

MINUTES OF THE SYDNEY EAST JOINT REGIONAL PLANNING PANEL MEETING HELD AT WARRINGAH COUNCIL ON THURSDAY 9th DECEMBER 2010 AT 5.00PM

PRESENT: John Roseth (Chair)
David Furlong
Mary-Lynne Taylor
Steve Kennedy
Alan Linnell

IN ATTENDANCE

Malcolm Ryan	Director of Strategic and Development Services
Peter Robinson	Manager of Development Assessment and Compliance
Lasthta Haidari	Senior Development Assessment Officer
Cathie Arkell	Development Panel Coordinator

APOLOGY: Nil

The meeting commenced at 5.05pm.

1. Declarations of Interest

David Furlong for Item 1, JRPP matter 2010SYE076.

2. Business Items

ITEM 1 ***2010SYE076 - Warringah - DA2010/1494 - Construction of Seniors Housing Development - 70A Willandra Road Narraweena***

3. Public Submissions

Ann Sharp	Addressed the panel against the item
Les Walden	Addressed the panel in favour the item
Andy Gough	Addressed the panel against the item
Joy Gough	Addressed the panel against the item
Judith Bennett	Addressed the panel against the item
Ken Higgs – Director of Natural Areas Ltd (nearby land held for conservation purposes)	Addressed the panel against the item
Helene Adams	Addressed the panel in favour the item
Dr Connie Harris	Addressed the panel against the item

Nick Skeldon	Addressed the panel against the item
Frank Gleason	Addressed the panel against the item
Senior Sister Clare Condon - Superior, Sisters of The Good Samaritan,	Addressed the panel in favour of the item, on behalf of the applicant
Dr Richard Lamb - Visual Impact Expert, Richard Lamb & Associates,	Addressed the panel in favour of the item, on behalf of the applicant
Rob Humphries and Nathan Kearns from Eco Logical Australia,	Addressed the panel in favour of the item, on behalf of the applicant

4. Business Item Recommendations

2010SYE076 - Warringah - DA2010/1494 - Construction of Seniors Housing Development - 70A Willandra Road Narraweena

1. The Panel resolves unanimously to accept the planning assessment report's recommendation to refuse the application, for the reasons mentioned in the report, except as expanded on below.
2. The Panel is concerned that the Asset Protection Zone needed to protect the proposal from bushfire would require a large area of vegetation to be removed. The issue is the *extent* of vegetation removal, rather than vegetation removal by itself.
3. The Panel notes that a previous proposal has been refused by the council and Land and Environment Court and that the latter has indicated that a smaller scale development may be suitable on the site. In the Panel's opinion, this proposal is smaller by only an insignificant extent, and still exceeds the environmental capacity of the land.
4. The Panel accepts the finding of the planning assessment report that the Species Impact Statement has not fully faced up to the extent of disturbance to threatened species.
5. While the Panel accepts that, given the proposed private bus, the site's remoteness from public transport and urban services is not a reason for refusal, it believes that this is a negative aspect of the application.
6. The Panel gives only minor weight to the draft WLEP 2009.
7. The Panel notes receipt of the service plan and therefore Reason 2 for refusal in the planning assessment report should be deleted.
8. The Panel notes that the site is ecologically sensitive and any development on it would require a very high level of sensitivity with regard to site planning, site disturbance, building design, protection of species and preservation of natural features. The Panel does not believe that the proposed development evidences an appropriate response to these issues.

ITEM 2

2010SYE070 - Warringah - DA2010/1446 - Demolition Works and Construction of a mixed use (Commercial/Retail and Residential) buildings (within the Freshwater Village Centre) - 22-26 Albert Street , 18-22 Marmoor & 5, 5A, 9, 15 & 21 Lawrence Freshwater.

5. Public Submissions

Mike Baird	Addressed the panel against the item
Paul Klarenaar on behalf of Northern Beaches Health Promotion, an Agency of NSW Health	Addressed the panel against the item
John Thorpe	Addressed the panel against the item
Charmaine Peckman	Addressed the panel against the item
Judy Curry	Addressed the panel against the item
Joan Brannan	Addressed the panel against the item
John Searle	Addressed the panel against the item
Robert Jarvis	Addressed the panel against the item
Clr Helen Wilkins	Addressed the panel against the item
Ann Sharp	Addressed the panel against the item
Marianne Matea	Addressed the panel against the item
William Kugler	Addressed the panel against the item
Peter Warr	Addressed the panel against the item
Angus Urquhart	Addressed the panel against the item
Narelle Urquhart	Addressed the panel against the item
Peter Harley	Addressed the panel against the item
Paul Davidson	Addressed the panel against the item
Jude Orme	Addressed the panel against the item
Rob Nicoll	Addressed the panel against the item
Barry Harte	Addressed the panel against the item
Ben Smythe	Addressed the panel against the item
Toni Evans	Addressed the panel against the item
Denise Goldstein	Addressed the panel against the item
Wendy Varney	Addressed the panel against the item
Glenn Thomas	Addressed the panel against the item
Phillip Curry	Addressed the panel against the item
Robert N. (Bob) Adams	Addressed the panel against the item
Brandon Snowsill	Addressed the panel against the item
Peter Demonchaux	Addressed the panel against the item
Clr Christina Kirsch	Addressed the panel against the item
Amanda Firbank	Addressed the panel against the item
Clr Virginia Laugesen	Addressed the panel against the item
Chris Bull	Addressed the panel against the item
Brian Dunphy – Secretary of “Friends of Freshwater Village” Community Group	Addressed the panel against the item
Kathy Pearce	Addressed the panel against the item

Kevin Tuckey	Addressed the panel against the item
Clr Vincent DeLuca	Addressed the panel against the item
Sue Francis, Planner	Addressed the panel in favour of the item, on behalf of the applicant
Tim Rogers, Traffic Engineers	Addressed the panel in favour of the item, on behalf of the applicant
John Pradel, Architect	Addressed the panel in favour of the item, on behalf of the applicant
John Lincon, Electron Magnetic Radiation Consultant	Addressed the panel in favour of the item, on behalf of the applicant

6. Business Item Recommendations

2010SYE070 - Warringah - DA2010/1446 - Demolition Works and Construction of a mixed use (Commercial/Retail and Residential) buildings (within the Freshwater Village Centre) - 22-26 Albert Street , 18-22 Marmoorra & 5, 5A, 9, 15 & 21 Lawrence Freshwater.

- 1) The Panel resolves unanimously to refuse the application. The Panel notes that this is not consistent with the recommendation of the first planning assessment report, which the Panel finds thorough and sound. It is simply that the Panel has come to a different planning value judgment.
- 2) The Panel notes that the supplementary assessment report recommends refusal. The Panel also notes that the recommendation of the Warringah Development Assessment Panel is to defer the application. The Panel believes, however, that deferral would be appropriate only if some new information or amendment were expected, and this is not true in this case.
- 3) The Panel's reasons for refusal are as follows:
 - a) The proposal breaches both the eleven-metre and the three-storey height limits.
 - b) The proposal is inconsistent with the Desired Future Character of the Harbord (Freshwater) Village Locality. That character is best expressed by the words "*mix of small retail and business uses with low-rise shop top housing*". A four-storey apartment building without retail or business component does not fit this description.
 - c) The public opposition to the proposal is overwhelming. It includes nearly 2000 objectors as well as the local and State representatives of the community. In some cases objectors represent a private interest; however, in this case the objectors are so numerous and so many of them are not directly affected by the development, that their opposition must be considered to represent the public interest.

The meeting concluded at 11.07pm.

Endorsed by

John Roseth
Chair
10 December 2010