



northern
beaches
council

MINUTES

NORTHERN BEACHES LOCAL PLANNING PANEL MEETING

held via Teleconference on

WEDNESDAY 16 NOVEMBER 2022

Minutes of the Northern Beaches Local Planning Panel held on Wednesday 16 November 2022

The public meeting commenced at 12.00pm and concluded at 12.40pm.

The deliberations and determinations commenced at 1.45pm following the public meeting and concluded at 3.17pm.

ATTENDANCE:

Panel Members

Annelise Tuor	Chair
Kara Krason	Town Planner
Robert Hussey	Town Planner
Peter Cotton	Community Representative

The Panel have visited all sites personally, or electronically, and have had regard to the assessment report, all accompanying documentation, submissions from the public and any supplementary reports in determining all applications.

1.0 APOLOGIES AND DECLARATIONS OF INTEREST

In accordance with Section 4.9 of the NSW Government Code of Conduct for Local Government Planning Panels, all members have signed a declaration of interest in relation to each item on the agenda.

Item 4.3 - Annelise Tuor declared a conflict of interest in this matter and did not participate in the site visit, deliberation and determination.

2.0 MINUTES OF PREVIOUS MEETING

2.1 MINUTES OF NORTHERN BEACHES LOCAL PLANNING PANEL HELD 2 NOVEMBER 2022

The Panel noted that the minutes of the Northern Beaches Local Planning Panel held 2 November 2022, were adopted by the Chairperson and have been posted on the Council's website.

3.0 CATEGORY 3 APPLICATIONS

Nil

4.0 PUBLIC MEETING ITEMS

4.1 PEX2022/0001 - 10-12 BOONDAH ROAD, WARRIEWOOD - PLANNING PROPOSAL

PROCEEDINGS IN BRIEF

The proposal seeks to amend Pittwater Local Environmental Plan 2014 by rezoning the subject site from RU2 Rural Landscape to R3 Medium Density Residential and C2 Environmental Conservation, along with other amendments, to enable residential development comprising 40 dwellings in a 3-storey townhouse typology and 4 affordable housing dwellings for a period of 10 years in a manor home or 2-storey residential flat building typology.

At the public meeting which followed the Panel was addressed by two (2) representatives of the applicant.

The panel received a submission dated 14 November 2022 and supplementary memo from Council.

The Panel notes the applicant's request that the Planning Proposal be deferred to enable the applicant to address the matters in the supplementary memo dated 14 November 2022, specifically items 2-6.

RECOMMENDATION OF PLANNING PANEL

That the Northern Beaches Local Planning Panel **defers** the Planning Proposal for 10-12 Boondah Road, Warriewood for the applicant to submit within 7 days a response to the supplementary memo dated 14 November 2022, specifically items 2-6.

The Planning Proposal will then be considered by a re-convened public meeting of the Panel application (as constituted on 16 November 2022). If the information is not submitted, the Panel will reconvene the public meeting to provide a recommendation to Council on the basis of the information currently before the Panel.

Vote: 4/0

4.2 DA2022/0971 - SYDNEY ROAD, MANLY - DEMOLITION OF AN EXISTING CHILD CARE CENTRE BUILDING AND INSTALLATION OF LANDSCAPING.

PROCEEDINGS IN BRIEF

The proposal is for demolition of existing child care centre building and installation of landscaping.

At the public meeting which followed the Panel was not addressed by any neighbours or representatives of the applicant.

DETERMINATION OF DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No DA2022/0971 for demolition of existing child care centre building and installation of landscaping on land at Lot 2502 DP 1143032, Ivanhoe Park, Sydney Road, Manly, subject to the conditions set out in the Assessment Report.

REASONS FOR DETERMINATION

The Panel agrees generally with the assessment report.

Vote: 4/0

4.3 DA2022/0753 - 160 CRESCENT ROAD, NEWPORT - DEMOLITION WORKS AND CONSTRUCTION OF A DWELLING HOUSE INCLUDING SWIMMING POOL.

PROCEEDINGS IN BRIEF

The proposal is for demolition works and construction of a dwelling house including swimming pool.

At the public meeting which followed the Panel was addressed by two (2) representatives of the applicant.

DECISION ON EXCEPTIONS TO DEVELOPMENT STANDARDS

A. The Panel is 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 7.8 Limited Development on Foreshore Area has adequately addressed and demonstrated that:
 - a) compliance with the standards is unreasonable or unnecessary in the circumstances of the case; and
 - b) there are sufficient environmental planning grounds to justify the contraventions.
- 2) the proposed development will be in the public interest because it is consistent with the objectives of the standards 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.

DETERMINATION OF DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2022/0753 for demolition works and construction of a dwelling house including swimming pool on land at Lot B DP 27567, 160 Crescent Road, Newport, Lot PO 174230, 160 Crescent Road, Newport subject to the conditions set out in the Assessment Report, with the following amendments:

1. The addition of the following condition:

Prior to Construction Certificate

Construction Traffic Management Plan

As a result of the site constraints, limited vehicle access and parking, a Construction Traffic Management Plan (CTMP) and report shall be prepared by an RMS accredited person and submitted to and approved by the Northern Beaches Council Traffic Team prior to issue of any Construction Certificate.

The CTMP must address the following:

- The proposed phases of demolition, excavation and construction works on the site, and the expected duration of each construction phase
- The proposed order in which works on the site will be undertaken, and the method statements on how various stages of demolition, excavation and construction will be undertaken
- Make provision for all construction materials to be stored on site, at all times
- The proposed areas within the site to be used for the storage of excavated materials, construction materials and waste containers during the construction period

- The proposed method of access to and egress from the site for construction vehicles, including access routes and truck routes through the Council area.
- The proposed method of loading and unloading excavation and construction machinery, excavation and building materials, formwork and the erection of any part of the structure within the site.
- Provide details of how parking of vehicles will be managed throughout the project, on-site and off-site.
- Temporary truck standing/queuing locations in a public roadway/ domain in the vicinity of the site are not permitted unless approved by Council prior
- Include a Traffic Control Plan prepared by a person with suitable RMS accreditation for any activities involving the management of vehicle and pedestrian safety
- The proposed manner in which adjoining property owners will be kept advised of the timeframes for completion of each phase of development/construction process. It must also specify that a minimum Fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measure
- Specify that the roadway (including footpath) must be kept in a serviceable condition for the duration of construction. At the direction of Council, undertake remedial treatments such as patching at no cost to Council
- A dilapidation report on the condition of the driveway prior to any works commencing.
- Proposed protection for Council and adjoining properties
- The location and operation of any on-site crane

The CTMP shall be prepared in accordance with relevant sections of Australian Standard 1742 – “Manual of Uniform Traffic Control Devices”, RMS’ Manual – “Traffic Control at Work Sites”. All fees and charges associated with the review of this plan is to be in accordance with Council’s Schedule of Fees and Charges and are to be paid at the time that the Construction Traffic Management Plan is submitted.

Reason: To ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems.

2. The addition of the following condition:

During Works

Implementation of Construction Traffic Management Plan

All works and construction activities are to be undertaken in accordance with the approved Construction Traffic Management Plan (CTMP). All controls in the CTMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate RMS accreditation. Should the implementation or effectiveness of the CTMP be impacted by surrounding major development not encompassed in the approved CTMP, the CTMP measures and controls are to be revised accordingly and submitted to Council for approval. A copy of the approved CTMP is to be kept onsite at all times and made available to Council on request.

Reason: To ensure compliance of the developer/builder in adhering to the Construction Traffic Management procedures agreed and are held liable to the conditions of consent.

3. The deletion of condition 11 – Amendments to the Approved Plans.

REASONS FOR DETERMINATION

The Panel agrees generally with the assessment report with the exception of condition 11, which is deleted due to the minor nature of the departures and the enhancement of the design outcome achieved by these elements, and subject to the above.

Vote: 3/0

5.0 NON PUBLIC MEETING ITEMS

5.1 DA2022/1526 - 27 THE CORSO, MANLY - ALTERATIONS AND ADDITIONS TO AN EXISTING PUB.

PROCEEDINGS IN BRIEF

The proposal is for alterations and additions to an existing pub.

The panel received a submission dated 11 November 2022 and supplementary memo from Council.

DECISION ON EXCEPTIONS TO DEVELOPMENT STANDARDS

A. The Panel is satisfied that:

- 1) the applicant's written request under clause 4.6 of the Manly Local Environment Plan 2013 seeking to justify a contravention of clause 6.16 Gross Floor Area in Zone B2 has adequately addressed and demonstrated that:
 - a) compliance with the standards is unreasonable or unnecessary in the circumstances of the case; and
 - b) there are sufficient environmental planning grounds to justify the contraventions.
- 2) the proposed development will be in the public interest because it is consistent with the objectives of the standards 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.

DETERMINATION OF DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2022/1526 for alterations and additions to an existing pub on land at Lot 2 DP 877793, 25 The Corso, Manly, Lot CP SP 12989, 19 - 23 The Corso, Manly, Lot 1 DP 877793, 27 The Corso, Manly, subject to the conditions set out in the Assessment Report and supplementary memo.

REASONS FOR DETERMINATION

The Panel agrees generally with the assessment report and supplementary memo.

Vote: 4/0

5.2 DA2022/1036 - 126 PARKES ROAD, COLLAROY - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE.

PROCEEDINGS IN BRIEF

The proposal is for alterations and additions to a dwelling house.

The panel received two supplementary memos from Council.

DETERMINATION OF DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2022/1036 for Alterations and additions to a dwelling house on land at Lot 16 DP 24705, 126 Parkes Road, Collaroy Plateau, subject to the conditions set out in the Assessment Report and supplementary memos.

REASONS FOR DETERMINATION

The Panel agrees generally with the assessment report and supplementary memos.

Vote: 4/0

5.3 DA2022/1500 - 8/122 BOWER STREET, MANLY - ALTERATIONS AND ADDITIONS TO A RESIDENTIAL FLAT BUILDING.

PROCEEDINGS IN BRIEF

The proposal is for alterations and additions to a residential flat building.

DECISION ON EXCEPTIONS TO DEVELOPMENT STANDARDS

- A. The Panel is satisfied that:
- 1) the applicant's written request under clause 4.6 of the Manly Local Environment Plan 2013 seeking to justify a contravention of 4.3 Height of Buildings development standard has adequately addressed and demonstrated that:
 - a) compliance with the standards is unreasonable or unnecessary in the circumstances of the case; and
 - b) there are sufficient environmental planning grounds to justify the contraventions.
 - 2) the proposed development will be in the public interest because it is consistent with the objectives of the standards 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.
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DETERMINATION OF DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2022/1500 for alterations and additions to a residential flat building on land at Lot 8 SP 1717, 8/122 Bower Street, Manly, subject to the conditions set out in the Assessment Report.

REASONS FOR DETERMINATION

The Panel agrees generally with the assessment report.

Vote: 4/0

This is the final page of the Minutes comprising 11 pages numbered 1 to 11 of the Northern Beaches Local Planning Panel meeting held on Wednesday 16 November 2022.