

DATE OF DETERMINATION	20 November 2017
PANEL MEMBERS	Sue Francis (Acting Chair), John Roseth, Julie Savet Ward, Steve Kennedy
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Electronic meeting held between 17 November 2017 and 20 November 2017.

MATTER DETERMINED

2017SNH045 – Northern Beaches – DA2017/0446 at 14 Patey Street Dee Why (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 approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

At the public meeting on 19 September 2017, the Panel took into account the views of neighbours and concluded that the impact on 7 Patey Street was unreasonable and should be reduced. The Panel required the setback of the upper floor from this neighbouring property to be increased to 13.7 m. The amended proposal increases this setback to 14.7m.

The Panel approved the application for the following reasons:

- The cl 4.6 variation to height has been reduced by the setback at the upper level to the sensitive residential boundary such that the height exceedance is now central to the building and would not cause any detrimental impact. The cl4.6 variation is well founded.
- The proposed setback is greater than sought and assists in mitigating impact to the neighbour at 7 Patey Street.
- The proposal results in a general improvement of the hospital facilities on site and overall improves the relationship to adjoining residences including maneuverability of vehicles.

CONDITIONS

The development application was approved subject to the conditions in the Council Supplementary Report received 9 November 2017.

PANEL MEMBERS	
 Sue Francis (Acting Chair)	 John Roseth
 Julie Savet Ward	 Steve Kennedy

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SNH045 – Northern Beaches – DA2017/0446
2	PROPOSED DEVELOPMENT	Alterations and Additions to an existing Hospital
3	STREET ADDRESS	14 Patey Street Dee Why
4	APPLICANT/OWNER	Applicant: CDP Services Pty Ltd Owner: Delmar Private Hospital Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy No.55 – Remediation of Land ○ State Environmental Planning Policy (Infrastructure) 2007 ○ Warringah Local Environmental Plan 2011 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Warringah Development Control Plan 2011 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil • 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: 25 August 2017 • Council supplementary report: 9 November 2017 • Written submissions during public exhibition: 51 • Verbal submissions at the public meeting 19 September 2017: <ul style="list-style-type: none"> ○ In objection – Michael Marr Jeffrey Lee, Chris Defal, Martin Loewensohn ○ On behalf of the applicant – Greg Boston
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing meeting: 12 July 2017 • Final briefing meeting to discuss council’s recommendation, 19 September 2017.
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report