

Memo

Development Assessment

To: Development Determination Panel (DDP)

Cc: Peter Robinson Executive Manager, Development Assessment

From: Phil Lane
Principal Planner

Date: 11 April 2025

Subject: DA2024/1295 - 7 Crane Lodge Place, Palm Beach

Record Number: 2025/261262

The purpose of this memorandum is to inform the Development Determination Panel of three separate matters relating to the assessment of the current development application:

1. Owner's Consent – 8 Crane Lodge Place

Council has received emails from the owners of 8 Crane Lodge Place granting consent for the proposed works to the garage. These emails were forwarded to the Panel on Wednesday, 9 April 2025.

As a result, *Condition 13 – Amendments to the Approved Plans*, point (ii), is now to be deleted.

Deleted Condition 13 (ii):

"Despite any reference on the amended plans, the proposed alterations and additions to the garage do not form part of the application and there is no approval granted or implied for these works."

2. Submission from Owner – 6 Crane Lodge Place

A slide presentation was submitted by the owner of 6 Crane Lodge Place, Palm Beach and displayed to members of the DDP. The slides aimed to demonstrate potential view loss from the master bedroom of 6 Crane Lodge Place and raised concerns about a breach of the building envelope along the western elevation.

It is noted that the diagrams submitted by the owner differ from those included in Council's assessment report. No written statement or evidence was provided to support the methodology used to calculate the building envelope in the submission.

Council's Planner has recalculated the building envelope on the western elevation, cross-referencing the survey information lodged with the application. The revised calculation includes the roof form; however, the proposed balustrade for the balcony is excluded from the envelope diagram/calculation, as the following condition removes this element:

Condition 13 – Amendments to the Approved Plans

(i) *"The proposed deck off the painting studio must be removed. A Juliette balcony may be installed with a balustrade that complies with the National Construction Code (NCC). The deck area is to be replaced with either a flat roof or a roof with a slope not exceeding 1%, sloping down from the painting studio to the southern end of the building."*

Given the above, it is confirmed that:

- The proposed outbuilding does not exceed two (2) storeys in height.
- The envelope encroachment does not exceed one (1) storey at any point, considering the removal of the balcony by condition.

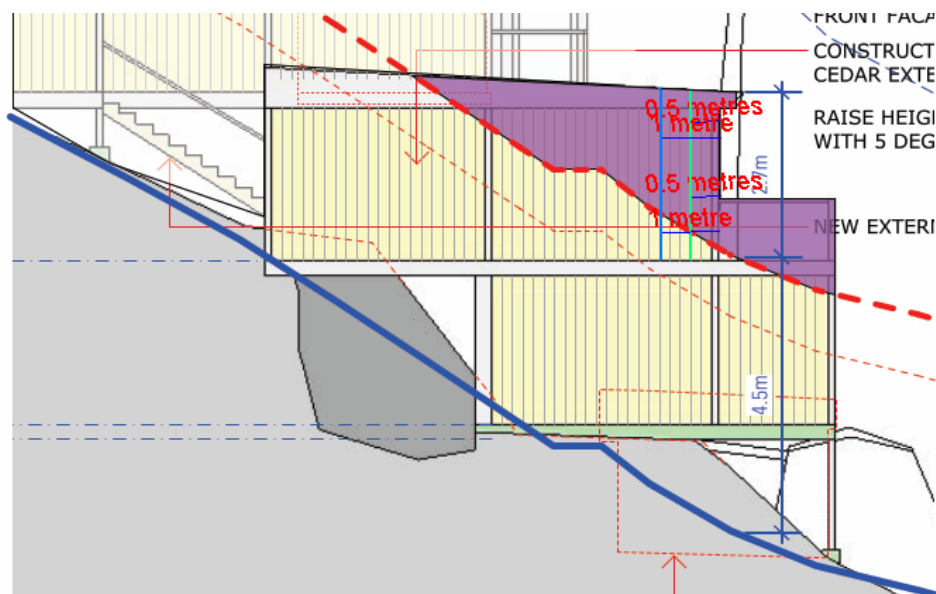


Diagram 1 – Submitted by the owner of 6 Crane Lodge Place

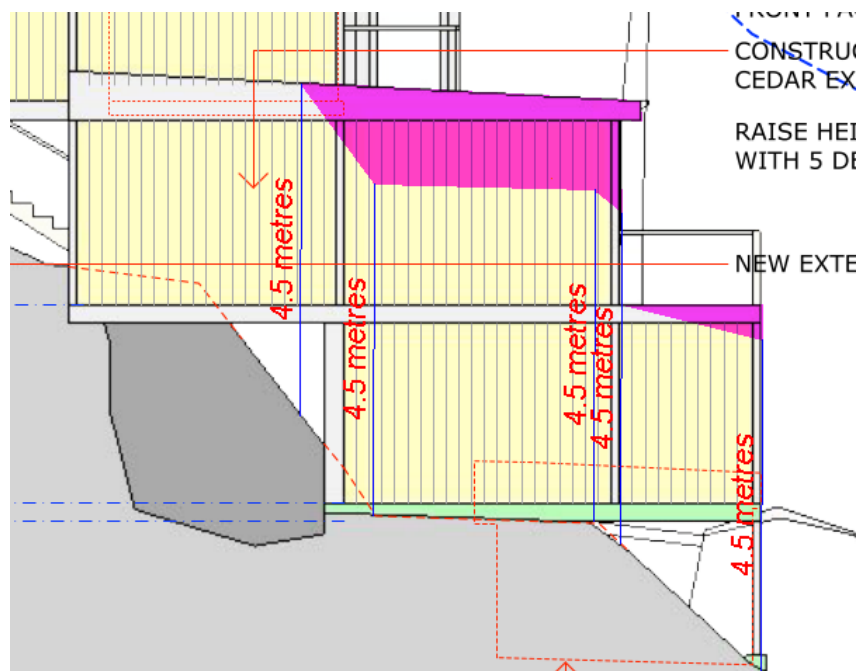


Diagram 2 – Recalculated building envelope by Council's Planner

- The owner of 6 Crane Lodge Place recommended the relocation of the painting studio as displayed below. Council has already addressed this issue within the assessment report stating: -

"While these alternatives have been noted, Council is required to assess the amended plans as submitted and cannot recommend or impose conditions requiring the relocation of specific elements such as the painting studio."

Conclusion

- Owner's consent has now been received from the owners of 8 Crane Lodge Place. Accordingly, *Condition 13 (ii)* may be deleted.
- The building envelope recalculation has been completed by Council's Planner, based on surveyed data. It is considered that the differences between the diagrams submitted by the owner and those used in Council's assessment are not significantly dissimilar.
- The balustrade associated with the now-deleted balcony is not required to be included in building envelope calculations.
- Clause D12.8 of P21DCP allows variation to the building envelope control on a merit basis where the slope exceeds 16.7 degrees (30%). In this case, the subject site has a slope of approximately 26.1 degrees (49%), and the non-compliance is attributed to the steep topography. The proposed development is considered acceptable under the relevant planning controls.
- Council has acknowledged the alternative design suggestion regarding the painting studio but is unable to assess or condition design modifications not included within the current application.