



northern
beaches
council

MINUTES

NORTHERN BEACHES LOCAL PLANNING PANEL MEETING

held via Teleconference on

WEDNESDAY 4 SEPTEMBER 2024

Minutes of the Northern Beaches Local Planning Panel held on Wednesday 4 September 2024

The public meeting commenced at 12.00pm and concluded at 1.42pm.

The deliberations and determinations commenced at 2pm following the public meeting and concluded at 2.57pm.

ATTENDANCE:

Panel Members

Ross Bonthorne	Chair, Architect and Urban Planner
Glennys James	Expert Member, Town Planner
Kate Barlett	Expert Member, Town Planner
Philip Young	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. No conflicts of interest were disclosed.

2.0 MINUTES OF PREVIOUS MEETING

2.1 MINUTES OF THE NORTHERN BEACHES LOCAL PLANNING PANEL MEETING HELD ON 21 AUGUST 2024

The Panel noted that the minutes of the Northern Beaches Local Planning Panel Meeting held on 21 August 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 DA2024/0622 - 292 CONDAMINE STREET & 433 PITTWATER ROAD, NORTH MANLY - USE OF PART OF THE BUILDING AS A RESTAURANT.

PROCEEDINGS IN BRIEF

The Proposal is for use of part of the building as a restaurant.

At the public meeting which followed the Panel was addressed the applicant.

DETERMINATION OF DEVELOPMENT APPLICATION

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2024/0622 for the use of part of the building as a restaurant on land at Lot 2742 DP 752038, 292 Condamine Street, North Manly and Lot 3 DP 829465, 433 Pittwater Road, North 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

4.2 DA2023/1705 - 187 ALLAMBIE ROAD, ALLAMBIE HEIGHTS - DEMOLITION WORKS, ASSOCIATED LANDSCAPE WORKS AND CONSTRUCTION OF A CAR PARK.

PROCEEDINGS IN BRIEF

The Proposal is for demolition works, associated landscape works and construction of a car park.

At the public meeting which followed the Panel was addressed by 2 neighbours and 1 representative of the applicant.

The Panel received one late submission dated 3 September 2024 and a Supplementary Memo from Council dated 3 September 2024.

The Panel encourages further information sharing between Cerebral Palsy Alliance and the Madison Way Residents as construction commences, particularly in relation to control and treatment of stormwater from the site.

Further information regarding the Main Building Usage has been submitted by the applicant and the Panel notes that this was received.

DETERMINATION OF DEVELOPMENT APPLICATION

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **grants deferred commencement approval** Application No. DA2023/1705 for demolition works, associated landscape works and construction of a car park on land at Lot 8 DP 1280781, 187 Allambie Road, Allambie Heights, Lot 9 DP 1280781, 187 Allambie Road, Allambie Heights 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

4.3 DA2023/1798 - 5A KARLOO PARADE, NEWPORT - DEMOLITION WORKS AND CONSTRUCTION OF A DWELLING HOUSE INCLUDING SWIMMING POOL AND DETACHED STUDIO.

PROCEEDINGS IN BRIEF

The Proposal is for demolition works and construction of a dwelling house including swimming pool and detached studio.

At the public meeting which followed the Panel was addressed by 2 neighbours, 1 representative of the applicant and the property owner.

The Panel received three late submissions dated 1 & 2 September 2024 and a Supplementary Memo from Council dated 3 September 2024.

The Panel is cognisant of the difficult topography and access to this site, and accordingly notes that the suite of conditions including Construction Traffic Management Plan and Waste Management Plan which are required to address on-site parking, construction methodology and dilapidation to the driveway.

A further late submission was submitted on 4 September 2024 and the Panel notes that this was received.

DETERMINATION OF DEVELOPMENT APPLICATION

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2023/1798 for demolition works and construction of a dwelling house including swimming pool and detached studio on land at Lot 302 DP 718134, 5A Karloo Parade, Newport subject to the conditions set out in the Assessment Report and Supplementary Memo, and:

1. The amendment of condition 16 to read as follows:

16. Amendments to the approved plans

The following amendments are to be made to the approved plans:

- The rainwater/OSD tank as detailed on the approved stormwater management plan shall be relocated within the lower ground floor level of the dwelling house.
- The soil depth of the studio green roof must be at least 1m.
- All structures (excluding the driveway and services infrastructure) must be sited as to not encroach or overhang into the right-of carriageway and services easement.
- A separate suitably sized rainwater/OSD tank connected to all stormwater outflow pipes from the detached studio is to be installed within the building footprint of the detached studio.

Details demonstrating compliance are to be submitted to the Certifier prior to the issue of the Construction Certificate.

Reason: To require amendments to the plans endorsed by the consent authority following assessment of the development.

REASONS FOR DETERMINATION

The Panel agrees generally with the Assessment Report and Supplementary Memo, subject to the above.

Vote: 4/0

4.4 MOD2024/0227 - LOT 8/ PRINGLE AVENUE, BELROSE - MODIFICATION OF DEVELOPMENT CONSENT DA2008/1482 GRANTED FOR ALTERATIONS AND ADDITIONS TO EXISTING SERVICE STATION TO PROVIDE A CARWASH FACILITY.

This application was withdrawn by the applicant and hence from the agenda on 3 September 2024 and therefore was not considered or determined at this meeting.

5.0 NON PUBLIC MEETING ITEMS

5.1 DA2024/0754 - 3/38-42 & 38-42 THE CORSO, MANLY - ALTERATIONS AND ADDITIONS TO AN EXISTING TAKE AWAY FOOD AND DRINK PREMISES INCLUDING SIGNAGE.

PROCEEDINGS IN BRIEF

The Proposal is for alterations and additions to an existing take away food and drink premises including signage.

DETERMINATION OF DEVELOPMENT APPLICATION

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2024/0754 for alterations and additions to an existing take away food and drink premises including signage on land at Lot CP SP 18046, 38 – 42 The Corso, Manly, Lot 3 SP 18046, 3 / 38 - 42 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

5.2 DA2024/0058 - 70 ILUKA ROAD, PALM BEACH - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE, GARAGE AND BOAT SHED.

PROCEEDINGS IN BRIEF

The Proposal is for alterations and additions to a dwelling house, garage and boat shed.

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 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

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2024/0058 for alterations and additions to a dwelling house, garage and boat shed on land at Lot 18 DP 14682, 70 Iluka Road, Palm Beach subject to the conditions set out in the Assessment Report.

REASONS FOR DETERMINATION

The Panel agrees generally with the Assessment Report.

Vote: 4/0

5.3 DA2024/0422 - 77 SEAFORTH CRESCENT, SEAFORTH - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE INCLUDING AN EXTERNAL LIFT, SWIMMING POOL AND DOUBLE CAR STACKER.

PROCEEDINGS IN BRIEF

The Proposal is for alterations and additions to a dwelling house including an external lift, swimming pool and double car stacker.

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, Clause 4.3A Special Height Provisions development standard and clause 4.4 Floor Space Ratio 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

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2024/0422 for alterations and additions to a dwelling house including an external lift, swimming pool and double car stacker on land at Lot 1 DP 942987, 77 Seaforth Crescent, Seaforth, Lot 2 DP 942987, 77 Seaforth Crescent, Seaforth subject to the conditions set out in the Assessment Report.

REASONS FOR DETERMINATION

The Panel agrees generally with the Assessment Report.

Vote: 4/0

5.4 MOD2024/0223 - 24 CABARITA ROAD, AVALON BEACH - MODIFICATION OF DEVELOPMENT CONSENT DA2023/0083 GRANTED FOR DEMOLITION WORKS AND CONSTRUCTION OF A DWELLING HOUSE INCLUDING SWIMMING POOL AND BOATSHED.

PROCEEDINGS IN BRIEF

The Proposal is for Modification Application No. Mod2024/0223 for Modification of Development Consent DA2023/0083 granted for demolition works and construction of a dwelling house including swimming pool and boatshed.

DETERMINATION OF MODIFICATION APPLICATION

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. Modification Application No. Mod2024/0223 for Modification of Development Consent DA2023/0083 granted for demolition works and construction of a dwelling house including swimming pool and boatshed on land at Lot 9 DP 17704, 24 Cabarita Road, Avalon Beach, Lot LIC 631604, 24 Cabarita Road, Avalon Beach, subject to the conditions set out in the Assessment Report.

REASONS FOR DETERMINATION

The Panel agrees generally with the Assessment Report.

Vote: 4/0

5.5 DA2023/1107 - 4-8 INMAN ROAD, CROMER - CHANGE OF USE AND ALTERATIONS AND ADDITIONS TO OFFICE C FOR THE PURPOSE OF A CENTRE-BASED CHILD CARE FACILITY AND ASSOCIATED LANDSCAPING AND SIGNAGE.

PROCEEDINGS IN BRIEF

The Proposal is for change of use and alterations and additions to Office C for the purpose of a centre-based child care facility and associated landscaping and signage.

DETERMINATION OF DEVELOPMENT APPLICATION

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Application No. DA2023/1107 for change of use and alterations and additions to Office C for the purpose of a centre-based child care facility and associated landscaping and signage on land at Lot 1 DP 1282038, 4 - 8 Inman Road, Cromer subject to the conditions set out in the Assessment Report, and:

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

14. Vergola structures – Colour

The Vergola structures are to be tonally neutral. Details of the colour are to be submitted to Council's Heritage Officer for approval, prior to the issue of a construction certificate.

Reason: To ensure the Vergola structures do not detract from the heritage significance of the building and its landscaped setting.

REASONS FOR DETERMINATION

The Panel agrees generally with the Assessment Report, subject to the above.

Vote: 4/0

This is the final page of the Minutes comprising 12 pages numbered 1 to 12 of the Northern Beaches Local Planning Panel meeting held on Wednesday 4 September 2024.