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**Sent:** 14/12/2018 5:21:36 PM  
**Subject:** DA 2018 / 1667  
**Attachments:** Allambie DOC131218-13122018092018.pdf;

**Attention: Lashta Haidari**

-  
**RE; 181 Allambie Road Allambie Heights, Lot 2615 DP 752038**

-  
The land subject to the application is owned by Department of Industry – Land, Metropolitan and is leased to The Benevolent Society under the Crown Lands Act 1989 until at least May 2041.

The applicant is Allambie Heights Village Ltd and not The Benevolent Society, I assume The Benevolent Society owns the shares / units in the entity Allambie Heights Village Ltd.

A request was firstly made to the Department of Lands and secondly to Northern Beaches Council for a copy of the lease so the terms of the lease could be understood. Both rejected the request so a GIPA was made to NBC. The full terms of the lease have not been supplied but the documentation, (attached), received suggests that the permissible terms of the lease are as follows:-

- 4 buildings, community facilities, senior living, suburban settlement.
- A Retirement village hostel and buildings for support services

The application is made under State Environmental Policy – Housing for Seniors...(Seniors SEPP)

Clause 12 of the Seniors SEPP defines the accommodation, service provision and availability for a hostel. I cannot see within the application where the applicant has satisfied this clause of the Seniors SEPP & as a condition / purpose of the lease from Department of Lands. Would you please include this as an issue in your assessment.

The purpose of the lease also suggests that 4 buildings are permissible as a purpose of the lease. If consent is given then the land will have 6 buildings erected – would you please include this as an issue in your assessment.

The Statement of Environmental Effects, (SEE), makes a number of references to the apartments being of 3 bedroom, 128m2, well appointed “Luxury” apartments, each apartment costing somewhere between say \$675,000 & \$791,000, (including community facilities), to deliver – i.e. the cost base.

The Benevolent Society has obtained charitable status & as such is exempt from income tax, GST, FBT & in all likelihood be exempt from council’s S94 contributions. I note the SEE makes application for such exemption.

The Benevolent Society obtains charitable status and obtains these exemptions as a Public Benevolent Institution to:-

- Relieve poverty, sickness or disability
- Provide low rental accommodation to underprivileged persons affected by poverty sickness or disability.

The application not only includes “luxury” apartments but includes a pool building / communal area that contains a number of recreation facilities including a 4 hole putting green. I cannot see anywhere in the application how the applicant demonstrates that apartments costing in excess of \$675,000 to deliver can be rented to underprivileged seniors within our community. I strongly question the business case and motives behind this application and suggest that the proposed form of tenure / commercial arrangements be disclosed by the applicant to you as part of your assessment.

I question if this application meets any of the criteria of :-

- The terms of the lease
- The objectives and Charitable status of The Benevolent Society.

Would you please take these points into consideration in your assessment.

Nick Reid  
25 Eurobin Avenue, Manly.  
Ph; 0419 163 346

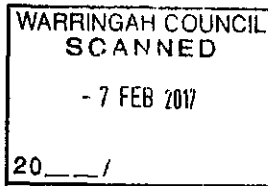
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Department  
of Industry  
Lands

**Granting of a lease pursuant to the provisions of  
Section 34A, Crown Lands Act, 1989.**

File Reference: 14/04943  
Account No: RE 451721



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3 February 2017

Northern Beaches Council  
Civic Centre  
DEE WHY NSW 2099



Dear Sir/Madam

**In accordance with the above provisions, a Lease (S34a) has been granted as follows:**

**Particulars**

Holder	The Benevolent Society
Holding Number	RE 451721
Commencement Date	20th May 2016
Expiry Date	19 May 2041
Purpose	4, buildings, community facilities, seniors living, suburban settlement
Description of property to which Licence attaches	Lot 2615 DP 752038 known as 181 Allambie Road, Allambie Heights
Postal Address	PO Box 171 PADDINGTON NSW 2021
Area	3.726ha

If you have any queries in relation to this correspondence please use the above contact details.

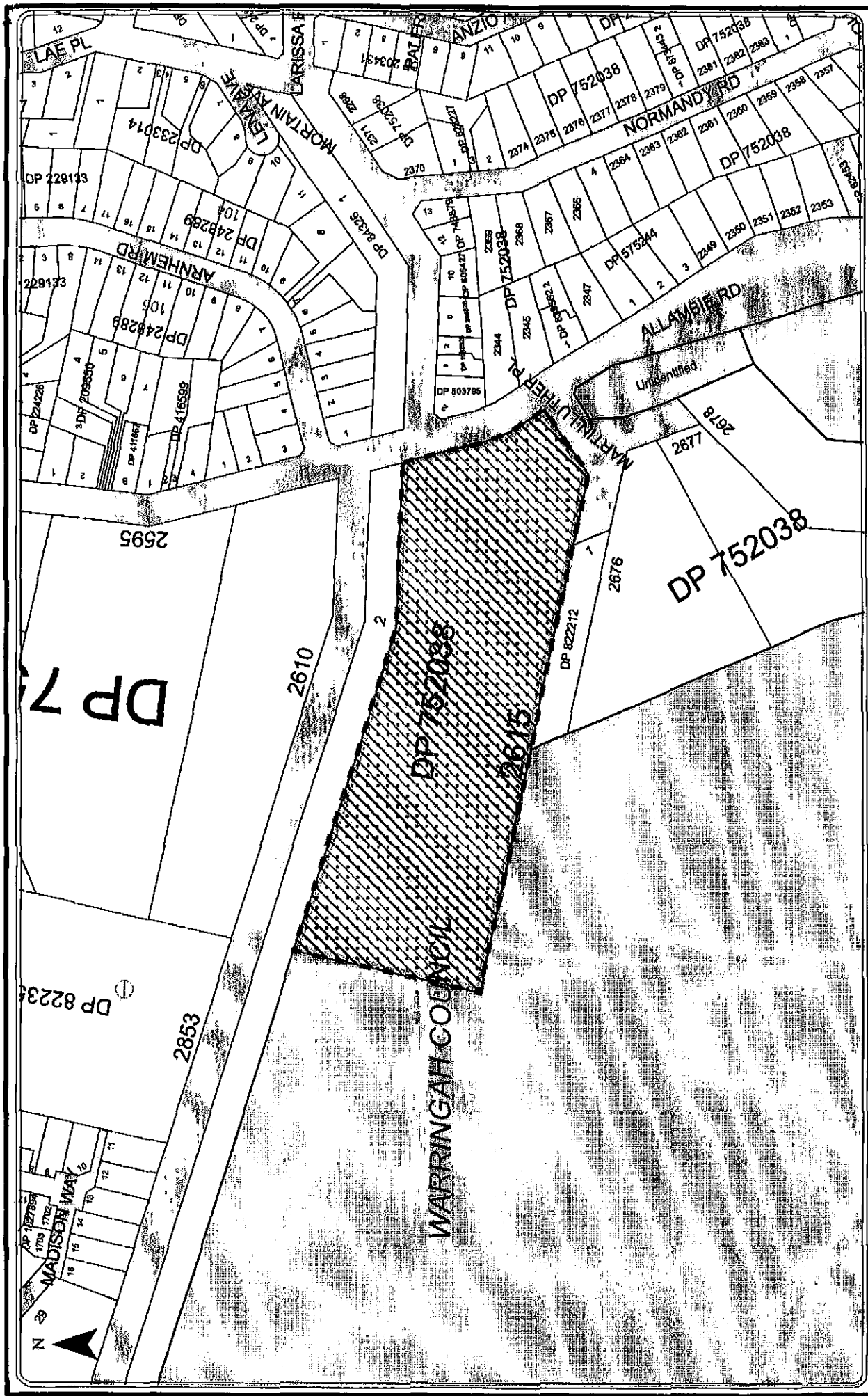
Yours faithfully

Brett Lawson  
Department of Industry - Lands, Metropolitan

Lot 2615 DP 752038, shown by pink edge on the attached diagram, has been occupied by The Benevolent Society since 1<sup>st</sup> August, 1960 by virtue of Special Lease 1957/235 Metropolitan and then Special Lease 1971/11 Metropolitan which is due to expire on 31<sup>st</sup> December, 2010.

Details of the proposed lease are as follows:-

- Term 50 years
- Purpose Retirement Village Hostel (accommodation for older people and / or people with a disability) and Buildings (administration support services)
- Area 3.726 hectares of Crown land comprising the whole of Lot 2615 DP 752038



PARISH: MANLY COVE  
 COUNTY: CUMBERLAND  
 LGA: WARRINGAH  
 SUBURB: ALLAMBIE HEIGHTS

Scale 1:3,000  
 0 25 50 75  
 Metres

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