

MINUTES

DEVELOPMENT DETERMINATION PANEL MEETING

held via Teleconference on

FRIDAY 16 FEBRUARY 2024

Minutes of a Meeting of the Development Determination Panel held on Friday 16 February 2024 via Teleconference

The minutes were determined on 16 February 2024.

1.0 APOLOGIES AND DECLARATIONS INTEREST

Nil

2.0 MINUTES OF PREVIOUS MEETING

2.1 MINUTES OF DEVELOPMENT DETERMINATION PANEL HELD 14 FEBRUARY 2024

The minutes of the Development Determination Panel held 14 February 2024, were adopted by all Panel Members and have been posted on the Council's website.

3.0 DEVELOPMENT DETERMINATION PANEL REPORTS

3.1 REV2023/0022 - 16 CORELLA STREET FRESHWATER - REVIEW OF DETERMINATION OF APPLICATION DA2022/2237 FOR SUBDIVISION OF ONE LOT INTO TWO INCLUDING DEMOLITION WORKS

PANEL MEMBERS

Daniel Milliken	Manager, Development Assessment
Steve Findlay	Manager, Development Assessment
Phil Jemison	Manager, Strategic & Place Planning

PROCEEDINGS IN BRIEF

Panel members visited the site and surrounds.

The Panel was addressed by one objector and a representative of the applicant.

During deliberations, the Panel considered written submissions including legal advice, in relation to owners consent for works on adjoining properties and the use of deferred commencement conditions for stormwater and driveway upgrade works, from representatives of the applicant and objectors as well as verbal submissions during the meeting.

The Panel is of the view that the development application does not propose any works outside the property boundaries specifically as part of the application (and therefore Owners Consent for such external works is not required to determine this application), but that such works will be required by conditions of consent prior to the activation of the consent to enable the subdivision to occur. The Panel is satisfied that these works can be dealt with via deferred commencement conditions that may or may not require the lodgement of additional applications for development consent with Council. Issues relating to these matters (including Owners Consent) will be dealt with under the relevant applications at that time.

The applicant also requested that the deferred commencement period be increased to 5 years. The Panel is of the view that this is reasonable in the circumstances.

The Panel notes that a passing bay will be required. While the Panel is satisfied with of the passing bays proposed location, a large portion of the passing bay will need to be accommodated within the right of way. The Panel is of the view that this should be included as part of deferred commencement Condition 3 – Driveway Upgrade Works.

The Panel is also of the view that deferred commencement Condition 1 is unnecessary and can be deleted as it is a duplication of content already in Condition 1.

Subject to the above, the Panel concurred with the Officer's Assessment Report and recommendation.

STATEMENT OF REASON

The proposal generally satisfies the relevant strategy, objectives and provisions of Warringah LEP 2011 and the Warringah DCP 2011 subject to conditions.

COMMUNITY CONSULTATION

Issues raised in the submissions have been taken into account in the report, at the meeting and in these minutes.

DETERMINATION OF REVIEW APPLICATION

THAT Council as the consent authority, **grants deferred commencement approval** to Application No. REV2023/0022 for Review of Determination of Development Application No. DA2022/2237 for Subdivision of one lot into two including demolition works at Lot 1 DP 513727, 16 Corella Street FRESHWATER, subject to the conditions set out in the Assessment Report, subject to the following:

Increase the deferred commencement period from two (2) years to five (5) years.

Delete Deferred Commencement Condition 1

Amend Deferred Commencement Condition 3 - Driveway Upgrade Works, to read as follows:

The existing driveway within the right of way within 16A Corella is to be constructed to incorporate the following:

- A 3.5m wide driveway in accordance with AS/NZS 2890.1:2004, Parking facilities, Part 1: Off-street car parking or AS 2890.2:2018, Parking facilities, Part 2: Off-street commercial vehicle facilities, within the right of carriageway shown as (A) on the subdivision plan prepared by surveyor Copland C Lethbridge, Ref: 22176 DP, Rev 02, dated 04/08/2023.
- A 3.5m wide driveway crossing between the boundary of 16A Corella Street and street kerb including a layback with 600mm wings on either side in accordance with Council standard specifications.
- Any portion of the passing bay, required for the future subdivision, that must be located within the right of carriage way.

The applicant must provide Council with evidence of the constructed driveway and crossing works in order to activate the consent.

Reason: To ensure suitable and safe provision is made for vehicular access to the proposed allotments.

Vote: 3/0

This is the final page of the Minutes comprising 5 pages numbered 1 to 5 of the Development Determination Panel meeting held on Friday 16 February 2024.