



northern
beaches
council

MINUTES

DEVELOPMENT DETERMINATION PANEL MEETING

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

WEDNESDAY 11 SEPTEMBER 2019

**Minutes of a Meeting of the Development Determination Panel
held on Wednesday 11 September 2019
in the Walamai Room, Civic Centre, Dee Why**

ATTENDANCE:

Panel Members

Peter Robinson (Chairperson)	Executive Manager Development Assessment	
Phil Jemison	Manager, Strategic & Place Planning	
Rod Piggott	Manager, Development Assessment	Items 3.1, 3.2, 3.3 & 3.5
Anna Williams	Manager, Development Assessment	Item 3.4

1.0 APOLOGIES AND DECLARATIONS INTEREST

Rodney Piggott declared a conflict of interest for Item 3.4 and took no part in the determination. Anna Williams replaced Rodney Piggott for this item.

2.0 MINUTES OF PREVIOUS MEETING

2.1 MINUTES OF DEVELOPMENT DETERMINATION PANEL HELD 28 AUGUST 2019

RECOMMENDATION

That the Minutes of the Development Determination Panel held 28 August 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 DA2019/0246 - 49 GREYCLIFFE STREET, QUEENSCLIFF - 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.

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 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 DA2019/0246 for alterations and additions to a dwelling house on land at Lot 20 DP 8373, 49 Greycliffe Street, Queenscliff 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 under the heading 'Conditions To Be Complied With During Demolition And Building Work':

Survey

A survey certificate prepared by a Registered Surveyor at the following stages of construction:

(a) Commencement of perimeter walls columns and or other structural elements to ensure the wall or structure, to boundary setbacks are in accordance with the approved details.

(b) At ground level to ensure the finished floor levels are in accordance with the approved levels, prior to concrete slab being poured/flooring being laid.

(c) At completion of the roof frame confirming the finished roof/ridge height is in accordance with levels indicated on the approved plans.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To determine the height of buildings under construction comply with levels shown on approved plans. (DACPLE01)

Vote: 3/0

3.2 DA2019/0483 - 4 ABERNETHY STREET, SEAFORTH - DEMOLITION WORKS AND CONSTRUCTION OF A NEW DWELLING HOUSE

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds.

The Panel were addressed by 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.

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 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 DA2019/0483 for demolition works and construction of a new dwelling house on land at Lot 1 DP 1227525, 4 Abernethy Street, Seaforth 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 under the heading 'Conditions To Be Complied With During Demolition And Building Work':

Survey

A survey certificate prepared by a Registered Surveyor at the following stages of construction:

(a) Commencement of perimeter walls columns and or other structural elements to ensure the wall or structure, to boundary setbacks are in accordance with the approved details.

(b) At ground level to ensure the finished floor levels are in accordance with the approved levels, prior to concrete slab being poured/flooring being laid.

(c) At completion of the roof frame confirming the finished roof/ridge height is in accordance with levels indicated on the approved plans.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To determine the height of buildings under construction comply with levels shown on approved plans. (DACPLE01)

Vote: 3/0

3.3 DA2019/0578 - 17 GOLF PARADE, MANLY - DEMOLITION WORKS AND CONSTRUCTION OF A GARAGE

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds.

The Panel were not addressed by any 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 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.

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 DA2019/0578 for demolition works and construction of a garage on land at Lot 1 DP 217958, 17 Golf Parade, Manly 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 under the heading 'Conditions To Be Satisfied Prior To The Issue Of The Construction Certificate':

Submission of Survey

All works are to be contained wholly within the subject site.

A survey, prepared by a Registered Surveyor, identifying the boundaries of the subject site and all existing structures/buildings, it to be prepared.

The plans submitted for the construction certificate are to accurately reflect the boundaries as shown on the survey.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the

issue of any Construction Certificate.

Reason: To ensure all approved works are constructed within the subject site.

Vote: 3/0

3.4 MOD2018/0542 - 7 KALINYA STREET, NEWPORT - MODIFICATION OF DEVELOPMENT CONSENT N0486/16 GRANTED FOR DEMOLITION OF EXISTING SERVICE STATION STRUCTURE AND CONSTRUCTION OF A NEW THREE STOREY RESIDENTIAL FLAT BUILDING WITH BASEMENT CAR PARKING

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds.

The Panel were addressed by the applicant.

The Panel could not support the landscape planters proposed on the roof of the development, as it served no purpose and potentially could impact on views and create maintenance issues.

In regards to the north facing terraces within the side setback, the applicant indicated there was no terrace on Level 1, that the plans demonstrated the terrace from the level below. Further that the norther facing terrace on the Ground Floor was located within the side setback, and this restricted the opportunity for landscaping as required by the controls and potential impacts to adjoining properties. The terrace was not supported by the panel.

The Panel received a supplementary assessment from the assessment officer regarding view loss and proposed conditions. The Panel concurred with the Officer's supplementary assessment and recommendation.

STATEMENT OF REASON

The proposal generally satisfies the relevant strategy, objectives and provisions of Pittwater LEP 2014 and the Pittwater DCP 2014 subject to conditions.

COMMUNITY CONSULTATION

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

DECISION ON DEVELOPMENT APPLICATION

THAT Mod2018/0542 for Modification of Development Consent N0486/16 granted for demolition of existing service station structure and construction of a new three storey residential flat building with basement car parking. on land at Lot 1 DP 536852, 7 Kalinya Street, Newport be **approved** subject to the conditions and for the reasons set out in the Assessment Report, subject to the following:

1. The addition of Condition 23 under C. Matters to be satisfied Prior to the Issue of a Construction Certificate as follows in italics:

Addendum to Traffic and Parking and Assessment Report

The applicant must provide an addendum to the Traffic and Parking Assessment Report dated 4 July 2018 and prepared by Terraffix Pty Ltd to support the resultant changes to the modification application indicated on approved Plan No. DA101, dated June 2019 and Plan No. 100, dated June 2019, both prepared by PBD Architects as part of his modified consent. Reason: To ensure compliance with the relevant Australian Standards and consistency with the Traffic and parking Assessment Report submitted with the subject modification application.

2. The addition of Condition 24 under C. Matters to be satisfied Prior to the Issue of a

Construction Certificate as follows in italics:

Submission Roads Act Application for Civil Works in the Public Road

An Application for Works to be approved within Council Roadway, including engineering plans is to be submitted to Council for approval under the provisions of Sections 138 and 139 of the Roads Act 1993. The application is to include four (4) copies of Civil Engineering plans for the design of the driveway crossing, kerb and gutter restoration of the old crossings and footpath along the Queens Parade frontage of the site which are to be generally in accordance with the Development Application and Council's specification for engineering works - AUS-SPEC #1 and / or Council's Minor Works Policy.

The plans shall be prepared by a qualified consulting engineer. The fee associated with the assessment and approval of the application is to be in accordance with Council's Fee and Charges. An approval by Council is to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To provide ensure compliance with Council's requirements for Civil Works in the Road Reserve.

3. The addition of Condition 25 under C. Matters to be satisfied Prior to the Issue of a Construction Certificate as follows in italics:

Shoring of Adjoining Property

Should the proposal require shoring to support an adjoining property or Council land, owner's consent for the encroachment onto the affected property owner shall be provided with the engineering drawings.

Council approval is required if temporary ground anchors are to be used within Council land. A Temporary Ground Anchors (Road Reserve) Application is to be submitted with Council for assessment and approval subject to Council's Fees and Charges. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate

Reason: To ensure that owners consent is obtained for ancillary works, and to ensure the protection of adjoining properties and Council land.

4. The deletion of condition 15 under C. Matters to be satisfied Prior to the Issue of a Construction Certificate.
5. The deletion of condition 16 under C. Matters to be satisfied Prior to the Issue of a Construction Certificate
6. The addition of Condition 26 under D. Matters to be satisfied prior to the Commencement of Works and maintained during the works as follows:

Vehicle Crossings

The provision of one vehicle crossing 5.5 metres wide in accordance with Northern Beaches Council Drawing No A4-3330/1 N and specifications. An Authorised Vehicle Crossing Contractor shall construct the vehicle crossing and associated works within the road reserve in plain concrete. All redundant laybacks and crossings are to be restored to footpath/grass.

Prior to the pouring of concrete, the vehicle crossing is to be inspected by Council and a satisfactory "Vehicle Crossing Inspection" card issued. Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To facilitate suitable vehicular access to private property.

The following conditions are to be included in the modified consent:

7. The amendment of Condition No 3. under B. Matters to be incorporated into the development and maintained over the life of the development as follows:

No plant equipment associated with the elevator other than the lift overrun are to be placed on the roof. The roof top landscape planter boxes are to be deleted from plans

8. The addition of Condition 26 under C. Matters to be satisfied Prior to the Issue of a Construction Certificate as follows:

Amendments to the Approved Plans

Prior to the issue of a Construction Certificate, amended plans are to be submitted to the Certifying Authority indicating the deletion of the terrace along the northern elevation at ground level accessible from Unit G01. The terrace indicated along the northern elevation at first floor level accessible from Unit 101 is not approved.

Reason: To provide reasonable acoustic and visual privacy to the adjoining property at 10 Kalinya Street.

Vote: 3/0

3.5 DA2019/0380 - 72 CARRINGTON PARADE, CURL CURL - DEMOLITION WORKS AND CONSTRUCTION OF A DWELLING HOUSE

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds.

The Panel were addressed by two objectors who made written submissions to the Panel.

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

STATEMENT OF REASON

The proposal does not satisfy the relevant strategy, objectives and provisions of Warringah LEP 2011 and the Warringah DCP 2011.

COMMUNITY CONSULTATION

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

DECISION ON DEVELOPMENT APPLICATION

THAT Development Application DA2019/0380 for demolition works and construction of a dwelling house on land at Lot 1 DP 366860, 72 Carrington Parade, Curl Curl be **refused** subject to the conditions and for the reasons set out in the Assessment Report.

Vote: 3/0

The meeting concluded at 12.00pm

This is the final page of the Minutes comprising 13 pages
numbered 1 to 13 of the Development Determination Panel meeting
held on Wednesday 11 September 2019.