



northern  
beaches  
council

# MINUTES

## DEVELOPMENT DETERMINATION PANEL MEETING

held via teleconference on

**WEDNESDAY 27 APRIL 2022**

**Minutes of a Meeting of the Development Determination Panel  
held via teleconference  
on Wednesday 27 April 2022**

## **1.0 APOLOGIES AND DECLARATIONS INTEREST**

Nil

## **2.0 MINUTES OF PREVIOUS MEETING**

### **2.1 MINUTES OF DEVELOPMENT DETERMINATION PANEL HELD 13 APRIL 2022**

The minutes of the Development Determination Panel held 13 April 2022, were adopted by all Panel Members and have been posted on the Council's website

### 3.0 DEVELOPMENT DETERMINATION PANEL REPORTS

#### 3.1 DA2022/0082 - 39A CUTLER ROAD CLONTARF - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE INCLUDING A STUDIO

##### PANEL MEMBERS

Lashta Haidari	Acting Manager, Development Assessment
Daniel Milliken	Acting Manager, Development Assessment
Neil Cocks	Manager, Strategic & Place Planning

##### PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds.

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 Manly LEP 2013 and the Manly DCP 2013 subject to conditions attached to the assessment report.

##### 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 Manly LEP 2013 seeking to justify a contravention of Clause 4.3 Building Heights and 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.

##### DETERMINATION OF DEVELOPMENT APPLICATION

THAT Council as the consent authority **approves** Development Consent to DA2022/0082 for alterations and additions to a dwelling house including a studio on land at Lot 2 DP 527793, 39 A Cutler Road CLONTARF, subject to the conditions set out in the Assessment Report.

Vote: 3/0

**3.2 MOD2021/0988 - 2B FRANCIS STREET DEE WHY - MODIFICATION OF DEVELOPMENT CONSENT DA2020/1441 GRANTED FOR ALTERATIONS AND ADDITIONS TO AN EXISTING COMMERCIAL BUILDING AND CHANGE OF USE TO A BOARDING HOUSE**

**PANEL MEMBERS**

Phil Lane	Acting Manager, Development Assessment
Daniel Milliken	Acting Manager, Development Assessment
Neil Cocks	Manager, Strategic & Place Planning

**PROCEEDINGS IN BRIEF**

The Panel viewed the site and the surrounds.

There were no registered speakers

The Panel concurred with the Officer's assessment report and recommendation but considered that the proposed Condition 16 (A) Waste / Recycling Requirements be amended.

**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.

**DETERMINATION OF DEVELOPMENT APPLICATION**

THAT Council as the consent authority **approves** Development Consent to Mod2021/0988 for modification of Development Consent DA2020/1441 granted for alterations and additions to an existing commercial building and change of use to a boarding house on land at Lot A DP 345183, 2B Francis Street DEE WHY, subject to the conditions set out in the Assessment Report and subject to Condition 16 being amended to read as follows:

1. The amendment to Condition 16 (A) Waste / Recycling Requirements to read as follows:

**C. Add Condition 16 (A) Waste / Recycling Requirements**

**(i) Waste Plan Submitted**

During demolition and/or construction the proposal/works shall be generally consistent with the submitted Waste Management Plan.

**(ii) Materials**

During demolition and/or construction the following materials are to be separated for recycling: timber, bricks, tiles, plasterboard, metal, concrete, and evidence of disposal for recycling is to be retained on site.

Reason: To ensure waste is minimised and recovered for recycling where possible and that adequate and appropriate waste and recycling facilities are provided.

Vote: 3/0

### 3.3 DA2021/2326 - 41 CUMBERLAND AVENUE COLLAROY - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE

#### PANEL MEMBERS

Phil Lane	Acting Manager, Development Assessment
Daniel Milliken	Acting Manager, Development Assessment
Neil Cocks	Manager, Strategic & Place Planning

#### PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds.

There were no registered speakers

The Panel concurred with the Officer's assessment report and recommendation. The panel notes that the assessment report within the executive summary references Clause 4.6 of the Pittwater Local Environmental Plan 2014 and this should be Clause 4.6 of the Warringah Local Environmental Plan 2011.

#### 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.

#### DETERMINATION OF DEVELOPMENT APPLICATION

THAT Council as the consent authority **approves** Development Consent to DA2021/2326 for alterations and additions to a dwelling house on land at Lot 25 DP 12985, 41 Cumberland Avenue COLLAROY, subject to the conditions set out in the Assessment Report.

Vote: 3/0

*The meeting concluded at 2:12pm*

This is the final page of the Minutes comprising 6 pages numbered 1 to 6 of the Development Determination Panel meeting held on Wednesday 27 April 2022.