

MINUTES

DEVELOPMENT DETERMINATION PANEL MEETING

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

WEDNESDAY 10 APRIL 2019

**Minutes of a Meeting of the Development Determination Panel
held on Wednesday 10 April 2019
in the Walamai Room, Civic Centre, Dee Why**

ATTENDANCE:

Panel Members

Peter Robinson (Chairperson)	Executive Manager Development Assessment
Matthew Edmonds	Manager, Development Assessment
Liza Cordoba	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 MARCH 2019

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

3.0 DEVELOPMENT DETERMINATION PANEL REPORTS

3.1 DA2018/1571 - 55 UNDERCLIFF ROAD, FRESHWATER - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds.

The Panel were addressed by the applicant and owner.

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

Whilst the report draws a conclusion that a Clause 4.6 was not required due to the interpretation of the definition of *ground level*, the applicant did submit a request to vary height under clause 4.6. The Panel has considered both the assessment reports recommendation and request for variation under clause 4.6. Under both circumstances the Panel finds the development appropriate

The conditions of consent does not reference the BASIX Certificate in condition 1. The condition should be amended to reflect the certificate number.

DECISION ON EXCEPTIONS TO DEVELOPMENT STANDARDS

A. The Panel is satisfied that:

- 1) the applicant's written request under clause 4.6 of the Warringah Local Environmental Plan 2011 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.

DECISION ON DEVELOPMENT APPLICATION

THAT Development Application DA2018/1571 for Alterations and additions to a dwelling house on land at Lot W DP 342619, 55 Undercliff Road, Freshwater 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 BASIX Certificate as follows:

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
Geotechnical Assessment	14 September 2018	Ascent Geotechnical Assessment
BASIX Certificate - A327935	13 September 2018	

Vote: 3/0

**3.2 MOD2018/0549 - 3 MULGOWRIE CRESCENT, BALGOWLAH HEIGHTS -
MODIFICATION OF DEVELOPMENT CONSENT DA45/2013 GRANTED FOR
ALTERATIONS AND ADDITIONS TO AN EXISTING DWELLING**

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds.

The Panel was not addressed by any representatives at the pre-meeting. The Panel noted that the issues raised in the objection related to the original Development Application and not to the changes proposed in the modification.

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

DECISION ON DEVELOPMENT APPLICATION

THAT Modification Application MOD2018/0549 for Modification of Development Consent DA45/2013 granted for alterations and additions to an existing dwelling on land at Lot 8 Sec 58 DP 758044, 3 Mulgowrie Crescent, Balgowlah Heights be **approved** subject to the conditions and for the reasons set out in the Assessment Report.

Vote: 3/0

3.3 DA2018/1677 - 40 STARKEY STREET, FORESTVILLE - DEMOLITION WORKS AND CONSTRUCTION OF A DWELLING HOUSE

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds and was addressed by a neighbour.

The Panel was not addressed by any representatives at the pre-meeting.

The Panel acknowledged that the site has a wide frontage for the location. The nature of the façade is articulated and the height is varied. The facade contains elements which do not contribute to a cohesive streetscape nor consistency with surrounding development. In this regard, the windows changes are proposed and utilisation of stone cladding in at least 2 further locations across the whole front elevation and the planting of a tree in the front setback have been required.

The Panel concurred with the Officer's assessment report and recommendation subject to amendment of condition 2 and the addition of a new condition.

DECISION ON DEVELOPMENT APPLICATION

THAT Development Application DA2018/1677 for demolition works and construction of a dwelling house on land at Lot B DP 369969, 40 Starkey Street, Forestville 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 2 to read as follows:

2. Amendments to the approved plans

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

- Window AS1012 located on the south elevation is to be of frosted glass.
- The cladding used in the 'Stone Column' is to be integrated into the front façade (eastern elevation) in separate locations either side of the stone column to provide greater consistency in the visual appearance as a single dwelling.
- Window W2 (special glazing AA2444) to the Cinema on the front elevation is to be replaced with 2 separate windows with a minimum separation of 1 metre. The façade between the windows is to match existing façade finishes.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the construction certificate.

Reason: To ensure development minimises unreasonable impacts upon surrounding land.

2. The addition of the following condition:

Required Tree Planting

a) Trees shall be planted in accordance with the following schedule:

Minimum No. of Trees Required.	Species	Location	Minimum Pot Size
1	Tree capable of attaining a minimum height of 6 metres at maturity	Within front setback between the Cinema room and front boundary	25 litre

b) Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Reason: To maintain environmental amenity.

Vote: 3/0

The meeting concluded at 11:00am

This is the final page of the Minutes comprising 7 pages
numbered 1 to 7 of the Development Determination Panel meeting
held on Wednesday 10 April 2019.