

MINUTES

DEVELOPMENT DETERMINATION PANEL MEETING

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

WEDNESDAY 13 MARCH 2019

**Minutes of a Meeting of the Development Determination Panel
held on Wednesday 13 March 2019
in the Walamai Room, Civic Centre, Dee Why**

ATTENDANCE:

Panel Members

Peter Robinson (Chairperson)	Executive Manager Development Assessment	
Anna Williams	Manager, Development Assessment	Item 3.1, 3.2 & 3.4
Matthew Edmonds	Manager, Development Assessment	Item 3.3 only
Phil Jemison	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 27 FEBRUARY 2019

The Minutes of the Development Determination Panel held 27 February 2019, were adopted by all Panel Members at the time of the meeting and have been posted on the Council's website

3.0 DEVELOPMENT DETERMINATION PANEL REPORTS

3.1 DA2018/1674 - 39A CUTLER ROAD, CLONTARF - CONSTRUCTION OF A SECONDARY DWELLING

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds. The Panel were not addressed by any speakers at the public meeting.

The Panel concurred with the Officer's assessment report and recommendation.

DECISION ON EXCEPTIONS TO DEVELOPMENT STANDARDS

Floor Space Ratio

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 4.4 Floor Space Ratio 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 DA2018/1674 for construction of a secondary dwelling on land at Lot 2 DP 527793, 39A Cutler Road, Clontarf be **approved** subject to the conditions and for the reasons set out in the Assessment Report.

Voting: 3/0

3.2 DA2018/1888 - 13 BEATRICE STREET, CLONTARF - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds. The Panel were not addressed by any speakers at the public meeting. The Panel received a written submission from an adjoining neighbour in regards to the solar impacts from the proposed carport.

The Panel concurred with the Officer's assessment report with the exception to the requested variation to the special height provision. The Panel were not satisfied that the variation was acceptable and have conditioned removal of the carport roof.

DECISION ON EXCEPTIONS TO DEVELOPMENT STANDARDS

Floor Space Ratio

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 4.4 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 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.

Height of Building

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.

Special Height Provision

A. The Panel is **not** 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 4.3A Special Height Provisions 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 DA2018/1888 for alterations and additions to a dwelling house on land at Lot 71 DP 9517, 13 Beatrice Street, Clontarf be **approved** subject to the conditions and for the reasons set out in the Assessment Report, subject to the following:

1. The addition of the following condition:

Carport

The carport roof and enclosing structures are to be deleted from plans and any balustrade is not to exceed a height of 1200mm above the parking platform. Plans are to be amended and submitted for approval with the Construction Certificate.

Reason: Maintain Public Amenity

Voting: 3/0

3.3 MOD2018/0533 - 187 WARRINGAH ROAD, BEACON HILL - MODIFICATION OF DEVELOPMENT CONSENT DA2016/0873 GRANTED FOR DEMOLITION WORKS AND THE CONSTRUCTION OF A BOARDING HOUSE DEVELOPMENT

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds. The Panel were not addressed by any speakers at the public meeting.

The Panel concurred with the Officer's assessment report and recommendation.

DECISION

THAT Development Application Mod2018/0533 for Modification of Development Consent DA2016/0873 granted for Demolition works and the construction of a Boarding House Development on land at Lot 2170 DP 752038, 187 Warringah Road, Beacon Hill be **approved** subject to the conditions and for the reasons set out in the Assessment Report.

Voting: 3/0

3.4 DA2018/1097 - 73 WALLUMATTA ROAD, NEWPORT - DEMOLITION WORKS AND CONSTRUCTION OF A DWELLING HOUSE INCLUDING SWIMMING POOL

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds.

The Panel were addressed by two neighbours and three representatives for the applicant. The applicant was able to confirm that landscaping proposed along the northern boundary was not of a species to obtain a height of 30 metres, that a 'dwarf' variant of *Angophora floribunda* was proposed. The Panel were satisfied that the conditions for Geotechnical issues during construction are suitably addressed.

The Panel concurred with the Officer's assessment report and recommendation, with the following changes;

- Insert a condition that clearly indicates that approval is required to be obtained prior to the removal of any tree.
- Insert a condition which will ensure only species with a maximum mature height of 3 metres along the common boundary with No.75 Wallumatta Rd and 4 metres height along the common boundary with Nos. 77 and 79 Wallumatta Rd are to be planted.
- Insert a condition to restrict the proposed chicken coup to the controls contained in the Code SEPP Exempt and Complying.

DECISION

THAT Development Application DA2018/1097 for demolition works and construction of a dwelling house including swimming pool on land at Lot 10 DP 23378, 73 Wallumatta Road, Newport 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 1 to include additional wording under point C) to read as follows:

c) The development is to be undertaken generally in accordance with the following:

Landscape Plans		
Drawing No.	Dated	Prepared By
LA000, LA101, LA201, LA301, LA401, and LA201 (Revision F)	23/04/2018	Phillip Johnson

Planting Plan LA301 is to be amended that include replacement species with a maximum mature height of 3 metres only to be planted along the common boundary with No.75 Wallumatta Rd and a maximum mature height of 4 metres only along the common boundary with Nos. 77 and 79 Wallumatta Rd.

2. The amendment of condition 18 to include point D) to read as follows:

D) Approval for tree removal:

- i) Any tree requiring removal shall obtain the appropriate approvals prior to removal.

3. The addition of the following condition:

Poultry House (Chicken Coup)

Poultry house (chicken coup) is not to be higher than 3 metres above existing ground level, have a floor area of 15m² and not house more than 5 fowl or poultry and not house any roosters.

Reason: To protect the amenity of surrounding area.

Voting: 3/0

The meeting concluded at 12.30

This is the final page of the Minutes comprising 9 pages
numbered 1 to 9 of the Development Determination Panel meeting
held on Wednesday 13 March 2019.