

MINUTES OF THE SYDNEY WEST JOINT REGIONAL PLANNING PANEL MEETING HELD AT KU-RING-GAI COUNCIL ON MONDAY 30 AUGUST 2010 AT 4.30PM

PRESENT:

Janet Thomson	Chairperson
Bruce MacDonald	Panel Member
Paul Mitchell	Panel Member
Ian Cross	Panel Member
Elaine Malicki	Panel Member

COUNCIL STAFF IN ATTENDANCE

Michael Miocic	Director Development & Regulation
Corrie Swanepoel	Manager Development Assessment Services
Kimberley Munn	Executive Planner
Kerry Gordon	Planning Consultant

APOLOGY:

The meeting commenced at 4.35 pm.

1. Declarations of Interest

Elaine Malicki and Ian Cross noted that they were elected members of Ku-ring-gai Council with regard to Item 2, 986 Pacific Highway, (aka 5 Suakin Street) Pymble, however they did not consider that this presented a conflict of interest in terms of this determination.

Janet Thomson, Chair declared that she was a former employee of the firm of architects responsible for Item 3, 3-7 Lorne Avenue and vacated the chair for the debate and determination.

2. Business Items

ITEM 1 *JRPP 2010SYW009: DA0022/10 – Demolition of existing dwellings and construction of a 5 storey residential flat building, 728-730 Pacific Highway, Gordon*

Public Submissions

Robert Anderson	Against the proposal
Sonya Langelaar	Against the proposal
Peter Holdsworth	Against the proposal
David Bao	Against the proposal
Tony Packer	Against the proposal

Resolved:

Moved Bruce McDonald **seconded** Paul Mitchell

That the officer's report be adopted with the following amendments:

Condition 11 of the report should be amended to read No 732 Pacific Highway and not No 730 Pacific Highway, Gordon. The amended recommendation should read as follows:

11. Dilapidation survey and report (private property)

Prior to the commencement of any demolition or excavation works on site, the Principal Certifying Authority shall be satisfied that a dilapidation report on the visible and structural condition of all structures upon the following lands, has been completed and submitted to Council:

Address

- 724-726 Pacific Highway
- 732 Pacific Highway (including swimming pool)
- Retaining wall(s) on the boundary with 19 and 21 Yarabah Avenue and 2a Bushlands Avenue

The dilapidation report must include a photographic survey of adjoining properties detailing their physical condition, both internally and externally, including such items as walls ceilings, roof and structural members. The report must be completed by a consulting structural/geotechnical engineer as determined necessary by that professional based on the excavations for the proposal and the recommendations of the submitted geotechnical report.

In the event that access for undertaking the dilapidation survey is denied by a property owner, the applicant must demonstrate in writing to the satisfaction of the Principal Certifying Authority that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed.

Note: *A copy of the dilapidation report is to be provided to Council prior to any excavation works been undertaken. The dilapidation report is for record keeping purposes only and may be used by an applicant or affected property owner to assist in any civil action required to resolve any dispute over damage to adjoining properties arising from works.*

Reason: *To record the structural condition of likely affected properties before works commence.*

Condition 34 should be amended to read as follows:

34 Adaptable units

Prior to the issue of the Construction Certificate, the Certifying Authority shall be satisfied that the nominated adaptable units within the development application (Nos 3, 11, 36 and 37), are designed as adaptable housing in accordance with the provisions of Australian Standard AS4299-1955 : Adaptable Housing

Conditions 46 and 47 to read as follows:

46. Section 94 Contribution – Residential Development (New Construction)

The contribution shall be paid to Council at the time of the issue of a Construction Certificate.

The contribution will be \$20,000 per dwelling or if the applicable Ministerial direction is varied prior to the date of issue of the construction certificate, such as to enable a higher contribution, the contribution will then be in accordance with the revised direction and the Ku-ring-gai Section 94 contributions plan.

Reason: *To ensure the provision, extension or augmentation of community facilities, recreation facilities, open space, traffic and transport, and administration that will, or are likely to be, required as a consequence of the development.*

CARRIED UNANIMOUSLY

ITEM 2 **JRPP 2010SYW012: DA0053/10 – Construction of a new works depot including office space, basement carparking, workshops, storage and associated site works, 986 Pacific Highway,(aka 5 Suakin Street) Pymble**

Public Submissions

Mary Jane Daniher

Against the proposal

Resolved:

Moved: Paul Mitchell **second** Janet Thomson

The Panel resolved unanimously to accept the Planning Assessment Report recommendations, to grant consent to the application subject to the conditions recommended in the report.

CARRIED UNANIMOUSLY

ITEM 3 **JRPP 2009SYW024: DA0778/09 – Multi unit housing 102 units, 3-7 Lorne Avenue, Killara**

Janet Thomson declared an interested in Item 3 and vacated the Chair. Bruce McDonald took the Chair for this item and Stuart McDonald sat as Panel Member.

Public Submissions

Russell Hooper

Against the proposal

Nicholas Wolff (Applicant)

For the proposal

Moved: Elaine Malicki **second** Ian Cross that:

The Panel resolved to accept the recommendation contained in the Council Assessment Staff's report and approve the Development Application subject to the conditions contained therein, with amendments to the following conditions:

New Condition 14a to be added:

14a. Surrender of development consent

Pursuant to Section 80A of the Environmental Planning and Assessment Act 1979, the applicant must surrender the following development consent to Council by submitting a completed copy of Form 3 of the Environmental Planning and Assessment Regulation 2000 prior to the commencement of any works:

Development Consent No.	Dated	For:
DA1307/06	25/07/2007	Demolition of dwellings and construction of a residential flat building (66 units), carpark and strata subdivision.

Reason: To ensure only one development consent applies to the land.

Reference to apartment C305 to be deleted so that the condition will read as follows:

21. Amendments to internal layout

Prior to the issue of a Construction Certificate, amended plans and specifications are required to be submitted to the Certifying Authority which demonstrates the following:

The Studies and media rooms in apartments A103, A108, B101, C101, C103, A203, A208, B201, B205, C201, C205, A303, A308, B301, B305, C301, B401, B405, C401, B501, B505, C501, are re-designed to make them more open to living areas, by deleting the short, freestanding blade walls that separate them from the living areas.

Reason: To maintain residential amenity for future occupants.

CARRIED UNANIMOUSLY

Item 1 and 2 Endorsed by

Janet Thomson
Chair, Sydney West Regional Panel
6 September 2010

Item 3 Endorsed by

Bruce McDonald
Acting Chair, Sydney West Regional Panel
3 September 2010