



northern
beaches
council

MINUTES

DEVELOPMENT DETERMINATION PANEL MEETING

FRIDAY 5 JUNE 2020

Minutes of a Meeting of the Development Determination Panel

Friday 5 June 2020

ATTENDANCE:

Panel Members

Louise Kerr (Chairperson)
Phil Jemison
Neil Cocks

Director, Planning & Place
Manager, Strategic & Place Planning
Manager, Strategic & Place Planning

1.0 APOLOGIES AND DECLARATIONS INTEREST

Nil

0.0 DEVELOPMENT DETERMINATION PANEL REPORTS

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.

The Panel reconvened to determine the application after further discussion.

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

THAT Council as the consent authority **refuse** Development Consent to REV2020/0012 for Review of determination to DA2019/0616 proposed to regularise the use of a building as a Secondary dwelling, with car parking and front fence on land at Lot 3 DP 9667, 5 Birdwood Avenue, Collaroy, for the following reasons:

1. Pursuant to section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the provisions of Clause D1 Landscaped Open Space and Bushland Setting of the Warringah Development Control Plan 2011. The hard stand area provided to meet the off-street parking requirements for the existing dwelling house, which arises from the conversion of the garage to a secondary dwelling results in adverse streetscape impacts and contributes to a non-compliance with the 40% landscape area control.
2. Pursuant to section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 the proposed development is inconsistent with the provisions of Clause B7 Front Boundary Setbacks of the Warringah Development Control Plan 2011;
3. Insufficient information has been provided to demonstrate that the proposed secondary dwelling is capable of complying with the relevant provisions of the Building Code of Australia for a Class 1A building and is suitable for habitable purposes (noting that the application only seeks approval to a change of use only and does not seek approval for building works).

This is the final page of the Minutes comprising 5 pages
numbered 1 to 5 of the Development Determination Panel meeting
held on Friday 5 June 2020.