

MINUTES

DEVELOPMENT DETERMINATION PANEL MEETING

held via teleconference on

WEDNESDAY 14 AUGUST 2024

Minutes of a Meeting of the Development Determination Panel held on Wednesday 14 August 2024 via teleconference

The public meeting commenced at 10.00am and concluded at 10.44am.

The minutes were determined on 14 August 2024.

1.0 APOLOGIES AND DECLARATIONS INTEREST

Nil

2.0 MINUTES OF PREVIOUS MEETING

2.1 MINUTES OF THE DEVELOPMENT DETERMINATION PANEL MEETING HELD ON 24 JULY 2024

The minutes of the Development Determination Panel Meeting held on 24 July 2024, were adopted by all Panel Members and have been posted on the Council's website.

3.0 DEVELOPMENT DETERMINATION PANEL REPORTS

3.1 REV2024/0019 - 38 FRANCIS STREET FAIRLIGHT - REVIEW OF DETERMINATION OF DA2023/1583 FOR DEMOLITION WORKS AND CONSTRUCTION OF A DWELLING HOUSE

PANEL MEMBERS

Thomas Prosser	Acting Manager, Development Assessment
Kent Bull	Principal Planner, Development Assessment
Phil Jemison	Manager, Strategic & Place Planning

PROCEEDINGS IN BRIEF

Panel members visited the site and surrounds.

The Panel was addressed by one representative of the applicant.

The Panel has amended condition 8 to ensure a balustrade is designed to provide sufficient privacy to the neighbouring property 40 Francis Street, Fairlight.

Subject to the above, 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.

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 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 REVIEW APPLICATION

THAT Council as the consent authority, **approves** Review Application No. REV2024/0019 for Review of Determination of DA2023/1583 for Demolition works and construction of a dwelling house at Lot 18 DP 978391, 38 Francis Street FAIRLIGHT subject to the conditions set out in the Assessment Report, with the following changes:

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

Amendments to the approved plans

- The northern, eastern and western elevations of the first-floor master bedroom balcony must be affixed with a solid balustrade (non-transparent) to a minimum 1.2 metres above the finished floor level of the balcony.

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

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

Vote: 3/0

3.2 MOD2024/0281 - 149A SEAFORTH CRESCENT SEAFORTH - MODIFICATION OF DEVELOPMENT CONSENT DA2018/0832 GRANTED FOR CONSTRUCTION OF A DWELLING HOUSE

PANEL MEMBERS

Daniel Milliken	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 Manly LEP 2013 and the Manly DCP 2013 subject to conditions.

COMMUNITY CONSULTATION

There were no submissions received for this application.

DETERMINATION OF MODIFICATION APPLICATION

THAT Council as the consent authority, **approves** Modification Application No. Mod2024/0281 for Modification of Development Consent DA2018/0832 granted for Construction of a dwelling house at Lot 2 DP 565073, 149 A Seaforth Crescent SEAFORTH subject to the conditions set out in the Assessment Report.

Vote: 3/0

3.3 MOD2024/0173 - 59 FAIRLIGHT STREET FAIRLIGHT - MODIFICATION OF DEVELOPMENT CONSENT DA2018/1875 GRANTED FOR PARTIAL DEMOLITION AND CONSTRUCTION OF A DWELLING HOUSE INCLUDING A SPA

PANEL MEMBERS

Adam Richardson	Manager, Development Assessment
Thomas Prosser	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 MODIFICATION APPLICATION

THAT Council as the consent authority, **approves** Modification Application No. Mod2024/0173 for Modification of Development Consent DA2018/1875 granted for Partial demolition and construction of a dwelling house including a spa at Lot 9 DP 3742, 59 Fairlight Street FAIRLIGHT subject to the conditions set out in the Assessment Report.

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 14 August 2024.