



6 February 2009

## **Media Release**

### **State Environmental Defenders Office to review Dee Why height increase**

While the majority of Warringah Councillors voted down a motion of Cr Vincent De Luca in November to review the former Administrator and Council's processing of the Local Environment Plan that facilitates a height increase in the Dee Why Town Centre from 6 storeys to 18, the NSW Environmental Defenders Office has been commissioned by local residents to do the job.

Following the Minister for Planning, Kristina Kenneally approving the Administrator's proposals, it was revealed that the only way the height precedent can be stopped is by Court challenge. A review would be necessary to identify any deficiencies in the process such as bias by the decision maker, and/or other breaches of administrative law principles. A challenge must be lodged within three months of the Minister's decision, thus by 28 February.

Cr De Luca will move on Tuesday night that Council facilitate the Environmental Defenders' Office review by providing full access to all documents on the matter and to the Council staff that processed the matter.

"Mayor Regan and his Wake Up Warringah party colleagues stated that my motion should be defeated on the basis of costs to the community and its would be like finding a needle in a hay stack in engaging an independent investigator and QC to review the process. That argument is out the window now, with the Environmental Defenders Office providing their services at a nominal costs that have been met by concerns residents".

"A number of concerns have been raised about the Administrator's impartiality in this matter, ranging from him first announcing the proposal in November of 2007 via Council Media Release and providing the contact details of the developer to actively promote the proposal and dismissing residents' concerns before they even had a chance to properly voice them. There was also concern that Council held a meeting with members of the Independent Hearing and Assessment Panel in the absence of residents, thus denying residents a say on the proposal".

"All Councillors prior to the election committed to stopping the Chatswood like high rise towers, it is a shame the Wake Up Warringah Party Councillors and those others that voted

## Cr Vincent De Luca OAM

Warringah Councillor for "A" Ward



down my motion in November have done a backflip on their election promises and been disingenuous with our community."

"Councillors should vote to do everything possible to help the Environmental Defenders Office and open the files to them. There is an old saying "if there is nothing to hide, there should be no problem with transparency" Cr De Luca said.

"There is overwhelming opposition to the proposed height increase by the community. It sets a precedent for more of the same in the future so it is imperative we try and stop it. As democratically elected and accountable Councillors we have a duty to seek that the height increase is properly reviewed".

**For more information please contact Cr De Luca on 0408 650 651**