



northern  
beaches  
council

# MINUTES

## DEVELOPMENT DETERMINATION PANEL MEETING

held on

**WEDNESDAY 16 DECEMBER 2020**

## Minutes of a Meeting of the Development Determination Panel held on Wednesday 16 December 2020

### ATTENDANCE:

#### Panel Members

Andrew Pigott (Chairperson)	Executive Manager Strategic & Place Planning	Item 3.1
Steven Findlay	Manager, Development Assessment	All items
Rod Piggott	Manager, Development Assessment	Item 3.2 & 3.3
Anne-Maree Newbery	Manager, Strategic & Place Planning	Item 3.3
Neil Cocks	Manager, Strategic & Place Planning	Item 3.1 & 3.2

## **1.0 APOLOGIES AND DECLARATIONS INTEREST**

Nil

## **2.0 MINUTES OF PREVIOUS MEETING**

### **2.1 MINUTES OF DEVELOPMENT DETERMINATION PANEL HELD 10 DECEMBER 2020**

The Minutes of the Development Determination Panel held 9 December 2020, were adopted by all Panel Members and have been posted on the Council's website

### 3.0 DEVELOPMENT DETERMINATION PANEL REPORTS

#### 3.1 DA2020/1094 - 72 BEATRICE STREET, BALGOWLAH HEIGHTS - DEMOLITION WORKS AND CONSTRUCTION OF A DWELLING HOUSE INCLUDING A SECONDARY DWELLING AND SWIMMING POOL

##### PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds.

The Panel were addressed by two objectors and the applicant.

The Panel deferred the item for further consideration.

##### DECISION ON DEVELOPMENT APPLICATION

THAT Council as the consent authority **defers** DA2020/1094 for demolition works and construction of a dwelling house including a secondary dwelling and swimming pool on land at Lot A DP 432384, 72 Beatrice Street, Balgowlah Heights, subject to the conditions outlined in the Assessment Report.

### **3.2 MOD2020/0433 - 26 BERITH STREET, WHEELER HEIGHTS - MODIFICATION OF DEVELOPMENT CONSENT DA2011/0284 GRANTED FOR DEMOLITION WORKS AND CONSTRUCTION OF TWO DWELLING HOUSES**

#### **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 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 ON DEVELOPMENT APPLICATION**

THAT Council as the consent authority **approve** Mod2020/0433 for Modification of Development Consent DA2011/0284 granted for demolition works and construction of two dwelling houses on land at Lot 17 DP 8871, 26 Berith Street Wheeler Heights, subject to the conditions outlined in the Assessment Report.

Vote: 3/0 – determined on 16 December 2020

### 3.3 DA2020/1436 - 54 MORELLA ROAD, WHALE BEACH - 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.

The Panel concurred with the Officer's assessment report and recommendation.

The Panel were satisfied that the western face of the lift cabin did not unreasonably impact on the amenity of the neighbouring property.

The Panel were not satisfied that Condition 7 provided enough certainty in relation to the material/finishes proposed therefore a Deferred Commencement Condition is recommended.

#### 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

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

#### DECISION ON EXCEPTIONS TO DEVELOPMENT STANDARDS

A. The Panel is 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 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 ON DEVELOPMENT APPLICATION

THAT Council as the consent authority grant **deferred commencement approval** to Development Consent to DA2020/1436 for alterations and additions to a dwelling house on land at Lot 196 DP 15376, 54 Morella Road, Whale Beach, subject to the following:

1. The addition of the following deferred commencement condition:

##### **Privacy**

The Northern face of the lift cabin is to be finished/clad in a material that provides privacy and limits light spill to the adjoining property. Details demonstrating the finishes/cladding are to be submitted to Council for approval.

Reason: To ensure reasonable levels of privacy and the finishes are consistent with the

existing dwelling and locality.

2. The deletion of the following condition:

**Condition 7**

Vote: 3/0 – determined on 21 December 2020

This is the final page of the Minutes comprising 7 pages  
numbered 1 to 7 of the Development Determination Panel meeting  
held on Wednesday 16 December 2020.