

AGENDA

NORTHERN BEACHES LOCAL PLANNING PANEL MEETING

Notice is hereby given that a Meeting of the Northern Beaches Local Planning Panel will be held in the Council Chambers, Civic Centre, Dee Why on

WEDNESDAY 2 MAY 2018

Beginning at **12.30PM** for the purpose of considering and determining matters included in this agenda.



Peter Robinson
Executive Manager Development Assessment

Panel Members

Paul Vergotis	Chair
Marcus Sainsbury	Environmental Expert
Robert Hussey	Town Planner
Lloyd Graham	Community Representative

Quorum

A quorum is three Panel members

Conflict of Interest

Any Panel Member who has a conflict of Interest must not be present at the site inspection and leave the Chamber during any discussion of the relevant Item and must not take part in any discussion or voting of this Item.

**Agenda for a Meeting of the Northern Beaches Local Planning Panel
to be held on Wednesday 2 May 2018
in the Council Chambers, Civic Centre, Dee Why
Commencing at 12.30PM**

1.0	APOLOGIES & DECLARATIONS OF PECUNIARY INTEREST	
2.0	MINUTES OF PREVIOUS MEETING.....	1
2.1	Minutes of Northern Beaches Local Planning Panel held 18 April 2018	
3.0	DEVELOPMENT APPLICATIONS	2
3.1	DA2017/1191 - 139 Allambie Road ALLAMBIE HEIGHTS - Demolition work and construction of a Boarding House	2
4.0	REVIEW OF DETERMINATIONS	
	Nil	
5.0	PLANNING PROPOSALS	
	Nil	

2.0 MINUTES OF PREVIOUS MEETING

2.1 MINUTES OF NORTHERN BEACHES LOCAL PLANNING PANEL HELD 18 APRIL 2018

RECOMMENDATION

That the Panel note that the Minutes of the Northern Beaches Local Planning Panel held 18 April 2018 were adopted by the Chairperson and have been posted on Council's website.

3.0 DEVELOPMENT APPLICATIONS

ITEM 3.1	DA2017/1191 - 139 ALLAMBIE ROAD ALLAMBIE HEIGHTS - DEMOLITION WORK AND CONSTRUCTION OF A BOARDING HOUSE
REPORTING OFFICER	STEVE FINDLAY
TRIM FILE REF	2018/252506
ATTACHMENTS	1 ↓ Assessment Report 2 ↓ Site Plan and Elevations

PURPOSE

This application has been referred to the Northern Beaches Local Planning Panel as it is the subject of 10 or more unique submissions by way of objection.

RECOMMENDATION OF MANAGER DEVELOPMENT ASSESSMENT

That the Northern Beaches Local Planning Panel, on behalf of Northern Beaches Council as the consent authority, **refuses** Application No. DA2017/1191 for Demolition work and construction of a Boarding House at Lot 1 DP 200542, 139 Allambie Road ALLAMBIE HEIGHTS subject to the conditions and for the reasons set out in the Assessment Report.



DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2017/1191
Responsible Officer:	Alex Keller
Land to be developed (Address):	Lot 1 DP 200542, 139 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Proposed Development:	Demolition work and construction of a Boarding House
Zoning:	Warringah LEP2011 - Land zoned R2 Low Density Residential
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Northern Beaches Local Planning Panel
Land and Environment Court Action:	Yes
Owner:	Harcrop Enterprises Pty Ltd
Applicant:	Bob Vujicic
Application lodged:	05/12/2017
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Residential - Other
Notified:	22/12/2017 to 12/02/2018
Advertised:	23/12/2017
Submissions Received:	393
Recommendation:	Refusal
Estimated Cost of Works:	\$ 1,114,000.00

ASSESSMENT INTRODUCTION

The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:

- An assessment report and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Environmental Planning and Assessment Act 1979, and the associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon the subject site and adjoining, surrounding and nearby properties;
- Notification to adjoining and surrounding properties, advertisement (where required) and referral to relevant internal and external bodies in accordance with the Act, Regulations and relevant Development Control Plan;
- A review and consideration of all submissions made by the public and community interest groups in relation to the application;



- A review and consideration of all documentation provided with the application (up to the time of determination);
- A review and consideration of all referral comments provided by the relevant Council Officers, State Government Authorities/Agencies and Federal Government Authorities/Agencies on the proposal.

SUMMARY OF ASSESSMENT ISSUES

Warringah Local Environmental Plan 2011 - Zone R2 Low Density Residential

Warringah Development Control Plan - A.5 Objectives

Warringah Development Control Plan - D1 Landscaped Open Space and Bushland Setting

Warringah Development Control Plan - D2 Private Open Space

Warringah Development Control Plan - D9 Building Bulk

Warringah Development Control Plan - Appendix 1 Car Parking Requirements

SITE DESCRIPTION

Property Description:	Lot 1 DP 200542 , 139 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Detailed Site Description:	<p>The site is located on the southern side of Allambie Road, adjacent the Allambie Heights shops and carpark. The site has an area of 752.5 square metres (sqm) with a width of 17.6 metres (m) and a depth of 42.6m. The land slopes gently toward the rear with fall of 1.5m, and an easement is proposed to be established to drain stormwater through to Roosevelt Avenue. Allambie Road includes kerbside parking, bike lanes, and a pedestrian footpath in front of the site. A roundabout is adjacent the north-west corner of the site for traffic entering leaving from the neighbouring carpark.</p> <p>The site currently contains a single storey detached dwelling house and carport, with some medium to small trees and shrubs within the surrounding garden areas of the property.</p> <p>Surrounding development to the east, north and south is dominated by single storey detached dwelling houses within landscaped settings. While there are a number of two storey buildings in the surrounding area the visual residential character of development, visible from the site is characterised by low density detached dwellings that are mostly single storey.</p> <p>To the west of the site is the local centre of Allambie Heights shops that are single storey and on a 6,100 sqm site, including carparking along the road frontage and within the eastern quarter of the site. The carparking area adjacent the subject land is known a "Grigor Place", and connects through to Roosevelt Avenue. Further to the west of Allambie shops is the Allambie Heights Public School, a public sports oval and a two storey aged care facility. A petrol / service station is located opposite the Allambie</p>



	<p>Height Public School.</p> <p>The subject land is not within a bushfire prone area or subject to flooding and is within "Area A" for landslip classification. There are no significant natural features on the site or heritage items and threatened species habitat in close (adjacent) proximity.</p>
--	---

Map:



SITE HISTORY

Pre-lodgement Meeting (PLM2017/0066)

A pre-lodgement meeting was held with Council in relation to the construction of a boarding house on 20 July 2017.

In summary, Council provided the following written advice to the Applicant in relation to the proposal:

"The proposal should be reduced in building footprint (potentially reduced to 10 rooms) as the current building (in relation to room density) option does not provide a design response required to satisfy the DCP and local character test of the SEPP. Particular issues of concern are raised with regard to the lack of compliant landscaped open space, building bulk and privacy impacts on adjacent land."

Based on the above advice, the pre-lodgement scheme was not supported.

The current DA incorporates some changes in response to the pre-lodgement advice, in particular:

- Increased side setbacks on the ground floor from 1.5m to 2.0-2.5m on the eastern side and from 1.5m to 2.0m on the western side.
- Change from a hipped roof to a skillion roof (2 slope roof).
- Relocation of the Front Entry from the front middle to the north-western corner/side.
- Deletion of the instep along the eastern elevation.
- Increased front setback and new landscaping/pathway elements.



f) Relocation of the Garbage area.

The current DA maintains the same number of rooms and parking spaces as the pre-DA scheme.

Past Development Approvals

The site has been subject to the following previous development approvals (none of which have been enacted):

- i) Dual occupancy (DA6000/3848),
- ii) Professional Consulting Rooms (DA6000/7480); and
- iii) Secondary Dwelling (Complying Development Certificate CDC2013/0318).

PROPOSED DEVELOPMENT IN DETAIL

The proposal involves the following:

- Demolition of all structures and site preparation;
- Construction of a two storey Boarding House comprising **14 lodger rooms**, configured as:
 - Ground Floor Level** - 6 rooms (each with internal bathroom and kitchenette), common laundry, facilities room, common living room, entry area and rear private open space terrace.
 - First Floor Level** - 8 rooms (each with internal bathroom and kitchenette) and rear fire stair access.
- Driveway and carparking area (provides for 3 cars, 3 motorbikes & 3 bicycles)
- On-site detention drainage system (rear yard)
- Garbage storage areas (roof covered)
- Site landscaping
- New boundary fencing

Note: The fourteen (14) lodger rooms range in size from 13.5 sqm to 25.5 sqm, which makes 9 rooms capable of accommodating 2 lodgers per room and 5 rooms capable of accommodating 1 lodger per room. Hence, the boarding house has a capacity of **23 lodgers**, based on internal room floor areas (room floor areas exclude bathroom and kitchen facilities).

In consideration of the application a review of (but not limited) documents as provided by the applicant



in support of the application was taken into account detail provided within Attachment C.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

The relevant matters for consideration under the Environmental Planning and Assessment Act, 1979, are:

Section 4.15 Matters for Consideration'	Comments
Section 4.15 (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on "Environmental Planning Instruments" in this report.
Section 4.15 (1) (a)(ii) – Provisions of any draft environmental planning instrument	The NSW <i>Department of Planning & Environment</i> has publicly exhibited draft amendments to the SEPP ARH. The amendments involves increasing the parking standards for boarding houses from 0.2 spaces per room to 0.5 spaces per room.
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	Warringah Development Control Plan (DCP) 2011 applies to this proposal.
Section 4.15 (1) (a)(iia) – Provisions of any planning agreement	None applicable.
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)	<p><u>Division 8A</u> of the EP&A Regulation 2000 requires the consent authority to consider "Prescribed conditions" of development consent. These matters may be appropriately addressed via a condition of consent.</p> <p><u>Clauses 54 and 109</u> of the EP&A Regulation 2000, Council requested additional information and has therefore considered the number of days taken in this assessment in light of this clause within the Regulations. No additional information was requested.</p> <p><u>Clause 92</u> of the EP&A Regulation 2000 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. These matters may be appropriately addressed via a condition of consent.</p> <p><u>Clauses 93 and/or 94</u> of the EP&A Regulation 2000 requires the consent authority to consider the upgrading of a building (including fire safety upgrade of development). These matters may be appropriately addressed via a condition of consent.</p> <p><u>Clause 98</u> of the EP&A Regulation 2000 requires the consent authority to consider insurance requirements under the Home Building Act 1989. These matters may be appropriately addressed via a condition of consent.</p> <p><u>Clause 98</u> of the EP&A Regulation 2000 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). These matters may be appropriately addressed via a condition of consent.</p>



Section 4.15 Matters for Consideration'	Comments
Section 4.15 (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	<p>(i) Environmental Impact The environmental impacts of the proposed development on the natural and built environment are addressed under the <i>Warringah Development Control Plan</i> section in this report. In summary, the proposal is considered to be inconsistent with the <i>State Environmental Planning Policy (SEPP) for Affordable Rental Housing (ARH) 2009</i> and the <i>Warringah DCP 2011</i>. Details are provided within the relevant sections of this assessment report and summarised in the Recommendation.</p> <p>(ii) Social Impact Subject to conditions and the effective implementation of an Operational Plan of Management (OPM), the proposed development will not have a detrimental social impact in the locality.</p> <p>(iii) Economic Impact The proposed development will not have a detrimental economic impact on the locality considering the nature of the proposed residential land use.</p>
Section 4.15 (1) (c) – the suitability of the site for the development	The site is considered suitable for the type of land use proposed. However, there are concerns in relation to the suitability and appropriateness of the size, scale and intensity of the proposal for the site.
Section 4.15 (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on “Notification & Submissions Received” in this report.
Section 4.15 (1) (e) – the public interest	<p>This assessment has found the proposal to be contrary to the relevant provisions of the WLEP 2011 and WDCP 2011, particularly in relation to setbacks, building bulk, landscaping and privacy. The proposal is also contrary to the provisions of SEPP ARH in relation to local character and manager/parking requirements, which will create an undesirable precedent and undermine the achievement of the desired future character of the area and is contrary to the expectations of the community.</p> <p>In this regard, the development, as proposed, is not considered to be in the public interest</p>

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application has been publicly exhibited in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000 and the relevant Development Control Plan.

As a result of the public exhibition process council is in receipt of 393 submission/s from:



Name:	Address:
Amy Thackeray	8 Cassino Close ALLAMBIE HEIGHTS NSW 2100
Lillian Alice Waterhouse	7 Sanananda Avenue ALLAMBIE HEIGHTS NSW 2100
Mrs Amanda Fletcher	5 Kumali Close ALLAMBIE HEIGHTS NSW 2100
Elisha Conway	14 Cornwell Road ALLAMBIE HEIGHTS NSW 2100
Catherine Hedley McGrath	40 Allenby Park Parade ALLAMBIE HEIGHTS NSW 2100
Angela Maree Helsloot	9 Edinburgh Road FORESTVILLE NSW 2087
Ms Laura Clare Ambrose Terrey	54 Southern Cross Way ALLAMBIE HEIGHTS NSW 2100
Mrs Tania Maree Paton	31 Kirra Road ALLAMBIE HEIGHTS NSW 2100
Mrs Brooke Leigh Hartley	25 Anzio Avenue ALLAMBIE HEIGHTS NSW 2100
Rebecca Curry	45 Binalong Avenue ALLAMBIE HEIGHTS NSW NSW 2100
Mrs Giovanna Carol Grayson-March	15 Churchill Crescent ALLAMBIE HEIGHTS NSW 2100
Jane Marie Murphy	18 Corkery Crescent ALLAMBIE HEIGHTS NSW 2100
Mr Kevin James Reeve	7 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Sara Therese Benjamin	1 Culbara Place ALLAMBIE HEIGHTS NSW 2100
Ms Sonya Marie Lovell	32 Corkery Crescent ALLAMBIE HEIGHTS NSW 2100
Deidre Ann Montague-Jones	9 Kurrabi Road ALLAMBIE HEIGHTS NSW 2100
Mrs Alison Maureen Ritchie	15 Smith Avenue ALLAMBIE HEIGHTS NSW 2100
Ms Alissia Maree Denly	8 Southern Cross Way ALLAMBIE HEIGHTS NSW 2100
Kirsty Jane Chapman	20 Eerawy Road ALLAMBIE HEIGHTS NSW 2100
Susan Mary Taylor	3 Allenby Park Parade ALLAMBIE HEIGHTS NSW 2100
Ms Samantha Jane Berryman	14 Wyarama Street ALLAMBIE HEIGHTS NSW 2100
Janette Kirby	12 / 46 - 48 Kentwell Road ALLAMBIE HEIGHTS NSW 2100
Mr Glenn Stephen Delaney	44 Southern Cross Way ALLAMBIE HEIGHTS NSW 2100
Miss Claire Diane Baker	19 Roosevelt Avenue ALLAMBIE HEIGHTS NSW 2100
Mrs Samantha Clare Bromfield Young	3a Goondari Road ALLAMBIE HEIGHTS NSW 2100
Mr Paul Daniel O'Sullivan	C/- Crystal Pools Pty Ltd Po Box 271 PENNANT HILLS NSW 1715
Ms Orla Mary Mallinson	4 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Ms Tracey Anne Charles	29 Normandy Road ALLAMBIE HEIGHTS NSW 2100
Mr Bryce William James Dunn	18 Tobruk Avenue ALLAMBIE HEIGHTS NSW 2100
Mrs Judith Merle Watt	9 Churchill Crescent ALLAMBIE HEIGHTS NSW 2100
Hannah O'Sullivan	67 Roosevelt Avenue ALLAMBIE HEIGHTS NSW 2100
Mrs Jodie Blake	10 Lae Place ALLAMBIE HEIGHTS NSW 2100
Mrs Lilly Oona Edmunds	79 Roosevelt Avenue ALLAMBIE HEIGHTS NSW 2100
Ms Amy Joanne Evans	19 Lyly Road ALLAMBIE HEIGHTS NSW 2100
Ms Katherine O'Keefe	29 Lyly Road ALLAMBIE HEIGHTS NSW 2100
Mrs James Grayson-March	15 Churchill Crescent ALLAMBIE HEIGHTS NSW 2100
Mr Adrian Sibenius Trip	C/- Pergola Land Pty Ltd Po Box 124, THORNLEIGH NSW 2120



Name:	Address:
Mr Michael Anthony Keating	3 Wewak Place ALLAMBIE HEIGHTS NSW 2100
Mr Paul James Blake	10 Lae Place ALLAMBIE HEIGHTS NSW 2100
Mr Richard Griffiths	27 Roosevelt Avenue ALLAMBIE HEIGHTS NSW 2100
Mrs Ellice Suzanne Serrano	10 Inglebar Avenue ALLAMBIE HEIGHTS NSW 2100
Mr Raymond Eric Edwards	98 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Ms Tracy Ann Duncan	5 Canea Crescent ALLAMBIE HEIGHTS NSW 2100
Ms Sarah Squires	37 Smith Avenue ALLAMBIE HEIGHTS NSW 2100
Mr Stephen Warren Jeffery	84 Queens Parade East NEWPORT NSW 2106
Michelle Millar	5 / 78 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Mr David Alexander Anderson	62 Churchill Crescent ALLAMBIE HEIGHTS NSW 2100
Mr David William Millar	5/78 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Ms Dominique Louise Baldock	27 Kirra Road ALLAMBIE HEIGHTS NSW 2100
Mrs Paula Brennan	16 Tobruk Avenue ALLAMBIE HEIGHTS NSW 2100
Ms Samantha Jane Cleary	98 A Allambie Road ALLAMBIE HEIGHTS NSW 2100
Mr Gustavo Bories Thiermann	Suite 2.02 56 Delhi Road NORTH RYDE NSW 2113
Mr James Philip Donovan	15 A Inglebar Avenue ALLAMBIE HEIGHTS NSW 2100
Jack William Luchetti	28 Inglebar Avenue ALLAMBIE HEIGHTS NSW 2100
Neil Bruce Carstairs Spy	9 Normandy Road ALLAMBIE HEIGHTS NSW 2100
Mr David Richard Hickey	8 Tobruk Avenue ALLAMBIE HEIGHTS NSW 2100
Mrs Suzanne Morton	38 Roosevelt Avenue ALLAMBIE HEIGHTS NSW 2100
Chau Hong Nguyen	26 Tobruk Avenue ALLAMBIE HEIGHTS NSW 2100
Emma Therese Congues	2 Yuruga PI ALLAMBIE HEIGHTS NSW 2100
Mrs Judith Mary Newman	3 Libya Crescent ALLAMBIE HEIGHTS NSW 2100
Withheld	FRENCHS FOREST NSW 2086
Ms Kate Elizabeth Henshall	28 Kirra Road ALLAMBIE HEIGHTS NSW 2100
Mr Matthew Richard Turner	11 Tobruk Avenue ALLAMBIE HEIGHTS NSW 2100
Ms Xiaowen Wang	20 Arnhem Road ALLAMBIE HEIGHTS NSW 2100
Mrs Alisha Maree Jones	3 Tobruk Avenue ALLAMBIE HEIGHTS NSW 2100
Mrs Maureen Skelton	40 Roosevelt Avenue ALLAMBIE HEIGHTS NSW 2100
Mr Maki Aruga	2 Sanananda Avenue ALLAMBIE HEIGHTS NSW 2100
Mr Ben Sole	45 Arnhem Road ALLAMBIE HEIGHTS NSW 2100
Mrs Angela Ruth Denly	3 Larissa Road ALLAMBIE HEIGHTS NSW 2100
Mr Todd Edward Nevin	23 Allenby Park Pde ALLAMBIE HEIGHTS NSW 2100
Michelle Coniglio	5/78 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Gaye Tracey Ireland	19 Allenby Park Parade ALLAMBIE HEIGHTS NSW 2100
Vanessa Iles	4 Moresby Place ALLAMBIE HEIGHTS NSW 2100
Paul Hubert Daly	27 Allenby Park Parade ALLAMBIE HEIGHTS NSW 2100
Mr Keith Dewick	5 Eaton Square ALLAMBIE HEIGHTS NSW 2100



Name:	Address:
EMMA SOMERVILLE	
Mr Rowan Lewis Barker	C/- Add Style Home Additions 5/319 Condamine Street MANLY VALE NSW 2093
Mr Paul James Brennan	16 Tobruk Avenue ALLAMBIE HEIGHTS NSW 2100
Karen Maree Neill	25 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Mrs Amelia Margaret Teresa Willacy	14 Sanananda Avenue ALLAMBIE HEIGHTS NSW 2100
Lisa Zwart	
Brendan John Rogan	9 Wyarama Street ALLAMBIE HEIGHTS NSW 2100
Mrs Emma Elisabeth Roborgh	C/- Crystal Pools Pty Ltd 59 Binalong Ave ALLAMBIE HEIGHTS NSW 2100
Mr Stephen John Jefferson	11 / 32 Waine Street FRESHWATER NSW 2096
Mr Adam James Dryburgh	126 Owen Stanley Avenue ALLAMBIE HEIGHTS NSW 2100
Christina Ann Hacking	3 Eerawy Road ALLAMBIE HEIGHTS NSW 2100
Mr Philip Ian McPhee	14 Churchill Crescent ALLAMBIE HEIGHTS NSW 2100
Mr Alan James Lyell	9 Allenby Park Parade ALLAMBIE HEIGHTS NSW 2100
Lisa Rose	22 Tobruk Avenue ALLAMBIE HEIGHTS NSW 2100
Mr Benjamin Paul Harding	57 Francis Street MANLY NSW 2095
Anonymous	N/A
Mr Trevor Osborn	1 Sanananda Ave ALLAMBIE HEIGHTS NSW 2100
Joanne McGrath	19 Nyrang Road ALLAMBIE HEIGHTS NSW 2100
Mr Paul Stephen Hyles	10 Jennifer Ave ALLAMBIE HEIGHTS NSW 2100
Mr Lee Roy Taylor	4 Churchill Crescent ALLAMBIE HEIGHTS NSW 2100
Mr Takis Yianneas	16 Inglebar Avenue ALLAMBIE HEIGHTS NSW 2100
Kellie Green	
Mrs Jan Elizabeth Afrakoff	11 Dixon Street FRENCHS FOREST NSW 2086
Lynda Bonney	46 Owen Stanley Avenue BEACON HILL NSW 2100
Neville Raymond Marks	10 Arnhem Road ALLAMBIE HEIGHTS NSW 2100
Peter James Beck	2 Churchill Crescent ALLAMBIE HEIGHTS NSW 2100
Mr Robert Linney	22 Larissa Road ALLAMBIE HEIGHTS NSW 2100
Mrs Helen Grace Kelly	133 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Jane Murphy	
Ms Margaret Joan Grant	60 Owen Stanley Avenue ALLAMBIE HEIGHTS NSW 2100
Mrs Cherie Dawn Briggs	55 Churchill Crescent ALLAMBIE HEIGHTS NSW 2100
Stephen Jefferson	84 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Patricia Anne Hoare	13 Inglebar Avenue ALLAMBIE HEIGHTS NSW 2100
Renee Pensini	4 Parkes Street MANLY VALE NSW 2093
Ms Margaret Gale	4 / 29 Quirk Road MANLY VALE NSW 2093
Mr Robert John Frilay	51 Churchill Crescent ALLAMBIE HEIGHTS NSW 2100
Ms Kim Suzanne Young	6 Moresby Place ALLAMBIE HEIGHTS NSW 2100
Julie Lorna Poole	14 Roosevelt Ave ALLAMBIE HEIGHTS NSW 2100



Name:	Address:
Mrs Pamela Dale Rice	11 Maneroo Road ALLAMBIE HEIGHTS NSW 2100
Mr David John Casey	28 Ethie Road BEACON HILL NSW 2100
Mrs Gina Gatford	C/- Tectonic Pools 84 Keda Circuit NORTH RICHMOND NSW 2754
Jamie Tse-Ming Chen	4 Goondari Road ALLAMBIE HEIGHTS NSW 2100
Mr James Stephen Fairclough	10 Anzio Avenue ALLAMBIE HEIGHTS NSW 2100
Mrs Julia Trout	5 A Tobruk Avenue ALLAMBIE HEIGHTS NSW 2100
John Robert Hawkins	13 Anzio Avenue ALLAMBIE HEIGHTS NSW 2100
Mrs Michelle Kim Birnie	10 Nargong Road ALLAMBIE HEIGHTS NSW 2100
Mr Peter John Wittig	82 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Doris Olive Andresen Mr Arthur Charles Andresen	17 Tobruk Avenue ALLAMBIE HEIGHTS NSW 2100
Dawn Heather Dawson	156 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Mrs Jennifer Alison McQueen	95 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Ms Elizabeth Charles	1 Libya Crescent ALLAMBIE HEIGHTS NSW 2100
George Michael Aspros	13 Moresby Place ALLAMBIE HEIGHTS NSW 2100
Mr Neil Robert Ogilvie	74 Arnhem Road ALLAMBIE HEIGHTS NSW 2100
Mrs Kirsty Margaret Ann Morrison	38 Binalong Avenue ALLAMBIE HEIGHTS NSW 2100
Mr Geoffrey Charles Young	29 Aranda Drive DAVIDSON NSW 2085
Mrs Sandra Elizabeth Young	29 Aranda Drive DAVIDSON NSW 2085
Deirdre Hatton	29 Aranda Drive DAVIDSON NSW 2085
Dennis Graham Brutnell	111 McIntosh Road NARRAWEENA NSW 2099
Mrs Jill Lorraine Brutnell	111 McIntosh Road NARRAWEENA NSW 2099
Ms Frances Mary Carlow	23 Goondari Road ALLAMBIE HEIGHTS NSW 2100
Kevin Buckley	27 Arnhem Road ALLAMBIE HEIGHTS NSW 2100
Mrs Adele Mary Flew	PO Box 476 FRENCHS FOREST NSW 1640
Mr Jens Paul Harald Jebens	31 Ilford Road FRENCHS FOREST NSW 2086
Mr Raymond Gerard O'Grady Mrs Christine Mary O'Grady	5 Nargong Road ALLAMBIE HEIGHTS NSW 2100
Ms Rochelle Jones	6 Smith Avenue ALLAMBIE HEIGHTS NSW 2100
Mrs Venessa Jade Whatuira	129 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Mrs Danielle Irene Barnes	3 Roosevelt Avenue ALLAMBIE HEIGHTS NSW 2100
Ms Patricia Margaret Haywood	64 Arnhem Road ALLAMBIE HEIGHTS NSW 2100
Mr Edward Malcolm Brown Mrs Carole Ann Brown	56 Arnhem Road ALLAMBIE HEIGHTS NSW 2100
Mrs Louise Elizabeth Poshoglian	11 A Goondari Road ALLAMBIE HEIGHTS NSW 2100
William Ernest Sutton Mrs Anita Pauline Sutton	7 Caserta Place ALLAMBIE HEIGHTS NSW 2100
Geoffrey Kay	33 Arnhem Road ALLAMBIE HEIGHTS NSW 2100



Name:	Address:
Mrs Belinda Silva	150 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Mr Colin Graham Turner	15 A Kirra Road ALLAMBIE HEIGHTS NSW 2100
Ms Valerie Joyce Jefferson	44 Roosevelt Avenue ALLAMBIE HEIGHTS NSW 2100
Mr Derek Harold Gerdis	56 Inglebar Ave ALLAMBIE HEIGHTS NSW 2100
Mr John James Shannon	109 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Hon. The Hon Brad Hazzard Mp	3 / 637 - 641 Pittwater Road DEE WHY NSW 2099
Mrs Chantelle Bianca Hoare	C/- Crystal Pools Pty Ltd Po Box 271, PENNANT HILLS NSW 1715
Grahame Geoffrey White	2 Eaton Square ALLAMBIE HEIGHTS NSW 2100
John Russell Walker	24 Normandy Road ALLAMBIE HEIGHTS NSW 2100
Mr John Fletcher	12 Corkery Crescent ALLAMBIE HEIGHTS NSW 2100
Mr Allan Watt McDonald	15 Buna Place ALLAMBIE HEIGHTS NSW 2100
Suzanne Elizabeth Hanzen	5 Palermo Place ALLAMBIE HEIGHTS NSW 2100
Mrs Beverley Joy O'Brien Mr Barry John O'Brien	8 Moresby Place ALLAMBIE HEIGHTS NSW 2100
Mr Gordon Spencer Scott Mrs Helen Scott	24 Inglebar Avenue ALLAMBIE HEIGHTS NSW 2100
Mr Darren Grigor Jones	Po Box 3024, ALLAMBIE HEIGHTS NSW 2100
Kenneth Malcolm Oregan	13 Tobruk Avenue ALLAMBIE HEIGHTS NSW 2100
Mr Cornelius Gerard Casey	16 Tamworth Place ALLAMBIE HEIGHTS NSW 2100
Mrs Sarah Taylor Nesci	146 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Susan Elizabeth Nash	23 Kirra Road ALLAMBIE HEIGHTS NSW 2100
Mr Graeme Clarence Edmonds	11 Buna Place ALLAMBIE HEIGHTS NSW 2100
Roger Wallace Madsen	12 Churchill Crescent ALLAMBIE HEIGHTS NSW 2100
Mr Michael Miles Sherwin	113 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Laurence Sydney Wilson	11 Monsera Road ALLAMBIE HEIGHTS NSW 2100
Timothy Charles Montague- Jones	9 Kurrabi Road ALLAMBIE HEIGHTS NSW 2100
Mr Daniel John Rose	3 Canea Crescent ALLAMBIE HEIGHTS NSW 2100
Mrs Angela Jane Lyons	3 Corkery Crescent ALLAMBIE HEIGHTS NSW 2100
Leslie England	29 Southern Cross Way ALLAMBIE HEIGHTS NSW 2100
Mrs Clare Barbara Walker	15 Canea Crescent Allambie Heights NSW 2100
Mr David Antony Jarvis	29 Southern Cross Way ALLAMBIE HEIGHTS NSW 2100
Mrs Fabienne Veronique Guilbaud	2 Anzio Avenue ALLAMBIE HEIGHTS NSW 2100
John Vance	36 B Undercliff Road FRESHWATER NSW 2096
Mr David John Cochrane	44 Inglebar Avenue ALLAMBIE HEIGHTS NSW 2100
Mrs Caroline Deborah Wells	12 Goondari Road ALLAMBIE HEIGHTS NSW 2100
Billie Margaret Heard	123 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Mr Denis William Heard	123 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Mrs Margaret Welland Jones	11 Palermo Place ALLAMBIE HEIGHTS NSW 2100



Name:	Address:
Mr Adrian Peter Kemp Mrs Shelley Jean Kemp	67 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Kerry Diane Clay	6 Mortain Avenue ALLAMBIE HEIGHTS NSW 2100
Paul Maurice Howard Ms Anne Elizabeth Howard	4 Tobruk Avenue ALLAMBIE HEIGHTS NSW 2100
Mike Jacobsen	
Mr Domenic Ursino Silvana Ursino	1 A Goondari Road ALLAMBIE HEIGHTS NSW 2100
Marshall Albert Paull Margot Elaine Paull	69 Goondari Road ALLAMBIE HEIGHTS NSW 2100
Julie Elizabeth Cliffe	60 Churchill Crescent ALLAMBIE HEIGHTS NSW 2100
Mrs Narelle Joan Atack	12 Allenby Park Parade ALLAMBIE HEIGHTS NSW 2100
Mrs Janette Leonard	1 Bate Avenue ALLAMBIE HEIGHTS NSW 2100
Robert Frank Leonard	1 Bate Avenue ALLAMBIE HEIGHTS NSW 2100
Brian Richard Stitt	168 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Mr David Anthony Parsons	7 Canea Crescent ALLAMBIE HEIGHTS NSW 2100
Jeanette Beryl Brady	154 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Mr Ian Hugh Aldersea	21 Sanananda Avenue ALLAMBIE HEIGHTS NSW 2100
June Ellen Brady	15 Tamworth Place ALLAMBIE HEIGHTS NSW 2100
Rachel Brown	
Mr Steve Robson	76 Churchill Crescent ALLAMBIE HEIGHTS NSW 2100
Mr Adam Castro Mrs Veronica Cecilia Castro	5 Sanananda Avenue ALLAMBIE HEIGHTS NSW 2100
Mr Andrew Paul Brown	13 Goroka Place BEACON HILL NSW 2100
Becky McCarthy	15 Nyrang Road ALLAMBIE HEIGHTS NSW 2100
Mr Richard Lyn McCarthy	15 Nyrang Road ALLAMBIE HEIGHTS NSW 2100
Mr John Douglas Wackett	30 Derna Crescent ALLAMBIE HEIGHTS NSW 2100
Miss Jennifer Adele Stills	41 Churchill Crescent ALLAMBIE HEIGHTS NSW 2100
Mrs Anne Millicent Lucas	118 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Dr Nadia Michelle Bowman	8 Darmour Avenue ALLAMBIE HEIGHTS NSW 2100
Ms Leanne Nevette Russell	9 Lae Place ALLAMBIE HEIGHTS NSW 2100
Mr Warwick Rowley	9 Lae Place ALLAMBIE HEIGHTS NSW 2100
Mr Ian William Parkin	9 Lae Place ALLAMBIE HEIGHTS NSW 2100
Mrs Nora Martin	77 Roosevelt Avenue ALLAMBIE HEIGHTS NSW 2100
Mrs Jane Natalie Trollor	8 Libya Crescent ALLAMBIE HEIGHTS NSW 2100
Ross Wilson Yates	10 Cassino Close ALLAMBIE HEIGHTS NSW 2100
Hans Cornelius Hakvoort	52 Inglebar Avenue ALLAMBIE HEIGHTS NSW 2100
Mr Justin John Wylie	48 Roosevelt Avenue ALLAMBIE HEIGHTS NSW 2100
Dr Janet Kitchener-Smith	391 Pittwater Road NORTH MANLY NSW 2100
Linda Petrea Williamson	9 Palermo Place ALLAMBIE HEIGHTS NSW 2100
Ms Lisa May Cannatelli	C/- Ken Van Brandwijk 32 Wyarama St ALLAMBIE HEIGHTS NSW 2100



Name:	Address:
Mrs Paula O'Brien	131 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Roserina Cotilda Murace	29 Kirra Road ALLAMBIE HEIGHTS NSW 2100
Mr Graham Phillips	1 Churchill Crescent ALLAMBIE HEIGHTS NSW 2100
Ms Deirdre Margaret Chambers	34 Goondari Road ALLAMBIE HEIGHTS NSW 2100
Miss Janine Elizabeth Stovold	3 Yuruga Place ALLAMBIE HEIGHTS NSW 2100
Mr Ross William Clark Leanne Tracey Clark	14 Tobruk Avenue ALLAMBIE HEIGHTS NSW 2100
Martin Mao	1 Anzio Avenue ALLAMBIE HEIGHTS NSW 2100
Lyn Cui	1 Anzio Avenue ALLAMBIE HEIGHTS NSW 2100
Mr Charles Parisi	22 Normandy Road Allambie NSW 2100
Mr David Lawrenson Chapman Mrs Jennifer Joan Chapman	57 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Kelley Johnson	22 Churchill Crescent ALLAMBIE HEIGHTS NSW 2100
Natalie Macdonald	92 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Mrs Linda Marie White	4 Buna Place ALLAMBIE HEIGHTS NSW 2100
Mr Anthony Giannotto	1 Lena Avenue ALLAMBIE HEIGHTS NSW 2100
Harcorp Enterprises Pty Ltd	29 Tramore Place KILLARNEY HEIGHTS NSW 2087
Mr Alfred Neville O'Brien Norma Dorothy O'Brien	135 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Mrs Diana Boot	
Ms Joanne Stuckey	137 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Ms Kerry Vyvien Foster	5 Anzio Avenue ALLAMBIE HEIGHTS NSW 2100
James Barry Brady	154 Allambie Road ALLAMBIE HEIGHTS NSW 2100
John William Cottle Sylvia Joan Cottle	53 Allenby Park Parade ALLAMBIE HEIGHTS NSW 2100
Mr Steven Mark Callow	24 Kirra Road ALLAMBIE HEIGHTS NSW 2100
Mrs Nadine Herawati Mesite	125 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Mr Benjamin Danny Sharp	10 Churchill Crescent ALLAMBIE HEIGHTS NSW 2100
Mrs Anita Butler	21 Kirra Road ALLAMBIE HEIGHTS NSW 2100
Kim Nicole Kelly	18 Arnhem Road ALLAMBIE HEIGHTS NSW 2100
Mr Daniel Baptista	137 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Mark Helm	9 Palermo Place ALLAMBIE HEIGHTS NSW 2100
Ian Robert McPhee	9 Forbes Place ALLAMBIE HEIGHTS NSW 2100
Elizabeth Anne Banfield	28 A Wandella Road ALLAMBIE HEIGHTS NSW 2100
Aoife Cott	19 Sanananda Avenue ALLAMBIE HEIGHTS NSW 2100
Mr Antonios Selinas	9 Sanananda Avenue ALLAMBIE HEIGHTS NSW 2100
Mr Neil Sheard	234 Allambie Road Allambie Heights NSW 2100
Mrs Charlotte Erin Nichols	50 Inglebar Avenue ALLAMBIE HEIGHTS NSW 2100
Mrs Michele Patricia Miller	29 Anzio Avenue ALLAMBIE HEIGHTS NSW 2100



Name:	Address:
Jane Chatfield	24 Anzio Avenue ALLAMBIE HEIGHTS NSW 2100
Miss Gillian Mary Hedges	40 Kentwell Road ALLAMBIE HEIGHTS NSW 2100
Walter Mezger Mrs Doreen Beatrice Mezger	41 Canea Crescent ALLAMBIE HEIGHTS NSW 2100
Terrence Francis Kennedy	78 C Allambie Road ALLAMBIE HEIGHTS NSW 2100
Francis Allan Foord Mrs Maree Grace Jane Foord	5 Kurrabi Road ALLAMBIE HEIGHTS NSW 2100
Caleb Hill	1 Forbes Place ALLAMBIE HEIGHTS NSW 2100
Jonathan Bradshaw Hill	1 Forbes Place ALLAMBIE HEIGHTS NSW 2100
Maria Angela Hill	1 Forbes Place ALLAMBIE HEIGHTS NSW 2100
Isaiah Hil	1 Forbes Place ALLAMBIE HEIGHTS NSW 2100
Ms Linda Munoz	2 Arnhem Road ALLAMBIE HEIGHTS NSW 2100
Ms Meredith Jean Goulding	50 Allenby Park Parade ALLAMBIE HEIGHTS NSW 2100
Mr Dennis Arthur Jones	10a Monash Parade DEE WHY NSW 2099
Mrs Jemma Lee Semmens	182 Allambie Road ALLAMBIE HEIGHTS NSW 2100
David Beat	
Mr Peter John Polgar	49 Inglebar Avenue ALLAMBIE HEIGHTS NSW 2100
Mr Alexander Gordon Cardwell	170 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Mr Graham Sharp	41 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Mr John Arthur Riddett Jeannette Anne Riddett	2 Buna Place ALLAMBIE HEIGHTS NSW 2100
Cherie Ann Maud Gardner Mr Stephen Gardner	114 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Mr Giacomo Dellagiacoma	7 Libya Crescent ALLAMBIE HEIGHTS NSW 2100
Gareth Keith Few	38 Southern Cross Way ALLAMBIE HEIGHTS NSW 2100
Mrs Mary Kate Maguire	28 Normandy Road ALLAMBIE HEIGHTS NSW 2100
Mr Ian George Milne	8 Jennifer Avenue ALLAMBIE HEIGHTS NSW 2100
Mr Richard Peter McCarthy	32 Tobruk Avenue ALLAMBIE HEIGHTS NSW 2100
Mrs Paula Curley	24 Wandella Road ALLAMBIE HEIGHTS NSW 2100
Mrs Louisa Joanne Cochrane	44 Inglebar Avenue ALLAMBIE HEIGHTS NSW 2100
Mrs Glenys Anne Howe	13 Libya Crescent ALLAMBIE HEIGHTS NSW 2100
Mr Russell James Rodgers	58 Arnhem Road ALLAMBIE HEIGHTS NSW 2100
Mr James Michael Keene	C/- Metricon Po Box 7510 BAULKHAM HILLS BC NSW 2153
Stuart Joseph Hill	37 Derna Crescent ALLAMBIE HEIGHTS NSW 2100
Mr Peter Michael Burns	3 Tamworth Place ALLAMBIE HEIGHTS NSW 2100
Mr Paul Brendan Daly	6 Jennifer Avenue ALLAMBIE HEIGHTS NSW 2100
Mr John Gordon Duncan	19 Arnhem Road ALLAMBIE HEIGHTS NSW 2100
Anne Bates	42 Inglebar Avenue ALLAMBIE HEIGHTS NSW 2100
Mrs Anne Peake	22 Roosevelt Avenue ALLAMBIE HEIGHTS NSW 2100
Henry Brett John Vagner	21 Churchill Crescent ALLAMBIE HEIGHTS NSW 2100



Name:	Address:
Ms Helen Annette Jesse	6 / 9 - 11 The Crescent DEE WHY NSW 2099
Ms Pauline Margaret Findlay	4 Nargong Road ALLAMBIE HEIGHTS NSW 2100
Mrs Kellie Anne Stuart	41 Allenby Park Parade ALLAMBIE HEIGHTS NSW 2100
Mr David Paul Sloan	16 Roosevelt Avenue ALLAMBIE HEIGHTS NSW 2100
Ms Lee Hilton	1 Cootamundra Drive ALLAMBIE HEIGHTS NSW 2100
Ms Janice Ryding	124 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Mrs Nicola Anne Dos Ramos	3a Mortain Avenue ALLAMBIE HEIGHTS NSW 2100
Hayley Anne Fitzgerald	49 Roosevelt Avenue ALLAMBIE HEIGHTS NSW 2100
Ms Frances Hailu Jessie Atkins	32 Binalong Avenue Allambie Heights NSW 2100
Mrs Rebecca Jane Schopen	71 Binalong Avenue ALLAMBIE HEIGHTS NSW 2100
Mrs Frances Hailu Jessie Atkins	32 Binalong Avenue ALLAMBIE HEIGHTS NSW 2100
Mrs Louise Jane Levy	17 Canea Crescent ALLAMBIE HEIGHTS NSW 2100
Steven Mark Kalcina	
Mr John Vlado Kalcina	33 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Mrs Elizabeth Gillham	15 / 183 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Mr Bryan Malcolm Edwards	111 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Mrs Kay Edison	1 Southern Cross Way ALLAMBIE HEIGHTS NSW 2100
Glen William Robertson Mrs Deborah Lesley Robertson	36 Inglebar Avenue ALLAMBIE HEIGHTS NSW 2100
Mr Luke Thomas Mawhiney Hicks	20 Tobruk Avenue ALLAMBIE HEIGHTS NSW 2100
Mr Howard Richard Giles	35 Binalong Avenue ALLAMBIE HEIGHTS NSW 2100
Mark Anthony Pryke	5 Libya Crescent ALLAMBIE HEIGHTS NSW 2100
Mrs Catherine Leanne Schooley	43 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Mr Bob James Fletcher	5 Kumali Close ALLAMBIE HEIGHTS NSW 2100
Mrs Annie Littlehales	48 Allenby Park Parade ALLAMBIE HEIGHTS NSW 2100
Harold Fletcher	
Allan George Hines	47 Arnhem Road ALLAMBIE HEIGHTS NSW 2100
Mrs Nicole Belinda Parsons	5 Mills Place BEACON HILL NSW 2100
Simone Michele Notley	21 Tobruk Avenue ALLAMBIE HEIGHTS NSW 2100
Camilla Claire Merrilees	C/- Crystal Pools Pty Ltd Po Box 271, PENNANT HILLS NSW 1715
Kevin John Price	25 Wakefield Street NORTH MANLY NSW 2100
Mr Andrew Hutt	16 Larissa Road ALLAMBIE HEIGHTS NSW 2100
Mrs Alison Elizabeth Barnes	14 Libya Crescent ALLAMBIE HEIGHTS NSW 2100
Cheryl Lynne Morley	21 Monserra Road ALLAMBIE HEIGHTS NSW 2100
Neville Cochrane	55 / 8 Dee Why Parade DEE WHY NSW 2099
JANET VAN ALTENA	
Mr James Patrick Kelly	18 Arnhem Rd ALLAMBIE HEIGHTS NSW 2100



Name:	Address:
Anthony Christopher Stocken	10 Southern Cross Way ALLAMBIE HEIGHTS NSW 2100
Michael David Evans	14 Southern Cross Way ALLAMBIE HEIGHTS NSW 2100
Ms Josefina Marie Bouman	14 Derna Crescent ALLAMBIE HEIGHTS NSW 2100
Mr Michael John Cockburn	3 Southern Cross Way ALLAMBIE HEIGHTS NSW 2100
Barry Lennox Watson	13 Churchill Crescent ALLAMBIE HEIGHTS NSW 2100
Mrs Narelle Louise Walker	41 Roosevelt Avenue ALLAMBIE HEIGHTS NSW 2100
Mrs Kathryn Louise Hankin	184 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Mr Oliver John Roborgh	Chrystal Pools C/- 58 Binalong Ave ALLAMBIE HEIGHTS NSW 2100
Mrs Ingrid Jaegre	59 Binalong Avenue ALLAMBIE HEIGHTS NSW 2100
Robert Stuart Ballard	45 Roosevelt Avenue ALLAMBIE HEIGHTS NSW 2100
Mr Luke Thomas Chalmers	54 Binalong Avenue ALLAMBIE HEIGHTS NSW 2100
Frances Ann Callow	24 Kirra Rd ALLAMBIE HEIGHTS NSW 2100
Mr James Andrew Taylor	3 Allenby Park Parade ALLAMBIE HEIGHTS NSW 2100
Mrs Wendy Patricia Firth	47 Maroa Crescent ALLAMBIE HEIGHTS NSW 2100
Pebble Johns	15 Sanananda Avenue ALLAMBIE HEIGHTS NSW 2100
James Joseph Deegan	15 Sanananda Avenue ALLAMBIE HEIGHTS NSW 2100
Chantal Mcgarr	12 Binalong Avenue ALLAMBIE HEIGHTS NSW 2100
Mr Michael John Dyer	66 Arnhem Road ALLAMBIE HEIGHTS NSW 2100
Withheld	CLONTARF NSW 2093
Mr Raffaele Palermo	86 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Mrs Carol May Lawler	3 Anzio Avenue ALLAMBIE HEIGHTS NSW 2100
Christopher Bernard Lawler	3 Anzio Avenue ALLAMBIE HEIGHTS NSW 2100
Suzy Lawler	3 Anzio Avenue ALLAMBIE HEIGHTS NSW 2100
Mrs Alison Watson	13 Churchill Avenue Allambie Heights NSW 2100
Justin Mcgarr	12 Binalong Avenue ALLAMBIE HEIGHTS NSW 2100
Simon Lloyd Deakin	23 Churchill Crescent ALLAMBIE HEIGHTS NSW 2100
Mrs Caroline Smith-Wright	40 Binalong Avenue ALLAMBIE HEIGHTS NSW 2100
Ms Angela Louise Mayne	60 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Lisbet Maria Olsson	220 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Sylvia Jacqueline Hardcastle	4 Jennifer Avenue ALLAMBIE HEIGHTS NSW 2100
Sarah Jane Ingham	16 Southern Cross Way ALLAMBIE HEIGHTS NSW 2100
Mrs Justine Elizabeth Hayward- Smith	24 Churchill Crescent ALLAMBIE HEIGHTS NSW 2100
Ms Joan Henderson	53 Roosevelt Avenue ALLAMBIE HEIGHTS NSW 2100
Mr Donald Garth Humphreys	21 Government Road BEACON HILL NSW 2100
Kerry John Calderbank	6 Caserta Place ALLAMBIE HEIGHTS NSW 2100
Ms Gertrude Johanna David	19 Canea Crescent ALLAMBIE HEIGHTS NSW 2100
Mr Tony Davis	29 Allenby Park Parade ALLAMBIE HEIGHTS NSW 2100
Sharon Ferguson	32 Tobruk Avenue ALLAMBIE HEIGHTS NSW 2100
Richard John Clancy	83 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Mr Stephen Philip Eades	12 Jennifer Avenue ALLAMBIE HEIGHTS NSW 2100



Name:	Address:
Mr Steven Lee Bennett Ms Suzanne Rogerson	31 Goondari Road ALLAMBIE HEIGHTS NSW 2100
Ms Pauline Maria Slater	16 Jennifer Ave ALLAMBIE HEIGHTS NSW 2100
Ms Angelika Waltraud Goehring	12 Southern Cross Way ALLAMBIE HEIGHTS NSW 2100
Philip Wesley Hosking Gillian Elizabeth Hosking	41 Inglebar Avenue ALLAMBIE HEIGHTS NSW 2100
Mrs Gitte Vilnis	60 Epping Drive FRENCHS FOREST NSW 2086
Emma Elliott	
Mrs Nicole Louise Taylor	7 Palermo Place ALLAMBIE HEIGHTS NSW 2100
Ms Samantha Jane Robinson	29 Canea Crescent ALLAMBIE HEIGHTS NSW 2100
Louise Jennifer Hawke	21 Roosevelt Avenue ALLAMBIE HEIGHTS NSW 2100
Nicholas Hardie Bridgewood	26 Canea Crescent ALLAMBIE HEIGHTS NSW 2100
Michael Paul Fuller	14 Jennifer Avenue ALLAMBIE HEIGHTS NSW 2100
Alan Kelly	112 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Mrs Julie Diane Kelly	112 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Mr Andrew James Hartley Bowman	8 Darmour Avenue ALLAMBIE HEIGHTS NSW 2100
Mr Richard James Hodgett	120 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Tara Lee Edgton	39 Inglebar Ave ALLAMBIE HEIGHTS NSW 2100
Scott Anthony McKinnon	32 Smith Avenue ALLAMBIE HEIGHTS NSW 2100
Penny Margaret Bridgewood	26 Canea Crescent ALLAMBIE HEIGHTS NSW 2100
Mr Edward Russell Wood Alexander	129 Allambie Road ALLAMBIE HEIGHTS NSW 2100
Karen Lockhart	
Mrs Kim Therese Blake	48 Churchill Crescent ALLAMBIE HEIGHTS NSW 2100
Mr Malcolm John Riley	45 Inglebar Avenue ALLAMBIE HEIGHTS NSW 2100
Mr Stuart Brandon Edwards	9 Tamworth Place Allambie Heights NSW 2100
Rebecca Anne Tissington	16 A Gladys Avenue FRENCHS FOREST NSW 2086
Katie Jane Walters	15 Derna Crescent ALLAMBIE HEIGHTS NSW 2100
Mrs Sally-Ann Barbara Andrew	11 Maroa Crescent ALLAMBIE HEIGHTS NSW 2100
Mr Stefan Andre Schaeren	22 Normandy Road Allambie NSW 2100

The following key issues were raised in the submissions:

- a) Suitability of the zone
- b) Lack of offstreet parking
- c) Traffic safety
- d) Occupancy
- e) Housing type
- f) Social impact
- g) Development precedent



- h) Building bulk
- i) Solar access
- j) Dumping waste items
- l) Inadequate planning controls

The matters raised within the submissions are addressed as follows:

- a) *Concern that the residential zoning of the site should not permit boarding houses and the site is not suitable because it is near a school, shops and surrounding family homes and boarding houses should only be in more densely populated zones.***

Comment:

The subject site for the proposed boarding house development is within the R2 Low Density Residential zone (R2 zone) and Boarding houses are "Permitted with Consent" in the R2 zone under the WLEP 2011. Boarding houses are also permissible in certain areas of the broader R2 zone under Clause 26 of the SEPP ARH and this site is within the area that permits the use. There is no inconsistency between the SEPP and the WLEP in this case.

With respect to site suitability, convenient access to local shops is generally considered an advantage for more intense residential land uses. Larger groups of local shops, such as those at Allambie Heights local retail centre, offer convenience and greater choice for residents, and often ancillary services from other service based businesses that may be co-located at a local shopping centre.

Proximity to schools and shops also affords opportunities for potential employment for occupants of the boarding house, which reduces dependency on transport services to access the employment and services further afield.

Since a boarding house in this area is permissible with consent under the WLEP 2011 and SEPP ARH, this issue does not warrant refusal of the application. The suitability of the site for a boarding house and the appropriateness of the proposed development for the site is a matter for merit assessment. In this regard, the proposal is unsatisfactory in terms of local character, landscaping, building bulk and general site amenity, therefore the proposal is considered to be unsuitable for the site and the site is too small and narrow for the size and scale of the proposal.

- b) *Concern that there is busy traffic near the site and the boarding house will increase pressure on the parking area at the adjacent shops since the site has insufficient resident parking to cater for a 14 room boarding house with up to 28 lodgers.***

Comment:

Council's Traffic Engineer has reviewed the application, including the *Assessment of Traffic and Parking Implications*, dated October 2017 prepared by TTPA and submitted with the application. Pursuant to Clause 29 of the SEPP, the carparking requirement is 0.2 car spaces per lodger room which equates to 2.8 (or 3) carspaces, which complies (based on there being no manager onsite). Based on Council's Traffic Engineering assessment, no issues were raised with respect to the development in terms of traffic generation or vehicle/pedestrian safety.

However, the fact that the traffic assessment is based on there being no "in-house" manager accommodated on the site is problematic. Based on an analysis of room sizes, the boarding house has the capacity to accommodate 23 persons and an in-house manager and managers car space should be included. Therefore, based on the room sizes the proposal has insufficient carparking to comply with the SEPP.



Therefore, this issue warrants the refusal of the application.

- c) *Concern that pedestrians in the vicinity of the boarding house, including school children, will be at higher risk from traffic generated by the boarding house due to the higher intensity of the use.***

Comment:

The boarding house parking area is located well behind the min 6.5m front building setback and is designed to enable cars to enter and leave in a forward direction. The driveway design and sight lines of the adjacent pedestrian path are required to comply with Australian Standards (AS) to ensure safe vehicle access and pedestrian movements to and from Allambie Road.

Boarding house accommodation is more reliant on access to public transport due to the intentionally low carparking ratio prescribed under the SEPP (even despite the proposed Draft amendments to SEPP ARH to increase the parking rates to 0.5 spaces per bedroom). Traffic and pedestrian safety for this development has been reviewed by Council's Traffic Engineer and Development Engineers and no issues have been raised.

Therefore, this issue should not be given determining weight. It is noted that engineering conditions have been recommended to ensure pedestrian safety, including compliance with Workcover requirements during construction and compliance with AS2890 for the safe design of vehicle access and parking.

- d) *Concern that the boarding house occupancy is too high for the site to reasonably accommodate the building and the building will be used for transient occupants in an area predominantly used for permanent family residences.***

Comment:

The building bulk, scale, floor space and ratio of landscaping to building area are discussed in detail within this report under the *Part D1 Landscaped Open Space* and *Part D9 Building Bulk*. In summary, the proposed design with respect to building bulk and landscaped open space is considered to be unsatisfactory.

The *Operational Plan of Management (OPM)* restricts the occupancy of the building to no more than 2 persons per room and a maximum of 24 residents for the building. "Transient occupancy" is considered to be occupation of rooms for less than 3 months, as the definition of a boarding house includes a stipulation that it "provides lodgers with a principal place of residence for 3 months or more". In this case, the boarding house will require a minimum 3 month lease (*Occupancy Agreement*) and resident commitment in accordance with the requirements of the OPM.

The issue of transient occupancy is therefore addressed by the OPM and does not warrant refusal of the application.

- e) *Concern that the proposed density of housing for the boarding houses in the local area is unsuited to the streetscape location and a maximum of six (6) semi-detached apartments only is more appropriate within the site.***

Comment:

The density of the proposal in terms of the number of rooms within the building and the overall size of the building has been raised by the majority of respondents in public submissions. Concerns in relation to density, scale and bulk of the development have been raised with the applicant in terms of the visual



impact on adjacent residential properties and the development "fitting-in" with the local character of surrounding residential development.

Consideration of the building bulk is discussed in detail under the headings *Part D9 Building Bulk* and *SEPP ARH* within this report. In summary, an appropriate design response has not been proposed to ensure the development is in keeping with the existing character of the area in terms of the size and scale of the proposal, including building bulk.

Therefore, this issue should be given determining weight and warrants refusal of the application.

f) Concern that the boarding house will have an adverse social impact as it will be used for accommodation by persons who may be involved in crime or drugs, or persons dependant on social services and there is a lack of community resources to manage the services required.

Comment:

A variety of persons are likely to reside in the boarding house and will most likely represent a cross section of the community. However, no evidence has been supplied that indicates such persons will give rise to any unacceptable social impacts in the area. In the event residents behavior may disturb the local amenity or raise safety concerns, the appropriate mechanism is for the Police to be notified or for the Boarding house manager to step in and manage the situation.

In order to ensure residents conduct is appropriate to maintaining the amenity and safety of the locality, the facility will be managed in accordance with the adopted OPM. The OPM includes provisions to ensure that if any tenants behave in a manner that create issues of concern or breach the *Occupancy Agreement*, then their lease may be terminated.

This issue is manageable by conditions, including the OPM and therefore this issue should not be given determining weight.

g) Concern that this boarding house will create an undesirable precedent for this type of housing development within the surrounding area by speculative development.

Comment:

Boarding house development is permissible with consent in the surrounding low density residential area under the NSW State Environmental Planning Policy (SEPP) for *Affordable Rental Housing (ARH) 2009* and the *Warringah Local Environmental Plan (LEP) 2011*. Notwithstanding that boarding house development is permissible, it must also meet the requirements of the SEPP, WLEP and WDCP, including the zone objectives and development standards and other controls to ensure a suitable and appropriate character, design, scale and density.

As the proposal is assessed as being unsatisfactory, this issue should be given determining weight and warrants the refusal of the application.

h) Concern that the building bulk is excessive for the site and will adversely affect the streetscape amenity by being inconsistent with the pattern and scale of existing residential housing near the site.

Comment:

This issue is discussed in detail under the heading *Part D9 Building Bulk* of the WDCP and *Clause 30* of the SEPP within this report. The bulk and scale of the proposed boarding house is considered to be inconsistent with the surrounding residential character in Allambie Heights. It is considered that the proposal does not relate favourably to the design requirements including building bulk, landscaped open space and side and rear setbacks. In summary, the proposal has excessive building bulk and



scale and does not protect the amenity of adjacent land and the streetscape.

This issue should be given determining weight and warrants the refusal of the application.

i) Concern that when tenants change over and move out of the boarding house they will leave unwanted furniture and unwanted items on the footpath area.

Comment:

The proposal has been provided with adequate waste storage areas to enable unwanted items to be appropriately stored prior to disposal. This issue is also able to be conditioned and managed through the OPM. Therefore, the concern does not warrant the refusal of the application.

j) There are inadequate planning controls under the SEPP ARH to deal with boarding houses which therefore leads to poor planning outcomes and gradual diminishing of the character of the area by more and more intensive boarding house development.

Comment:

The proposal is subject to the provisions of the SEPP which contains development standards and planning controls that override the WLEP and WDCP in relation to specific matters. Additionally, where there are inconsistencies between the SEPP and the local planning controls, the SEPP prevails.

The SEPP includes specific planning controls, which cannot be used as reasons for refusal where they are complied with. In this case, the proposal complies with the numerical controls of the SEPP (except for the provision of a managers carparking space). However, the proposal does not provide a satisfactory urban design outcome when assessed against the "character test" as prescribed in the SEPP and the relevant DCP controls. In this regard, the proposal does not satisfy DCP requirements for landscaped open space, building bulk, and privacy. Inconsistencies have also been identified against the SEPP in terms of solar access to communal living areas and carparking requirements to service the nature and scale of the proposal.

Therefore, the proposal has not been designed to satisfy the character controls under the SEPP, WLEP and WDCP. Accordingly, for these reasons, the proposed development is likely to diminish the character of the area and so this issue should be given determining weight and warrants the refusal of the application.

MEDIATION

No requests for mediation have been made in relation to this application.

REFERRALS

Internal Referral Body	Comments
Building Assessment - Fire and Disability upgrades	Building Assessment - BCA Fire & Disability The 'Building Control and Certification team' has reviewed the Building Code of Australia (BCA) requirements for this Boarding House development and whilst lacking in overall detail at DA stage,

Internal Referral Body	Comments
	<p><i>(much of which can be readily resolved at the Construction Certificate stage), the assessment in relation to BCA 'Part D (Egress)' has revealed that the proposal relies upon accessing the Allambie Road frontage only. Whilst proposed access from the front of the boarding house building is satisfactory, Part D also requires an alternative means of egress to achieve compliance and a safe building for fire safety and other emergency purposes.</i></p> <p><i>In this case, the 'alternative and required exits' are proposed out of the rear of the building and will comply if to open space, leads directly to a road, is unobstructed, and is a minimum width of 1.0m pathway.</i></p> <p><i>For satisfactory compliant Egress to be achieved, it can only be via the eastern side of the building or the western side, both leading through to Allambie Road and not Grigor Place. The eastern side would require access through 'Parking Space No. 1'. This would necessitate the deletion of this space, or other modification to the building design. To access the western side of the building would require deletion of a significant portion of the proposed screen landscaping proposed along the side boundary, and a reworking and loss of landscaping proposed along side setback area. No effective pathway is indicated for compliant access.</i></p> <p><i>Therefore, it is considered that the proposal as submitted does not demonstrate compliance with Part D of the BCA and on the information provided the proposal would require building design amendments and/or modified landscape plans.</i></p> <p><i>Accordingly, the proposal as submitted is not satisfactory and cannot be recommended to proceed in regards to "Building Code of Australia" compliance matters.</i></p> <p><u>Planning Comment:</u> Comments by Council's Building Assessment Team are concurred with owing to the fundamental nature of the issues and warrants refusal of the development application due to the impact these issues will have on landscaped open space requirements and the reduced amenity along the side setback.</p>
Landscape Officer	<p><u>Landscape Officer Comment:</u> <i>There are no unique environmental features on site (rock outcrops, habitat trees or the like). No objection to landscape species selected.</i></p> <p><u>Planning Comment:</u> See planning comment under <i>Part D1 Landscaped Open Space</i> within this report.</p>
NECC (Development Engineering)	<p><i>No objection to approval subject to conditions.</i></p> <p><u>Planning Comment:</u> It is noted the On-site Stormwater Detention (OSD) is an above ground facility and takes up part of the rear private open space (POS).</p>



Internal Referral Body	Comments
	Part of the POS would be flooded during OSD area filling when operating correctly. Council's planning assessment will address the appropriateness of this for the communal open space and other service functions.
Strategic & Place Planning (Urban Design)	<p><u>Urban Design Comments:</u> The proposal in its current form cannot be supported for the following reasons:</p> <p>1. SEPP (Affordable Rental Housing) 2009, Clause 30 A - Character of local area: <i>The proposal is not compatible with the character of development within the current local context. The proposal needs to be compatible with the architectural form and style of the established development character. It should complement the site's appearance when viewed from the street and public spaces and incorporate a highly articulated façade treatment and roof form. The proposal will have an unacceptable impact to neighbouring houses when considering key amenity issues such as visual impact, noise and privacy. The visual impact of the proposal can be minimised with a better modulated and articulated building form in a well-considered landscaped setting.</i></p> <p>2. Built form controls: • WLEP 2011 Objective of the zone to ensure low density residential environments in harmony with the surrounding single-storey developments of neighbourhood shops and houses has not been achieved. The proposed 2 storey continuous linear form needs to be further articulated with single storey elements in the front and back facades to improve the stepping down effect of the proposed built form to the single-storey surrounding buildings. A reduction of 4 units (Rooms 3, 9, 10 & 14) to 10 units in total will help in achieving this scaling down of built form. Treatment of the eastern facade with a single storey roof element will further soften the building bulk impact to the neighbouring single-storey house.</p> <p>3. WDCP 2011 Part D1 Landscaped open space: <i>40% site area with minimum width of 2m has not been achieved. The proposed 35% is not acceptable to achieve harmony with the surrounding landscaped settings. Deletion of the ground floor unit (Room 3) will contribute to more landscaped area and green buffer to the eastern neighbour. It will also shorten and allow proper landscape integration of the fire escape route along the eastern boundary.</i></p> <p>4. Privacy <i>Privacy screens for windows to the upper units will be required to minimise privacy issues to immediate neighbours.</i></p> <p><u>Planning Comments:</u> Comments by Council's Urban Design Officer are concurred with and warrant refusal of the application.</p>
Traffic Engineer	<p><u>Traffic Engineer Comments:</u> <i>The "Traffic and Parking Report", prepared by TTPA, dated October</i></p>



Internal Referral Body	Comments
	<p>2017, was reviewed and is concurred with for access to suitable parking, traffic management and bus access. Therefore, no objection is raised to the proposal on traffic engineering grounds.</p> <p>Planning Comment: Further planning assessment details regarding compliance with the SEPP ARH are provided within this report and identify that the proposal should include a managers residence with parking for the manager. Therefore, the proposal is inconsistent with the SEPP and this issue warrants refusal of the application.</p>
Waste Officer	<p>Waste Officer Comments: No objection to waste service facilities, subject to conditions.</p> <p>Planning Comment: It should be noted that the location of the waste bin holding area may not be suitable if other design issues affect the front setback area, such as the need for additional landscaping and carparking.</p>
External Referral Body	Comments
Ausgrid: (SEPP Infra.)	The proposal was referred to Ausgrid. No response has been received within the 21 day statutory period and therefore, it is assumed that no objections are raised and no conditions are recommended.
NSW Police - Local Command (CPTED)	The proposal was referred to NSW Police (Local Command) for comment regarding <i>crime prevention through environmental design</i> (CPTED). No response has been received within the 21 day statutory period and therefore, it is assumed that no objections are raised and no conditions are recommended.

ENVIRONMENTAL PLANNING INSTRUMENTS (EPis)*

All, Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans and Council Policies have been considered in the merit assessment of this application.

In this regard, whilst all provisions of each Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans and Council Policies have been considered in the assessment, many provisions contained within the document are not relevant or are enacting, definitions and operational provisions which the proposal is considered to be acceptable against.

As such, an assessment is provided against the controls relevant to the merit consideration of the application hereunder.

State Environmental Planning Policies (SEPPs) and State Regional Environmental Plans (SREPs)

SEPP 55 - Remediation of Land

Clause 7 (1) (a) of SEPP 55 requires the Consent Authority to consider whether land is contaminated. Council records indicate that the subject site has been used for residential purposes for a significant period of time with no prior land uses. In this regard it is considered that the site poses no risk of



contamination and therefore, no further consideration is required under Clause 7 (1) (b) and (c) of SEPP 55 and the land is considered to be suitable for the residential land use, subject to conditions to ensure appropriate safe handling of any lead paint or asbestos material that may be present / identified in the demolition process.

SEPP (Affordable Rental Housing) 2009

State Environmental Planning Policy (Affordable Rental Housing) 2009 (SEPP ARH) aims to provide new affordable rental housing and retain and mitigate any loss of existing affordable rental housing by providing a consistent planning regime. Specifically, SEPP ARH provides for new affordable rental housing by offering incentives such as expanded zoning permissibility, floor space ratio bonuses and non-discretionary development standards.

Division 3: Boarding houses

Clause 25: Definition

For the purposes of this Division, the Standard Instrument defines a 'boarding house' as a building that:

- "(a) is wholly or partly let in lodgings, and*
- (b) provides lodgers with a principal place of residence for 3 months or more, and*
- (c) may have shared facilities, such as a communal living room, bathroom, kitchen or laundry, and*
- (d) has rooms, some or all of which may have private kitchen and bathroom facilities, that accommodate one or more lodgers,*

but does not include backpackers' accommodation, a group home, hotel or motel accommodation, seniors housing or a serviced apartment".

In this Division 'communal living room' means "a room within a boarding house or on site that is available to all lodgers for recreational purposes, such as a lounge room, dining room, recreation room or games room".

Clause 26: Land to which this Division applies

Requirement	Comment
This Division applies to land within any of the following land use zones or within a land use zone that is equivalent to any of those zones:	
(a) Zone R1 General Residential, or (b) Zone R2 Low Density Residential, or (c) Zone R3 Medium Density Residential, or (d) Zone R4 High Density Residential, or (e) Zone B1 Neighbourhood Centre, or (f) Zone B2 Local Centre, or (g) Zone B4 Mixed Use.	Consistent The site is located within the <i>R2 Low Density Residential</i> zone and the proposed use is permissible with consent under WLEP 2011 and SEPP ARH.

Clause 27: Development to which this Division applies

- (1) This Division applies to development, on land to which this Division applies, for the purposes of boarding houses.

--	--



Requirement	Comment
<p>(2) Despite subclause (1), this Division does not apply to development on land within Zone R2 Low Density Residential or within a land use zone that is equivalent to that zone in the Sydney region unless the land is within an accessible area.</p> <p>Note: Accessible area means land that is within:</p> <p>(c) 400m walking distance of a bus stop used by a regular bus service (within the meaning of the Passenger Transport Act 1990) that has at least one bus per hour servicing the bus stop between 06.00 and 21.00 each day from Monday to Friday (both days inclusive) and between 08.00 and 18.00 on each Saturday and Sunday.</p>	<p>Consistent</p> <p>The site is within an <i>Accessible Area</i> as demonstrated by the Applicant within the <i>Assessment of Traffic and Parking Implications</i> report. Hence, Division 3 applies to the proposed development.</p>
<p>(3) Despite subclause (1), this Division does not apply to development on land within <i>Zone R2 Low Density Residential</i>, or within a land use zone that is equivalent to that zone that is not in the Sydney region, unless all or part of the development is within 400 metres walking distance of land within Zone B2 Local Centre or Zone B4 Mixed Use or within a land use zone that is equivalent to any of those zones.</p>	<p>Not applicable.</p> <p>The site is located within the Sydney region.</p>

Clause 28: Development may be carried out with consent

Requirement	Comment
<p>Development to which this Division applies may be carried out with consent.</p>	<p>The development involves the construction of a "boarding house", as defined by the Standard Instrument. Therefore, the development may be considered under this Division of the SEPP as development which may be carried out with consent.</p>

Clause 29: Standards that cannot be used to refuse consent

Standard	Requirement	Proposed	Compliant/Comment
<p>(1) Density and scale A consent authority must not refuse consent to development to which this Division applies on the grounds of density or scale if the density and scale of the buildings when expressed as a floor</p>	<p>(a) the existing maximum floor space ratio for any form of residential accommodation permitted on the land, or</p>	<p>Floor space ratios are not applicable to the site under the WLEP 2011 or WDCP 2011.</p>	<p>Not applicable</p>
	<p>(b) if the development is on land within a zone in which no residential accommodation is</p>	<p>Not applicable</p>	<p>Not applicable</p>



space ratio are not more than:	permitted - the existing maximum floor space ratio for any form of development permitted on the land, or		
	<p>(c) if the development is on land within a zone in which residential flat buildings are permitted and the land does not contain a heritage item that is identified in an environmental planning instrument or an interim heritage order or on the State Heritage Register - the existing maximum floor space ratio for any form of residential accommodation permitted on the land, plus:</p> <p>(i) 0.5:1, if the existing maximum floor space ratio is 2.5:1 or less, or</p> <p>(ii) 20% of the existing maximum floor space ratio, if the existing maximum floor space ratio is greater than 2.5:1.</p>	The site is not within a zone that permits residential flat buildings and the site does not contain a heritage item and is not in a heritage conservation area.	Not applicable.
(2) A consent authority must not refuse consent to development to which this Division applies on any of the following grounds:			
(a) building height	if the building height of all proposed buildings is not more than the maximum building height permitted under another environmental planning instrument for any building on the land,	The maximum building height is 7.8m which is below the 8.5m building height control under the WLEP 2011.	Compliant
(b) landscaped area	if the landscape treatment of the front setback area is compatible with the streetscape in which the	Landscaped area of the front setback is compatible with the adjacent streetscape in the vicinity of the site.	Consistent



	building is located,		
(c) solar access	where the development provides for one or more communal living rooms, if at least one of those rooms receives a minimum of 3 hours direct sunlight between 9am and 3pm in mid-winter,	The communal living room is predominantly south facing. Inadequate information is provided to demonstrate that the communal living room achieves at least 3 hours of direct sunlight between 9am and 3pm.	Inconsistent. The communal living room is overshadowed by the building itself both before and after 12 midday on 21 June. In this regard, the location of the communal living room is not considered suitable.
(d) private open space	if at least the following private open space areas are provided (other than the front setback area): (i) one area of at least 20m ² with a minimum dimension of 3.0m is provided for the use of the lodgers, (ii) if accommodation is provided on site for a boarding house manager—one area of at least 8.0m ² with a minimum dimension of 2.5m is provided adjacent to that accommodation,	A private open space area of 56m ² is provided with minimum dimensions of 3.8m x 14.8m within the rear setback. No manager's accommodation is indicated and no private open space for a manager is therefore provided. This is despite the fact that the boarding house has the capacity of accommodating 23 lodgers which triggers the requirement for a manager boarding room or dwelling to be on-site and accompanying private open space.	Compliant Does not comply
(e) parking	if: (i) in the case of development in an accessible area—at least 0.2 parking spaces are provided for each boarding room, and (ii) in the case of development not in an accessible area—at least 0.4 parking spaces are provided for each boarding room, and	The building contains 14 boarding rooms and no on-site managers residence or boarding room, hence 3 spaces are provided However, since the boarding house can accommodate more than 20 persons at least one carparking space is required for a manager /managers accommodation.	Does not comply

	(iii) in the case of any development—not more than 1 parking space is provided for each person employed in connection with the development and who is resident on site,	(See Clause 30(1)(e) below) Based on the above, the proposal requires 4 spaces, hence the proposal is deficient by 1 car space.	
(f) accommodation size	if each boarding room has a Gross Floor Area (GFA) (excluding any area used for the purposes of private kitchen or bathroom facilities) of at least: (i) 12 square metres in the case of a boarding room intended to be used by a single lodger, or (ii) 16 square metres in any other case.	Ground Floor Level Room 1 = 24.8 sqm (2) Room 2 = 25.5 sqm (2) Room 3 = 14.8 sqm (1) Room 4 = 17.8 sqm (2) Room 5 = 16.3 sqm (2) Room 6 = 16.6 sqm (2) First Floor Level Room 7 = 25.4 sqm (2) Room 8 = 26.0 sqm (2) Room 9 = 15.5 sqm (1) Room 10 = 19.0 sqm (2) Room 11 = 16.5 sqm (2) Room 12 = 13.7 sqm (1) Room 13 = 13.6 sqm (1) Room 14 = 13.5 sqm (1)	Based on the room sizes shown, the development has a capacity of 23 lodgers. However, the plans submitted with the DA show "single beds" for each room, which indicates 1 lodger per room. Notwithstanding, the applicants OPM indicates that "24 persons" will reside in the boarding house. Therefore, there is a fundamental inconsistency in the documentation supporting the application. However, based on room sizes, the application must be assessed against the highest occupation for each room, which equates to 23 lodgers.
	(3) A boarding house may have private kitchen or bathroom facilities in each boarding room but is not required to have those facilities in any boarding room.	All rooms have a private kitchen and bathroom facilities.	Consistent
	(4) A consent authority may consent to development to which this Division applies	Not supported.	Variations not supported



	whether or not the development complies with the standards set out in subclause (1) or (2).		
--	---	--	--

Clause 30: Standards for boarding houses

Standard requirement	Proposed	Compliant/Comment
(1) A consent authority must not consent to development to which this Division applies unless it is satisfied of each of the following:		
(a) if a boarding house has 5 or more boarding rooms, at least one communal living room will be provided,	A communal living room is located at the rear (ground floor level) of the building.	Compliant
(b) no boarding room will have a gross floor area (excluding any area used for the purposes of private kitchen or bathroom facilities) of more than 25 sqm,	Room 2, 7 and 8 exceed this floor area requirement.	Does not comply (This matter could be conditioned to comply)
(c) no boarding room will be occupied by more than 2 adult lodgers,	This is addressed within the OPM, including room leasing. This may also be managed by conditions.	Compliant
(d) adequate bathroom and kitchen facilities will be available within the boarding house for the use of each lodger,	Each room has its own kitchen and bathroom facilities. There is no communal kitchen for the building.	Compliant
(e) if the boarding house has capacity to accommodate 20 or more lodgers, a boarding room or on site dwelling will be provided for a boarding house manager,	The boarding house has 9 double rooms and 5 single rooms creating a capacity to accommodate 23 lodgers. The building therefore requires accommodation for a boarding house manager.	Does not comply The proposal has an excessive number of rooms, or the size of rooms should be reduced to correspond to the requirements of the SEPP. There is insufficient space available for a managers room (or residence) and a managers car parking space has not been provided.
(g) if the boarding house is on land zoned primarily for commercial purposes, no part of the ground floor of the boarding house that fronts a street will be used for residential purposes unless another environmental	Not applicable	Not applicable



planning instrument permits such a use,		
(h) at least one parking space will be provided for a bicycle, and one will be provided for a motorcycle, for every 5 boarding rooms.	Three (3) parking spaces for bicycles and (3) three motorbike spaces are provided at the front of the site.	Compliant
(2) Subclause (1) does not apply to development for the purposes of minor alterations or additions to an existing boarding house.	Not applicable	Not applicable

Clause 30: Character of the local area

The matter of assessing the character compatibility of development has been examined by the Land and Environment Court in *GPC No 5 (Wombarra) Pty Ltd v Wollongong City Council (2003)* NSWLEC 268 and *Project Venture Developments v Pittwater Council (2005)* NSWLEC 191 where Senior Commissioner Roseth set out Planning Principles to better evaluate how a development should respond to the character of its environment. While the Planning Principle related to a Senior's Housing development it is relevant to boarding house development since the planning principle deals with "local character" and how new development should respond sympathetically to the "character of the local area".

Compatibility of the Proposal with Surrounding Development

The following provides an assessment against the Planning Principles established in those two cases.

In the case of *GPC No 5 (Wombarra) Pty Ltd v Wollongong City Council (2003)* NSWLEC 268 Senior Commissioner Roseth developed the following Planning Principles:

- ***The first principle is that buildings in a development do not have to be single-storey to be compatible with the streetscape even where most existing buildings are single storey. The principle does not apply to conservation areas where single storey dwellings are likely to be the major reason for conservation.***

Comment:

The majority of residential buildings in the vicinity of the site are single storey detached dwellings in landscaped settings. This has established the predominant character of residential development in the area. Other development in the vicinity includes a single storey local shopping centre, a school and a 2 storey retirement village ("Scalabrini") nearby.

There are some larger two storey dwellings nearby and some more highly articulated part 1/part 2 storey dwellings. The proposed boarding house is a full 2 storey building with no single storey elements. A design which incorporated part 1 and part 2 storey built form would be more suitable for the site and more compatible with the local character. The single storey elements would be best located toward the rear and eastern side of the site to ameliorate the building bulk and transition the height of the development to adjoining properties.

The ground floor level will be substantially screened by boundary fencing. However, there is a



strong need to retain an effective landscape setback of 2.0m to 3.0m along both sides of the building to provide a sufficient landscape setting to ensure the building bulk along the side walls can be screened and softened. Such setbacks must incorporate trees and shrubs as well as access pathways.

Advice given at the pre-lodgement meeting for the proposal focused on a reduction of the upper storey floorplan in order to provide greater stepping of the built form and articulation to ensure compatibility with the surrounding pattern and scale of development. This would prevent the appearance of a development that was "jarring" or appeared as an abrupt change in bulk and scale at the first floor level compared to the surrounding detached dwellings and secondary dwellings. While the land to the west is an open car park that may be re-developed in the future, this land, which is zoned B1 - Neighbourhood Centre under WLEP 2011, would require generous side setbacks and is affected by a range of different planning controls.

In this regard, it is considered that the bulk, scale and massing of the development is incompatible with the streetscape and inconsistent with this principle.

- ***The second principle is that where the size of a development is much greater than the other buildings in the street, it should be visually broken up so that it does not appear as one building. Sections of a building, or separate buildings should be separated by generous breaks and landscaping.***

Comment:

The proposal is substantially greater in size than surrounding dwelling houses and this is expected considering it is a boarding house building. However, the 25 metre long building is one continuous 2 storey built form and it is not broken-up with generous breaks or deep recesses for the ground or upper storey and the narrow side setbacks do not enable sufficient landscaping to provide relief along the side elevations.

The design solution for the site lies in breaking the built form up into two connected modules or pavilions, where the bulk and massing of the ground and upper floor levels is broken down to generate a character that involves greater landscaping at the ground floor level and less building bulk at the upper floor level compared to the lower floor level. This would provide relief to surrounding properties and the street to ensure a built form that is compatible with the character of the area. This issue was raised with the applicant in the pre-lodgement meeting, however the advice was not adopted.

Overall, the development is considered to be over-sized compared to the scale of surrounding development and fails to incorporate any meaningful design measures to respect and respond to the context and built form of its surroundings. On this basis, the proposal is inconsistent with this principle.

- ***The third principle is that where a site has existing characteristics that assist in reducing the visual dominance of development, these characteristics should be preserved. Topography that makes development appear smaller should not be modified. It is preferable to preserve existing vegetation around a site's edges to destroying it and planting new vegetation.***

Comment:

The site is relatively featureless in terms of its physical characteristics. The only significant trees are situated on adjoining land, particularly to the west in Grigor Place, hence that vegetation should not be relied upon to screen the building in the long term. The building will be visually dominant when viewed



from Allambie Road and surrounding residential land, particularly from the NE, East to SE and to South. Insufficient landscaped area has been allocated in the form of side setbacks to ensure 40% LOS is provided and distributed for effective screening. The side access pathways required for BCA egress from the rear of the building will compromise the 2.0m landscaped side setbacks shown on the landscape plan (whichever side setback is used for the required fire egress).

In this regard, it is considered that effective methods have not been employed in the design of the development to reduce its visual dominance and so the proposal is inconsistent with the third principle.

- ***The fourth principle is that a development should aim to reflect the materials and building forms of other buildings in the street. This is not to say that new materials and forms can never be introduced only that their introduction should be done with care and sensitivity.***

Comment:

The materials and building form is represented in the plans numbered "2-3" & "3-3", prepared by *High Design*, including the accompanying photomontage, dated June 2017. The building form uses a contemporary skillion roof design and materials are cement rendered walls with some detailing for recessed elements and window fenestration.

In this regard, the development is considered to be consistent with this principle in terms of colours, materials and roof style.

The above Principals were further developed in *Project Venture Developments v Pittwater Council* (2005) NSWLEC 191 to include the following:

Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites.

Comment:

The physical impacts of the development on surrounding properties is assessed as consisting of constraints on the development potential of surrounding sites, privacy, overshadowing and noise.

Constraints on the development potential of surrounding sites

Land to the west of the site is used as a carpark and roadway, however this land is zoned as a B1 Neighbourhood Centre (WLEP 2011) and shop top housing is a permissible and likely future land use. No approval has been issued for the redevelopment of the adjoining site, however the applicable planning controls would ensure appropriate transitional side setbacks and appropriate building form (massing and scale) are provided.

Privacy

The design of the proposed boarding house will enable overlooking into adjoining properties from boarding room windows in the eastern elevation and the fire stair on the southern elevation. Owing to the high occupancy nature of boarding house rooms, the level of privacy loss is unacceptable.

Overshadowing

Overshadowing details are shown on the plans, drawn by *High Design*, dated June 2017, and demonstrate that the proposal will maintain 3 hours of sunlight to adjacent properties between 9am and



3pm on 21 June.

Therefore, no issue is raised in regard to overshadowing.

Noise

The 14 room boarding house will have a significantly higher occupation compared to that of the adjacent and surrounding single dwellings and secondary dwellings, therefore potential noise disturbance between adjacent private open space areas should be managed by integrating or shielding these common areas from neighbouring dwellings. The outdoor terrace is exposed to the east and south with respect to potential noise impacts from occupants of the boarding house, if congregating or socialising on the outdoor terrace at the rear of the boarding house.

While there is proposed to be an OPM in place for the management of the boarding house, there is no on-site manager to enable any immediate response to any noise disturbances. In this regard, it is considered the rear private open space and communal living area should have improved building integration to buffer noise impacts to adjacent land, have acoustic walls and a more substantial rear setback. In addition to this, no details are provided as to air conditioning units that may be needed for each room and where they may be installed.

Conclusions on Character Assessment

The above character assessment has found that, in the context of the *Land and Environment Court Planning Principles*, the proposal is unsatisfactory with respect to how it responds to the existing character of the local area and the public interest to ensure an acceptable design outcome.

In this regard, the proposal does not put forward a good design response to the requirements of the WDCP 2011 in terms of setbacks, landscaping, private open space and building bulk. While the SEPP permits a higher density and occupancy of use on the land, the proposal does not adequately respond to ensure a "good fit" within the low density residential surroundings and maintain a built form that is not "jarring" or an abrupt change in terms of its visual impact when viewed from surrounding land and how it sits within the streetscape.

The proposal will therefore create an unfavourable development precedent that is not in the public interest and so this matter warrants the refusal of the application.

Conclusion

The development is not supported for reasons of; inconsistency with the surrounding local character, excessive massing on the top floor, inadequate landscaped open space, inadequate side setbacks and potential noise disturbance likely from the communal open space.

SEPP (Building Sustainability Index: BASIX) 2004

The proposal is not subject to SEPP Basix, but is required to conform to Part J of the *Building Code of Australia* to demonstrate energy efficiency. A Section J BCA report has been submitted with the application demonstrating compliance.

SEPP (Infrastructure) 2007



Ausgrid

Clause 45 of the SEPP requires the Consent Authority to consider any development application (or an application for modification of consent) for any development carried out:

- within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists).
- immediately adjacent to an electricity substation.
- within 5.0m of an overhead power line.
- includes installation of a swimming pool any part of which is: within 30m of a structure supporting an overhead electricity transmission line and/or within 5.0m of an overhead electricity power line.

Comment:

The proposal was referred to *Ausgrid*. No response has been received within the 21 day statutory period and therefore, it is assumed that no objections are raised and no conditions are recommended.

Other Service Infrastructure Authorities

The application was not required to be referred to the *Roads and Maritime Service* (RMS) and no other service authority referral issues are raised pursuant to the SEPP.

Warringah Local Environmental Plan 2011

Is the development permissible?	Yes
After consideration of the merits of the proposal, is the development consistent with:	
aims of the LEP?	
zone objectives of the LEP?	No

Principal Development Standards

Standard	Requirement	Proposed	% Variation	Complies
Height of Buildings:	8.5m	7.8m	N/A	Yes

Compliance Assessment

Clause	Compliance with Requirements
4.3 Height of buildings	Yes
5.3 Development near zone boundaries	Yes
5.8 Conversion of fire alarms	Yes
6.2 Earthworks	Yes
6.4 Development on sloping land	Yes

Detailed Assessment



Zone R2 Low Density Residential

To provide for the housing needs of the community within a low density residential environment.

Comment:

The proposed boarding house is a type of housing that is permitted within the *R2 Low Density Residential* environment. Boarding houses contribute to the variety of housing needs in the community, including for single persons or couples that may be seeking a more affordable accommodation option, or an alternative option to conventional detached low density housing in the locality.

To enable other land uses that provide facilities or services to meet the day to day needs of residents.

Comment:

The proposal is residential in nature, therefore, this objective is not relevant to the application.

To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.

Comment:

The proposal has an acceptable front setback area in terms of landscaping and provides a functional layout for carparking and access with an appropriate buffer to the street. However, considering the larger size and scale of the building compared to detached dwellings in the R2 zone, the overall design does not demonstrate a sufficient landscape setting that is in harmony with the low density residential environment, including the effective screening of building bulk, well landscaped side setbacks and well designed private open space. The proposal is inconsistent with this objective.

Warringah Development Control Plan

Built Form Controls

Built Form Control	Requirement	Proposed	% Variation*	Complies
B1 Wall height	7.2m	5.9m	N/A	Yes
B3 Side Boundary Envelope	45 degrees at 5m (East)	Within envelope	N/A	Yes
	45 degrees at 5m (West)	Within envelope	N/A	Yes
B5 Side Boundary Setbacks	0.9m (East)	2.0m to 2.5m (Ground floor)	N/A	Yes
		2.0m to 2.5m (First floor)		
	0.9m (West)	2.0m to 2.7m (Ground floor)	N/A	Yes
		2.0m to 2.7m		



		(First floor)		
B7 Front Boundary Setbacks	6.5m	12m to 17.3m	N/A	Yes
B9 Rear Boundary Setbacks	6.0m	6.0m to 7.2m	N/A	Yes
D1 Landscaped Open Space (LOS) and Bushland Setting	301sqm 40%	178.2m (23.6%)	40.7%	No*

*Refer to detailed merit assessment under the Built Form Controls within this report.

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A.5 Objectives	No	No
B1 Wall Heights	Yes	Yes
B3 Side Boundary Envelope	Yes	Yes
B5 Side Boundary Setbacks	Yes	Yes
B7 Front Boundary Setbacks	Yes	Yes
B9 Rear Boundary Setbacks	Yes	Yes
C2 Traffic, Access and Safety	Yes	Yes
C4 Stormwater	Yes	Yes
C5 Erosion and Sedimentation	Yes	Yes
C6 Building over or adjacent to Constructed Council Drainage Easements	Yes	Yes
C7 Excavation and Landfill	Yes	Yes
C8 Demolition and Construction	Yes	Yes
C9 Waste Management	Yes	Yes
D1 Landscaped Open Space and Bushland Setting	No	No
D2 Private Open Space	Yes	No
D3 Noise	Yes	Yes
D6 Access to Sunlight	Yes	Yes
D7 Views	Yes	Yes
D8 Privacy	Yes	No
D9 Building Bulk	No	No
D10 Building Colours and Materials	Yes	Yes
D11 Roofs	Yes	Yes
D12 Glare and Reflection	Yes	Yes
D14 Site Facilities	Yes	Yes
D20 Safety and Security	Yes	Yes
D21 Provision and Location of Utility Services	Yes	Yes
D22 Conservation of Energy and Water	Yes	Yes
E1 Preservation of Trees or Bushland Vegetation	Yes	Yes



Clause	Compliance with Requirements	Consistency Aims/Objectives
E2 Prescribed Vegetation	Yes	Yes
E6 Retaining unique environmental features	Yes	Yes
E10 Landslip Risk	Yes	Yes
Appendix 1 Car Parking Requirements	Yes	No

Detailed Assessment

A.5 Objectives

- To ensure development responds to the characteristics of the site and the qualities of the surrounding neighbourhood .***

Comment:

The predominant characteristics and pattern and scale of residential development in the surrounding neighbourhood is a critical element in the assessment of the boarding house proposal. This was highlighted to the applicant in the pre-lodgement meeting and raised again by Council following the preliminary assessment of the DA. The low density qualities of the surrounding neighbourhood have been raised in numerous public submissions including concerns regarding inconsistency of the boarding house design in terms of its building bulk, inadequate landscaping and high occupancy/intensity of use.

It is considered that the proposal has not responded to the predominant character of the surrounding neighbourhood and does not satisfy this objective.

- To ensure new development is a good neighbour, creates a unified landscape, contributes to the street, reinforces the importance of pedestrian areas and creates an attractive design outcome.***

Comment:

The building bulk, size and intensity of use (based on the number and size of rooms) and ratio of landscaping to built form creates an abrupt change to neighbouring residential development. While the proposal is not considered to be inherently in contrast to development west of the site (carpark and shops), the building bulk will be visibly exposed along the western side. The building bulk is however in contrast to the low density residential development to the east, north and south of the site whereby there is a predominance of single storey and part 1/part 2 storey detached housing.

While it is accepted that this type of development will most likely have two storey elements, the proposed full 2 storey design is in contrast to the pattern and scale of surrounding residential properties and represents a generally poor planning outcome. Additionally, effective landscape buffers are compromised by the extent of paved areas within the rear setback and the need for fire egress pathways in side setbacks, that have not been addressed in a manner that will maximise landscaping and provide a positive contribution to the street or neighbours amenity.

- To inspire design innovation for residential, commercial and industrial development.***

Comment:

The important controls which go to achieving design innovation are; building bulk (use of articulation and modulation), colours and materials (harmonise with the landscaped setting) and roof form (complements the buildings design and provide an attractive and interesting addition to the street). In



this regard, the proposal is unsatisfactory in terms of the bulk and massing of the ground and first floor levels and the unbroken wall and roof lines. Therefore, the proposal does not exhibit design innovation to an acceptable degree.

An appropriate series of innovative solutions for the site would be to:

- incorporate single storey elements (particularly at the rear and eastern side of the site)
- break the building into connected modules or pavilions
- incorporate private open space within the central or front portions of the site
- break up the roof into distinct and separate sections
- accommodate carparking underneath the first floor level (extend closer to front boundary)
- increase side setbacks and provide pockets of substantial green space in deep recesses (in association with creating module or pavillion effect)

• To provide a high level of access to and within development.

Comment:

The proposal demonstrates adequate access to the front of the development from the street, however the plans show inconsistencies with practical access from the rear of the building via the side access. A high level of safe access is required due to the intensity of residential use, however the plans provide insufficient and inconsistent information to address this requirement.

• To protect environmentally sensitive areas from overdevelopment or visually intrusive development so that scenic qualities, as well as the biological and ecological values of those areas, are maintained.

Comment:

The site is not within an "environmentally sensitive area" under WLEP 2011. Additionally, the land is not identified as having intrinsic scenic and visual qualities in the area and the site is not situated on a prominent hillside or ridgetop. The site does not contain any significant biological or ecological values such as remnant natural bushland or habitat.

• To achieve environmentally, economically and socially sustainable development for the community of Warringah.

Comment:

The proposal raises issues in relation to the lack of a suitable landscape setting for the development, and does not provide for well designed communal spaces which obtain good solar access. There is also conflict between the stormwater design and the landscape plan. Hence, the proposal is not considered to be an environmentally sustainable development. It is noted that the community have raised a significant level of concern in relation to the social impacts of the development. However, suitable conditions including a OPM will regulate the occupant impacts on the community. There are no issues in relation to economic sustainability.

D1 Landscaped Open Space and Bushland Setting

Description of non-compliance

The proposal has a landscaped open space (LOS) area of 178.2 sqm (23.6%), which represents a deficiency of 40.7% (122.8sqm). The required landscaping area is 301 sqm (40%).



Merit consideration

With regard to the consideration for a variation, the development is considered against the underlying Objectives of the Control as follows:

- *To enable planting to maintain and enhance the streetscape.*

Comment:

The proposal has provided a substantial area of landscaping within the front setback between the access driveway and the western boundary, which serves to maintain and enhance the streetscape. However, the lack of landscaping on the eastern side of the site, where the driveway and "parking space 1" abuts the boundary, is unsatisfactory in terms of the streetscape presentation and does not provide a buffer to the adjoining property. This includes the use small and medium sized planting to provide screening and distributing the landscaping setting to enhance the appearance of the development from the street.

- *To conserve and enhance indigenous vegetation, topographical features and habitat for wildlife.*

Comment:

The proposal does not provide adequate LOS due to the excessive building footprint and hard paved/covered areas. The shortfall in landscaped open space represents a significant variation from the 40% landscaping built form control. The shortfall in LOS does not enable sufficient area/buffers for substantial indigenous vegetation to complement the landscaped area on surrounding land.

- *To provide for landscaped open space with dimensions that are sufficient to enable the establishment of low lying shrubs, medium high shrubs and canopy trees of a size and density to mitigate the height, bulk and scale of the building.*

Comment:

The proposal does not provide an adequate width of landscaping within the eastern setback as it is compromised by the need for a path of pedestrian travel from the rear fire exit to the road, as specified in Section D1.10 of the applicants BCA report and as noted in the Building Assessment referral response. The side pathway requirement is not shown on the plans and therefore creates an inconsistency with the DCP in being able to effectively satisfy this objective, which is not supportable. Overall, the minimal landscape screen planting will not provide effective mitigation of the bulk and scale of the development.

- *To enhance privacy between buildings.*

Comment:

The proposal involves a 2.0m eastern side setback which will be required to accommodate a fire egress pathway, hence the planting shown on the landscape plan cannot be established to provide for privacy protection. Additionally, the rear staircase/fire escape will have the ability to look into adjoining properties, despite the planting (and the time for such planting to grow to an effective height) shown on the landscape plan. Overall, the provision of screen landscaping will not satisfactorily address privacy loss concerns.

- *To accommodate appropriate outdoor recreational opportunities that meet the needs of the*



occupants.

Comment:

The subject development has limited outdoor open space to meet the needs of the occupants, however the rear terrace area complies with the minimum dimensions under the SEPP ARH. The placement of the communal private open space/terrace within the rear setback will diminish the opportunities for effective screen landscaping and places the main outdoor area, where lodgers can congregate, within 2.0m of the adjoining property to the south, which is not satisfactory.

- *To provide space for service functions, including clothes drying.*

Comment:

The proposal includes an internal laundry and no facilities are shown to allow open air clothes drying outside the building.

- *To facilitate water management, including on-site detention and infiltration of stormwater.*

Comment:

The proposal includes a ground level OSD basin in the south-eastern corner of the site (rear setback), which is also shown as being partly planted out on the landscape plans along the basin wall line. In addition, part of the OSD area will be required to be paved for fire egress from the rear of the building. Therefore, the submitted plans bear inconsistencies. The proposal is not consistent with this objective.

Having regard to the above assessment, it is concluded that the proposed development is inconsistent with the relevant objectives of WDCP and the objectives specified in section 5(a) of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is not supported, in this particular circumstance.

D2 Private Open Space

Description of non-compliance

Communal private open space is located within the rear 6.0m setback of the site.

Merit consideration

With regard to the consideration for a variation, the development is considered against the underlying Objectives of the Control as follows:

- *To ensure that all residential development is provided with functional, well located areas of private open space.*

Comment:

The communal private open space is located at the rear of the site and has the potential to negatively impact the amenity of neighbouring properties, as it is not shielded by the building



itself, or significantly separated from neighbouring buildings. It is considered that the private open space area is not well located to minimise noise intrusion to adjacent land.

- *To ensure that private open space is integrated with, and directly accessible from, the living area of dwellings.*

Comment:

The communal private open space for the boarding house is directly accessible from the communal living room and located at ground floor level at the rear of the building. Therefore, the proposal satisfies this objective.

- *To minimise any adverse impact of private open space on adjoining buildings and their associated private open spaces.*

Comment:

The private open space area is wholly within the rear setback area. The paved terrace is likely to be used quite frequently and by multiple lodgers. While the 2.0m western setback is landscaped and open to view from Grigor Place, the southern setback is abutting a secondary dwelling at No.54 Roosevelt Avenue and noise from persons socializing on the boarding house terrace is also likely to be readily apparent from adjacent properties to south and east. The building does not provide well located screened/integrated private open space that will protect neighbours from noise and other activity at the rear of the boarding house. No amended plans have been received from the applicant to provide a better integrated open space terrace for the building.

- *To ensure that private open space receives sufficient solar access and privacy.*

Comment:

The communal private open space area at the rear of the site receives sufficient solar access to comply with the WDCP on the 21 June, as demonstrated in the solar access diagrams prepared by *High Design* dated, June 2017.

Having regard to the above assessment, it is concluded that the proposed development is inconsistent with the relevant objectives of WLEP 2011 and the objectives specified in section 5(a) of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is not supported, in this particular circumstance.

D9 Building Bulk

Merit consideration

With regard to the consideration for a variation, the development is considered against the underlying Objectives of the Control as follows:

- *To encourage good design and innovative architecture to improve the urban environment.*

Comment:



The design of the building includes extensive two storey wall planes along the eastern, western and southern elevations. This is symptomatic of the high number of boarding rooms within the boarding house compared to the site area and width, which translates into excessive building bulk that is incompatible and inconsistent with the surrounding predominant pattern and scale of housing. The building bulk is unsatisfactory and approval of this application would create an undesirable precedent for similar development.

- *To minimise the visual impact of development when viewed from adjoining properties, streets, waterways and land zoned for public recreation purposes.*

Comment:

The development has insufficient building articulation and modulation along the side walls and a distinct absence of any single storey elements. The resultant built form does not appropriately respond to the local character of the surrounding residential area. This issue has been raised with the applicant on numerous occasions as it is considered that a more appropriate design response is required to reduce the building bulk to minimise the visual impact of the development when viewed from adjoining properties and the street.

Having regard to the above assessment, it is concluded that the proposed development is inconsistent with the relevant objectives of WDCP and the objectives specified in section 5(a) of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is not supported, in this particular circumstance.

Appendix 1 Car Parking Requirements

Carparking is prescribed under the SEPP (Affordable Rental Housing) 2009, which overrides the Warringah DCP 2011 for carparking allocation. See detailed parking assessment under the heading SEPP ARH within this report.

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

The proposal will not significantly effect threatened species, populations or ecological communities, or their habitats.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The proposal is consistent with the principles of Crime Prevention Through Environmental Design.

CONCLUSION

The site has been inspected and the application assessed having regard to all documentation submitted by the applicant and the provisions of:

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2000;
- All relevant and draft Environmental Planning Instruments;
- Warringah Local Environment Plan;
- Warringah Development Control Plan; and
- Codes and Policies of Council.



This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, in this regard the application is not considered to be acceptable and is recommended for refusal.

In consideration of the proposal and the merit consideration of the development, the proposal is considered to be:

- Inconsistent with the objectives of the DCP
- Inconsistent with the zone objectives of the LEP
- Inconsistent with the aims of the LEP
- Inconsistent with the objectives of the relevant EPIs
- Inconsistent with the objects of the Environmental Planning and Assessment Act 1979

The site has been inspected and the application assessed having regard to the provisions of Section 4.15 of the Environmental Planning and Assessment Act, 1979, in particular the provisions of State Environmental Planning Policy (Affordable Rental Housing) 2009, the Warringah Local Environmental Plan 2011 and the Warringah Development Control Plan 2011, and the relevant policies of Council.

The application was notified and approximately 400 public submissions of objection to the proposal were received. This demonstrates that there is a significant amount of public interest in the proposal.

The principal planning related issue raised in the submissions is whether the development demonstrates a "good fit" within the existing local character. The assessment revealed that the development is incompatible and inconsistent with the surrounding character of detached dwellings. The proposal does not respond well to the local planning controls in the WDCP 2011 terms of building bulk, landscaping and privacy.

Additional concerns were also raised in relation to the suitability of boarding houses in the area, the impact of traffic and parking, the impact of poor conduct of lodgers on local amenity and safety. More site specific assessment issues included concerns in relation to the location and design of the private open space terrace, the lack of solar access to the communal room, inadequate details for emergency egress and the shortfall in parking requirements. Based on these shortcomings, it is not in the public interest to support a development that does not satisfactorily address and satisfy the applicable planning controls

The proposal was the subject of a pre-lodgement meeting and written advice was provided to the applicant that highlighted particular concerns in relation to built form, streetscape and residential amenity, including building bulk, amenity issues, site landscaping and privacy. In this regard, it was recommended that the building scale and footprint be reduced to address the local character issues.

The good planning outcome for this site involves a significant redesign to break up the building platform, incorporate recesses/indents in the side walls of the building, incorporate larger areas of deep soil landscaping within the side boundary setbacks, break up the roof line and roof bulk, avoid any overlooking of adjoining properties and have communal areas more centralised on the site.

Based on the preliminary assessment and notification of the application, the applicant was advised to withdraw the application to enable a revised design to be prepared that addressed the issues raised. The applicant decided to maintain the current application. The applicant has since lodged a "Deemed Refusal" Appeal in the *NSW Land & Environment Court*, on 9 April 2018.

The Section 34 Conciliation Conference and possible hearing dates are yet to be confirmed.



This assessment report has taken into consideration all public submissions, Statement of Environmental Effects, plans and other documentation supporting the application. On balance, it is considered that the proposed development does not respond appropriately to the development controls and will result in an unfavourable development outcome pursuant to SEPP ARH and the Warringah DCP 2011.

Accordingly, the application is recommended for refusal.

It is considered that the proposed development does not satisfy the appropriate controls and that all processes and assessments have been satisfactorily addressed.

RECOMMENDATION

THAT Council, as the consent authority REFUSE Development Consent to Development Application No DA2017/1191 for the Demolition work and construction of a Boarding House on land at Lot 1 DP 200542, 139 Allambie Road, ALLAMBIE HEIGHTS, for the reasons outlined as follows:

1. Pursuant to Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979* the proposed development is inconsistent with the provisions of *State Environmental Planning Policy (Affordable Rental Housing) 2009*. In particular, the proposal does not provide a satisfactory urban design response to the character of the local area, carparking, solar access and requirements for a managers room.
2. Pursuant to Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979* the proposed development is inconsistent with the provisions of the objectives for the *Zone R2 Low Density Residential* of the *Warringah Local Environmental Plan 2011*.
3. Pursuant to Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979* the proposed development is inconsistent with the Objectives of the *Warringah Development Control Plan 2011*.
4. Pursuant to Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979* the proposed development is inconsistent with the provisions of *Part D1 Landscaped Open Space and Bushland Setting* of the *Warringah Development Control Plan 2011*.
5. Pursuant to Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979* the proposed development is inconsistent with the provisions of *Part D2 Private Open Space* of the *Warringah Development Control Plan 2011*.
6. Pursuant to Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979* the proposed development is inconsistent with the provisions of *Part D9 Building Bulk* of the *Warringah Development Control Plan 2011*.
7. Pursuant to Section 4.15(1)(e) of the *Environmental Planning and Assessment Act 1979*, the proposed development is not in the public interest.



