



northern
beaches
council

MINUTES

DEVELOPMENT DETERMINATION PANEL MEETING

held on

TUESDAY 18 AUGUST 2020

Minutes of a Meeting of the Development Determination Panel held on Tuesday 18 August 2020

ATTENDANCE:

Panel Members

Louise Kerr (Chairperson)
Anne-Maree Newbery
Phil Jemison

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

1.0 APOLOGIES AND DECLARATIONS INTEREST

Nil

3.1 DEVELOPMENT DETERMINATION PANEL REPORT

REV2020/0017 - 157 VICTOR ROAD, DEE WHY - REVIEW OF DETERMINATION OF APPLICATION DA2019/1179 ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds on Monday 10 August 2020. Having viewed the site and reviewing the assessment report and issues identified in submissions, the Panel requested the erection of height poles to enable a proper analysis of view loss.

The height poles were erected and the panel viewed the site again on Tuesday 18 August 2020 as well as the property located opposite the site at 154 Victor Road.

The Panel convened on 18 August 2020 and were addressed by two objectors and the owners of the subject site.

The Panel after having considered the assessment report and all associated Development Application documents; submissions from residents; and completed inspections of the site; does not agree with the recommendation of the Assessment Officer to support the approval of the review application REV2020/0017 and has determined that the application be refused.

Whilst the Panel noted that the plans submitted with the Review application attempted to resolve/address the reasons for refusal of DA2019/1179, the Panel did not agree that the amendments satisfactorily resolved the issues identified in DA2019/1179. In particular, the Panel remained concerned about the severe view loss arising from the proposed upper floor, particularly when viewed from properties located on the opposite side of Victor Road. The upper floor level is also likely to have bulk and scale impacts when viewed from properties located to the rear of the site on Prescott Avenue.

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 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 not consistent with the objectives of the standards and the objectives for development within the zone in which the development is proposed to be carried out.

B. DECISION

THAT Council as the consent authority **refuse** Development Consent to REV2020/0017 for Review of Determination of Application DA2019/1179 alterations and additions to a dwelling house on land at Lot A DP 378435, 157 Victor Road, Dee Why 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 B3 Side Boundary Envelope of the Warringah Development Control Plan.

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 D7 Views of the Warringah Development Control Plan.
3. 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 D9 Building Bulk of the Warringah Development Control Plan.

This is the final page of the Minutes comprising 5 pages
numbered 1 to 5 of the Development Determination Panel meeting
held on Tuesday 18 August 2020.