

DATE OF DETERMINATION	28 July 2020
PANEL MEMBERS	Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Cheryl Szatow, Martin Smith
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 21 July 2020.

MATTER DETERMINED

PPSSNH-86 – Ku-ring-gai – MOD0017/20 at 144, & 146 Killeaton Street, 1 Yarrabung Road and 1, 3 and 5, College Crescent, St Ives for modifications to an approved development application (as described in Schedule 1)

PANEL CONSIDERATION AND DECISION

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

Development application

The panel determined to approve the development application pursuant to section 4.55 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The panel determined to approve the application for the reasons outlined in the council assessment report.

The Panel noted the following corrections to the Assessment Report:

- Page 8. Above Figure 1.3 Approved South Elevation.
 - Should read: 'On the Southern elevation the proposed changes to the approved plans also include **horizontal windows replacing vertical** ... This pattern of change **to horizontal window presentation** is repeated on the eastern and western elevations in the modified plans.'
 - This to replace: 'On the Southern elevation the proposed changes to the approved plans also include **vertical as opposed to horizontal** windows... This pattern of change **to vertical window** presentation is repeated on the eastern and western elevations in the modified plans.'
- **Page 11. Internal Site Amenity**
 - Should read: 'The increase in GFA occurs within the building extending into the courtyards **and includes the provision of** an enclosed sunroom and other common areas for the amenity of residents.'
 - This is to replace: 'The increase in GFA occurs within the building extending into the courtyard **are** with the **provision or** enclosed sunrooms and other common areas for the amenity of residents.'
- **Page 12. Clause 6.2 Earthworks**
 - Should read: 'The floor plate has been **changed** to increase the tree protection zones of two existing trees T48 and T67.'

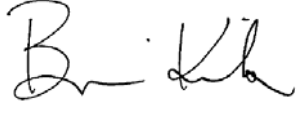
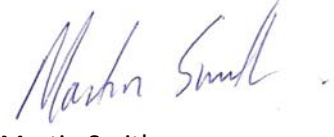
- This is to replace: 'The floor plate has been **changes** to increase the tree protection zones of two existing trees T48 and T67

CONDITIONS

The development application was approved subject to the conditions in the council assessment report.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel notes that no written submissions were made during public exhibition and therefore no issues of concern were raised.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Julie Savet Ward
 Brian Kirk	 Cheryl Szatow
 Martin Smith	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSNH-86 – Ku-ring-gai – MOD0017/20
2	PROPOSED DEVELOPMENT	Section 4.55(2) modification to a development consent to demolish structures and construct a residential aged care facility, basement parking and landscaping works under the provisions of SEPP (Housing for Seniors or People with a Disability) 2004.
3	STREET ADDRESS	144, & 146 Killeaton Street, 1 Yarrabung Road and 1, 3 and 5, College Crescent, St Ives
4	APPLICANT/OWNER	Estia Investments Pty Ltd C/O Peter Hamilton
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(2) Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - State Environmental Planning Policy No.55 – Remediation of Land - State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 - Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP) - Ku-ring-gai Local Environmental Plan (Local Centres) 2012 - Draft environmental planning instruments: Nil - Development control plans: - Ku-ring-gai Development Control Plan - Ku-ring-gai Contributions Plan 2010 - Planning agreements: Nil - Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil - Coastal zone management plan: [Nil] - The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality - The suitability of the site for the development - Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations - The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	- Council assessment report: 21 July 2020 - Written submissions during public exhibition: Nil
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	Nil
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report