



northern  
beaches  
council

# **MINUTES**

## **NORTHERN BEACHES LOCAL PLANNING PANEL MEETING**

held via Teleconference on

**WEDNESDAY 3 JULY 2024**

## **Minutes of the Northern Beaches Local Planning Panel held on Wednesday 3 July 2024**

The public meeting commenced at 12.00pm and concluded at 12.26pm.

The deliberations and determinations commenced immediately following the public meeting and concluded at 1.08pm.

### **ATTENDANCE:**

#### **Panel Members**

David Crofts	Chair
Marcia Doheny	Law
Marjorie Ferguson	Town Planner
Carolyn Hill	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**

No apologies

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.

Carolyn Hill declared a potential conflict of interest in relation to DA2022/1848. However, the nature and level of significance of this potential conflict of interest was such as to not prevent her participating in deliberations on this matter.

No other Panel members declared a conflict of interest.

## **2.0 MINUTES OF PREVIOUS MEETING**

### **2.1 MINUTES OF NORTHERN BEACHES LOCAL PLANNING PANEL HELD ON 19 JUNE 2024**

The Panel noted that the minutes of the Northern Beaches Local Planning Panel held on 19 June 2024, 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 MOD2023/0574 - 2 THE CIRCLE NARRAWEENA - MODIFICATION OF DEVELOPMENT CONSENT DA2021/0311 GRANTED BY THE LAND AND ENVIRONMENT COURT FOR DEMOLITION WORKS AND CONSTRUCTION OF A BOARDING HOUSE.

#### PROCEEDINGS IN BRIEF

The Proposal is for Modification of Development Consent DA2021/0311 granted by the Land and Environment Court for demolition works and construction of a boarding house.

At the public meeting which followed the Panel was addressed by one representative of the applicant.

#### DETERMINATION OF MODIFICATION APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. Mod2023/0574 for Modification of Development Consent DA2021/0311 granted by the Land and Environment Court for demolition works and construction of a boarding house on land at Lot 7 DP 36192,2 The Circle, Narraweena, subject to the conditions set out in the Assessment Report, subject to the following:

1. The amendment of condition 14 to read as follows:

#### **14. 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 TfNSW accredited person and submitted to and approved by the Northern Beaches Council Traffic Team prior to the commencement of any works, including demolition.

The CTMP must address following:

- i. The proposed phases of construction and demolition works on the site, and the expected duration of each construction and demolition phase.
- ii. The proposed areas within the site to be used for the storage of excavated materials, construction materials and waste containers during the construction and demolition period
- iii. The proposed method of access to and egress from the site for construction and demolition vehicles, make provision for parking onsite where possible.
- iv. Temporary truck standing/ queuing locations in a public roadway/ domain in the vicinity of the site are not permitted unless approved by Council prior.
- v. Include a Traffic Control Plan prepared by a person with suitable TfNSW accreditation for any activities involving the management of vehicle and pedestrian traffic
- vi. The proposed manner in which adjoining property owners will be kept advised of the timeframes for completion of each phase of development/construction/demolition process. It must also specify that a minimum seven (7) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measure.
- vii. Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes and concrete pumps, structures proposed on the footpath areas (hoardings, scaffolding or shoring) and any tree protection zones around Council street trees.
- viii. The proposed method/device to remove loose material from all vehicles and/or machinery before entering the road reserve, any run-off from the

washing down of vehicles shall be directed to the sediment control system within the site.

- ix. Specify that the roadway (including footpath) must be kept in a serviceable condition for the duration of construction and demolition. At the direction of Council, undertake remedial treatments such as patching at no cost to Council.
- x. The proposed method of support to any excavation adjacent to adjoining properties, or the road reserve. The proposed method of support is to be designed and certified by an appropriately qualified and practising Structural Engineer, or equivalent.
- xi. Proposed protection for Council and adjoining properties.
- xii. 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 amendment of condition 38 to read as follows:

**38. Implementation of Construction Traffic Management Plan**

All works (including demolition 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 TfNSW 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 recommended conditions 31A and 38A.

REASONS FOR DETERMINATION

The Panel agrees generally with the Assessment Report.

Vote: 4/0

**4.2 DA2024/0375 - LOT 7356 DP 1167221, CARRINGTON PARADE CURL CURL - USE OF PREMISES AS A CAFÉ**

**PROCEEDINGS IN BRIEF**

The Proposal is for the use of the premises as a café.

At the public meeting which followed the Panel was addressed by one representative 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. DA2024/0375 for the use of the premises as a cafe on land at Lot 7356 DP 1167221, Carrington Parade, Curl Curl, 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 DA2022/1848 - 173 A SEAFORTH CRESCENT SEAFORTH - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE

#### PROCEEDINGS IN BRIEF

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

At the public meeting which followed the Panel was addressed by one objector on behalf of a neighbour and two representatives of the applicant.

The Panel received two late submissions dated 27 June & 1 July 2024 and a supplementary memo from Council dated 3 July 2024.

#### 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 Environmental Plan 2013 seeking to justify a contravention of Clause 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.

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. DA2022/1848 for alterations and additions to a dwelling house on land at Lot 22 DP 805188, 173 A Seaforth Crescent, Seaforth, subject to the conditions set out in the Assessment Report, subject to the following:

4. The amendment of condition 8 to read as follows:

##### **8. Amended Landscape Plan**

An Amended Landscape Plan shall be issued and approved by Council prior to the issue of a Construction Certificate to include the following details:

- a) the Amended Landscape Plan shall be prepared in accordance with Council's DA Lodgement Requirements for Landscape Plans and shall be prepared by a qualified Landscape Architect,
- b) the Amended Landscape Plan shall be co-ordinated with the approved architectural plans and shall document landscape treatments for all 'landscape areas' as approved and as identified in the approved architectural plans,
- c) all 'landscape areas' shall support plantings. In the Manly LEP **Landscape area** means "a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area"; and the 'landscape areas' shall be designed to support gardens and lawn areas,
- d) three (3) native trees shall be identified on the Amended Landscape Plans for planting within the property, as selected from Northern Beaches Council's Native Plant Species Guide - Manly Ward, Manly DCP Schedule 4 - Part B - Native Tree Selection to achieve a maximum of 6 metres in height, and these shall be located in close proximity to existing exempt trees to be removed and identified as T2, T3 and T4 in Peake

Arboriculture letter dated 17/05/2023, whilst ensuring that trees are at least 3 metres from buildings,

- e) mass planting shall be installed at minimum 1 metre intervals for shrubs/accents and other planting of a minimum 200mm container size at planting, and at 4 plants per metre square for groundcovers of a minimum 140mm container size at planting, and shall be in a garden bed prepared with a suitable free draining soil mix and minimum 75mm depth of mulch,
- f) the Amended Landscape Plan shall provide a Plant Schedule indicating all the selected plant species are native species, as typically found in the locality,
- g) New tree and general planting are not to have a mature height of more than 6m.

Reason: Landscape amenity and neighbourhood character.

#### REASONS FOR DETERMINATION

The Panel agrees generally with the Assessment Report and Supplementary Memo.

Vote: 4/0



## 5.0 NON PUBLIC MEETING ITEMS

### 5.1 DA2024/0539 - 17 THE CORSO & 15 A THE CORSO MANLY - ALTERATIONS AND ADDITIONS TO AN EXISTING BUILDING (BUSINESS PREMISES) AND SIGNAGE

#### PROCEEDINGS IN BRIEF

The Proposal is for alterations and additions to an existing building (business premises) and signage.

#### DETERMINATION OF DEVELOPMENT APPLICATION

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2024/0539 for alterations and additions to an existing building (business premises) and signage on land at Lot 1 DP 64558, 17 The Corso, Manly, Lot B DP 373583, 15 A The Corso, 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 9 pages numbered 1 to 9 of the Northern Beaches Local Planning Panel meeting held on Wednesday 3 July 2024.