



northern
beaches
council

MINUTES

DEVELOPMENT DETERMINATION PANEL MEETING

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

WEDNESDAY 26 JUNE 2019

**Minutes of a Meeting of the Development Determination Panel
held on Wednesday 26 June 2019
in the Walamai Room, Civic Centre, Dee Why**

ATTENDANCE:

Panel Members

Peter Robinson (Chairperson)	Executive Manager Development Assessment	
Neil Cocks	Manager, Strategic & Place Planning	
Anna Williams	Manager, Development Assessment	Items 3.1 & 3.2
Steven Findlay	Manager, Development Assessment	Items 3.3, 3.4 & 3.5

1.0 APOLOGIES AND DECLARATIONS INTEREST

Nil

2.0 MINUTES OF PREVIOUS MEETING

2.1 MINUTES OF DEVELOPMENT DETERMINATION PANEL HELD 12 JUNE 2019

RECOMMENDATION

That the Minutes of the Development Determination Panel held 12 June 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 DA2018/1982 - 313 HUDSON PARADE, CLAREVILLE - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE INCLUDING A NEW INCLINATOR

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds.

There were no registered speakers at the public meeting.

The panel were concerned that the cost of works lodged by the applicant does not reflect the true cost of the development nor did it contain all elements such as the inclinator. The applicant must submit an accurate cost of works prior to the Panel determination.

The panel received an updated cost of works

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

The Panel is satisfied that:

- 1) the applicant's written request under clause 4.6 of the Pittwater Local Environmental Plan 2014 seeking to justify a contravention of clause 4.3 Building Height 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.

DECISION ON DEVELOPMENT APPLICATION

THAT Development Application DA2018/1982 for alterations and additions to a dwelling house including a new inclinator on land at Lot 25 DP 233469, 313 Hudson Parade, Clareville be **approved** subject to the conditions and for the reasons set out in the Assessment Report.

Vote: 3/0

3.2 DA2019/0080 - 34 BEATTY STREET, BALGOWLAH HEIGHTS - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE INCLUDING SWIMMING POOL

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds.

The Panel was addressed by a representative of the applicant, the applicant and architect.

The Panel were concerned with the visual impact of the grey weatherboard wall and recommend that the setback between bedroom four and the northern boundary to be provided with landscaping to a minimum mature height of 4 metres to soften the appearance of the wall from the neighbouring private open space.

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

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 4.4 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 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 Building Height 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.

C. The Panel assumes the concurrence of the Secretary, Department Planning and Environment required under clause 4.6.

DECISION ON DEVELOPMENT APPLICATION

THAT Development Application DA2019/0080 for alterations and additions to a dwelling house including swimming pool on land at Lot 21A DP 350345, 34 Beatty Street, Balgowlah Heights 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:

Landscape Plan

Screen planting is to be provided in the area between bedroom 4 and the northern boundary. The selected planting is to comprise of native species capable of attaining a minimum height of 4 metres at maturity.

Plants are to be planted at minimum 1.5 metre centres and be of a minimum pot size of 25 litres at planting.

Details to be shown on an amended landscape plan to be submitted with the Construction Certificate.

Reason: Local amenity.

Vote: 3/0

3.3 DA2018/1835 - 24 CARAWA ROAD, CROMER - DEMOLITION OF EXISTING DWELLINGS AND CONSTRUCTION OF A SENIORS LIVING DEVELOPMENT COMPRISING 8 UNITS AND STRATA SUBDIVISION

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds.

The Panel was addressed by the applicant and an architect.

The Panel notes that on page 4 of the Assessment Report under 'Proposed Development in Detail' units three and four are incorrectly described as two bedroom units, when in fact they are three bedroom units.

The Panel required additional landscaping along the boundary to ensure adequate privacy to the adjoining property would be maintained from apartment 5.

Given the level of excavation dilapidation reports pre and post construction should be undertaken

Subject to additional conditions to address the above, the Panel concurred with the Officer's assessment report and recommendation.

DECISION ON DEVELOPMENT APPLICATION

THAT Development Application DA2018/1835 for demolition of the existing dwellings, the construction of a seniors living development comprising 8 units, and strata subdivision on land at Lot 5 & 6 DP 11438, 22 & 24 Carawa Road, Cromer 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 3 to reference approved plans DA-01 to DA-21 as prepared by 'MM Atelier Architects'.

2. The amendment of Condition 15 to read as follows:

15. Amendments to the Landscape Plan

a) Landscape Plan(s) are to be amended as follows:

The plans are to replace one of the *Tristaniosis laurina* trees indicated in the front landscape setback with 1 x *Angophora costata*

b) Details shall be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.

c) Provision of a 2 metre wide landscape strip adjacent the boundary on the western side of apartment 5 and the eastern side apartment 6 for the full length of the building. The landscaping is to comprise native planting to a height of 3-5 metres and in sufficient density to provide an effective screen.

Reason: To ensure the provision of suitable landscape amenity and character.

3. The addition of the following condition under the heading Conditions to be Satisfied Prior to the Issue of the Construction Certificate:

Pre-Commencement Dilapidation Report

The applicant must prepare and submit a pre-commencement dilapidation report providing an accurate record of the existing condition of adjoining properties No. 26 and 20 Carawa and 247 Alfred. A copy of the report must be provided to Council.

Reason: Protection of private property.

4. The addition of the following condition under the heading Conditions which must be Complied with Prior to the Issue of the Occupation Certificate:

Post-Construction Dilapidation Report

The applicant must prepare and submit a post-construction dilapidation report adjoining properties No. 26 and 20 Carawa and 247 Alfred. A copy of the report must be provided to Council.

Reason: To ensure security against possible damage to Council and private property.

Vote: 3/0

3.4 DA2019/0210 - 9 ADELAIDE STREET, BALGOWLAH HEIGHTS - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds.

There were no registered speakers at the public meeting.

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

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 4.4 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.

DECISION ON DEVELOPMENT APPLICATION

THAT Development Application DA2019/0210 for alterations and additions to a dwelling house on land at Lot 18 DP 2610, 9 Adelaide Street, Balgowlah Heights be **approved** subject to the conditions and for the reasons set out in the Assessment Report.

Vote: 3/0

3.5 DA2018/2004 - 92 CUTLER ROAD, CLONTARF - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds.

The Panel was addressed by four representatives of the applicant

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

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 4.4 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.

DECISION ON DEVELOPMENT APPLICATION

THAT Development Application DA2018/2004 for alterations and additions to a dwelling house on land at Lot 32 DP 2610, 92 Cutler Road, Clontarf be **approved** subject to the conditions and for the reasons set out in the Assessment Report.

Vote: 3/0

3.6 DA2018/1761 - 24 AITKEN AVENUE, QUEENSCLIFF - DEMOLITION WORKS AND CONSTRUCTION OF A RESIDENTIAL FLAT BUILDING, AND STRATA SUBDIVISION

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds.

The Panel was addressed by the applicant, representatives of the applicant and four objectors.

It was concluded that the Development Determination Panel did not have authority to determine the application and that it should be referred to the Northern Beaches Local Planning Panel for determination.

DECISION ON DEVELOPMENT APPLICATION

THAT Development Application DA2018/1761 for demolition Works and construction of a residential flat building, and strata subdivision on land at Lot CP SP 30021, 24 Aitken Avenue, Queenscliff be **deferred** as the Ministers direction requires all applications for residential apartment developments where SEPP 65 applies and is four or more storeys **to be determined by the Northern Beaches Local Planning Panel**.

Vote: 3/0

The meeting concluded at 4.50pm

This is the final page of the Minutes comprising 11 pages
numbered 1 to 11 of the Development Determination Panel meeting
held on Wednesday 26 June 2019.