

# **MINUTES**

## **DEVELOPMENT DETERMINATION PANEL MEETING**

held via teleconference

**WEDNESDAY 9 APRIL 2025**

## **Minutes of a Meeting of the Development Determination Panel held on Wednesday 9 April 2025 TBC**

The public meeting commenced at 10.00am and concluded at 11.10am.

The minutes were determined on 11 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 26 MARCH 2025**

The minutes of the Development Determination Panel Meeting held on 26 March 2025, were adopted by all Panel Members and have been posted on the Council's website.

### **3.0 DEVELOPMENT DETERMINATION PANEL REPORTS**

#### **3.1 DA2024/1768 - 9 KARA CRESCENT BAYVIEW - USE OF BUILDING AS A DWELLING HOUSE AND ALTERATIONS AND ADDITIONS**

##### **PANEL MEMBERS**

Daniel Milliken	Manager, Development Assessment
Rodney Piggott	Manager, Development Assessment
Anne-Maree Newbery	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. DA2024/1768 for Use of building as a dwelling house and alterations and additions at Lot 1 DP 854002, 9 Kara Crescent BAYVIEW subject to the conditions set out in the Assessment Report.

Vote: 3/0

### **3.2 DA2024/0891 - 12-14 ROCK BATH ROAD PALM BEACH - DEMOLITION WORK AND CONSTRUCTION OF A DWELLING HOUSE WITH A SWIMMING POOL, INCLUDING ASSOCIATED SITE WORKS**

#### **PANEL MEMBERS**

Daniel Milliken	Manager, Development Assessment
Rodney Piggott	Manager, Development Assessment
Anne-Maree Newbery	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 carefully considered the concerns raised by the objector and notes that the assessment report does include a brief discussion around a more skillful design. After discussions during the meeting the applicant has provided an amended plan reducing some awning depths by 100mm this will result in a very minor improvement to view sharing.

The Panel is of the view that further reduction in these awnings is possible and warranted. The Panel will impose a condition reducing their depths to a maximum of 1.0m.

Subject to the above, 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 DEVELOPMENT APPLICATION**

THAT Council as the consent authority, **approves** Application No. DA2024/0891 for Demolition work and construction of a dwelling house with a swimming pool, including associated site works at Lot 289 DP 16362 & Lot 290 DP 16362, 12-14 Rock Bath Road PALM BEACH subject to the conditions set out in the Assessment Report, with the following changes:

1. The amendment of condition 3, to read as follows:

##### **Surrender of development consent**

The following Development Consent is to be surrendered to Council, by submitting a completed notice pursuant to Section 67 of the Environmental Planning and Assessment Regulation 2021 prior to the issue of any Construction Certification or prior to the commencement of any works (whichever occurs first):  
Development Consent No. DA2023/0342

Reason: To ensure that there is certainty as to the consent applying to the subject land.

2. The amendment of condition 18, to read as follows:

### **Amendments to the approved plans**

The following amendments are to be made to the approved plans:

- Internal Stairwell: The stairwell window to the northern end of the dwelling (WG-06) shall consist of an external fixed privacy screen for the full height of the windows. The privacy screen shall be of fixed opaque panels or angled louver style construction (with a maximum spacing of 20mm), in materials that complement the design of the approved development.
- Garage Window reference in Southern Elevation: Plan to be updated to remove the notations stating “existing garage window opening” as there are no windows in the southern elevation of the garage and plans are to be updated accordingly.
- The awnings above windows W04, W05, W07 and W08, and D01 on the eastern elevation of level 1, are to have a maximum depth of 1.0m.

Details demonstrating compliance are to be submitted to the Certifier prior to the issue of the Construction Certificate.

Reason: To require amendments to the plans endorsed by the consent authority following assessment of the development.

Vote: 3/0

**3.3 DA2024/1295 - 7 CRANE LODGE PLACE PALM BEACH - ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE INCLUDING SECONDARY DWELLING**

**PANEL MEMBERS**

Daniel Milliken	Manager, Development Assessment
Steve Findlay	Manager, Development Assessment
Anne-Maree Newbery	Manager, Strategic & Place Planning

**PROCEEDINGS IN BRIEF**

Panel members visited the site and surrounds.

The Panel was addressed by one objector.

**DETERMINATION OF DEVELOPMENT APPLICATION**

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

This is the final page of the Minutes comprising 8 pages numbered 1 to 8 of the Development Determination Panel meeting held on Wednesday 9 April 2025.