



northern
beaches
council

MEMORANDUM

DATE: 4 June 2024

TO: Northern Beaches Local Planning Panel

CC: Peter Robinson – Executive Manager, Development Assessments
Steven Findlay, Manager Development Assessments

FROM: Claire Ryan, Principal Planner

SUBJECT: Item 4.1 – DA2023/1224 – 62 Myoora Road, Terrey Hills

TRIM REFERENCE: 2024/402403

The purpose of this memo is to inform the Panel of two (2) late submissions have been received in response to publication of the Assessment Report.

The following issues (in *italics*) were raised in the submissions, with commentary from the Assessing Officer against each issue.

Issues have been paraphrased and grouped for succinctness.

Truck Movements

Concern is raised about directing heavy vehicle movements into the school zone.

Comment:

Whilst truck movements will occur within the school zoned area, a condition of consent has been included in the recommendation to limit movements. Heavy vehicles are not permitted to access the site during school zone hours. Semi-trailers and delivery vehicles must access the site via Myoora Road only (i.e., not via Cooyong Road).

This matter does not warrant refusal of the application.

Traffic and Vehicle Movements

Concern is raised about the increase in traffic movements, particularly along Cooyong Road and at the Cooyong Rod and Mona Vale Road intersection, given the closure of the Mona Vale Road driveway. The Mona Vale Road driveway should remain open. The new driveways on Cooyong Road should be as far from Mona Vale Road as possible.

Comment:

The application is supported by a traffic impact assessment, which demonstrates the traffic impacts are acceptable. The application has been reviewed by Council's Traffic Engineer, who is supportive of the proposed development, including associated traffic movements, subject to recommended conditions of consent.

The reconfigured and additional driveways are not considered to materially or unreasonably increase risk to drivers and pedestrians, which are supported by Council's Traffic Engineer. The Mona Vale Road driveway will be closed under this approval in accordance with the requirements of Transport for NSW.

These matters do not warrant refusal of the application.

Services for the Community

The proposed development does not provide any new services to the community, as the proposed uses on the site either exist already or are covered in other nearby developments.

Comment:

The existence of services in the locality does not prevent the offering of the services as proposed under this application.

This matter does not warrant refusal of the application.

Other Matters

The Applicant has reviewed the Assessment Report and recommended conditions and noted one minor error and requested an amendment to another condition.

Condition 27 External Finishes to Roof refers to BASIX requirements. The proposed development is not BASIX-affected development, so the condition should be amended to remove the reference to BASIX, as below under the Recommendation.

Condition 91 Signage Illumination requires that signage must only be illuminated during the hours of operation. The Applicant has requested that this condition be deleted, or amended to require details of the illumination to be submitted prior to the operation of the signage to ensure it meets relevant Australian Standards. It is recommended that the condition be amended as below under the Recommendation.

Conclusion

The above matters do not alter assessment made in the Assessment Report, other than to note the error in recommended Condition 27 and the requested amendment of Condition 91.

Recommendation

That the Panel note the late submissions and the additional assessment comments made above.

No change to the recommendation for approval, and Conditions 27 and 91 to be amended as follows:

A. Amend Condition 27 External Finishes to Roof to read as follows:

27. External Finishes to Roof

The external finish to the roof shall have a Solar Absorptance (SA) greater than 0.46 to minimise solar reflections to neighbouring properties. Any roof with a metallic steel or reflective finish is not permitted.

Green roofs and areas where solar panels (PV) are installed are excluded from conforming to the SA range.

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

Reason: To ensure that excessive glare or reflectivity nuisance does not occur as a result of the development.

B. Amend Condition 91 Signage Illumination to read as follows:

91. Signage Illumination

Illumination of signage must be in accordance with the relevant Australia Standards (AS1158.3.1:2020, AS4282:2019 (Category A3), and AS1680.5:2012).

Details of how the signage will be illuminated must be submitted to the satisfaction of the Principal Certifier prior to the operation of the signage lighting.

Signage must only be illuminated in accordance with the above operation details.

Reason: To prevent excessive illumination.