



MEMORANDUM

DATE: 28 February 2023

TO: Northern Beaches Local Planning Panel (NBLPP)

CC: Peter Robinson, Executive Manager Development Assessment

FROM: Maxwell Duncan

SUBJECT: Item 5.1 – Mod2022/0630 – 42 North Steyne, Manly

TRIM REFERENCE: 2023/135296

The purpose of this memo is to inform that Panel that a condition noted within the assessment report relating to the swimming pool trough was not included in Council's report recommendation. Further, the memo addresses condition changes proposed by the applicant in their email to the Panel.

Swimming pool trough

In addressing the submissions within the assessment report, the report stated that a condition with regards to the use of the swimming pool trough would be imposed as part of the final recommendation. However, the proposed condition was not included as part of the final recommended conditions. The proposed condition below is recommended to be included in the consent

Swimming pool noise

Following the public release of Council's assessment report, the applicant wrote to the panel suggesting changes to the swimming pool conditions relating to noise (Conditions 98A and 86A). The changes proposed are minor and considered more specific for the proposed application than the existing conditions. Council raises no concern in amending the conditions as requested by the applicant.

RECOMMENDATION

That Panel make the following changes to the recommendation contained in the assessment report:

Amend proposed Condition 98A to read as follows–

Swimming Pool and Spa mechanical plant and equipment

Swimming Pool and Spa and mechanical plant and equipment shall not produce noise levels that exceed 5dBA above the background noise when measured from the nearest property boundary.

Reason: To ensure that the development does not impact on the acoustic privacy of surrounding residential properties

Amend Condition 86A to read as follows–

Acoustic Certification

Prior to issue of an Occupation Certificate an acoustic review by a suitably qualified person is to be carried to ensure the recommendations contained within the Acoustic Advise by Renzo Tonnin and Associates (31/10/22) have been satisfied in regard to noise and vibration arising from Swimming Pool and Spa mechanical plant and equipment

Reason: To ensure acoustic compliance with design, construction and installation of the swimming pool and spa and plant and equipment.

Add the following Condition to the 'Ongoing conditions' set to read as follows -

Swimming pool trough

The proposed swimming pool trough is not to be trafficable and is to be accessed for maintenance purposes only.

Reason: To ensure compliance with the terms of this consent.