

# **MINUTES**

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

held via Teleconference on

**WEDNESDAY 7 AUGUST 2024**

## **Minutes of the Northern Beaches Local Planning Panel held on Wednesday 7 August 2024**

The public meeting commenced at 12.00pm and concluded at 12.13pm.

The deliberations and determinations commenced immediately following the public meeting and concluded at 12.26pm.

### **ATTENDANCE:**

#### **Panel Members**

David Crofts	Chair
Jason Perica	Town Planner
Kate Barlett	Planning, Economics & Government & Public Administration
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. No conflicts of interest were disclosed, except:

Item 4.1 – Kate Bartlett declared a reasonably perceived conflict of interest in this matter. She was of the view the reasonably perceived conflict should not exclude her from participating in the hearing, deliberation and determination.

## **2.0 MINUTES OF PREVIOUS MEETING**

### **2.1 MINUTES OF THE NORTHERN BEACHES LOCAL PLANNING PANEL MEETING HELD ON 17 JULY 2024**

The Panel noted that the minutes of the Northern Beaches Local Planning Panel Meeting held on 17 July 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 MOD2024/0225 - 34-35 SOUTH STEYNE, MANLY - MODIFICATION OF DEVELOPMENT CONSENT DA2022/1164 GRANTED FOR DEMOLITION AND CONSTRUCTION OF A COMMERCIAL BUILDING.

#### PROCEEDINGS IN BRIEF

The Proposal is for demolition and construction of a commercial building.

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

#### DETERMINATION OF MODIFICATION APPLICATION

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Modification Application No. Mod2024/0225 for Modification of Development Consent DA2022/1164 granted for demolition and construction of a commercial building on land at Lot B DP 102407,34 - 35 South Steyne, Manly, Lot 2 DP 861591,34 - 35 South Steyne, Manly subject to the conditions set out in the Assessment Report, as amended as follows:

1. The addition of the following condition 29A:

##### **29A: Mechanical Plant Acoustic Treatment**

Prior to the issue of any Construction Certificate, the building design is to be updated to identify acoustic design and location details for the mechanical plant equipment on the roof that demonstrates compliance with the relevant noise levels within the acoustic report by IGS Integrated Group Services, dated 29 June 2022. This is to include construction material and height details on the acoustic barrier. Council does not support a barrier with any gaps such as louvres.

The screening shall not exceed RL19.500 as detailed on the approved plans and the screening and plant shall endeavour to provide a reasonable aesthetic outcome for the residences overlooking the site.

Details demonstrating compliance are to be submitted to Councils Executive Manager Development Assessment and approved prior to the issue of the Construction Certificate.

Reason: To ensure mechanical plant has been acoustically treated to maintain the amenity of the area.

2. The addition of the following condition 60A:

##### **60A. Acoustic Treatment**

Prior to the issue of Occupation Certificate, the Principal Certifier must be satisfied that all mechanical plant and the acoustic barrier on the roof has been effectively acoustically treated to ensure compliance with the noise criteria outlined in the acoustic report prepared by IGS Integrated Group Services dated 29 June 2022, project number: VE-N22\_017.

The screening shall not exceed RL19.500 as detailed on the approved plans and be consistent with the materials as approved via Condition 29A.

Reason: To protect noise amenity of the area.

#### REASONS FOR DETERMINATION

The Panel agrees generally with the Assessment Report.

Vote: 4/0

## 5.0 NON PUBLIC MEETING ITEMS

### 5.1 DA2023/1849 - 7 QUINTON ROAD, MANLY - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE INCLUDING SECONDARY DWELLING AND SWIMMING POOL.

#### PROCEEDINGS IN BRIEF

The Proposal is for alterations and additions to a dwelling house including secondary dwelling and swimming pool.

The Panel received a late submission dated 5 August 2024 and Supplementary Memo from Council dated 7 August 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 Environment Plan 2013 seeking to justify a contravention of Clause 4.4 Floor Space Ratio development standard and SEPP Housing Clause 53(2)(a) and has adequately addressed and demonstrated that:
  - a) compliance with the standard is unreasonable or unnecessary in the circumstances of the case; and
  - b) there are sufficient environmental planning grounds to justify the contravention.

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. DA2023/1849 for alterations and additions to a dwelling house including secondary dwelling and swimming pool on land at Lot 6 DP 2428, 7 Quinton Road, Manly subject to the conditions set out in the Assessment Report.

#### REASONS FOR DETERMINATION

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

Vote: 4/0

**5.2 MOD2024/0150 - 6/7 PARKVIEW ROAD, FAIRLIGHT - MODIFICATION OF DEVELOPMENT CONSENT DA2022/1131 GRANTED FOR ALTERATIONS AND ADDITIONS TO A RESIDENTIAL FLAT BUILDING INCLUDING THE CONSOLIDATION OF UNITS 5 AND 6 INTO A SINGLE DWELLING.**

**PROCEEDINGS IN BRIEF**

The Proposal is for alterations and additions to a residential flat building including the consolidation of Units 5 and 6 into a single dwelling.

**DETERMINATION OF MODIFICATION APPLICATION**

The Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **approves** Modification Application No. Mod2024/0150 for Modification of Development Consent DA2022/1131 granted for alterations and additions to a residential flat building including the consolidation of Units 5 and 6 into a single dwelling on land at Lot 5 SP 80349,5 / 7 Parkview Road, Fairlight, Lot 6 SP 80349,6 / 7 Parkview Road, Fairlight 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 7 pages numbered 1 to 7 of the Northern Beaches Local Planning Panel meeting held on Wednesday 7 August 2024.