

MINUTES

DEVELOPMENT DETERMINATION PANEL MEETING

Electronically determined on

MONDAY 3 MARCH 2025

Minutes of a Meeting of the Development Determination Panel held on Monday 3 March 2025 Electronically determined

The item was deferred from the meeting of the 5 February 2025.

The minutes were electronically determined on 3 March 2025.

1.0 APOLOGIES AND DECLARATIONS INTEREST

Nil

3.0 DEVELOPMENT DETERMINATION PANEL REPORTS

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.

The Panel was not satisfied that the development had minimised its height and bulk, and the related impacts. As a result the Panel delayed the determination to allow the applicant an opportunity to submit amended plans that reduced the overall height and floorspace.

Amended plans were submitted and reviewed by the Assessing Officer who prepared a Supplementary Memo. The Panel has reviewed the Memo, Amended Plans and the updated Clause 4.6 requests and is now satisfied that the development is acceptable.

The Panel notes that the Assessment Report included references to the Warringah LEP and Warringah DCP under Clause 6.2. The Panel notes this typographical error and has considered the development against Clause 6.2 of the Manly LEP. The proposal satisfies Clause 6.2 of the Manly LEP.

The Panel concurred with the Officer's Assessment Report, Supplementary Memo 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

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 Manly LEP 2013 seeking to justify a contravention of clause 4.3 Height of Buildings and 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.

DETERMINATION OF DEVELOPMENT APPLICATION

THAT Council as the consent authority, **approves** Application No. DA2024/0154 for Demolition works and construction of a dwelling house including swimming pool and associated landscaping at Lot 23 DP 20458, 42 Castle Circuit SEAFORTH subject to the conditions set out in the Assessment Report, with the following changes:

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

Approved Plans and Supporting Documentation

Development must be carried out in accordance with the following approved plans (stamped by Council) and supporting documentation, except where the conditions of this consent expressly require otherwise.

Approved Plans				
Plan Number	Revision Number	Plan Title	Drawn By	Date of Plan
A202	D	Site Plan	Ursino Architects	19/02/2025
A203	A	Demolition Plan	Ursino Architects	13/02/2025
A301	D	Driveway Plan	Ursino Architects	19/02/2025
A302	D	Garage Floor Plan	Ursino Architects	19/02/2025
A303	D	Ground Floor Plan	Ursino Architects	19/02/2025
A304	D	First Floor Plan	Ursino Architects	19/02/2025
A305	D	Roof Plan	Ursino Architects	19/02/2025
A306	D	Pool Plan & Section	Ursino Architects	19/02/2025
A401	D	Section AA	Ursino Architects	19/02/2025
A402	D	Section B-B	Ursino Architects	19/02/2025
A403	D	Section C-C,	Ursino Architects	19/02/2025
A404	D	Section F-F	Ursino Architects	19/02/2025
A407	D	Section D-D	Ursino Architects	19/02/2025
A408	D	Section E-E	Ursino Architects	19/02/2025
A501	D	North Elevation	Ursino Architects	19/02/2025
A502	D	West Elevation	Ursino Architects	19/02/2025
A503	D	South Elevation	Ursino Architects	19/02/2025

A504	D	East Elevation	Ursino Architects	19/02/2025
A901	D	Materials and Windows Schedule	Ursino Architects	19/02/2025
L01-L02	C	Landscape Plan	Ecodesign	12/12/2024

Approved Reports and Documentation			
Document Title	Version Number	Prepared By	Date of Document
Geotechnical Investigation Report	0	Geo-environmental Engineering	21 January 2024
Bushfire Assessment Report	240503	Building Code and Bushfire Hazard Solutions	29 January 2024

In the event of any inconsistency between the approved plans, reports and documentation, the approved plans prevail.

In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

2. The addition of the following condition, to read as follows:

External Finishes to Roof

The external finish to the roof shall have a Solar Absorptance (SA) greater than 0.43 in accordance with the requirements of the BASIX Certificate to minimise solar reflections to neighbouring properties. Any roof with a reflective finish is not permitted.

Green roofs and areas where solar panels (PV) are installed are excluded from conforming to the SA range.

Details demonstrating compliance are to be submitted to the Certifier prior to the issue of the construction certificate.

Reason: To ensure that excessive glare or reflectivity nuisance does not occur as a result of the development.

Vote: 3/0

This is the final page of the Minutes comprising 7 pages numbered 1 to 7 of the Development Determination Panel meeting held on Monday 3 March 2025.