



northern
beaches
council

MINUTES

DEVELOPMENT DETERMINATION PANEL MEETING

held on

WEDNESDAY 27 MAY 2020

**Minutes of a Meeting of the Development Determination Panel
held on Wednesday 27 May 2020
in the Walamai Room, Civic Centre, Dee Why**

ATTENDANCE:

Panel Members

Peter Robinson (Chairperson)	Executive Manager Development Assessment	Item 3.2, 3.3, 3.4 & 3.5
Louise Kerr (Chairperson)	Director, Planning & Place	Item 3.1
Anna Williams	Manager, Development Assessment	Item 3.2, 3.3, 3.4 & 3.5
Phil Jemison	Manager, Strategic & Place Planning	Item 3.1
Liza Cordoba	Manager, Strategic & Place Planning	Item 3.2, 3.3, 3.4 & 3.5
Neil Cocks	Manager, Strategic & Place Planning	Item 3.1

1.0 APOLOGIES AND DECLARATIONS INTEREST

Nil

2.0 MINUTES OF PREVIOUS MEETING

2.1 MINUTES OF DEVELOPMENT DETERMINATION PANEL HELD 13 MAY 2020

The Minutes of the Development Determination Panel held 13 May 2020, were adopted by all Panel Members and have been posted on the Council's website

3.0 DEVELOPMENT DETERMINATION PANEL REPORTS

3.1 REV2020/0012 - 5 BIRDWOOD AVENUE, COLLAROY - REVIEW OF DETERMINATION TO DA2019/0616 PROPOSED TO REGULARISE THE USE OF A BUILDING AS A SECONDARY DWELLING, WITH CAR PARKING AND FRONT FENCE

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds.

The Panel were addressed by an objector and their representative and the owner and their representative.

The Panel required further time to investigate additional information to consider the proposed development.

DECISION

The DDP **deferred** consideration of Review Application REV2020/0012 to enable the consideration of additional information.

Vote: 3/0

3.2 DA2019/0595 - 21 PINE STREET, MANLY - ALTERATIONS AND ADDITIONS TO A SEMI DETACHED 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 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 4.4 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

THAT Council as the consent authority grant **deferred commencement approval** to DA2019/0595 for alterations and additions to a semi detached dwelling on land at Lot 1 DP 936960, 21 Pine Street, Manly, subject to the conditions outlined in the Assessment Report.

Vote: 3/0 – determined on 27 May 2020

3.3 DA2019/0856 - 1 MULGOWRIE CRESCENT, BALGOWLAH HEIGHTS - 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 representatives of 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

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

DECISION

THAT Council as the consent authority **approve** Development Consent to DA2019/0856 for alterations and additions to a dwelling house on land at Lot 9 Sec 58 DP 758044, 1 Mulgowrie Crescent, Balgowlah Heights, subject to the conditions outlined in the Assessment Report.

Vote: 3/0 – determined on 27 May 2020

3.4 DA2019/1069 - 205 RIVERVIEW ROAD, AVALON BEACH - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE INCLUDING A SWIMMING POOL

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds.

The Panel were addressed by an objector and the applicant.

The Panel required further time to consider the proposed development.

DECISION

The DDP **deferred** consideration of Development Application DA2019/1069 to enable the consideration of additional information.

Vote: 3/0

3.5 DA2019/1175 - 55 WHEELER PARADE, DEE WHY - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds.

The Panel were addressed by an objector and the applicant.

The Panel concurred with the Officer's assessment report and recommendation, noting an error on page 220 in relation to a statement that the non-compliances do not generate unacceptable neighbour impacts.

STATEMENT OF REASON

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

COMMUNITY CONSULTATION

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

DECISION ON EXCEPTIONS TO DEVELOPMENT STANDARDS

A. The Panel is not 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 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 DA2019/1175 for alterations and additions to a dwelling house on land at Lot B DP 338618, 55 Wheeler Parade, Dee Why, subject to the conditions outlined in the Assessment Report, subject to the following:

1. The deletion of the following reason for refusal:

7. Pursuant to Section 79C(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the objectives of Clause B9 Rear Boundary Setbacks of the Warringah Development Control Plan 2011.

Vote: 3/0 – determined on 27 May 2020

This is the final page of the Minutes comprising 9 pages
numbered 1 to 9 of the Development Determination Panel meeting
held on Wednesday 27 May 2020.