



northern
beaches
council

MINUTES

DEVELOPMENT DETERMINATION PANEL MEETING

held via teleconference

WEDNESDAY 26 FEBRUARY 2025

Minutes of a Meeting of the Development Determination Panel held on Wednesday 26 February 2025

The public meeting commenced at 10.00am and concluded at 12.23pm.

The minutes were determined on 26 February 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 12 FEBRUARY 2025

The minutes of the Development Determination Panel Meeting held on 12 February 2025, were adopted by all Panel Members and have been posted on the Council's website.

3.0 DEVELOPMENT DETERMINATION PANEL REPORTS

3.1 DA2024/0492 - 49 BLACKBUTTS ROAD & 21 A WARILI ROAD FRENCHS FOREST - NEIGHBOURHOOD TITLE SUBDIVISION COMPRISING OF 13 LOTS AND NEW ROAD ACCESS

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 three objectors and representatives of the applicant.

DETERMINATION OF DEVELOPMENT APPLICATION

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

3.2 MOD2024/0530 - 41 CUMBERLAND AVENUE COLLAROY - MODIFICATION OF DEVELOPMENT CONSENT DA2021/2326 GRANTED FOR ALTERATIONS AND ADDITIONS TO A DWELLING HOUSE

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 Warringah LEP 2011 and the Warringah DCP 2011 subject to conditions.

COMMUNITY CONSULTATION

There were no submissions received for this application.

DETERMINATION OF MODIFICATION APPLICATION

THAT Council as the consent authority, **approves** Modification Application No. Mod2024/0530 for Modification of Development Consent DA2021/2326 granted for Alterations and additions to a dwelling house at Lot 25 DP 12985, 41 Cumberland Avenue COLLAROY subject to the conditions set out in the Assessment Report.

Vote: 3/0

3.3 DA2024/1384 - 91 RICHARD ROAD SCOTLAND ISLAND - DEMOLITION WORKS AND CONSTRUCTION OF A BOATSHED, DECK, RAMP AND ALTERATIONS TO THE EXISTING JETTY

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

There were no submissions received for this application.

DECISION ON EXCEPTIONS TO DEVELOPMENT STANDARDS

A. 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.

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. DA2024/1384 for Demolition works and construction of a boatshed, deck, ramp and alterations to the existing jetty at Lot 5 DP 12749 & Lot LCL 479933, 91 Richard Road SCOTLAND ISLAND subject to the conditions set out in the Assessment Report.

Vote: 3/0

3.4 DA2024/1164 - 40 NORMA ROAD PALM BEACH - DEMOLITION WORKS AND CONSTRUCTION OF A DWELLING HOUSE INCLUDING 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 representatives of the applicant.

The Panel considered the issues raised in the submissions and the comments from the applicant during the meeting, along with the Assessment Report prepared by the Assessing Officer. The Panel is of the view that some breach of the side boundary envelope is reasonable on what is a steeply sloping site, however the extent of the breach on the north eastern side of the lift is excessive. As a result the Panel is supportive of the recommendation in part (a) of condition 11.

The Panel notes the context of the existing and surrounding properties in relation to privacy and the level of current screening. The proposed development includes some screening and recommended conditions would require more. Given this context the Panel is of the view that changes to condition 11 are required. These will be reflected in the decision below.

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. DA2024/1164 for Demolition works and construction of a dwelling house including swimming pool at Lot 298 DP 16362 & Lot 120 DP 1033865, 40 Norma Road PALM BEACH subject to the conditions set out in the Assessment Report, with the following changes:

1. The amendment of condition 11, to read as follows:

Amendments to the approved plans

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

- The level 2 living room shall be setback an additional 0.5m from the south-east boundary.
- The 1.8m high 45 degree angled privacy screen on the northwestern edge of the level 2 terrace is to be lowered to 1.65m in height and extended so that it ends in line with

the northeastern living room wall.

- A 1.65m high 45 degree angled privacy screen is to be installed on the southeastern edge of the level 2 terrace, for half of the width of the terrace beginning at the living room wall.
- A 1.65m high 45 degree angled privacy screen shall be installed along the section of external stairs at level 1 and 2 which are located less than 0.3m from the north-west boundary. Landscaping screen planting is required adjacent to the parts of the external stairs / landing that are located 1.0m or more from the boundary.
- No part of the entry stairs shall encroach into the road reserve.
- No retaining walls are to be located within the road reserve.

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

3.5 DA2024/1597 - 50 CASTLE CIRCUIT SEAFORTH - 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 one objector and a representative of the applicant.

DETERMINATION OF DEVELOPMENT APPLICATION

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

3.6 DA2024/1639 - 39 BOWER STREET MANLY - 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 a 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 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.

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. DA2024/1639 for Alterations and additions to a dwelling house including a swimming pool at Lot 55 DP 8075, 39 Bower Street MANLY subject to the conditions set out in the Assessment Report.

Vote: 3/0

3.7 MOD2024/0568 - 32 BOWER STREET MANLY - MODIFICATION OF DEVELOPMENT CONSENT DA2019/0916 GRANTED FOR DEMOLITION WORKS AND CONSTRUCTION OF A DWELLING HOUSE INCLUDING SWIMMING POOLS

PANEL MEMBERS

Steve Findlay	Manager, Development Assessment
Paul Christmas	Principal Planner, Development Assessment
Anne-Maree Newbery	Manager, Strategic & Place Planning

PROCEEDINGS IN BRIEF

Panel members visited the site and surrounds.

The Panel was addressed by representatives of the applicant.

The Panel concurred with the Officer's Assessment Report and recommendation, subject to some minor changes to the conditions.

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.

DETERMINATION OF MODIFICATION APPLICATION

THAT Council as the consent authority, **approves** Modification Application No. Mod2024/0568 for Modification of Development Consent DA2019/0916 granted for Demolition works and construction of a dwelling house including swimming pools at Lot 28 DP 8075, 32 Bower Street MANLY subject to the conditions set out in the Assessment Report, with the following changes:

1. The deletion of the proposed modified condition 44.
2. The deletion of proposed condition 20H.

Vote: 3/0

This is the final page of the Minutes comprising 12 pages numbered 1 to 12 of the Development Determination Panel meeting held on Wednesday 26 February 2025.