



northern
beaches
council

MINUTES

DEVELOPMENT DETERMINATION PANEL MEETING

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

WEDNESDAY 27 NOVEMBER 2019

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

ATTENDANCE:

Panel Members

Peter Robinson (Chairperson)	Executive Manager Development Assessment
Anna Williams	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 NOVEMBER 2019

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

3.0 DEVELOPMENT DETERMINATION PANEL REPORTS

3.1 MOD2019/0409 - 2 TOURMALINE STREET, NARRABEEN - MODIFICATION OF DEVELOPMENT CONSENT DA2018/1290 GRANTED FOR ALTERATIONS AND ADDITIONS TO AN EXISTING DWELLING HOUSE

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds.

The Panel were not addressed by any speakers, however received a written submission.

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

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

DECISION

THAT Council as the consent authority **approve** Mod2019/0409 for Modification of Development Consent DA2018/1290 granted for alterations and additions to an existing dwelling house on land at Lot B DP 377414, 2 Tourmaline Street, Narrabeen, subject to the conditions outlined in the Assessment Report, subject to the following:

A. Add Condition No.1A - Modification of Consent - Approved Plans and supporting Documentation to read as follows:

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

The plans and documents listed in the "Notice of Determination" made on 23 January 2019 in relation to DA2018/1290, as modified by,

a) The Modification Approved Plans:

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
Site Analysis Plan A100 Rev C	14/08/2019	Micris Design Pty Ltd
Ground Floor Demolition Plan A101 Rev A	14/08/2019	Micris Design Pty Ltd
Site, Ground Floor, First Floor Plan A102 Rev C	14/08/2019	Micris Design Pty Ltd
East, north, south, west elevation and section A103 Rev C	14/08/2019	Micris Design Pty Ltd

b) Any plans and / or documentation submitted to satisfy the Conditions of this consent.

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans.

B. Delete Condition No.2 Amendments to the approved plans as follows:

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

- The first floor is to maintain a minimum setback of 2.5 metres to the southern boundary
- The first floor is to maintain a minimum setback of 3.0 metres to the western boundary
- The sill height of window W7 is to be a minimum height of 1.5m above the finished floor level.

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.

B. Add new Condition No.2a Amendments to the approved plans to read as follows:

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

- a) Windows W6, adjoining the en-suite on the southern elevation are to be fitted with obscure glazing.
- b) Window W7 adjoining the stairwell on the southern elevation is to be fitted with obscure glazing to a minimum height of 1.5m above the finished floor level.
- c) Window W7 adjoining the sitting room on the southern elevation is to be fitted with obscured glazing to a minimum height of 1.5m above the finished floor level.
- c) The glass privacy screens adjoining the balconies on the southern elevation are to be fitted with obscure glazing.
- d) The roof is not to encroach above the road reserve on Pacific Lane, and is to remain wholly within the property boundaries.

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.

Vote: 3/0

3.2 DA2019/1070 - 81 PALMGROVE ROAD, AVALON BEACH - CONSTRUCTION OF A SECONDARY DWELLING

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 does not satisfy the relevant strategy, objectives and provisions of Pittwater LEP 2014 and the Pittwater 21 DCP.

COMMUNITY CONSULTATION

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

DECISION ON EXCEPTIONS TO DEVELOPMENT STANDARDS

- A. The Panel was not able to consider the variation as a request under clause 4.6 had not been submitted.

DECISION

THAT Council as the consent authority **refuse** Development Consent to DA2019/1070 for construction of a secondary dwelling on land at Lot 381 DP 16902, 81 Palmgrove Road, Avalon Beach, subject to the conditions outlined in the Assessment Report.

Vote: 3/0

3.3 DA2019/0309 - 257 WHALE BEACH ROAD, WHALE BEACH - 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 an objector and representatives of the applicant.

The Panel accepts the supplementary memo that assesses the proposal against the objectives of Clause 4.3 in the Pittwater LEP and is satisfied.

The Panel accepts that the development complies with the Pittwater LEP foreshore building line.

The Panel acknowledges an error on the first line of text on page 62 of the Assessment Report, where the word 'not' incorrectly appears and should read as follows:

As such, it is considered that the application does comply with the requirements of the State Environmental Planning Policy (Coastal Management) 2018.

The Panel concurred with the Officer's assessment report and recommendation that the proposal should be approved.

The application is subject to a Class 1 Appeal and a previous consent subject of a Class 4 Appeal before the Land and Environment Court. In this regard, the Panel is not determining the application but providing their opinion to the Land and Environment Court on the current proposal.

STATEMENT OF REASON

The proposal generally satisfies the relevant strategy, objectives and provisions of Pittwater LEP 2014, Pittwater 21 DCP and the relevant Matters of Consideration under Section 4.15 of the Act subject to conditions.

COMMUNITY CONSULTATION

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

DECISION

THAT the application not be determined by the Panel but the recommendation and conditions contained in the Assessment Report are otherwise endorsed by the Panel and this be brought to the attention of the Land and Environment Court in the current proceedings for DA2019/0309 for demolition works and construction of a dwelling house including swimming pool on land at Lot 171 DP 15376, 257 Whale Beach Road, Whale Beach.

Vote: 3/0

The meeting concluded at 11.39am

This is the final page of the Minutes comprising 8 pages
numbered 1 to 8 of the Development Determination Panel meeting
held on Wednesday 27 November 2019.