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**Sent:** 5/07/2021 2:44:35 PM  
**Subject:** RE: Northern Beaches Local Planning Panel Meeting - DA2021- 0008 -12-14 Ponsonby Pde Seaforth  
**Attachments:** 210705\_DA 2021-0008 \_Submission\_AW.pdf;

Dear Livia,

Thanks for getting back to me this morning. Please now find attached my further submission for the Planning Panel's consideration.

Kind Regards,  
Anne Warren

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**From:** Livia Kekwick  
**Sent:** Monday, 5 July 2021 8:28 AM  
**To:** Anne Warren  
**Subject:** RE: Northern Beaches Local Planning Panel Meeting - DA2021- 0008 -12-14 Ponsonby Pde Seaforth

Hi Anne,

Please forward your submission to myself and I will pass it onto the Panel.

If you wish to speak please let me know and I can add you to the speakers list.

Regards,

**Livia Kekwick**  
Senior Administration Officer

Business Systems & Administration  
t 02 8495 6475  
[livia.kekwick@northernbeaches.nsw.gov.au](mailto:livia.kekwick@northernbeaches.nsw.gov.au)  
[northernbeaches.nsw.gov.au](http://northernbeaches.nsw.gov.au)



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**From:** Anne Warren <[anne.warren@johnstaff.com.au](mailto:anne.warren@johnstaff.com.au)>  
**Sent:** Monday, 5 July 2021 7:30 AM  
**To:** Livia Kekwick <[Livia.Kekwick@northernbeaches.nsw.gov.au](mailto:Livia.Kekwick@northernbeaches.nsw.gov.au)>  
**Subject:** Northern Beaches Local Planning Panel Meeting - DA2021- 0008 -12-14 Ponsonby Pde Seaforth

Dear Livia,

I received a letter from council advising of the above meeting and am considering making a submission ( or requesting time to address the panel) regarding the above noted DA by 5pm today. Can you please advise ASAP today what is required so I can complete the necessary documentation.

Thanks in advance for your assistance.

Kind Regards,

Anne Warren  
2 Ponsonby Pde Seaforth.

Northern Beaches Council

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2 Ponsonby Pde  
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,

This letter is a written submission for the Planning Panel's further consideration of the following matters noted in the Assessment Report:

- 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,

*Anne Warren*

Anne Warren