

MINUTES

NORTHERN BEACHES LOCAL PLANNING PANEL MEETING

held in the Council Chambers, Civic Centre, Dee Why on

WEDNESDAY 2 MAY 2018

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

ATTENDANCE:

Panel Members

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

1.0 APOLOGIES AND DECLARATIONS OF PECUNIARY INTEREST

Nil

2.0 MINUTES OF PREVIOUS MEETING**2.1 MINUTES OF NORTHERN BEACHES LOCAL PLANNING PANEL HELD 18 APRIL 2018**

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

3.1 DA2017/1191 - 139 ALLAMBIE ROAD ALLAMBIE HEIGHTS - DEMOLITION WORK AND CONSTRUCTION OF A BOARDING HOUSE

PROCEEDINGS IN BRIEF

The proposal involves demolition work and construction of a boarding house.

The Panel viewed the site and its surrounds. At the public meeting which followed the Panel was addressed by five neighbours.

DECISION ON DEVELOPMENT APPLICATION

A. 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, as amended as follows:

1. The amendment of reason for refusal 1 to read 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* ("**SEPP ARH 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 and is contrary to clause 30 of the SEPP ARH 2009 having regard to the capacity of the boarding house and the omission of a manager's boarding room or on site dwelling, including manager's carparking space.

2. The amendment of reason for refusal 2 to read as follows:

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*. In particular, 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 compromised amenity of the combined OSD/private open space.

3. The amendment of reason for refusal 3 to read as follows:

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*. In particular, streetscape, building bulk, landscaping and residential amenity.

4. The amendment of reason for refusal 4 to read as follows:
 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*, having regard to the objectives of the control.
5. The amendment of reason for refusal 7 to read as follows:
 7. For the above reasons and pursuant to Section 4.15(1)(e) of the *Environmental Planning and Assessment Act 1979*, the proposed development is not in the public interest.
- B. The Panel notes that the development application is the subject of Class 1 proceedings in the Land and Environment Court NSW and as such delegates control and direction in connection with the conduct of the proceedings to the Acting Chief Executive Officer of the Council pursuant to section 2.20(8) of the *Environmental Planning and Assessment Act 1979 (NSW)*.
- C. The Panel considers that the proposed development does not provide appropriate fire egress onto the public domain in accordance with the National Construction Code (BCA).

Vote: 4/0

4.0 REVIEW OF DETERMINATIONS

Nil

5.0 PLANNING PROPOSALS

Nil

The meeting concluded at 2.40pm

This is the final page of the Minutes comprising 6 pages
numbered 1 to 6 of the Northern Beaches Local Planning Panel meeting
held on Wednesday 2 May 2018.