

**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

Name	Role at Council
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 WLEP 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