

MINUTES

DEVELOPMENT DETERMINATION PANEL MEETING

held via teleconference on

WEDNESDAY 25 OCTOBER 2023

Minutes of a Meeting of the Development Determination Panel held on Wednesday 25 October 2023 via teleconference

The public meeting commenced at 10.00am and concluded at 11.40am

The minutes were determined on 25 October 2023

1.0 APOLOGIES AND DECLARATIONS INTEREST

Nil

2.0 MINUTES OF PREVIOUS MEETING

2.1 MINUTES OF DEVELOPMENT DETERMINATION PANEL HELD 20 OCTOBER 2023

The minutes of the Development Determination Panel held 20 October 2023, were adopted by all Panel Members and have been posted on the Council's website.

3.0 DEVELOPMENT DETERMINATION PANEL REPORTS

3.1 DA2023/1007 - 5 LOOKOUT AVENUE DEE WHY - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE

PANEL MEMBERS

Steve Findlay	Manager, Development Assessment
Jordan Davies	Acting Manager, Development Assessment
Phil Jemison	Manager, Strategic & Place Planning

PROCEEDINGS IN BRIEF

Panel members visited the site and surrounds.

There were no registered speakers.

DETERMINATION OF DEVELOPMENT APPLICATION

The panel requires additional time to consider this application.

**3.2 MOD2023/0211 - 32 BOWER STREET MANLY - MODIFICATION OF DEVELOPMENT
CONSENT DA2019/0916 GRANTED FOR DEMOLITION WORKS AND
CONSTRUCTION OF A DWELLING HOUSE INCLUDING SWIMMING POOLS**

PANEL MEMBERS

Steve Findlay	Manager, Development Assessment
Jordan Davies	Acting Manager, Development Assessment
Phil Jemison	Manager, Strategic & Place Planning

PROCEEDINGS IN BRIEF

Panel members visited the site and surrounds.

The Panel was addressed by representatives of the applicant.

DETERMINATION OF MODIFICATION APPLICATION

The panel requires additional time to consider this application.

3.3 DA2023/0814 - 13 CRESCENT STREET FAIRLIGHT - ALTERATIONS AND ADDITIONS TO A SEMI-DETACHED DWELLING

PANEL MEMBERS

Steve Findlay	Manager, Development Assessment
Jordan Davies	Acting Manager, Development Assessment
Phil Jemison	Manager, Strategic & Place Planning

PROCEEDINGS IN BRIEF

Panel members visited the site and 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 in 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 4.4 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** Application No. DA2023/0814 for alterations and additions to a semi-detached dwelling at Lot 1 DP 528835, 13 Crescent Street FAIRLIGHT, subject to the conditions set out in the Assessment Report.

Vote: 3/0

3.4 DA2023/0278 - 3 PAVILION STREET QUEENSCLIFF - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE INCLUDING CONSTRUCTION OF A SWIMMING POOL

PANEL MEMBERS

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

PROCEEDINGS IN BRIEF

Panel members visited the site and surrounds.

There were no registered speakers.

The Panel noted an inconsistency in the nomination of building height in the assessment report, which was clarified by the assessment officer as being 9.65m as contained in the compliance table and as referred to in the clause 4.6.

The Panel concurred with the Officer's Assessment Report and recommendation and notes the additional assessment contained in the supplementary report regarding the objectors concerns with the extension of the southern walls of the dwelling and associated impacts.

The Panel received 2 additional submissions of which it gave due regard in its considerations of the application.

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 as contained in the Assessment Report.

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 LEP 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** Application No. DA2023/0278 for alterations and additions to a dwelling house at Lot 1 DP 949656, 3 Pavilion Street QUEENSCLIFF, subject to the conditions set out in the Assessment Report.

Vote: 3/0

3.5 REV2023/0020 - 23 DOBROYD ROAD BALGOWLAH HEIGHTS - REVIEW OF DETERMINATION OF APPLICATION DA2023/0043 FOR DEMOLITION WORKS AND CONSTRUCTION OF A DWELLING HOUSE

PANEL MEMBERS

Steve Findlay	Manager, Development Assessment
Jordan Davies	Acting Manager, Development Assessment
Phil Jemison	Manager, Strategic & Place Planning

PROCEEDINGS IN BRIEF

Panel members visited the site and 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.

COMMUNITY CONSULTATION

There were no submissions received for this application.

DETERMINATION OF REVIEW APPLICATION

THAT Council, as the consent authority, pursuant to REV2023/0020, reviews the determination of **DA2023/0043** and grants Development Consent to Application No REV2023/0020 Review of Determination of Application DA2023/0043 for demolition works and construction of a dwelling house at Lot 12 DP 758044, subject to the conditions contained in the Assessment Report.

Vote: 3/0

3.6 DA2023/0643 - 44 SUNRISE ROAD PALM BEACH - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE

PANEL MEMBERS

Rod Piggott	Manager, Development Assessment
Adam Richardson	Manager, Development Assessment
Phil Jemison	Manager, Strategic & Place Planning

PROCEEDINGS IN BRIEF

Panel members visited the site and 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 Pittwater LEP 2014 and the Pittwater 21 DCP subject to conditions.

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 Pittwater LEP 2014 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** Application No. DA2023/0643 for alterations and additions to a dwelling house at Lot 1 DP 505171 and Lot 334 DP 734511, 44 Sunrise Road PALM BEACH, subject to the conditions set out in the Assessment Report.

Vote: 3/0

3.7 DA2023/0874 - 220 BARRENJOEY ROAD NEWPORT - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE INCLUDING A SWIMMING POOL

PANEL MEMBERS

Rod Piggott	Manager, Development Assessment
Adam Richardson	Manager, Development Assessment
Phil Jemison	Manager, Strategic & Place Planning

PROCEEDINGS IN BRIEF

Panel members visited the site and surrounds.

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

The Panel generally concurred with the Officer's Assessment Report and recommendation subject to condition changes related to privacy outcomes.

The Panel was satisfied that the proposal achieves adequate view sharing and is contextually appropriate within the streetscape.

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.

DETERMINATION OF DEVELOPMENT APPLICATION

THAT Council as the consent authority, **approves** Application No. DA2023/0874 for alterations and additions to a dwelling house including a swimming pool at Lot 8 DP 31532, 220 Barrenjoey Road NEWPORT, subject to the conditions set out in the Assessment Report, with the following changes:

10. Amendments to the approved plans

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

- The entire length of the eastern side of the proposed pool deck area shall be reduced by 0.5m towards the west and replaced with soft landscaping.
- The southern side setback of the proposed pool deck and bbq area shall be increased to 1m and replaced with soft landscaping.
- The sliding door to bedroom 3 shall be replaced with a window with a sill height of 1.5m above the finished floor level.
- Bedroom 2 is to be extended to the outer face of the adjoining terrace, so the terrace is incorporated within the bedroom. The sliding doors are to be deleted and the room provided with a window within the outer wall of the bedroom with a sill height of 1.5m above the finished floor level.
- The privacy screen shown on the northern terrace shall be extended so that it abuts the pillar shown in the north western corner of the terrace.
- The terrace associated with the gym and laundry shall be converted to a non-trafficable roof and the sliding doors to the gym and laundry replaced with a window with a sill height on 1.5m above the finished floor level.

Details demonstrating compliance are to be submitted to the Certifier prior to the issue of the Construction Certificate.

Reason: To require amendments to the plans endorsed by the consent authority following assessment of the development.

Vote: 3/0

3.8 MOD2023/0093 - 48 THE SERPENTINE BILGOLA BEACH - MODIFICATION OF DEVELOPMENT CONSENT DA2020/0318 GRANTED FOR ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE INCLUDING SWIMMING POOL

PANEL MEMBERS

Rod Piggott	Manager, Development Assessment
Adam Richardson	Manager, Development Assessment
Phil Jemison	Manager, Strategic & Place Planning

PROCEEDINGS IN BRIEF

Panel members visited the site and surrounds.

The Panel was addressed by representatives of the applicant.

The Panel generally concurred with the Officer's Assessment Report and recommendation subject to amendments to condition 13.

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.

DETERMINATION OF MODIFICATION APPLICATION

THAT Council as the consent authority, **approves** Modification Application No. Mod2023/0093 for modification of Development Consent DA2020/0318 granted for alterations and additions to a dwelling house including swimming pool at Lot 102 DP 16393, 48 The Serpentine BILGOLA BEACH, subject to the conditions set out in the Assessment Report, with the following changes:

E. Modify Condition 13 (Amendments to the approved plans) to read as follows:

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

(a) "Entry Level" Balcony - The upper "entry level" balcony is to incorporate solid vertical louver balustrading on the south-western elevation angled to avoid overlooking of the adjoining property and constructed of non-transparent material or opaque glazing measured at a height of at least 1.0m above the finished floor level.

(b) Deleted

(c) Deleted

(d) "Bedroom Level" Windows (W2.1 & W2.2) - Privacy screens are to be installed on the "bedroom level", north-eastern windows (labelled W2.1 & W2.2) adjoining "Bed 2" and "Ensuite" as shown on the approved plans. The privacy screens shall be of vertical louver style construction (with a maximum spacing of 20mm), in materials that complement the design of the approved development. Alternatively, these windows shall be fitted with obscured glazing or have a minimum sill height of 1.65m above the Finished Floor Level.

(e) "Bedroom Level" Window (W2.4) - A privacy screen is to be installed on the "bedroom level",

north-eastern window (labelled W2.4) adjoining the "Bed 1 Robe" as shown on the approved plans. The privacy screen shall be of vertical louver style construction (with a maximum spacing of 20mm), in materials that complement the design of the approved development. Alternatively, this window shall be fitted with obscured glazing or have a minimum sill height of 1.65m above the Finished Floor Level.

(f) Pool Fencing - The pool fencing shall be located entirely within the subject site and be set back a minimum of 2.0m from the southwestern boundary (adjoining No.46 The Serpentine).

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

This is the final page of the Minutes comprising 14 pages
numbered 1 to 14 of the Development Determination Panel meeting
held on Wednesday 25 October 2023.