

# **MINUTES**

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

Electronically determined on

**MONDAY 18 DECEMBER 2023**

## Minutes of the Northern Beaches Local Planning Panel

### Electronically determined on Monday 18 December 2023

The deliberations and determinations commenced at 4pm and concluded at 6.04pm.

#### ATTENDANCE:

##### Panel Members

David Crofts	Chair
Heather Warton	Town Planner
Glennys James	Town Planner
Andrew Doherty	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**

Nil

## 4.0 PUBLIC MEETING ITEMS

### 4.1 DA2022/1164 - 34-35 SOUTH STEYNE, MANLY - DEMOLITION AND CONSTRUCTION OF A COMMERCIAL BUILDING

#### PROCEEDINGS IN BRIEF

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

The application was deferred from the meeting of 1 November 2023 to give the applicant the opportunity to provide amended plans showing a reduction in the overall height of the building and showing the impact on the views from Units 632, 633 and 732 of 25 Wentworth Street, Manly. Those amended plans and information have subsequently been provided.

The Panel received two late submissions dated 25 & 30 November 2023 and a supplementary memo from Council dated 23 November 2023.

#### 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 standard is unreasonable or unnecessary in the circumstances of the case; and
  - b) there are sufficient environmental planning grounds to justify the contravention.
- 2) the proposed development will be in the public interest because it is consistent with the objectives of the standard and the objectives for development within the zone in which the development is proposed to be carried out.

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. DA2022/1164 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 and supplementary memos of 31 October & 23 November 2023, subject to the following:

1. The amendment of condition 28 to read as follows:

#### **28. Amendments to the Approved Plans - Rialto Lane elevation**

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

- i) Window glazing below Level 3 is to include treatment, including louvres or similar façade treatment, to reduce solar reflection and provide to address privacy / overlooking and include thermal shading.
- ii) A minimum of three (3) awning style windows (top hinged) are to be included for Level 1 and Level 2, fronting Rialto Lane to enhance cross ventilation options for the building.
- iii) Revision to the window glazing is to include traditional framing elements appropriate to the Manly Townscape principles of the Heritage Conservation Area (HCA) and styling to

enhance the heritage conservation values surrounding The Corso and Rialto Lane.

Details are to be provided to the satisfaction of the Executive Manager of Development Assessment prior to the issue of a Construction Certificate. The Construction Certificate is to incorporate the design inclusions.

Reason: Specialist requirements for Townscape, Design Excellence and Heritage considerations within the Manly HCA.

2. The amendment of condition 41 to read as follows:

**41. Survey Certificate**

A survey certificate prepared by a Registered Surveyor at the following stages of construction:

- (a) Commencement of perimeter walls columns and or other structural elements to ensure the wall or structure, to boundary setbacks are in accordance with the approved details.
- (b) At each level to ensure the finished floor levels are in accordance with the approved levels, prior to concrete slab being poured/flooring being laid.
- (c) At completion of the roof frame confirming the finished roof/ridge height is in accordance with levels indicated on the approved plans.

Details demonstrating compliance are to be submitted to the Principal Certifier.

Reason: To determine the height of buildings under construction comply with levels shown on approved plans.

**REASONS FOR DETERMINATION:**

The Panel agrees generally with the Assessment Report and supplementary memos. The Panel undertook considerable analysis of the impact of the proposed development on the views of adjacent residences to the west.

In doing so the Panel was mindful of the planning provisions applying to the area, and the extent to which redevelopment along South Steyne could reasonably occur and the extent of view loss. The Panel considered several scenarios relating to the height and built form of the development and is of the view that its conclusion delivers a reasonable planning outcome.

These considerations included consideration of “maximum building height compliant” development form as well as a reduction of the height of the proposed building by 0.5 of a metre. The Panel is of the view that this reduced building height as shown in the amended plans of 14 November 2023 (revision E) allows a viable development as well as reduces view impacts to a reasonable level.

Vote: 4/0

This is the final page of the Minutes comprising 5 pages  
numbered 1 to 5 of the Northern Beaches Local Planning Panel meeting  
held on Monday 18 December 2023.