

# MINUTES

## **DEVELOPMENT DETERMINATION PANEL MEETING**

held in the Walamai Room, Civic Centre, Dee Why on

**WEDNESDAY 28 NOVEMBER 2018**

**Minutes of a Meeting of the Development Determination Panel  
held on Wednesday 28 November 2018  
in the Walamai Room, Civic Centre, Dee Why**

**ATTENDANCE:**

**Panel Members**

Peter Robinson (Chairperson)	Executive Manager Development Assessment
Anna Williams	Manager Development Assessment
Phil Jemison	Manager Strategic and Place Planning

## **1.0 APOLOGIES AND DECLARATIONS INTEREST**

Nil

## **2.0 MINUTES OF PREVIOUS MEETING**

### **2.1 MINUTES OF DEVELOPMENT DETERMINATION PANEL HELD 14 NOVEMBER 2018**

The Minutes of the Development Determination Panel held 14 November 2018, were adopted by all Panel Members at the time of the meeting and have been posted on the Council's website

### 3.0 DEVELOPMENT DETERMINATION PANEL REPORTS

#### 3.1 MOD2018/0456 - 1 GRANDVIEW GROVE, SEAFORTH - MODIFICATION OF DEVELOPMENT CONSENT DA0523/99 GRANTED FOR CENTRE BASED CHILD CARE CENTRE

##### PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds.

The Panel were addressed by three representatives of the applicant.

The Panel were satisfied with the development as presented in the assessment report.

##### DECISION

THAT Development Application No. Mod2018/0456 for Modification of Development Consent DA0523/99 granted for centre based child care centre on land at Lot 211 DP 4889, Lot 1 DP 833365 and Lot 1 DP 445471, 1 Grandview Grove, Seaforth be **approved** subject to the conditions and for the reasons set out in the Assessment Report.

**Vote: 3/0**

### 3.2 DA2018/0797 - 257 WHALE BEACH ROAD, WHALE BEACH - DEMOLITION WORKS AND CONSTRUCTION OF A NEW DWELLING HOUSE WITH CAR STACKER GARAGE, SWIMMING POOL, FRONT FENCING AND ASSOCIATED DRIVEWAY AND LANDSCAPING WORKS

#### PROCEEDINGS IN BRIEF

The Panel viewed the site and the surrounds.

The Panel were addressed by three neighbours and three representatives of the applicant.

The Panel were satisfied that the proposal met the requirements for the height provisions 4.3 (2D) of PLEP 2014 which permits portions of the development above the 8.5 metre height limit.

The Panel acknowledged that the adjoining site to the south is highly vulnerable to being overshadowed due the aspect, slope, orientation of the lot and existing structures on the site. Taking into account the Benevolent Society Planning Principle established by the Land and Environment Court, the Panel was satisfied in regards to solar access impacts.

The Panel had concerns with the privacy impacts from the bedrooms and terrace along the southern façade on level 2 which directly adjoined the neighbours terrace. Despite the existing privacy screen on the adjoining property, the proposal would create overlooking onto the terrace, and into the living rooms. A condition for a privacy screen has been added to address this impact.

The Master bedroom contains a sliding glass door which accesses the non-trafficable roof area. A condition has been added to change this to a window to restrict access

The Panel acknowledged that the proposal would remove aspects of the beach that can be viewed from surrounding properties but in the context of the views available would not assess such loss as severe or devastating. The Panel were satisfied with the proposal taking into account the Tenacity Planning Principle established in the Land and Environment Court.

The Panel acknowledges that Whale Beach Road is contained in the Scenic street register and that the Palm Beach to Manly walk utilises this road, however the proposal is satisfactory in regards to views from the public domain.

#### DECISION

THAT Development Application No. DA2018/0797 for demolition works and construction of a new dwelling house with car stacker garage, swimming pool, front fencing and associated driveway and landscaping works on land at Lot 171 DP 15376, 257 Whale Beach Road, Whale Beach be **approved** subject to the conditions and for the reasons set out in the Assessment Report with the following additional conditions:

1. The addition of the following condition under the heading '**Conditions to be satisfied prior to the issue of the construction certificate**':

##### **Change Door to Window**

Door D3.01 is to be deleted and replaced with a window of no greater dimensions. The window is to be designed so as not to allow access to the non-trafficable roof from the window. Details demonstrating compliance with this condition are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure the safety of residents.

2. The addition of the following condition under the heading '**Conditions to be satisfied prior to the issue of the construction certificate**':

**Privacy Screen**

A privacy screen of fixed vertical louvres angled to allow the view to the south-east is to be provided along the southern elevation of the southern terrace walkway at the level labelled 02 Bedroom Level. The screen is to be a height of 1.6m and extend for the full length of the balustrade which directly adjoins the 1000mm southern setback. Details demonstrating compliance with this condition are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure adequate privacy for the property to the south.

**Vote: 3/0**

*The meeting concluded at 1.00pm*

This is the final page of the Minutes comprising 6 pages  
numbered 1 to 6 of the Development Determination Panel meeting  
held on Wednesday 28 November 2018.