



northern
beaches
council

MINUTES

DEVELOPMENT DETERMINATION PANEL MEETING

WEDNESDAY 11 AUGUST 2021

Minutes of a Meeting of the Development Determination Panel held on Wednesday 11 August 2021

ATTENDANCE:

Panel Members

Peter Robinson (Chairperson)	Executive Manager Development Assessment	All items
Steven Findlay	Manager, Development Assessment	Item 3.1
Anna Williams	Manager, Development Assessment	Items 3.2 & 3,3
Phil Jemison	Manager, Strategic & Place Planning	All items

The Panel have visited all sites personally, or electronically (due to COVID restrictions), and have had regard to the assessment report, all accompanying documentation, submissions from the public and any supplementary reports in determining all applications.

1.0 APOLOGIES AND DECLARATIONS INTEREST

Nil

2.0 MINUTES OF PREVIOUS MEETING

2.1 MINUTES OF DEVELOPMENT DETERMINATION PANEL HELD 28 JULY 2021

The Minutes of the Development Determination Panel held 28 July 2021, were adopted by all Panel Members and have been posted on the Council's website

3.0 DEVELOPMENT DETERMINATION PANEL REPORTS

3.1 DA2021/0129 - 107 FRENCHS FOREST ROAD, SEAFORTH - DEMOLITION WORKS AND CONSTRUCTION OF A DWELLING HOUSE.

PROCEEDINGS IN BRIEF

The Panel was addressed by a representative of the applicant.

The Panel was concerned with the combined impact on the bulk and scale of the proposed dwelling associated with the variation to the floor space ratio and the non-compliant side setbacks.. In this regard the building could be reduced in overall height, thereby reducing the apparent visual bulk and minimising the non-compliance with the side setback, which is a function of the external wall heights. This can be achieved through a combination of lowering the ground floor and a reduction in the floor to ceiling heights, either on one or both levels. A condition has been included in the recommendation to this effect.

The Panel noted that reference is made to a superseded Australian Standard AS1684.2.2010. Condition 13 requires compliance with all relevant standards prior to the Construction Certificate being issued. At the time of determination AS1684.2.2021 is the current standard.

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

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 Many Local Environmental Plan 2013 seeking to justify a contravention of clause 4.4 Floor Space Ratio 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 DA2021/0129 for Demolition works and construction of a dwelling house on land at Lot 1 DP 1125216, 107 Frenchs Forest Road, Seaforth, subject to the conditions outlined in the Assessment Report with the following condition:

Insert the following condition:

Amendments to the approved plans

The following amendments are to be made to the approved plans:

- a) The overall height of the building (measured at both the ridge and the first floor ceiling RL) is to be lowered by 500mm so that the max height of the roof does not exceed RL91.745 and the first floor ceiling does not exceed RL89.8. This may be accommodated in several ways including, but not limited to, a combination of reduced floor to ceiling heights and lowering the finished floor level of the ground floor level.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the construction certificate.

Reason: To ensure development minimises unreasonable impacts upon surrounding land.

Vote: 3/0

3.2 REV2021/0016 - 61 DRESS CIRCLE ROAD, AVALON BEACH - REVIEW OF DETERMINATION OF APPLICATION DA2020/1194 GRANTED FOR ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE.

PROCEEDINGS IN BRIEF

There were no registered speakers.

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 APPLICATION

THAT Council, as the consent authority, **approves** REV2021/0016 for Review of Determination of Application DA2020/1194 granted for alterations and additions to a dwelling house on land at Lot 55 DP 11462, 61 Dress Circle Road, Avalon Beach, subject to the conditions outlined in the Assessment Report.

Vote; 3/0

3.3 DA2021/0419 - 266 WHALE BEACH ROAD, WHALE BEACH - DEMOLITION WORKS AND CONSTRUCTION OF A DWELLING HOUSE.

PROCEEDINGS IN BRIEF

The Panel was addressed by the owner and 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 Pittwater LEP 2014 and the Pittwater 21 DCP subject to conditions.

COMMUNITY CONSULTATION

Issues raised in the submissions have been taken into account in the report and the meeting.

DECISION ON APPLICATION

THAT Council, as the consent authority, **approves** Development Consent to DA2021/0419 for demolition works and construction of a dwelling house on land at Lot 221 DP 15376, 266 Whale Beach Road, Whale Beach, subject to the conditions outlined in the Assessment Report.

Vote; 3/0

This is the final page of the Minutes comprising 7 pages
numbered 1 to 7 of the Development Determination Panel meeting
held on Wednesday 11 August 2021.