, Sherlock, Moline, Reid, Wilton, Yates, Menzies, Halloran

Against: Nil

**4. EP/169 11 Burton Street**

**DA NUMBER: 8.2008.289.1**

**PROPOSAL: Alterations and additions to an existing dwelling house comprising internal and external refurbishment, new swimming pool and landscaping**

**OFFICER'S RECOMMENDATION: Approval with conditions**

**RESOLVED BY THE COMMITTEE UNDER DELEGATED AUTHORITY**

**Motion** Wilton/Connon

That the Officer's Recommendation be adopted and that the planting in the south-east corner of the swimming pool be limited to a height of 4.0m at maturity.

**Amendment** Menzies/Reid

That the Officer's Recommendation be adopted subject to the deletion of Condition 2 and the planting in the south-east corner of the swimming pool be limited to a height of 4.0m at maturity.

**CARRIED**

For: Lopez, Sherlock, Moline, Reid, Menzies

Against: Wilton, Yates, Connon, Halloran

**and on being put as the Motion CARRIED**

For: Lopez, Sherlock, Moline, Reid, Yates, Menzies, Connon

Against: Wilton, Halloran

**5. EP/170: 10 Ryan Avenue**

**DA NUMBER: 8.2008.173.1**

**PROPOSAL: Demolition of the existing dwelling house and pool and erection of a part two/part three storey dwelling house, garage, swimming pool and landscaping**

**OFFICER'S RECOMMENDATION: Approval with conditions**

**COUNCIL RESOLUTION**

**Motion** Reid/Menzies

That the Officer's Recommendation be adopted.

**CARRIED UNANIMOUSLY**

For: Lopez, Sherlock, Moline, Reid, Wilton, Yates, Menzies, Halloran

Against: Nil

6. **EP/171** **4 Julian Street**  
**DA NUMBER:** **8.2008.308.1**  
**PROPOSAL:** **External lift and new timber deck**  
**OFFICER'S**  
**RECOMMENDATION:** **Approval with conditions**

**RESOLVED BY THE COMMITTEE UNDER DELEGATED AUTHORITY**

**Motion** Wilton/Reid

That the Officer's Recommendation be adopted.

**CARRIED UNANIMOUSLY**

For: Lopez, Sherlock, Moline, Reid, Wilton, Yates, Menzies, Connon,  
Halloran

Against: Nil

**PUBLIC REGISTER OF PLANNING DECISIONS MADE BY  
MOSMAN MUNICIPAL COUNCIL  
HELD IN THE COUNCIL CHAMBERS, MOSMAN SQUARE,  
ON TUESDAY, 9 DECEMBER 2008 COMMENCING AT 7:02 PM**

**PRESENT**

The Mayor (Councillor D J Lopez OAM) in the Chair, Councillors B L Halloran, P S Menzies, E A Moline, J T Reid, T Sherlock, D M Wilton and K W Yates together with the Acting General Manager, Director Environment and Planning, Manager Development Services, Manager Finance and Team Leader Admin & Support.

*Councillor Reid arrived at the meeting at 8.06pm during discussion of EP/185. As he was not present for the full debate on the matter and in accordance with Clause 38(6) of Council's Code of Meeting Practice, he vacated the Chamber at 8.32pm when the Motion was put and returned to the Chamber at 8.33pm prior to deliberation of EP/186.*

*He was not present for Apologies, Disclosures of Pecuniary Interests, Disclosures of Non-Pecuniary Interests, Confirmation of Minutes, MM/18, Items Not Called, Committee of the Whole, GM/57 and EP/181.*

**APOLOGIES AND LEAVE OF ABSENCE**

The Deputy Mayor Councillor Anne Connon seeks leave of absence from this meeting as, together with the General Manager, she is attending the Constitutional Summit in Melbourne from 8 to 11 December.

**Motion** Menzies/Halloran

That the apology be received and leave of absence be granted to Councillor Connon.

**CARRIED UNANIMOUSLY**

The Mayor advised that Councillor Reid was representing him at a function and would be arriving late.

*Councillor Reid subsequently arrived at the meeting at 8.06 pm.*

1.     **EP/179**                             **3 Windward Avenue**
- DA NUMBER:**                   **8.2008.337.1**
- PROPOSAL:**                    **Alterations and additions to the existing dwelling house including new first floor and swimming pool**

**OFFICER'S**

**RECOMMENDATION:** Approval with conditions

**COUNCIL RESOLUTION**

**Motion** Sherlock/Moline

That the application be refused on the grounds of building height, wall height, number of storeys and excessive floor space.

**LOST**

For:             Lopez, Sherlock, Moline

Against:       Reid, Wilton, Yates, Menzies, Halloran

**Further Motion** Reid/Menzies

That the Officer's Recommendation be adopted.

**CARRIED**

For:             Moline, Reid, Wilton, Yates, Menzies, Halloran

Against:       Lopez, Sherlock

2.     **EP/180**                             **76 Middle Head Road (Buena Vista Hotel)**
- DA NUMBER**                    **8.2008.264.1**
- PROPOSAL:**                    **Alterations to the existing hotel including conversion of the accommodation at first floor into a bistro, kitchen, bar and the installation of a lift and minor alterations at ground floor level**

**OFFICER'S**

**RECOMMENDATION:** Approval with conditions

**COUNCIL RESOLUTION**

**Motion** Menzies/Wilton

That the Officer's Recommendation be adopted.

**Amendment** Halloran/Lopez

That the Officer's Recommendation be adopted and the applicant be invited to consider the possible future enclosure of the first floor balconies in a future application.

**CARRIED** and on being put as the Motion **CARRIED**

For: Lopez, Sherlock, Moline, Yates, Menzies, Halloran

Against: Reid, Wilton

3. **EP/181** **41 Hale Road**  
**DA NUMBER:** **8.2008.275.1**  
**PROPOSAL:** **Alterations and additions to an existing semi detached dwelling house including first floor addition**

**OFFICER'S**

**RECOMMENDATION:** **Approval with conditions**

*Ms Christine Woodlands (39A Hale Road), Ms Sarah King (on behalf of 43 Hale Road) and Mr Chris Polin (Applicant) addressed the Committee.*

**RESOLVED BY THE COMMITTEE UNDER DELEGATED AUTHORITY**

**Motion** Wilton/Menzies

That the Officer's Recommendation be adopted.

**CARRIED UNANIMOUSLY**

4. **EP/182:** **4 Awaba Street**  
**DA NUMBER:** **8.2008.292.1**  
**PROPOSAL:** **Demolition of an existing dwelling and the construction of a new two storey dwelling house**  
**OFFICERS**  
**RECOMMENDATION:** **Approval with conditions**

**COUNCIL RESOLUTION**

**Motion** Menzies/Halloran

That the Officer's Recommendation be adopted.

**CARRIED UNANIMOUSLY**

For: Lopez, Sherlock, Moline, Wilton, Yates, Menzies, Halloran

Against: Nil

5. **EP/183:** **13 Shellbank Avenue**  
**DA NUMBER:** **8.2008.048.2**  
**PROPOSAL:** **Modification of development consent comprising of new stairs to foreshore, wet edge to swimming pool, window changes in eastern and western elevations and new walls in sub-floor area**

**OFFICER'S  
RECOMMENDATION: Approval with conditions**

**COUNCIL RESOLUTION**

**Motion** Menzies/Halloran  
That the Officer's Recommendation be adopted.

**CARRIED UNANIMOUSLY**

For: Lopez, Sherlock, Moline, Wilton, Yates, Menzies, Halloran

Against: Nil

**6. EP/184 2 Dugald Road**

**DA NUMBER: 8.2008.320.1**

**PROPOSAL: New roof and garage**

**OFFICER'S  
RECOMMENDATION: Approval with conditions**

**COUNCIL RESOLUTION**

**Motion** Reid/Menzies  
That the Officer's Recommendation be adopted.

**CARRIED**

For: Lopez, Moline, Reid, Wilton, Yates, Menzies

Against: Sherlock, Halloran

**7. EP/185 6 Pearl Bay Avenue**

**DA NUMBER: 8.2008.19.1**

**PROPOSAL: Section 82A review of determination for alterations and additions to an existing dwelling including changes to house and new swimming pool, garage and fencing**

**OFFICER'S  
RECOMMENDATION: Change determination to approval**

*Mr Michael Blakeney (on behalf of 4 & 8 Pearl Bay Avenue and 3 Ida Avenue), Mr Paul Gallagher (Architect), Mrs Sarah Moufarrige (6 Pearl Bay Avenue) and Mr Howard Portrate (10 Pearl Bay Avenue) addressed the Committee.*

*Councillor Reid arrived at the meeting at 8.06pm during discussion of EP/185 and vacated the Chamber between 8.32pm and 8.33pm when the Motion was put.*

**RESOLVED BY THE COMMITTEE UNDER DELEGATED AUTHORITY**

**Motion** Moline/Menzies  
That the Officer's Recommendation be adopted subject to Condition 5 being amended to read as follows:

## Privacy

5. To maintain privacy to the terrace at No 8 Pearl Bay Avenue, the western window unit to the master bedroom denoted as window unit W20 shall have a fixed, vertical angled screen affixed to its outside face. The angle of the vertical blades shall ensure that there is no line of sight to the terrace. Details shall be submitted with the Construction Certificate application.

And further should the Jacaranda at the front of the site be lost during construction the applicant be required to provide a replacement advanced Jacaranda in its stead.

### **CARRIED UNANIMOUSLY**

For: Lopez, Sherlock, Moline, Wilton, Yates, Menzies, Halloran

Against: Nil

## 8. **EP/186 - State Environmental Planning Policy No.1 - Reporting variations to development standards**

### **OFFICER'S RECOMMENDATION**

The Director Environment and Planning recommends:

That:

- A. The report be received and noted.
- B. Council write to the Director General, Department of Planning seeking to have the requirement for reporting of all applications which exceed a development standard by greater than 10% to full Council waived in respect of semi detached and dwelling house applications and those relating to listed heritage items as outlined in the body of the report.

*Mr Ken Whiteman (34 Burrans Avenue) addressed the Committee.*

### **RESOLVED BY THE COMMITTEE UNDER DELEGATED AUTHORITY**

**Motion** Sherlock/Lopez

That the Officer's Recommendation be adopted with the deletion of B.

**Amendment** Menzies/Reid

That the Officer's Recommendation be adopted.

### **CARRIED**

For: Moline, Reid, Wilton, Yates, Menzies, Halloran

Against: Lopez, Sherlock

And in being put as the Motion **CARRIED**

For: Lopez, Moline, Reid, Wilton, Yates, Menzies, Halloran

Against: Sherlock