

MINUTES

DEVELOPMENT DETERMINATION PANEL MEETING

held via teleconference on

WEDNESDAY 27 NOVEMBER 2024

Minutes of a Meeting of the Development Determination Panel held on Wednesday 27 November 2024 via teleconference

The public meeting commenced at 10.00am and concluded at 12.00pm.

The minutes were determined on 2 December 2024.

1.0 APOLOGIES AND DECLARATIONS INTEREST

Nil

2.0 MINUTES OF PREVIOUS MEETING

2.1 MINUTES OF THE DEVELOPMENT DETERMINATION PANEL MEETING HELD ON 13 NOVEMBER 2024

The minutes of the Development Determination Panel Meeting held on 13 November 2024, were adopted by all Panel Members and have been posted on the Council's website.

3.0 DEVELOPMENT DETERMINATION PANEL REPORTS

3.1 DA2024/1165 - 31 ALEXANDRA CRESCENT BAYVIEW - CONSTRUCTION OF A DWELLING HOUSE INCLUDING SWIMMING POOL

PANEL MEMBERS

Daniel Milliken	Manager, Development Assessment
Rodney Piggott	Manager, Development Assessment
Toby Philp	Principal Planner, 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, Supplementary Memo 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.

DETERMINATION OF DEVELOPMENT APPLICATION

THAT Council as the consent authority, **refuses** Application No. DA2024/1165 for construction of a dwelling house including swimming pool at Lot 6 DP 27991, 31 Alexandra Crescent BAYVIEW for the reasons for refusal set out in the Assessment Report.

Vote: 3/0

**3.2 DA2024/0635 - 20 BEATTY STREET BALGOWLAH HEIGHTS - DEMOLITION WORKS
AND CONSTRUCTION OF A DWELLING HOUSE INCLUDING A SWIMMING POOL**

PANEL MEMBERS

Daniel Milliken	Manager, Development Assessment
Steve Findlay	Manager, Development Assessment
Toby Philp	Principal Planner, Strategic & Place Planning

PROCEEDINGS IN BRIEF

Panel members visited the site and surrounds.

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

DETERMINATION OF DEVELOPMENT APPLICATION

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

3.3 DA2024/0448 - 17 MOORE STREET CLONTARF - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE INCLUDING A SWIMMING POOL

PANEL MEMBERS

Daniel Milliken	Manager, Development Assessment
Steve Findlay	Manager, Development Assessment
Paul Christmas	Principal Planner, 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 carefully considered the proposal in relation to view-sharing. The Panel is of the view that the design is appropriate in its context and will result in a reasonable sharing of views.

The Panel also reviewed the privacy and visual impacts from 84 Cutler Road to the rear. The Panel is of the view that the separation distance, the change in elevation and the proposed planting along the rear boundary, confirmed as appropriate by Council's Landscape Officer, will minimise impacts and reasonably protect the amenity of the neighbouring property.

The Panel therefore 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

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 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. DA2024/0448 for Alterations and additions to a dwelling house including a swimming pool at Lot 9 DP 2610, 17 Moore Street CLONTARF subject to the conditions set out in the Assessment Report.

Vote: 3/0

3.4 DA2024/0356 – 2-6 SMITH LANE MANLY - USE OF PREMISES AS AN OFFICE PREMISES

PANEL MEMBERS

Daniel Milliken	Manager, Development Assessment
Steve Findlay	Manager, Development Assessment
Paul Christmas	Principal Planner, Strategic & Place Planning

PROCEEDINGS IN BRIEF

Panel members visited the site and surrounds.

The Panel was addressed by representatives of the applicant.

Subject to the amendment of the hours of operation condition, so that it is consistent with the rest of the existing office, 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

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 4.4 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. DA2024/0356 for use of premises as an office premises at Part Lot 1 & Part Lot 2 Sec 4 DP 2427, 2 - 6 Smith Lane MANLY subject to the conditions set out in the Assessment Report, with the following changes:

1. The amendment of Condition 9, to read as follows:

Hours of Operation

The hours of operation are to be restricted to:

Monday to Saturday – 7:00am - 5:00pm

Upon expiration of the permitted hours, all service (and entertainment) shall immediately cease, no patrons shall be permitted entry and all customers on the premises shall be required to leave within the following 30 minutes.

Reason: Information to ensure that amenity of the surrounding locality is maintained.

Vote: 3/0

3.5 DA2024/1157 - 89 POWDERWORKS ROAD NORTH NARRABEEN - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE

PANEL MEMBERS

Daniel Milliken	Manager, Development Assessment
Rodney Piggott	Manager, Development Assessment
Paul Christmas	Principal Planner, 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 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

There were no submissions received for this application.

DECISION ON EXCEPTIONS TO DEVELOPMENT STANDARDS

A. 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. DA2024/1157 for Alterations and additions to a dwelling house at Lot 40B DP 404871, 89 Powderworks Road NORTH NARRABEEN for the reasons for refusal set out in the Assessment Report.

Vote: 3/0

This is the final page of the Minutes comprising 10 pages numbered 1 to 10 of the Development Determination Panel meeting held on Wednesday 27 November 2024.