

MINUTES

DEVELOPMENT DETERMINATION PANEL MEETING

held via teleconference on

WEDNESDAY 5 FEBRUARY 2025

Minutes of a Meeting of the Development Determination Panel held on Wednesday 5 February 2025 via teleconference

The public meeting commenced at 10.00am and concluded at 11.21am.

The minutes were determined on 7 February 2025.

1.0 APOLOGIES AND DECLARATIONS INTEREST

Nil

2.0 MINUTES OF PREVIOUS MEETING

2.1 MINUTES OF THE DEVELOPMENT DETERMINATION PANEL MEETING HELD ON 11 DECEMBER 2024

The minutes of the Development Determination Panel Meeting held on 11 December 2024, were adopted by all Panel Members and have been posted on the Council's website.

3.0 DEVELOPMENT DETERMINATION PANEL REPORTS

3.1 DA2024/0790 - 4 HARVEY ROAD INGLESIDE - DEMOLITION WORKS AND CONSTRUCTION OF A SHED, HARDSTAND AND ASSOCIATED WORKS FOR USE AS A HORSE ARENA

PANEL MEMBERS

Daniel Milliken	Manager, Development Assessment
Adam Richardson	Manager, Development Assessment
Liza Cordoba	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 DEVELOPMENT APPLICATION

Deliberations are delayed to provide the Panel additional time to consider the application.

3.2 DA2024/0154 - 42 CASTLE CIRCUIT SEAFORTH - DEMOLITION WORKS AND CONSTRUCTION OF A DWELLING HOUSE INCLUDING SWIMMING POOL AND ASSOCIATED LANDSCAPING

PANEL MEMBERS

Daniel Milliken	Manager, Development Assessment
Adam Richardson	Manager, Development Assessment
Liza Cordoba	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.

DETERMINATION OF DEVELOPMENT APPLICATION

Deliberations are delayed to provide the Panel additional time to consider the application.

3.3 DA2024/1386 - 19 BEATTY STREET BALGOWLAH HEIGHTS - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE

PANEL MEMBERS

Daniel Milliken	Manager, Development Assessment
Steve Findlay	Manager, Development Assessment
Liza Cordoba	Manager, Strategic & Place Planning

PROCEEDINGS IN BRIEF

Panel members visited the site and surrounds.

There were no registered speakers.

Subject to minor condition changes, 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 4.4 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. DA2024/1386 for alterations and additions to a dwelling house at Lot A DP 362751, 19 Beatty Street BALGOWLAH HEIGHTS subject to the conditions set out in the Assessment Report, with the following changes:

1. The addition of the following condition:

Approved Land Use

Nothing in this consent shall authorise the use of site/onsite structures/units/tenancies as detailed on the approved plans for any land use of the site beyond the definition of a dwelling

house, in accordance with the Dictionary of the Manly Local Environmental Plan 2013, as follows:

No part of the building is to be used as a secondary dwelling.
Any variation to the approved land use and/occupancy of any unit beyond the scope of the above definition will require the submission to Council of a new development application.

Reason: To ensure compliance with the terms of this consent.

2. The addition of the following condition:

Waste Management During Development

The reuse, recycling or disposal of waste during works must be done generally in accordance with the Waste Management Plan for this development.

Details demonstrating compliance must be submitted to the Principal Certifier.

Reason: To ensure demolition and construction waste is recycled or reused and to limit landfill.

3. The addition of the following condition:

Waste Management Confirmation

Prior to the issue of an Occupation Certificate, evidence / documentation must be submitted to the Principal Certifier that all waste material from the development site arising from demolition and/or construction works has been appropriately recycled, reused or disposed of generally in accordance with the approved Waste Management Plan.

Reason: To ensure demolition and construction waste is recycled or reused and to limit landfill.

4. The deletion of condition 8.

Vote: 3/0

3.4 MOD2024/0608 - 41 RADIO AVENUE BALGOWLAH HEIGHTS - MODIFICATION OF DEVELOPMENT CONSENT DA2023/1240 GRANTED FOR DEMOLITION WORKS AND CONSTRUCTION OF A DWELLING HOUSE INCLUDING SWIMMING POOL AND ASSOCIATED WORKS

PANEL MEMBERS

Daniel Milliken	Manager, Development Assessment
Steve Findlay	Manager, Development Assessment
Liza Cordoba	Manager, Strategic & Place Planning

PROCEEDINGS IN BRIEF

Panel members visited the site and surrounds.

The Panel was addressed by a representative of the applicant.

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. Mod2024/0608 for Modification of Development Consent DA2023/1240 granted for Demolition works and construction of a dwelling house including swimming pool and associated works at Lot 16 DP 13468, 41 Radio Avenue BALGOWLAH HEIGHTS subject to the conditions set out in the Assessment Report.

Vote: 3/0

This is the final page of the Minutes comprising 9 pages numbered 1 to 9 of the Development Determination Panel meeting held on Wednesday 5 February 2025.