



northern
beaches
council

MINUTES

DEVELOPMENT DETERMINATION PANEL MEETING

WEDNESDAY 9 JUNE 2021

Minutes of a Meeting of the Development Determination Panel held on Wednesday 9 June 2021

ATTENDANCE:

Panel Members

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

1.0 APOLOGIES AND DECLARATIONS INTEREST

Nil

2.0 MINUTES OF PREVIOUS MEETING

2.1 MINUTES OF DEVELOPMENT DETERMINATION PANEL HELD 26 MAY 2021

The Minutes of the Development Determination Panel held 26 May 2021, were adopted by all Panel Members and have been posted on the Council's website

3.0 DEVELOPMENT DETERMINATION PANEL REPORTS

3.1 DA2021/0158 - 22 RAYNER ROAD, WHALE BEACH - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds.

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 Pittwater LEP 2014 and the Pittwater 21 DCP 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 Pittwater LEP 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 APPLICATION

THAT Council, as the consent authority, **approves** Development Consent to DA2021/0158 for Alterations and additions to a Dwelling House on land at Lot A DP 376650, 22 Rayner Road, Whale Beach, subject to the conditions outlined in the Assessment Report.

Vote: 3/0

3.2 DA2021/0133 - 62 HUDSON PARADE, CLAREVILLE - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds.

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

Concern was raised regarding privacy from a deck and windows. The context of the location, relative levels, associated uses and separation of the two buildings, decks and windows, reduces any potential impacts from privacy to an acceptable level.

The proposed privacy screen in condition 10 will have little to no effect as the angled blade walls at 64 Hudson will reduce potential viewing onto the adjoining deck space situated approximately 14 metres away. In this regard condition 10 should be deleted.

Condition 11 to be amended to remove the requirement for fixed glazing as the windows are not directly adjoining the dwelling.

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

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 has 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 Pittwater LEP 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 APPLICATION

THAT Council, as the consent authority, **approves** Development Consent to DA2021/0133 for Alterations and additions to a Dwelling House on land at Lot 102 DP 605991, 62 Hudson Parade, Clareville, subject to the conditions outlined in the Assessment Report subject to the following:

Delete condition 10.

Amend condition 11 to read

Opaque Windows

Windows W9, W10 and W11 are to be wholly opaque.

Details are to be provided prior to the issue of a Construction Certificate.

Reason: To maintain privacy.

Vote: 3/0

3.3 MOD2020/0636 - 2 TOURMALINE STREET NARRABEEN - MODIFICATION OF DEVELOPMENT CONSENT DA2018/1290 GRANTED FOR ALTERATIONS AND ADDITIONS TO AN EXISTING DWELLING HOUSE

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds.

The Panel was addressed by representatives of the applicant.

The Panel requires further time to consider the proposal.

DECISION ON APPLICATION

THAT Council, as the consent authority, **defers** Mod2020/0636 for Modification of Development Consent DA2018/1290 granted for alterations and additions to an existing dwelling house on land at Lot B DP 377414, 2 Tourmaline Street, Narrabeen, for further consideration.

Vote: 3/0

3.4 REV2021/0005 - 11 FERGUSON STREET FORESTVILLE - REVIEW OF DETERMINATION OF APPLICATION DA2020/0923 GRANTED FOR CONSTRUCTION OF A SECONDARY DWELLING

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds.

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

There were no submissions received for this application.

DECISION ON APPLICATION

THAT Council, as the consent authority, **approves** REV2021/0005 for Review of Determination of Application DA2020/0923 granted for construction of a secondary dwelling on land at Lot 13 DP 23390, 11 Ferguson Street, Forestville, subject to the conditions outlined in the Assessment Report.

Vote: 3/0

3.5 DA2020/1323 - 5 LOCH STREET FRESHWATER - DEMOLITION WORKS AND CONSTRUCTION OF A DWELLING HOUSE INCLUDING A SWIMMING POOL

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds.

The Panel was addressed by an objector and their representative and representatives of the applicant.

The Panel notes the content of the Supplementary Memo.

The Panel requires further time to consider the application.

DECISION ON APPLICATION

THAT Council, as the consent authority, **defers** Development Consent to DA2020/1323 for Demolition works and construction of a dwelling house including a swimming pool on land at Lot 43A DP 345688, 5 Loch Street, Freshwater, for further consideration.

Vote: 3/0

3.6 MOD2021/0157 - 6 WATTLE AVENUE FAIRLIGHT - MODIFICATION OF DEVELOPMENT CONSENT DA6/2016 GRANTED FOR ALTERATIONS AND ADDITIONS TO AN EXISTING DWELLING HOUSE INCLUDING NEW SWIMMING POOL NEW REAR DECK NEW RETAINING WALL NEW WINDOWS AND LANDSCAPING.

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds.

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 APPLICATION

THAT Council, as the consent authority, **approves** Mod2021/0157 for Modification of Development Consent DA6/2016 granted for Alterations and additions to an existing dwelling house including new swimming pool new rear deck new retaining wall new windows and landscaping on land at Lot 18 DP 11828, 6 Wattle Avenue, Fairlight, subject to the conditions outlined in the Assessment Report.

Vote: 3/0

3.7 DA2020/1740 - 1 LAURA STREET SEAFORTH - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE INCLUDING A SWIMMING POOL

PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds.

The Panel was addressed by two objectors.

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

The location of the site is on a constrained roadway and a Construction Management Plan is required to be prepared to manage the works on the site, This has been proposed in a condition of consent.

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 and the meeting.

DECISION ON APPLICATION

THAT Council, as the consent authority, **approves** Development Consent to DA2020/1740 for Alterations and additions to a dwelling house including a swimming pool on land at Lot 1 DP 249261, 1 Laura Street, Seaforth, subject to the conditions outlined in the Assessment Report and the following condition.

Insert the following condition

A. Insert new Condition -

Construction and Traffic Management Plan

As a result of the site constraints, limited vehicle access and parking, a Construction Traffic Management Plan (CTMP) shall be prepared by an RMS accredited person and submitted to and approved by the Principal Certifying Authority prior to the commencement of bulk / civil excavation works required.

The CTMP must address following as appropriate:

- The proposed phases of construction works on the site, and the expected duration of each construction phase, including methods of excavation, vibration minimisation and protocols to be implemented to advise surrounding residents of high noise (such as impact excavation, rock drilling, concrete pumping and the like during site works).
- Make provision for all related vehicles / contractors to utilise the existing internal driveway area on northern side of the house during works for on-site parking / delivery of materials and the like, in order to minimise traffic / parking disruption to Laura Street.
- The proposed order in which works on the site will be undertaken, and the method statements on how various stages of construction will be undertaken including dust suppression, site safety and noise minimization.
- Make provision for all construction materials to be stored on site, at all times.
- The proposed areas within the site to be used for the storage of excavated materials, construction materials and waste containers during the construction period
- The proposed method of access to and egress from the site for construction vehicles, including access routes and truck rates through the Council area and the location and type of

temporary vehicular crossing for the purpose of minimising traffic congestion and noise in the area, with no access across public parks or reserves being allowed

- The proposed method of loading and unloading excavation and construction machinery, excavation and building materials, formwork and the erection of any part of the structure within the site. Wherever possible mobile cranes should be located wholly within the site
- Make provision for parking within driveway / garage slab / kerb side parking.
- Temporary truck standing/ queuing locations in a public roadway/ domain in the vicinity of the site are not permitted unless approved by Council prior.
- Include a Traffic Control Plan prepared by a person with suitable RMS accreditation for any activities involving the management of vehicle and pedestrian safety traffic as appropriate.
- The proposed manner in which adjoining property owners will be kept advised of the timeframes for completion of each phase of development/construction process. It must also specify that a minimum Fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measure.
- Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes and concrete pumps, structures proposed on the footpath areas (hoardings, scaffolding or shoring) and any tree protection zones around Council street trees
- The proposed method/device to remove loose material from all vehicles and/or machinery before entering the road reserve, any run-off from the washing down of vehicles shall be directed to the sediment control system within the site
- Specify that the roadway (including footpath) must be kept in a serviceable condition for the duration of construction. At the direction of Council, undertake remedial treatments such as patching at no cost to Council
- The proposed method of support to any excavation / prevent erosion / soil slumping, adjacent to adjoining properties, including any works within 2.0 metres of the road reserve. The proposed method of support is to be designed and certified by an appropriately qualified and practising Structural Engineer, or equivalent
- Proposed protection for Council and adjoining properties from machinery / work damage.

The CTMP shall be prepared in accordance with relevant sections of Australian Standard 1742 – “Manual of Uniform Traffic Control Devices”, RMS’ Manual – “Traffic Control at Work Sites”. A copy of the site CTMP is to be submitted to Council prior to issue of the Construction Certificate for record keeping purposes to assist with any related enquiries for the site.

Reason: To ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems

Vote: 3/0

This is the final page of the Minutes comprising 12 pages
numbered 1 to 12 of the Development Determination Panel meeting
held on Wednesday 9 June 2021.