

MINUTES

DEVELOPMENT DETERMINATION PANEL MEETING

Electronically determined on

THURSDAY 19 DECEMBER 2024

**Minutes of a Meeting of the Development Determination Panel
held on Wednesday 11 December 2024 Electronically determined**

This item was deferred from the meeting of the 11 December 2024.

The minutes were electronically determined on the 19 December 2024 .

1.0 APOLOGIES AND DECLARATIONS INTEREST

Nil

3.0 DEVELOPMENT DETERMINATION PANEL REPORTS

3.5 DA2024/0263 - 10 FITZROY ROAD CROMER - DEMOLITION WORKS AND CONSTRUCTION OF A NEW DWELLING HOUSE INCLUDING A SWIMMING POOL

PANEL MEMBERS

Daniel Milliken	Manager, Development Assessment
Rodney Piggott	Manager, Development Assessment
Anne-Maree Newbery	Manager, Strategic & Place Planning

PROCEEDINGS IN BRIEF

Panel members visited the site and surrounds.

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

In consideration of the issues raised in submissions and during the meeting, the Panel is satisfied with the view sharing outcome given the level of compliance of the front elevation with the height limit and the large side setbacks to the upper most storey.

Issues raised from submitters related to privacy were considered and appropriate conditions are included to ensure no unreasonable privacy impacts.

The Panel delayed the determination of this matter to request clarification from the applicant regarding the Basix Certificate and the Geotechnical report. Additional information has been submitted by the applicant that satisfies the Panel. This updated documentation will form part of an amended condition of consent.

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 Warringah LEP 2011 and the Warringah DCP 2011 subject to conditions.

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. DA2024/0263 for demolition works and construction of a new dwelling house including a swimming pool at Lot 5 DP 241272, 10 Fitzroy Road CROMER subject to the conditions set out in the Assessment Report, with the following changes:

1. The amendment of condition 1, to include the updated Basix Certificate and Geotechnical report.
2. The addition of the following condition:

Amendments to the approved plans

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

- The terrace on the northern side of the dwelling on the ground floor shall have a minimum north side setback of 1.5 metres.
- A 1.8 metre privacy screen (measured from finished floor level) is to be erected for the entire length of the outermost southern edge of the terrace located off the study on the upper floor as shown on the approved plans. The privacy screen shall be of fixed panels or louver style construction (with a maximum spacing of 20mm), in materials that complement the design of the approved development.
- The stairs and any paving within 3 metres of the rear boundary are to be deleted. The stairs may be reconfigured maintaining setbacks of a minimum of 3 metres from the rear boundary and 900mm to any side boundary.

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

This is the final page of the Minutes comprising 6 pages numbered 1 to 6 of the Development Determination Panel meeting held on Thursday 19 December 2024.