

DETERMINATION AND STATEMENT OF REASONS

SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	30 October 2017
PANEL MEMBERS	Dr. Deborah Dearing (Chair), Dr. John Roseth, Clare Brown, Marcus Sainsbury, Steve Kennedy
APOLOGIES	None
DECLARATIONS OF INTEREST	Sue Francis

Public meeting held at PCYC Northern Beaches, 40 The Kingsway, Dee Why on 30 October 2017, opened at 7:15 pm and adjourning at 7:30 pm, closing at 9:45 pm.

MATTER DETERMINED

2017SNH038 – Northern Beaches – DA2017/0294 at 53 Little Wilandra Road, Oxford Falls (AS DESCRIBED IN SCHEDULE 1)

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to refuse the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.






The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel supports the recommendation for refusal by the Council, for the following reasons:

- The Rural Fire Service (RFS) has not provided its general terms of approval. Further, even if the RFS requirements were able to be met on the site, the impact on the ecology and habitat are likely to be significant, and insufficient information was provided to allow for a determination.
- Adverse impacts on the creek.
- Adverse impacts on the ecology of the area.
- Dramatic changes to the landform.

PANEL MEMBERS	
 Dr. Deborah Dearing (Chair)	 Dr. John Roseth
 Clare Brown	 Steve Kennedy
 Marcus Sainsbury	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SNH038 – Northern Beaches – DA2017/0294
2	PROPOSED DEVELOPMENT	Demolition works and construction of a Seniors Housing Development
3	STREET ADDRESS	53 Little Wilandra Road, Oxford
4	APPLICANT/OWNER	Brewster Murray Pty Ltd / Ching Li
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (State and Regional Development) 2011 State Environmental Planning Policy No. 55 – Remediation of Land State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy – Housing for Seniors or People with a Disability 2004 Warringah Local Environment Plan 2000 Draft environmental planning instruments: Nil Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i> Coastal zone management plan: Nil The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality The suitability of the site for the development Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report: 9 October 2017 Written submissions during public exhibition: Nine (9) submissions Verbal submissions at the public meeting: <ul style="list-style-type: none"> Object – Jacqui Marlow & Ann Sharp (on behalf of Friends of Narrabeen Lagoon Catchment) On behalf of the applicant – David Bonjer
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing meeting 31 July 2017 Final briefing meeting to discuss council's recommendation, 30 October 2017 at 4:30 pm. Attendees: <ul style="list-style-type: none"> <u>Panel members</u>: Dr. Deborah Dearing (Chair), Dr. John Roseth, Clare Brown, Marcus Sainsbury, Steve Kennedy <u>Council assessment staff</u>: Lashta Haidari, Anna Williams, Brendan Smith, Ben Fallowfield
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	N/A