



northern
beaches
council

MINUTES

DEVELOPMENT DETERMINATION PANEL MEETING

MONDAY 7 SEPTEMBER 2020

Minutes of a Meeting of the Development Determination Panel

Monday 7 September 2020

ATTENDANCE:

Panel Members

Peter Robinson (Chairperson)	Executive Manager Development Assessment
Anna Williams	Manager, Development Assessment
Liza Cordoba	Manager, Strategic & Place Planning

1.0 APOLOGIES AND DECLARATIONS INTEREST

Nil

3.3 DEVELOPMENT DETERMINATION PANEL REPORTS

DA2019/1202 - 9 LOLITA AVENUE, FORESTVILLE - ALTERATIONS AND ADDITIONS TO AN EXISTING DWELLING HOUSE

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds.

The Panel were addressed by an objector and a representative of the applicant.

The Panel considered a revised 4.6 request for variation to the height standard.

The Panel were concerned with the extent of the height variation and the visual bulk of the second floor extension along southern elevation. In this regard the second floor extension is to be reduced by 2.5 metres from the southern elevation (increasing the setback from the rear boundary) and the balcony is to be moved 2.5 metres to the north.

The extent of height variation, with the above changes, were consider acceptable

The Panel were concerned with the extent of works proposed to the existing tennis court. Following further information from the applicant that the works involve a 100mm concrete slab laid over the existing surface, a condition has been prepared to limit these works.

In regards to the indicative lift conditions a have been prepared to ensure all access is from within the existing dwelling.

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 and the meeting.

DECISION ON EXCEPTIONS TO DEVELOPMENT STANDARDS

A. The Panel is 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 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 **approve** Development Consent to DA2019/1202 for alterations and additions to an existing dwelling house on land at Lot 1 DP 1257701, 9 Lolita Avenue, Forestville, subject to the conditions outlined in the Assessment Report, subject to the following:

1. The amendment of the following condition:

15. Access Through Adjoining Crown Reserves

Access to the site through an adjoining Crown Reserve (Fox Road) is prohibited without the written approval of the Council. Any access will require a 'Working & Access to Reserves' permit to be obtained from Council.

Reason: To ensure proper management and protection of the Crown Reserve.

2. The addition of the following conditions:

Setback of South Facing Balcony at Second Floor Level

The entire balcony structure on the southern face of the Second Floor Level is to be setback 2.5m further north into the footprint of this new area. Details demonstrating compliance are to be provided prior to the issue of a Construction Certificate.

Reason: To ensure that adequate reduction in bulk is provided to the new areas of this development

No External Access to be Provided to the Proposed Lift

No external access into the lift located at Ground Floor level is to be provided. Access into the lift must be from within the existing dwelling. Details demonstrating compliance are to be provided to the Certifying Authority prior to the issue of an Occupation Certificate.

Reason: To ensure that the development does not provide external access to the Second Floor Level of the dwelling

Resurfacing of Tennis Court

No consent is given or implied for the removal of the existing tennis court slab. The new tennis court surface shall be install over the existing surface with a finished level of RL75.**

Reason: To ensure that there is no unnecessary removal from the site

3. The addition of the following condition to be inserted under the heading 'On-Going Conditions that must be Complied With at all Times':

No External Access to be Provided to the Lift at Ground Floor Level

No external access into the lift located at the Ground Floor entry level is permitted by this consent.

Reason: To ensure access to the upper levels of the house is obtained internally in the house in perpetuity