



northern  
beaches  
council

# MINUTES

## DEVELOPMENT DETERMINATION PANEL MEETING

held on

**WEDNESDAY 22 APRIL 2020**

## **Minutes of a Meeting of the Development Determination Panel determined on Wednesday 22 April 2020**

### **ATTENDANCE:**

#### **Panel Members**

Peter Robinson (Chairperson)	Executive Manager Development Assessment	
Phil Jemison	Manager, Strategic & Place Planning	
Anna Williams	Manager, Development Assessment	Items 3.4, 3.5 & 3.6
Matthew Edmonds	Manager, Development Assessment	Items 3.1, 3.2 & 3.3

## **1.0 APOLOGIES AND DECLARATIONS INTEREST**

Nil

## **2.0 MINUTES OF PREVIOUS MEETING**

### **2.1 MINUTES OF DEVELOPMENT DETERMINATION PANEL HELD 8 APRIL 2020**

The Minutes of the Development Determination Panel held 8 April 2020, were adopted by all Panel Members and have been posted on the Council's website

### **3.0 DEVELOPMENT DETERMINATION PANEL REPORTS**

#### **3.1 DA2019/1403 - 75 THE CORSO, MANLY - ALTERATIONS AND ADDITIONS TO THE FIRST FLOOR ACCOMMODATION, NEW DOORS TO NORTH STEYNE, REPLACEMENT AWNING TO THE CORSO, SIGNAGE ZONES, AIR-CONDITIONING TO THE ROOF AND OTHER ANCILLARY WORKS AT HOTEL STEYNE**

##### **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, supplementary memo 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**

THAT Council as the consent authority **approve** Development Consent to DA2019/1403 for Alterations and additions to the first floor accommodation, new doors to North Steyne, replacement awning to the Corso, signage zones, air-conditioning to the roof and other ancillary works at Hotel Steyne on land at Lot 100 DP 1069144, Lot 101 DP 1069144 & Lot 102 DP 1069144, 75 The Corso, Manly, subject to the conditions outlined in the Assessment Report and Supplementary Memo.

Vote: 3/0

**3.2 DA2019/1481 - 741 WARRINGAH ROAD, FORESTVILLE - DEMOLITION OF EXISTING DWELLINGS AND CONSTRUCTION OF A TWO STOREY BOARDING HOUSE COMPRISING NINE (9) BEDROOMS AND A PART SUB-BASEMENT PARK FOR 5 CARS WITH ACCESS VIA MELWOOD AVENUE**

**PROCEEDINGS IN BRIEF**

The Panel viewed the site and the surrounds.

The Panel were not addressed by any speakers.

The Panel were concerned with the visual impact of the development on the rear yard of No 739 Warringah Rd, and conditioned that landscaping be established within the adjoining setback.

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** Development Consent to DA2019/1481 for demolition of existing dwellings and construction of a two storey Boarding House comprising nine (9) bedrooms and a part sub-basement park for 5 cars with access via Melwood Avenue on land at Lot 6B DP 370509, 741 Warringah Road, Forestville, subject to the conditions outlined in the Assessment Report, subject to the following:

1. The addition of the following condition:

**Amended Plans**

A 2 metre landscaped setback between the eastern boundary and rooms 8 & 9 is to be established with a row of planting to provide a visual screen to the building. Species to have a minimum mature height of 4 metres. The external stairs adjoining unit 9 are to be redirected to a path within the southern setback. Landscaping to be provided in conjunction with the new pathway in the southern setback that has a minimum mature height of 3 metres.

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

Reason: To protect the amenity of surrounding development

Vote: 3/0

### **3.3 REV2020/0002 - 115A PACIFIC ROAD, PALM BEACH - REVIEW OF DETERMINATION OF APPLICATION DA2019/0874 FOR 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 Pittwater LEP 2014 and the Pittwater 21 DCP subject to conditions.

#### **COMMUNITY CONSULTATION**

There were no submissions received for this application.

#### **DECISION**

THAT Council as the consent authority **approve** Development Consent to REV2020/0002 for Review of Determination of Application DA2019/0874 for construction of a garage on land at Lot 2 DP 418388, 115A Pacific Road, Palm Beach, subject to the conditions outlined in the Assessment Report.

Vote: 3/0

### **3.4 DA2019/1383 - 11 OCEAN ROAD, PALM BEACH - DEMOLITION WORKS AND CONSTRUCTION OF A DWELLING HOUSE INCLUDING A SWIMMING POOL**

#### **PROCEEDINGS IN BRIEF**

The Panel viewed the site and the surrounds.

The Panel were not addressed by any speakers.

The Panel notes the error in the cover report of the agenda for Item 3.4. The agenda says 'subject to the conditions outlined in the Assessment Report'. This should be removed.

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 are not 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 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 not 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**

THAT Council as the consent authority **refuse** Development Consent to DA2019/1383 for Demolition works and construction of a dwelling house including a swimming pool on land at Lot 24 DP 11552, 11 Ocean Road, Palm Beach.

Vote: 3/0

### **3.5 DA2019/1339 - 41 LODGE STREET, BALGOWLAH - TORRENS TITLE SUBDIVISION OF ONE LOT INTO TWO AND THE CONSTRUCTION OF TWO SEMI-DETACHED DWELLINGS, INCLUDING THE DEMOLITION OF THE EXISTING DWELLING**

#### **PROCEEDINGS IN BRIEF**

The Panel viewed the site and the surrounds.

The Panel were addressed by the owner and 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**

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

#### **DECISION**

THAT Council as the consent authority **approve** Development Consent to DA2019/1339 for Torrens title subdivision of one lot into two and the construction of two semi-detached dwellings, including the demolition of the existing dwelling on land at Lot 19 Sec 2 DP 6154, 41 Lodge Street, Balgowlah, subject to the conditions outlined in the Assessment Report, subject to the following:

1. The amendment of the following condition under the heading 'Prior to the Issue of a Construction Certificate':

##### **10. Amendment to Approved Plans**

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

- The elevated platform, stairs and paving along the eastern extent of the dwelling upon proposed Lot 2 as shown in the engineering plans Drawing. D1 Revision C, dated 7/04/2020, prepared by Soliman Hanna & Associates shall be deleted from the engineering plans. The area shall consist of soft landscaping as per the approved landscaping plans.

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



**3.6 DA2019/1258 - 29 PARKVIEW ROAD, FAIRLIGHT - DEMOLITION WORKS,  
CONSTRUCTION OF A DUAL OCCUPANCY (ATTACHED) AND STRATA  
SUBDIVISION**

**PROCEEDINGS IN BRIEF**

The Panel viewed the site and the surrounds.

The Panel were addressed by and objector, the owner and representative of the applicant.

**DECISION**

THAT Council as the consent authority **defer** Development Consent to DA2019/1258 for demolition works, construction of a dual occupancy (attached) and strata subdivision on land at Lot 30 DP 6413, 29 Parkview Road, Fairlight.

Vote: 3/0

*The meeting concluded at 2.00pm*

This is the final page of the Minutes comprising 9 pages  
numbered 1 to 9 of the Development Determination Panel meeting  
held on Wednesday 22 April 2020.