

<b>DATE OF DEFERRAL</b>	Tuesday 11 June 2019
<b>PANEL MEMBERS</b>	Peter Debnam (Chair), Sue Francis, Peter Brennan, Annelise Tuor, Steve Kennedy
<b>APOLOGIES</b>	John Roseth
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held at Northern Beaches Council Chamber, 725 Pittwater Road Dee Why on Tuesday, 11 June 2019, opened at 3.15pm and closed at 5pm.

**MATTER DEFERRED**

2018SNH067 – Northern Beaches – DA2018/1708 – 195 Sydney Road Fairlight for a Boarding House development (as described in Schedule 1)

**REASONS FOR DEFERRAL**

The Panel is aware that the matter is the subject of an appeal. The Panel is also aware that the applicant and Council have undertaken without prejudice discussions in accordance with Court Directions. The S34 conciliation conference and hearing is understood to be scheduled for 10 September 2019.

The Panel heard from residents who identified concerns relating to the project.

Unfortunately, the Panel did not have the benefit of hearing from the applicant during the meeting and therefore the Panel was not able to seek clarification of certain aspects of the proposal.

Nevertheless, having reviewed the assessment report and considered the proposal, it appears to the Panel that the proposal has merit with a few matters requiring clarification. In the Panel's view, the proposal is generally consistent with the planning framework established by SEPP Affordable Rental Housing. The existing and desired future character for the area envisages a diversity of housing types and the proposal subject to further landscaping would not be incompatible. In relation to rear setback, the topography of the site renders the necessity for full compliance with the 8 meter rear setback unnecessary to maintain separation and privacy. The Panel notes that adjoining developments and developments in the vicinity have not maintained an 8 meter setback in the DCP. The Panel feels the courtyards are a fundamental and desirable component as they break up the building bulk and provide opportunities for landscaping.

Accordingly, the Panel defers the matter and seeks draft conditions of consent, including addressing the following:

1. Deletion of the café
2. Increase the landscaping to the front and site setbacks to incorporate canopy trees (using in part the area of the deleted café)
3. Stormwater and drainage improvements
4. Plan of management
5. Geotechnical concerns

Council are to provide a supplementary report and conditions of consent for the Panel consideration by 20 June 2019.

When this information has been received, the panel will determine the matter electronically, unless the Panel Chair feels another public meeting is required.

The decision to defer the matter was unanimous.






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

#### CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition and heard from all those wishing to address the panel.

The Panel notes that issues of concern included setbacks, landscaping, inappropriate character, internal amenity, traffic and parking, public transport, geotechnical concerns, scale and density, privacy, loss of property value, safety and management.

The Panel considers that concerns raised by the community have been adequately addressed in the assessment report.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Sue Francis
 Peter Brennan	 Annelise Tuor
 Steve Kennedy	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SNH067 – Northern Beaches – DA2018/1708
2	PROPOSED DEVELOPMENT	Demolition works and construction of a boarding house.
3	STREET ADDRESS	Lot 2 DP 589654, 197 Sydney Road FAIRLIGHT NSW 2094 Lot 87 DP 1729, 195 Sydney Road FAIRLIGHT NSW 2094
4	APPLICANT/OWNER	Michael Ben Vance, Kelly Maree Vance, Kevin Bruce Andrews, Joan Lynette Andrews
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy No.55 – Remediation of Land</li> <li>○ State Environmental Planning Policy (Affordable Rental Housing) 2009</li> <li>○ State Environmental Planning Policy (Building Sustainability Index BASIX) 2004</li> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ Manly Local Environmental Plan 2013</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Manly Development Control Plan</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</li> <li>• Coastal zone management plan: Nil</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>• The suitability of the site for the development</li> <li>• Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Council assessment report: 30 May 2019</li> <li>• Written submissions during public exhibition: 251</li> <li>• Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>○ In objection – Sandra Hudspith on behalf of residents of Tarquin Apartments, Agi Zenon, Kirsty Pawley, Kirsty Pawley on behalf of Gopala Maurer (President Northern Beaches Strategic Community Group), Chris Naftel, James Forsyth, Marina Dunshea on behalf of Fiona McAuley, Harry Hammond.</li> <li>○ Council assessment officer – Claire Ryan</li> </ul> </li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Site inspection: 30 January 2019</li> <li>• Briefing: 30 January 2019</li> <li>• Final briefing to discuss council's recommendation, 11 June 2019 at. Attendees: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Peter Debnam (Chair), Sue Francis, Peter Brennan, Annelise Tuor, Steve Kennedy</li> <li>○ <u>Council assessment staff</u>: Claire Ryan</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	Attached to the council assessment report

