

# **MINUTES**

## **DEVELOPMENT DETERMINATION PANEL MEETING**

held via Teleconference on

**WEDNESDAY 28 FEBRUARY 2024**

## **Minutes of a meeting of the Development Determination Panel held on Wednesday 28 February 2024 via Teleconference**

The public meeting commenced at 10.00am and concluded at 12.00pm

The minutes were determined on 28 February 2024.

## **1.0 APOLOGIES AND DECLARATIONS INTEREST**

Nil

## **2.0 MINUTES OF PREVIOUS MEETING**

### **2.1 MINUTES OF DEVELOPMENT DETERMINATION PANEL HELD 16 FEBRUARY 2024**

The minutes of the Development Determination Panel held 16 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 DA2023/1720 - 14 HAY STREET COLLAROY - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE INCLUDING A SWIMMING POOL**

##### **PANEL MEMBERS**

Daniel Milliken	Manager, Development Assessment
Adam Richardson	Manager, Development Assessment
Anne-Maree Newbery	Manager, Strategic & Place Planning

##### **PROCEEDINGS IN BRIEF**

Panel members visited the site and surrounds.

The Panel was addressed by representatives of the applicant.

##### **DETERMINATION OF DEVELOPMENT APPLICATION**

The Panel requires additional time to consider the application.

### **3.2 DA2023/1538 - 75 GRANDVIEW DRIVE NEWPORT - CONSTRUCTION OF A SECONDARY DWELLING**

#### **PANEL MEMBERS**

Daniel Milliken	Manager, Development Assessment
Adam Richardson	Manager, Development Assessment
Anne-Maree Newbery	Manager, Strategic & Place Planning

#### **PROCEEDINGS IN BRIEF**

Panel members visited the site and surrounds.

There were no registered speakers.

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 Pittwater LEP 2014 and the Manly DCP 2013 subject to conditions.

#### **COMMUNITY CONSULTATION**

Issues raised in the submission have been taken into account in the report and the meeting.

#### **DECISION ON EXCEPTIONS TO DEVELOPMENT STANDARDS**

A. The Panel is satisfied that:

- 1) the applicant's written request under clause 4.6 of the Pittwater LEP 2014 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 Council as the consent authority, **approves** Application No. DA2023/1538 for Construction of a secondary dwelling at Lot 1 DP 718681, 75 Grandview Drive NEWPORT subject to the conditions set out in the Assessment Report.

Vote: 3/0

**3.3 DA2023/0735 - 26 THORNTON STREET FAIRLIGHT - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE INCLUDING A SWIMMING POOL**

**PANEL MEMBERS**

Daniel Milliken	Manager, Development Assessment
Jordan Davies	Principal Planner, Development Assessment
Anne-Maree Newbery	Manager, Strategic & Place Planning

**PROCEEDINGS IN BRIEF**

Panel members visited the site and surrounds.

The Panel was addressed by representatives of the applicant.

**DETERMINATION OF DEVELOPMENT APPLICATION**

The Panel requires additional time to consider the application.

The Panel strongly encourages all parties to use this additional time to work together, given there are development proposals for both number 24 and 26, to find a solution that is best for everyone.

**3.4 REV2023/0026 - 7 NEW STREET BALGOWLAH HEIGHTS - REVIEW OF DETERMINATION OF APPLICATION DA2023/0689 FOR DEMOLITION WORKS AND CONSTRUCTION OF A DWELLING HOUSE**

**PANEL MEMBERS**

Daniel Milliken	Manager, Development Assessment
Jordan Davies	Principal Planner, Development Assessment
Anne-Maree Newbery	Manager, Strategic & Place Planning

**PROCEEDINGS IN BRIEF**

Panel members visited the site and surrounds.

The Panel was addressed by representatives of the applicant.

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 Manly LEP 2013 and the Manly DCP 2013 subject to conditions.

**COMMUNITY CONSULTATION**

Issues raised in the submission have been taken into account in the report and the meeting.

**DETERMINATION OF REVIEW APPLICATION**

THAT Council as the consent authority, **approves** Review Application No. REV2023/0026 for Review of Determination of Application DA2023/0689 for Demolition works and construction of a dwelling house at Lot 10 DP 9561, 7 New Street BALGOWLAH HEIGHTS, subject to the conditions set out in the Assessment Report.

Vote: 3/0

### 3.5 DA2023/1203 - 10 REDMAN STREET SEAFORTH - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE

#### PANEL MEMBERS

Daniel Milliken	Manager, Development Assessment
Jordan Davies	Principal Planner, Development Assessment
Anne-Maree Newbery	Manager, Strategic & Place Planning

#### PROCEEDINGS IN BRIEF

Panel members visited the site and surrounds.

The Panel was addressed by representatives of the applicant.

The Panel is of the view that Conditions 15 and 18 are onerous or unnecessary and this will be dealt with in the determination below.

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 Manly LEP 2013 and the Manly DCP 2013 subject to conditions.

#### COMMUNITY CONSULTATION

There were no submissions received for this application.

#### 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 LEP 2013 seeking to justify a contravention of clause 4.4 Floor Space Ratio 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 Council as the consent authority, **approves** Application No. DA2023/1203 for Alterations and additions to a dwelling house at Lot 81 DP 1088413, 10 Redman Street SEAFORTH, subject to the conditions set out in the Assessment Report, with the following changes:

##### 1. Replace Condition 15 with the following condition:

###### • Survey Certificate

A survey certificate prepared by a Registered Surveyor is to be provided demonstrating all perimeter walls columns and or other structural elements, floor levels and the finished roof/ridge height are in accordance with the approved plans.



Details demonstrating compliance are to be submitted to the Principal Certifier when the external structure of the building is complete.

Reason: To demonstrate the proposal complies with the approved plans.

**2. Delete Condition 18**

Vote: 3/0

**3.6 DA2023/1707 - 32 ORARA ROAD ALLAMBIE HEIGHTS - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE**

**PANEL MEMBERS**

Daniel Milliken	Manager, Development Assessment
Rodney Piggott	Manager, Development Assessment
Anne-Maree Newbery	Manager, Strategic & Place Planning

**PROCEEDINGS IN BRIEF**

Panel members visited the site and surrounds.

The Panel was addressed by representatives of the applicant.

**DETERMINATION OF DEVELOPMENT APPLICATION**

The Panel requires additional time to consider the application.

Vote: 3/0

**3.7 MOD2023/0553 - 19 BOWER STREET MANLY - MODIFICATION OF DEVELOPMENT CONSENT DA2020/1249 GRANTED FOR ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE INCLUDING A SWIMMING POOL**

**PANEL MEMBERS**

Daniel Milliken	Manager, Development Assessment
Rodney Piggott	Manager, Development Assessment
Anne-Maree Newbery	Manager, Strategic & Place Planning

**PROCEEDINGS IN BRIEF**

Panel members visited the site and surrounds.

The Panel was addressed by representatives of the applicant.

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 Manly LEP 2013 and the Manly DCP 2013 subject to conditions.

**COMMUNITY CONSULTATION**

There were no submissions received for this application.

**DETERMINATION OF MODIFICATION APPLICATION**

THAT Council as the consent authority, **approves** Modification Application No. Mod2023/0553 for Modification of Development Consent DA2020/1249 granted for Alterations and additions to a dwelling house including a swimming pool at Lot 46 DP 8075, 19 Bower Street MANLY, subject to the conditions set out in the Assessment Report.

Vote: 3/0

### 3.8 DA2023/1439 - 89 WEARDEN ROAD FRENCHS FOREST - CONSTRUCTION OF A DWELLING HOUSE

#### PANEL MEMBERS

Daniel Milliken	Manager, Development Assessment
Rodney Piggott	Manager, Development Assessment
Anne-Maree Newbery	Manager, Strategic & Place Planning

#### PROCEEDINGS IN BRIEF

Panel members visited the site and surrounds.

There were no registered speakers.

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

There were no submissions received for this application.

#### DECISION ON EXCEPTIONS TO DEVELOPMENT STANDARDS

A. The Panel is satisfied that:

- 1) the applicant's written request under Clause 20 of the Warringah LEP 2011 seeking to justify a contravention of clause Housing Density 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 Council as the consent authority, **approves** Application No. DA2023/1439 for Construction of a dwelling house at Lot C DP 334507, 89 Wearden Road FRENCHS FOREST, subject to the conditions set out in the Assessment Report, with the following changes:

##### 1. Delete Condition 6

##### 2. Condition 18 – Demolition of Existing Dwelling, is to be moved to a 'Prior to Commencement' condition and amended to read as follows:

- Prior to commencement of construction works, the demolition of the existing dwelling is to be completed. This will require separate consent.

Reason: To ensure the orderly development of land.

Vote: 3/0

This is the final page of the Minutes comprising 13 pages  
numbered 1 to 13 of the Development Determination Panel meeting  
held on Wednesday 28 February 2024.