

MINUTES

DEVELOPMENT DETERMINATION PANEL MEETING

held via teleconference on

WEDNESDAY 30 APRIL 2025

Minutes of a Meeting of the Development Determination Panel held on Wednesday 30 April 2025 via teleconference

The public meeting commenced at 10.00am and concluded at 10.45am.

The minutes were determined on 30 April 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 9 APRIL 2025

The minutes of the Development Determination Panel Meeting held on 9 April 2025, were adopted by all Panel Members and have been posted on the Council's website.

3.0 DEVELOPMENT DETERMINATION PANEL REPORTS

3.1 DA2024/1619 - 1164 BARRENJOEY ROAD, PALM BEACH - DEMOLITION WORKS AND CONSTRUCTION OF A DWELLING HOUSE INCLUDING SWIMMING POOL

PANEL MEMBERS

Steve Findlay	Manager, Development Assessment
Rodney Piggott	Manager, Development Assessment
Neil Cocks	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 does not satisfy the relevant strategy, objectives and provisions of Pittwater LEP 2014 and the Pittwater 21 DCP as set out within the reasons for refusal in the assessment report.

COMMUNITY CONSULTATION

Issues raised in the submissions have been taken into account in the report and the meeting.

DECISION ON EXCEPTIONS TO DEVELOPMENT STANDARDS

The Panel is not satisfied that:

- 1) the applicant's written request under clause 4.6 of the Pittwater LEP 2014 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.

DETERMINATION OF DEVELOPMENT APPLICATION

THAT Council as the consent authority, **refuses** Application No. DA2024/1619 for demolition works and construction of a dwelling house including swimming pool at Lot 1 DP 398353, 1164 Barrenjoey Road PALM BEACH for the reasons for refusal set out in the Assessment Report.

Vote: 3/0

3.2 DA2024/1383 - 20 SUNRISE ROAD PALM BEACH - CONSTRUCTION OF A SECONDARY DWELLING

PANEL MEMBERS

Daniel Milliken	Manager, Development Assessment
Rodney Piggott	Manager, Development Assessment
Neil Cocks	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 Pittwater LEP 2014 and the Pittwater 21 DCP 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

The Panel is satisfied that:

- 1) the applicant's written request under clause 4.6 of the Pittwater LEP 2014 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.

DETERMINATION OF DEVELOPMENT APPLICATION

THAT Council as the consent authority, **approves** Application No. DA2024/1383 for Construction of a secondary dwelling at Lot 140 DP 11552, 20 Sunrise Road PALM BEACH subject to the conditions set out in the Assessment Report.

Vote: 3/0

3.3 MOD2024/0705 - 231 WHALE BEACH ROAD WHALE BEACH - MODIFICATION OF DEVELOPMENT CONSENT REV2021/0034 GRANTED FOR REVIEW OF DETERMINATION OF APPLICATION DA2020/0442 FOR DEMOLITION WORKS AND CONSTRUCTION OF A MIXED USE DEVELOPMENT COMPRISING SHOP TOP HOUSING AND RETAIL PREMISES, WITH ASSOCIATED CARPARKING, LANDSCAPING AND STRATA SUBDIVISION

PANEL MEMBERS

Daniel Milliken	Manager, Development Assessment
Rodney Piggott	Manager, Development Assessment
Neil Cocks	Manager, Strategic & Place Planning

PROCEEDINGS IN BRIEF

Panel members visited the site and surrounds.

The Panel was addressed by one objector and representatives of the applicant.

The Panel reviewed the plans submitted for this modification against the design originally approved under REV2021/0034 and are satisfied that despite the number of changes, the modified development is substantially the same as that originally consented to.

The Panel considered the issues raised by the objector in relation to the tree and reviewed the referral comments and arborist report and are satisfied that the conditions of consent imposed will ensure the protection of the tree between nos. 231 and 229 Whale Beach Road.

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 Pittwater LEP 2014 and the Pittwater 21 DCP subject to conditions.

COMMUNITY CONSULTATION

Issues raised in the submissions have been taken into account in the report and the meeting.

DETERMINATION OF MODIFICATION APPLICATION

THAT Council as the consent authority, **approves** Modification Application No. Mod2024/0705 for Modification of Development Consent REV2021/0034 granted for Review of Determination of application DA2020/0442 for demolition works and construction of a mixed use development comprising shop top housing and retail premises, with associated carparking, landscaping and strata subdivision at Lot B DP 316404, 231 Whale Beach Road WHALE BEACH subject to the conditions set out in the Assessment Report.

Vote: 3/0

3.4 DA2025/0195 - 29 MCDONALD STREET FRESHWATER - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE

PANEL MEMBERS

Daniel Milliken	Manager, Development Assessment
Steve Findlay	Manager, Development Assessment
Neil Cocks	Manager, Strategic & Place Planning

PROCEEDINGS IN BRIEF

Panel members visited the site and surrounds.

The Panel was addressed by 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 Warringah LEP 2011 and the Warringah DCP 2011 subject to conditions.

COMMUNITY CONSULTATION

There were no submissions received for this application.

DECISION ON EXCEPTIONS TO DEVELOPMENT STANDARDS

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.

DETERMINATION OF DEVELOPMENT APPLICATION

THAT Council as the consent authority, **approves** Application No. DA2025/0195 for Alterations and additions to a dwelling house at Lot A DP 383963, 29 McDonald Street FRESHWATER subject to the conditions set out in the Assessment Report.

Vote: 3/0

3.5 DA2025/0179 - 46 BUNGALOE AVENUE BALGOWLAH - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE INCLUDING A CARPORT

PANEL MEMBERS

Daniel Milliken	Manager, Development Assessment
Steve Findlay	Manager, Development Assessment
Neil Cocks	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.

DECISION ON EXCEPTIONS TO DEVELOPMENT STANDARDS

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.

DETERMINATION OF DEVELOPMENT APPLICATION

THAT Council as the consent authority, **approves** Application No. DA2025/0179 for Alterations and additions to a dwelling house including a carport at Lot 21 DP 11430, 46 Bungalow Avenue BALGOWLAH 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 30 April 2025.