

**MINUTES OF THE SYDNEY EAST JOINT REGIONAL PLANNING  
PANEL MEETING HELD AT  
WARRINGAH COUNCIL ON  
23 NOVEMBER 2010 AT 12.35PM**

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

**IN ATTENDANCE**

<b>Name</b>	<b>Role at Council</b>
Malcolm Ryan	Director Strategic and Development Services
Peter Robinson	Manager Development and Compliance Services
Rod Piggott	Team Leader, Development Assessment
Lashta Haidari	Senior Development Assessment Officer
Cathie Arkell	Development Panel Coordinator (Minute Secretary)

**APOLOGY:** Nil

The meeting commenced at 12.35.

**1. Declarations of Interest: Nil**

**2. Business Items**

**ITEM 1** 2010SYE062 - Warringah DA2010/1285 - Demolition works and construction of a mixed use (Commercial/Retail & Residential) Development - 638 Pittwater Road Brookvale

**3. Public Submissions**

Ian Hashman	Applicant
Greg Coppin	Architect on behalf of the applicant
Ross Fleming	Planner on behalf of the applicant

The Panel heard submissions from the applicant and his representatives and adjourned the meeting to consider the application.

**Meeting Adjourned 1.00pm**

**Meeting Resumed at 1.35pm**

#### **4. Business Item Recommendations**

2010SYE062 - Warringah DA2010/1285 - Demolition works and construction of a mixed use (Commercial/Retail & Residential) Development - 638 Pittwater Road Brookvale.

1. The Panel resolved unanimously to accept the Planning Assessment report's recommendation to refuse the application, generally for the reasons listed in the report, except as expanded on below.
2. The Panel gives major weight to the draft WLEP 2009 which prohibits residential development in both zones (zones B5 and IN1) covering the site. The Panel understands that the gazettal of the LEP 2009 will occur in the near future.
3. The Panel notes that the applicant has made a submission to the Minister requesting either to defer the site from the LEP or to add residential development as a permissible use to the above zones in respect of this site; as well as the Minister's reply that he will consider these requests when the Department submits the draft LEP for making.
4. The Panel notes that the zones B5 and IN1 proposed in the draft WLEP 2009 for the site are consistent with the State Government's and the Council's Strategic objectives for the Dee Why / Brookvale Centre zones while a standard set of permissible uses are consistent with the State Government's objective of consistent LEPs throughout the State.
5. At this time the only information before the Panel supports the assumption that the proposed zoning of the site in the draft WLEP 2009 is, if not certain, very likely to remain.
6. Moreover, in the LEP currently in operation, WLEP 2000, this site falls within the F1 and F3 localities. For the F3 locality residential development is a Category 3 development. The Panel does not believe that the proposal is consistent with the Desired Future Character of the Locality which is essentially an industrial and employment area character.
7. The Panel is conscious of the fact that the application is for affordable housing, which is a form of land use for which it is difficult to find appropriate locations. The Panel believes, however, that it must not put such a consideration ahead of strategic and planning principles.
8. Finally, should the Panel be mistaken about future zoning, and should housing under a future WLEP 2009 become permissible, the applicant will be able to lodge a new application.

#### **MOTION CARRIED - UNANIMOUSLY**

The meeting concluded at 1.38PM.

Endorsed by

John Roseth  
**Chair**  
24 November 2010