



northern  
beaches  
council

# MINUTES

## DEVELOPMENT DETERMINATION PANEL MEETING

Electronically determined on

**FRIDAY 19 AUGUST 2022**

**Minutes of a Meeting of the Development Determination Panel**  
**Electronically determined on Friday 19 August 2022**

## **1.0 APOLOGIES AND DECLARATIONS INTEREST**

Nil

### **3.0 DEVELOPMENT DETERMINATION PANEL REPORTS**

#### **3.4 DA2022/0351 - 19 HERBERT STREET MANLY - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE**

##### **PANEL MEMBERS**

Steve Findlay	Manager, Development Assessment
Adam Richardson	Manager, Development Assessment
Phil Jemison	Manager, Strategic & Place Planning

##### **PROCEEDINGS IN BRIEF**

The Panel originally deferred the determination of this application on the basis that the applicants' written Clause 4.6 variation statement had not adequately addressed the specific requirements of Clause 4.6, to vary the floor space ratio development standard under Clause 4.4 of the MLEP 2013.

However, the Panel decided that the applicant should be given an opportunity to submit a revised Clause 4.6 variation statement to address the Panels assessment.

A revised Clause 4.6 Variation was submitted by the applicant and has been considered by the Panel in its determination of the application.

##### **STATEMENT OF REASON**

That the revised Clause 4.6 written request to vary the development standard for floor space ratio is considered to be well founded and a determination can be made.

##### **COMMUNITY CONSULTATION**

The re-notification of this application was not required.

##### **DECISION ON EXCEPTION TO DEVELOPMENT STANDARD**

A. The Panel is satisfied that:

- 1) the applicant's revised written request under Clause 4.6 of the Manly LEP 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.

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**DETERMINATION OF DEVELOPMENT APPLICATION**

THAT Council as the consent authority, **approves** Development Application No. DA2022/0351 for alterations and additions to a dwelling house on land at Lot 27 DP 4449, No. 19 Herbert Street, MANLY subject to the conditions contained in the Assessment Report.

Vote: 3/0

This is the final page of the Minutes comprising 6 pages  
numbered 1 to 6 of the Development Determination Panel meeting  
held on Friday 19 August 2022.