

DATE OF DECISION	Wednesday 7 November 2018
PANEL MEMBERS	Peter Debnam (Chair), Sue Francis, John Roseth
APOLOGIES	Barbara Newman, Suzanne Jolly
DECLARATIONS OF INTEREST	Cedric Spencer and Sam Ngai both declared a conflict having voted on this proposal at Council meeting 22 May 2018.

REZONING REVIEW

2018SNH037 – Ku-ring-gai -RR_2018_KURIN_001_00 at 95-97 Stanhope Drive Killara (AS DESCRIBED IN SCHEDULE 1)

Reason for Review:

- ☒ The council has notified the proponent that the request to prepare a planning proposal has not been supported
- ☐ The council has failed to indicate its support 90 days after the proponent submitted a request to prepare a planning proposal or took too long to submit the proposal after indicating its support

PANEL CONSIDERATION AND DECISION

The Panel considered: the material listed at item 4 and the matters raised and/or observed at meetings and site inspections listed at item 5 in Schedule 1.

Based on this review, the Panel determined that the proposed instrument:

- ☒ **should** be submitted for a Gateway determination because the proposal has demonstrated strategic and site specific merit
- ☐ **should not** be submitted for a Gateway determination because the proposal has
- ☐ not demonstrated strategic merit
 - ☐ has demonstrated strategic merit but not site specific merit

The decision was unanimous.

REASONS FOR THE DECISION

The Panel has considered the Council's contention that the site is somewhat remote from the train station and commercial centres. However, the retirement village is already in place and the planning proposal would lead to an improvement in accessibility within this steep site as well as in its connection to facilities outside. On balance, the Panel considers this to be a major benefit.




The Panel considers that the proposal has strategic merit in that it will allow for expanded and improved aged care facilities within an existing village.

The Panel considers the proposal has site-specific merit since it seeks to upgrade and improve the facilities of an existing retirement village allowing resolution of some of the existing constraints relating to bushfire, access, design and facilities.

However, the Panel would suggest to the delegate to consider the following to be part of the Gateway Determination:

1. That the concurrence of the RFS be received in relation to the proposal prior to exhibition.
2. That any Masterplan resolution in respect of Item 1. above shall ensure that the maximum height of buildings permitted is reduced by requiring buildings to utilise the topography and to be "cut into" the site.

3. That, due to the site's location, any proposal shall be required to provide a village bus to access local centres.
4. That R3 is only acceptable if non-seniors housing is required as a buffer to the bushland to the south. If the resolution to Item 1. above results in no development adjacent to the bushland then R2 would be a more appropriate zone with only a change to the FSR and height being necessary.
5. That prior to any exhibition of the proposal, a site specific DCP be prepared and placed on exhibition with the Planning Proposal.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Sue Francis
 John Roseth	

SCHEDULE 1		
1	PANEL REF – LGA – DEPARTMENT REF - ADDRESS	2018SNH037 – Ku-ring-gai - RR_2018_KURIN_001_00 at 95-97 Stanhope Drive Killara
2	LEP TO BE AMENDED	Ku-ring-gai Local Environmental Plan 2015
3	PROPOSED INSTRUMENT	The rezoning review request seeks to amend the rezone the land from R2 Low Density Residential to R3 Medium Density Residential as well as amending the associated floor space ratio and height of building development standards.
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Rezoning review request documentation Briefing report from Department of Planning and Environment
5	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Site inspection: 7 November 2018 <ul style="list-style-type: none"> Panel members in attendance: Peter Debnam (Chair), Sue Francis, John Roseth Department of Planning and Environment (DPE) staff in attendance: Michael Cividan, Christine Gough Briefing with Department of Planning and Environment (DPE): 7 November 2018, commencing time <ul style="list-style-type: none"> Panel members in attendance: Peter Debnam (Chair), Sue Francis, John Roseth DPE staff in attendance: Michael Cividan, Christine Gough Briefing with Council & Proponent: 7 November 2018, start time <ul style="list-style-type: none"> Panel members in attendance: Peter Debnam (Chair), Sue Francis, John Roseth DPE staff in attendance: Michael Cividan, Christine Gough Council representatives in attendance: Rathna Rana, Anthony Fabbro, Craige Wyse Angela Smidmore, Joseph Piccoli, Andreana Kennedy, Penny Hemsworth Gramah Swain (Consultant) Proponent representatives in attendance: Calum Ross, Jane Freeman, Lucas Flecha, Dean Hosking, Rod Rose, Andrew Hulse



DATE OF DECISION	8 September 2021
PANEL MEMBERS	Peter Debnam (Chair), Julie Savet Ward and Brian Kirk
APOLOGIES	None
DECLARATIONS OF INTEREST	Martin Smith and Cheryl Szatow declared a conflict of interest as they had been involved in Council's original evaluation of the proposal.

PLANNING PROPOSAL

PP-2021-4968 - Planning Proposal for Lourdes Retirement Village – 95-97 Stanhope Road, Killara

The revised Planning Proposal proposes to amend the Ku-ring-gai LEP 2015 as follows:

- Rezone the site from R2 (Low Density Residential) to R3 (Medium Density Residential).
- Amend maximum building heights from 9.5m to heights ranging from 9.5m to 22m
- Table 1: Comparison of height limits

Height control	Previous Planning Proposal Area (sqm)	Revised Planning Proposal Area (sqm)
9.5m	23,105	32,319
11.5m	3,989	362
14.5m	0	2,363
16.0m	0	4,885
20.5m	0	8,711
22.0m	10,757	3,884
24.0m	14,673	0

- Amend maximum FSR from 0.3:1 to 0.75:1.

The proposal facilitates a Concept Master Plan that includes:

- 141 independent living units (ILU).
- A residential aged care facility (RACF) with 110 beds.
- 1,400sqm of internal communal space.
- Medium density development of the southern portion of the site comprising of
- Approximately 63 townhouses.




PANEL DECISION – FORWARDING OF PLANNING PROPOSAL FOR GATEWAY DETERMINATION

As the Planning Proposal Authority, the Panel considered the revised planning proposal and resolved that it should continue to the Gateway Assessment stage under section 3.34 of the *Environmental Planning and Assessment Act 1979*, subject to:

- a) revision of the western driveway access arrangements to provide better amenity for neighbouring properties on the western boundary (including an appropriate landscaped buffer); and

- b) reduction in the area allocated to Height of Building R 22m and N 14.5M to better reflect the indicative layout plan.

The Panel's decision was unanimous.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Julie Savet Ward
 Brian Kirk	

DATE OF DECISION	27 July 2022
PANEL MEMBERS	Peter Debnam (Chair), Julie Savet ward, Brian Kirk, Kim Wheatley, Suzanne Jolly
APOLOGIES	None
DECLARATIONS OF INTEREST	None

PLANNING PROPOSAL

PP-2022-658 - Planning Panel for Lourdes Retirement Village (95-97 Stanhope Road, Killara).

The proposal seeks to amend the Ku-ring-gai Local Environmental Plan 2015 as follows:

- Rezone site from R2 Low Density Residential to R3 Medium Density Residential.
- Amend maximum building heights from 9.5m to heights ranging from 9.5m to 22m.
- Amend maximum FSR from 0.3:1 to 0.75:1.

The proposal facilitates a Concept Master Plan that includes:

- 141 independent living units.
- A new aged care facility with 110 beds.
- 1,400sqm of internal communal space.
- Medium density development of the southern portion of the site comprising of approximately 63 townhouses.

PANEL DECISION – EXHIBITION OF PLANNING PROPOSAL



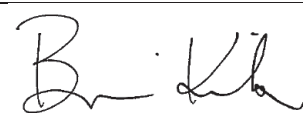
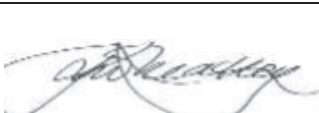
The Department of Planning and Environment has advised that all relevant Gateway Determination conditions have been met, subject to further minor updates to address conditions.

As the Planning Proposal Authority, the Panel determined the planning proposal as submitted is suitable for public exhibition, subject to the proposal being updated to address the following:

- Specifically consider the implications of clauses 84 and 87 of SEPP (Housing) 2021;
- Include an indicative layout for Townhouse Type C;
- The timeline should be updated to reflect the Gateway Milestones conditioned; and
- Consideration of parking rates set out in the SEPP (Housing) 2021 for aged care facilities and independent living units.

The proposal will be exhibited for a minimum of 30 days as per the Gateway determination dated 10 May 2022.

The decision was unanimous.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Julie Savet ward
 Brian Kirk	 Kim Wheatley

Jolly

Suzanne Jolly