

## MINUTES OF KU-RING-GAI LOCAL PLANNING PANEL MEETING HELD ON MONDAY, 22 JULY 2024

- Present: Chairperson (The Hon. David Lloyd KC)  
Expert Panel Member (Vincent Hardy)  
Expert Panel Member (Shivesh Singh)  
Community Member (Eugene Sarich)
- Staff Present: Director Development & Regulation (Michael Miocic)  
Development Assessment Services Manager (Shaun Garland)  
Planning Panels Coordinator (Kerry Frair)
- Team Leader – Development Assessment (Jonathan Goodwill)  
Executive Assessment Officer (Luke Donovan)  
Acting Manager, Urban & Heritage Planning (Bill Royal)  
Team Leader, Urban Planning (Craig Wyse)  
Consultant Urban Designer, Strategy and Environment (Jared Phillips)  
Senior Urban Planner, Strategy and Environment (Rathna Rana)  
Urban Planner, Strategy and Environment (Alexandra Plumb)  
Infrastructure Coordinator, Strategy and Environment (Kate Paterson)  
External Consultant (Helena Miller)  
External Consultant (Michael Zanardo)

*The Public Meeting commenced at 12:30PM*  
*The Public Meeting closed at 12:50PM*

### DECLARATIONS OF INTEREST

The Chair advised of the necessity for the panel members and staff to declare a Pecuniary Interest/Conflict of Interest in any item on the Business Paper.

No interest was declared.

### ADDRESSES TO PANEL

#### GB.1

Vivienne Dimmick  
Greg Hastie  
Kate Hadwen  
Brett Maynard

#### GB.2

Dr Shane Geha  
Ross Shepherd  
Amit Juka

**GB.3**

Adrian Melo

John Fitzgerald

**GENERAL BUSINESS****KLPP11 20 Avon Road, Pymble - Increase the enrolment capacity of Pymble Ladies College to 2550 students**

File: EDA0041/23

*Vide: GB.1***THE PANEL RESOLVED****DECISION****PURSUANT TO SECTION 4.16(1) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979**

- A.** The Ku-ring-gai Local Planning Panel, exercising the functions of the Council under Section 4.16 of the Environment Planning and Assessment Act 1979, being satisfied that the proposed development would be in the public interest, grant deferred commencement development consent to eDA0041/23 to increase the enrolment capacity of Pymble Ladies College to 2550 students at 20 Avon Road, Pymble, recommended in the Supplementary Development Assessment Report. Pursuant to Section 4.53(6) of the Environmental Planning and Assessment Act 1979, this consent lapses if the applicant fails to satisfy the consent authority as to the matters specified in the condition within five years after the granting of consent.
- B. Date of the decision:** 22 July 2024
- C. Reasons for the decision:**
1. The Panel supports the findings contained in the Supplementary Development Assessment report and endorses the reasons for approval contained in that report.
  2. The Panel accepts the expert advice that the increase in vehicle movements is not significant and is not expected to have any significant adverse impact on the surrounding key intersections and road network.
  3. The proposed conditions of consent, particularly the OTAMP and Green Travel Plan, should ensure the ongoing proper management of traffic onsite, minimize impacts on surrounding road network, ensure safe access to students and meet the concerns of objectors.
- D. How community views were taken into consideration:** The application was notified in accordance with the Council's Community Participation Plan and submissions made by members of the public were considered.

**Voting:** unanimous

KLPP12 **Planning Proposal**  
**51-53 Rohini St, Turramurra (Anglicare)**

File: S13985

*Vide: GB.2*

To refer the Planning Proposal for 51-53 Rohini Street, Turramurra (Anglicare Village) to the KLPP for advice as required by the Local Planning Panels Direction – Planning Proposals issued by the Minister for Planning under Section 9.1 of the Environmental Planning and Assessment Act 1979.

**The Panel Advised:**

- A.** The Panel advises Council that, following amendments to the Planning Proposal as outlined in the Report and the Table of Assessment at Attachment A1, the Planning Proposal be submitted to the Department of Planning, Housing and Infrastructure for a Gateway Determination.

That Council authorise the General Manager to correct any minor anomalies of a non-policy and administrative nature that might arise during the plan making process.

The Ku-ring-gai Local Planning Panel recommends deletion of:

1(b) Floor Space Ratio Map with maximum FSR 1.3:1 contingent on further detailed information from the proponent as per page number 157 of the Assessment Report.

The Panel supports the proponent's FSR of 1.5:1.

- B. Date of decision:** 22 July 2024

**C. Reasons for the recommendation:**

1. The Planning Proposal is consistent with the present R4 high density residential zoning of the site.
2. The Panel supports the findings in the assessment report and endorses the recommendation in that report, subject to the deletion of 1(b) as per page number 157 of the Assessment Report.
3. The Panel concurs with the proponent's preferred FSR of 1.5:1.
4. The site is strategically located close to transport, shops, services and local facilities.
5. The Planning Proposal demonstrates strategic and site specific merit, including being generally consistent with a number of planning objectives, including the Greater Sydney Region Plan, the North District Plan, the Council's Local Strategic Planning Statement, the Council's Community Strategic Plan, the State Environmental Planning Policies and Ministerial directions.
6. The proposal demonstrates a better urban design outcome than the existing development on the site.

**Voting:** unanimous

KLPP13 **Planning Proposal for 1364-1396 Pacific Highway and 1,1A and 3 Kissing Point Road, Turramurra**

File: S14408

*Vide: GB.3*

To refer the Planning Proposal for 1364-1396 Pacific Highway and 1, 1A, 3 and 3A Kissing Point Road, Turramurra (Turramurra Plaza site) to the KLPP for advice as required by the Local Planning Panels Direction – Planning Proposals issued by the Minister for Planning under Section 9.1 of the Environmental Planning and Assessment Act 1979.

**The Panel Advised:**

- A.** The Ku-ring-gai Local Planning Panel makes a recommendation to Council that the following Planning Proposal be submitted to the Department of Planning, Housing and Infrastructure for a Gateway Determination.
- B.** Should a Gateway Determination be issued for public exhibition of the Planning Proposal, the site-specific amendments to the Ku-ring-gai DCP Part 14 Urban Precinct and Sites 14B Turramurra Local Centre as outlined in this report, be placed on public exhibition concurrent with the Planning Proposal.
- C.** That Council authorise the General Manager to correct any minor anomalies of a non-policy and administrative nature that may arise during the plan making process.
- D. Reasons for recommendation:**
  - 1. The Panel supports the findings in the assessment report and endorses the reasons for the recommendation contained in that report.
  - 2. The Planning Proposal is consistent with the E1 Local Centre Zoning of the site.
  - 3. The Planning Proposal will facilitate development of the site for a mixed use development to include commercial premises, retail premises and shop top housing within the local centre.
  - 4. The Planning Proposal will provide public benefits, including a new community park, a new public road and road widening, dedication of land fronting the Pacific Highway, public parking, a new through site link, and lane upgrade.
  - 5. The Planning Proposal demonstrates strategic and site specific merit, being generally consistent with the objectives of the Greater Sydney Regional Plan, the North District Plan, the Council's Local Strategic Planning Statement, the Council's Local Housing Strategy, the Ku-ring-gai retail and commercial centres strategy, State Environmental Planning Policies and Ministerial directions.

**C: Date of the decision:** 22 July 2024

**Voting:** unanimous

*The Determination Meeting commenced at 12:55PM*  
*The Determination Meeting closed at 1:20PM*

**KU-RING-GAI LOCAL PLANNING PANEL****Declaration of Interest**

MEETING DATE	Monday 22 July 2024
Agenda Item/Panel reference number	<b>GB.1 – 20 Avon Road, Pymble - Increase the enrolment capacity of Pymble Ladies College to 2550 students</b> GB.2 – Planning Proposal - 51-53 Rohini Street, Turramurra, Anglicare GB.3 – Planning Proposal – 1364-1396 Pacific Highway and 1, 1A and 3 Kissing Point Road Turramurra

In relation to <sup>these matters</sup> ~~this matter~~, I declare that I have:

no known conflict of interest ☒

an actual<sup>1</sup> ☐, potential<sup>2</sup> ☐ or reasonably perceived<sup>3</sup> ☐ conflict of interest as detailed below:

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 Signature 10.07.2024  
 Date  
 DAVID LLOYD KC.  
 Name

<sup>1</sup> An 'actual' conflict of interests is where there is a direct conflict between a member's duties and responsibilities and their private interests or other duties.

<sup>2</sup> A 'potential' conflict of interests is where a panel member has a private interest or other duty that could conflict with their duties as a panel member in the future.

<sup>3</sup> A 'reasonably perceived' conflict of interests is where a person could reasonably perceive that a panel member's private interests or other duties are likely to improperly influence the performance of their duties as a panel member, whether or not this is in fact the case.

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an actual<sup>1</sup> ☐, potential<sup>2</sup> ☐ or reasonably perceived<sup>3</sup> ☐ conflict of interest as detailed below:

20 Avon Road, Pymble – previously declared

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..... 14/07/2024.....  
**Signature** **Date**

Shivesh Singh

.....  
**Name**

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Signature

17 July 2024  
Date

Eugene Sarich  
Name

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Signature

17/7/24  
Date

Vincent Hardy

Name

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2019/067982

The Minutes of the Ku-ring-gai Local Planning Panel Meeting held on 22 July 2024 (Pages 1 - 10) were confirmed as a full and accurate record of proceedings by  
The Hon. David Lloyd KC on 22 July 2024

A handwritten signature in dark ink, appearing to read "D. A. Lloyd", is centered on the page.

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Chairperson