



northern
beaches
council

MINUTES

DEVELOPMENT DETERMINATION PANEL MEETING

WEDNESDAY 25 AUGUST 2021

Minutes of a Meeting of the Development Determination Panel held on Wednesday 25 August 2021

ATTENDANCE:

Panel Members

Peter Robinson (Chairperson)	Executive Manager Development Assessment
Rod Piggott	Manager, Development Assessment
Anne-Maree Newbery	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 11 AUGUST 2021

The Minutes of the Development Determination Panel held 11 August 2021, were adopted by all Panel Members and have been posted on the Council's website

3.0 DEVELOPMENT DETERMINATION PANEL REPORTS

3.1 DA2021/0507 - 147 CAMPBELL PARADE, MANLY VALE - DEMOLITION WORKS AND CONSTRUCTION OF A DWELLING HOUSE INCLUDING A SECONDARY DWELLING.

PROCEEDINGS IN BRIEF

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

The Panel was satisfied that the development was appropriate in its location. The cladding on the majority of the western elevation was clarified that it would be an appropriate dark recessive colour and the under croft of the deck is to be an open area and not to be enclosed, reducing the visual bulk of the building.

Given the unique and sensitive location, tree species proposed on site should be confirmed by Council's Biodiversity Team. The condition has been amended to require specific approval of proposed species.

Additional conditions have also been included for a survey layout of works.

In regards to the concerns of reflectivity, the greatest impact results from low angle reflectivity, typically from northern or southern facing windows. Further, the large glazed areas on the western elevation are located under a 3.4 metre wide roof which extends over the deck adjoining these windows which would reduce the potential for reflected light.

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

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 submissions 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.

DETERMINATION OF DEVELOPMENT APPLICATION

THAT Council, as the consent authority, **approves** Development Consent to DA2021/0507 for Demolition works and construction of a dwelling house including a secondary dwelling on land at Lot 25 DP 27009, 147 Campbell Parade, Manly Vale, subject to the conditions set out in the Assessment Report, subject to the following:

1. The amendment of condition 19 to read as follows:

19. Visual Impact

The development is to be in accordance with the schedule of finishes with the nominated cladding on the western elevation on both levels to be finished in monument, or similar dark natural colours and tones to blend with the surrounding natural environment.

The area under the deck is not to be enclosed and any finishes below the deck to also to be dark recessive colours.

Details are to be submitted to the certifying authority prior to issue of a construction certificate.

Reason: To ensure the development blends in and does not detract from the surrounding natural environment.

2. The amendment of condition 37 to read as follows:

37. Landscape Completion

Landscaping is to be implemented in accordance with the approved Landscape Plan, and inclusive of the following conditions:

- a) the landscape buffer consisting of small trees and understorey mixed planting indicated along the western boundary shall be continuous from the south west boundary corner to the driveway along the northern boundary, in a garden bed prepared with a suitable free draining soil mix and minimum 50mm depth of mulch.
- b) small tree planting shall consist of nine (9) tree plantings along the western boundary and three tree planting along the northern boundary, and shall be set at no more than 3 metres apart, and all shall be planted at a minimum 75 litre pot container size. All species shall be approved by the Team Leader, Biodiversity & Planning at Northern Beaches Council prior to planting.
- c) the boundary fence and gate shall be set on the boundary and not beyond as indicated inadvertently on the Landscape Plan.

Prior to the issue of an Occupation Certificate, details (from a landscape architect or landscape designer and Northern Beaches Council Team Leader, Biodiversity & Planning) shall be submitted to the Certifying Authority, certifying that the landscape works have been completed in accordance with any conditions of consent.

Reason: Environmental amenity.

3. The addition of the following condition:

Boundary Identification Survey

A boundary identification survey, prepared by a Registered Surveyor, is to be prepared in respect of the subject site.

The plans submitted for the Construction Certificate are to accurately reflect the property boundaries as shown on the boundary identification survey, with setbacks between the property boundaries and the approved works consistent with those nominated on the Approved Plans of this consent.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of any Construction Certificate.

Reason: To ensure all approved works are constructed within the subject site and in a manner anticipated by the development consent.

4. The addition of the following condition:

Survey Certificate

A survey certificate prepared by a Registered Surveyor at the following stages of construction:

- a) Commencement of perimeter walls columns and or other structural elements to ensure the wall or structure, to boundary setbacks are in accordance with the approved details.
- b) At ground level to ensure the finished floor levels are in accordance with the approved levels, prior to concrete slab being poured/flooring being laid.
- c) At completion of the roof frame confirming the finished roof/ridge height is in accordance with levels indicated on the approved plans.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To determine the height of buildings under construction comply with levels shown on approved plans. (DACPLE01)

Vote 3/0

3.2 DA2021/0101 - 1 SEDDON HILL ROAD, FRESHWATER - DEMOLITION WORKS AND CONSTRUCTION OF A DWELLING HOUSE INCLUDING A SWIMMING POOL.

PROCEEDINGS IN BRIEF

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

The Panel was concerned with the elevated balcony within the rear setback, the visual bulk that privacy screens would create and the privacy impact on surrounding neighbours. In this regard the balcony could not be supported, and a condition included, which removes the balcony located between the dining room and the northern boundary.

The Panel concurred with the Officer's assessment report, supplementary memos and recommendations.

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 submissions 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.

DETERMINATION OF DEVELOPMENT APPLICATION

THAT Council, as the consent authority, **approves** Development Consent to DA2021/0101 for Demolition works and construction of a dwelling house including a swimming pool on land at Lot 4 DP 305295, 1 Seddon Hill Road, Freshwater, subject to the conditions set out in the Assessment Report and Supplementary Memos, subject to the following:

1. The amendment of condition 8A to read as follows:

8A. Amendments to Approved Architectural Plans

The Approved Architectural Plans referenced in Condition 1 of this consent are to be amended, as follows:

- a) The roof and enclosing walls of the pergola, located in the front south-western corner of

- the site between the carport and the dwelling, are to be removed from all plans.
- b) The balcony and privacy screen to the north of the dining room is to be deleted from all plans and the east facing balcony setback 2.5 metres from the northern boundary. The roof over this area is not to protrude more than 1 metre from the northern façade. The area between the dining room and the boundary is to be landscaped with local endemic species.

The Amended Architectural Plans are to be provided to the Certifying Authority prior to the issue of the construction certificate.

Reason: To ensure that impacts upon views are reasonably minimised, noting that the impact associated with the pergola was unable to be qualified during the assessment process.

2. The addition of the following condition:

Acoustic Treatment of Pool Filter

The pool filter is to be enclosed within a housing and acoustically treated so that it does not emit any noise louder than 5dB(A) above background noise at the nearest residential receiver.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the Occupation Certificate.

Reason: To ensure the acoustic amenity of the neighbouring residents.

Vote 3/0

This is the final page of the Minutes comprising 8 pages
numbered 1 to 8 of the Development Determination Panel meeting
held on Wednesday 25 August 2021.