
Sent: 5/07/2021 3:29:55 PM
Subject: DA 2021-0008 Development in 12 & 14 Ponsonby Parade, SEAFORTH
Attachments: 210705_DA 2021-0008 _Submission_Sue and Rob Cockerill.pdf;

Hi Livia,

Attached please find our submission to be tabled at the upcoming meeting set down for the 7th of July 2021.

Please confirm receipt of our document.

Kind Regards
Sue and Rob Cockerill
610 Sydney Rd
Seaforth 2092
MB: 0419 244 683

*610 Sydney Rd
Seaforth NSW 2092
5 July 2021*

**Northern Beaches Local Planning Panel
DA 2021/0008
12 & 14 Ponsonby Parade, SEAFORTH
Seniors Housing Development**

Dear Planning Panel Chair and Members,

We feel the following points as outlined in the Assessment Report need further review and consideration by the Planning Panel for the above noted development application. These points are shared by other concerned local residents.

- **Section 4.4 Floor Space Ratio**

The Assessment Report notes:

“In this instance, it is considered that a clause 4.6 request is not required. This position is shared by the applicant, and no clause 4.6 request has been provided. Should the Panel ultimately disagree with this position, the lack of a clause 4.6 request may also be included as a reason for the refusal of the subject application.”

Whilst the report refers to a decision in the Land & Environment Court, this was a decision of the commissioner and is not case law.

On this basis it is understood that a clause 4.6 report is needed for FSR exceedance and in the absence of a proper clause 4.6 report the application cannot be approved. It is requested that this be noted as a further reason for refusal of the application.

- **Conclusion:**

The assessment report notes:

“Should the applicant be willing to continue to work with Council in response to the concerns raised in this report, a section 8.2 application may be lodged in response to the refusal of the subject application.”

The suggestion by Council officers in the report that a section 8.2 review is an option is concerning given the applicant's numerous opportunities to address the shortfalls in their application and their reluctance to do so giving rise to significant community concern.

It is requested that any further application be notified and the community involved in the process, rather than any decision being made behind closed doors as is the case with a section 8.2 review.

Additionally, given the opportunities the applicant has been given to address the issues raised, it is requested that this application not be deferred but that the Planning Panel refuse it on the basis of the proposal as it stands and the numerous issues raised.

Yours faithfully,

Sue and Rob Cockerill

Sue and Robert Cockerill