

MINUTES

DEVELOPMENT DETERMINATION PANEL MEETING

Electronically determined on

THURSDAY 20 OCTOBER 2022

Minutes of a Meeting of the Development Determination Panel
Electronically determined on Thursday 20 October 2022

1.0 APOLOGIES AND DECLARATIONS INTEREST

Nil

3.0 DEVELOPMENT DETERMINATION PANEL REPORTS

3.3 DA2022/0509 - 25 MONTPELIER PLACE MANLY - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE

PANEL MEMBERS

Daniel Milliken	Manager, Development Assessment
Anne-Marie Young	Principal Planner, Development Assessment
Neil Cocks	Manager, Strategic & Place Planning

PROCEEDINGS IN BRIEF

The Panel originally deferred the determination of this application on the basis that the applicant's 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 did not adequately demonstrate that there are sufficient environmental planning grounds to justify the contravention.

The request partly relied on grounds of compatibility with surrounding development, however, no analysis of the floor space of surrounding development was undertaken to demonstrate this.

The Panel deliberated after the meeting and decided to defer a decision to allow the applicant to provide additional information to demonstrate that the increase in the FSR is compatible or consistent with surrounding development.

An amended 4.6 request with an analysis of surrounding dwellings and their FSRs, dated 14 October 2022, was submitted. Council's Assessment Officer prepared a supplementary memo for consideration by the Panel.

STATEMENT OF REASON

The Panel is satisfied that the revised Clause 4.6 written request to vary the development standard for floor space ratio is 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.

DETERMINATION OF DEVELOPMENT APPLICATION

THAT Council as the consent authority **approves** Development Application No. DA2022/0509 for alterations and additions to a dwelling house on land at Lot 25 DP 1105469, 25 Montpelier Place MANLY, subject to the conditions contained in the Assessment Report.

Vote: 3/0

This is the final page of the Minutes comprising 5 pages
numbered 1 to 5 of the Development Determination Panel meeting
held on Thursday 20 October 2022.