

MINUTES

DEVELOPMENT DETERMINATION PANEL MEETING

held in the Walamai Room, Civic Centre, Dee Why on

WEDNESDAY 27 FEBRUARY 2019

**Minutes of a Meeting of the Development Determination Panel
held on Wednesday 27 February 2019
in the Walamai Room, Civic Centre, Dee Why**

ATTENDANCE:

Panel Members

Peter Robinson (Chairperson)	Executive Manager Development Assessment
Rod Piggott	Manager, Development Assessment
Neil Cocks	Manager, Strategic & Place Planning

1.0 APOLOGIES AND DECLARATIONS INTEREST

Nil

2.0 MINUTES OF PREVIOUS MEETING

2.1 MINUTES OF DEVELOPMENT DETERMINATION PANEL HELD 13 FEBRUARY 2019

The Minutes of the Development Determination Panel held 13 February 2019, were adopted by all Panel Members and have been posted on the Council's website

3.0 DEVELOPMENT DETERMINATION PANEL REPORTS

3.1 DA2018/1770 - 13 PERONNE AVENUE, CLONTARF - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds.

The Panel were satisfied with the recommendation in the Assessment Report.

The Panel identified two errors in the assessment report under the Clause 4.6 variation assessment where the site was incorrectly referenced as zoned R1 General Residential when the property is zoned R2 Low Density Residential. The correct objectives of the R2 zone were addressed in the report.

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 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 standards 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.

DECISION

THAT Development Application DA2018/1770 for Alterations and Additions to a dwelling house on land at Lot 181, DP 9999, 13 Peronne Avenue, Clontarf be **approved** subject to the conditions and for the reasons set out in the Assessment Report.

Voting 3/0

3.2 MOD2018/0642 - 40 BEATTY STREET, BALGOWLAH HEIGHTS - MODIFICATION OF DEVELOPMENT CONSENT DA238/2006 GRANTED FOR ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE AND SWIMMING POOL

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds including the adjoining property. The Panel were addressed by the Architect and Planner for the Applicant.

The Panel were satisfied with the recommendation in the Assessment Report, particularly that the setback, size, depth and proposed screening of the terrace were appropriate.

The Panel noted that the variation to Height of 1.2 metres to the awning over the terrace was satisfactory in the context the existing building which had a more significant variation to the height control. The increase in floor space of 2.7 square metres created a further variation to the Floor Space Ratio, however the location of the floor space did not change the bulk, scale or visual appearance of the building. The Panel were satisfied with both variations as proposed

DECISION

THAT Modification Application Mod2018/0642 for Modification of Development Consent DA238/2006 granted for alterations and additions to a dwelling house including a swimming pool at Lot 181A, DP 350345, 40 Beatty Street, Balgowlah Heights be **approved** subject to the conditions and for the reasons set out in the Assessment Report.

Voting 3/0

3.3 MOD2018/0575 - 5 COMMONWEALTH PARADE, MANLY - MODIFICATION OF DEVELOPMENT CONSENT DA436/2008 RELATING TO A RESIDENTIAL FLAT BUILDING

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds including the adjoining property. The Panel were addressed by the Architect and Planner for the Applicant.

The Panel were satisfied with the recommendation in the Assessment Report.

The Panel noted that a condition discussed in the report on the exhaust had not been inserted in the recommendation. In addressing concerns raised the Panel have included a condition to address height and finishes of the exhaust riser.

The Panel noted an error in the assessment report under BASIX which indicated that the require Target for Energy was 40, when it should read 30 and that condition 1C should include reference to the BASIX Certificate

DECISION

THAT Modification Application Mod2018/0575 for Modification of Development Consent DA436/2008 relating to a residential flat building on land at Lot CP SP 11874, 5 Commonwealth Parade, Manly be **approved** subject to the conditions and for the reasons set out in the Assessment Report, subject to the following:

1. The amendment of condition 1C to include the BASIX Certificate.

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Report to Cecil Koutsos on Geotechnical Investigation for Proposed Residential Development	2 October 2009	Jeffrey and Katauskas Pty Ltd
BASIX Certificate No: 315056M_06	21 October 2018	

2. The addition of the following condition:

Mechanical Ventilation System

The design, installation and commissioning of the mechanical ventilation system is to be in accordance with and comply with AS1668.1, AS1668.2, Part F4 of the Building Code of Australia and the Protection of the Environment Operations Act 1997.

Details demonstrating implementation and compliance are to be submitted to the Principal Certifier prior to the issue of any Interim or Final Occupation Certificate.

The exhaust riser for the basement carpark is not to protrude above the fence height and have external finishes that complement and blend with the surrounding finishes/materials of the development.

Reason: To ensure adequate provision is made for Health & Amenity

Voting 3/0

The meeting concluded at 11.15am

This is the final page of the Minutes comprising 7 pages
numbered 1 to 7 of the Development Determination Panel meeting
held on Wednesday 27 February 2019.