

**MINUTES OF THE SYDNEY WEST REGION
JOINT REGIONAL PLANNING PANEL MEETING
HELD AT KU-RING-GAI MUNICIPAL COUNCIL ON
THURSDAY, 22 SEPTEMBER 2011 AT 5.00 PM**

PANEL PRESENT:

Paul Mitchell	Acting Chair
Bruce McDonald	Panel Member
Lindsay Fletcher	Panel Member
Ian Cross	Panel Member
Elaine Malicki	Panel Member

COUNCIL STAFF IN ATTENDANCE

Kimberley Munn	Executive Assessment Officer
Shaun Garland	Team Leader

1. The meeting commenced at 5.00pm.

2. **Apologies**

None

3. **Declarations of Interest**

None

4. **Business Items**

ITEM 1 - 2010SYW097 - Ku-ring-gai Council, DA0929/10, Demolition of existing buildings and construction of 2 residential flat buildings comprising 52 units, basement carparking and landscaping and new road, 2 - 8 Eleham Road, Lindfield

ITEM 2 - 2010SYW098 - Ku-ring-gai Council, DA0926/10, Demolition of existing buildings and construction of two residential flat buildings comprising 54 units, basement carparking and associated landscaping 7-9 Eleham Road and 15 Treats Road, Lindfield

5. **Public Submissions**

Fred Bowers - registered to speak but declined
Kathryn Cowley – registered to speak but declined

6. **Business Item Recommendation**

**ITEM 1 - 2010SYW097 - Ku-ring-gai Council, DA0929/10, Demolition of existing buildings and construction of 2 residential flat buildings comprising 52 units, basement carparking and landscaping and new road, 2 - 8 Eleham Road, Lindfield
Moved by Paul Mitchell seconded by Elaine Malicki**

THAT the Joint Regional Planning Panel, as the consent authority, refuse development consent to Development Application No. 929/10 for demolition of existing buildings and

construction of two residential flat buildings comprising 52 units, basement car parking, associated landscaping and construction of a new road on land at 2 – 8 Eleham Road, Lindfield for the following reasons

1. The proposed development for a residential flat building and road are not permissible within the Special Uses 5(a) zone under IDO 79.

Particulars:

- (a) The site is zoned Special Uses 5(a) Schools.
- (b) Residential Flat Building is not a permissible use within the zone and therefore prohibited development. The site is not zoned for the proposed land use pursuant to clause 4(1) of Interim Development Order 79.

MOTION CARRIED UNANIMOUSLY

ITEM 2 - 2010SYW098 - Ku-ring-gai Council, DA0926/10, Demolition of existing buildings and construction of two residential flat buildings comprising 54 units, basement carparking and associated landscaping 7-9 Eleham Road and 15 Treats Road, Lindfield

Moved by Paul Mitchell seconded by Malicki

THAT the Joint Regional Planning Panel, as the consent authority, refuse development consent to Development Application No. 926/10 for demolition of existing buildings and construction of two residential flat buildings comprising 54 units, basement car parking, and associated landscaping on land at 7 – 9 Eleham Road and 15 Treats Road, Lindfield for the following reason:

PROHIBITED DEVELOPMENT

The proposed development for a residential flat building is not permissible pursuant to Interim Development Order 78 and 79 – Ku-ring-gai.

Particulars:

- (a) Lot 58 within DP46025 is subject to the provisions of Interim Development Order 78 – Ku-ring-gai. The development application proposes construction of a residential flat building which is not permissible within the zone.
- (b) Lot 54, 55, 56 & 57 in DP46025 and Parcel 858 in Crown Plan 10685 are subject to the provisions of Interim Development Order 79 – Ku-ring-gai. These allotments are zoned Special Uses 5(a) Schools and Church pursuant to interim development order 79.

MOTION CARRIED UNANIMOUSLY

The meeting closed at 5.07pm.

Endorsed by

Paul Mitchell
Chair
Sydney West Region
Joint Regional Planning Panel
Date: 23 September 2011