

# **MINUTES OF THE SYDNEY WEST JOINT REGIONAL PLANNING PANEL MEETING HELD AT KU-RING-GAI MUNICIPAL COUNCIL ON THURSDAY 17 OCTOBER 2013 AT 2.30 PM**

## **PRESENT:**

Mary-Lynne Taylor	Chair
Bruce McDonald	Panel Member
Paul Mitchell	Panel Member
Andrew Watson	Panel Member

**APOLOGIES:** Mayor Christiane Berlioz, Councillor Elaine Malicki

## **COUNCIL STAFF IN ATTENDANCE:**

Stuart Ratcliff  
Adam Richardson  
John White  
Michael Miocic  
Corrie Swanepoel  
Kathy Hawken  
Ian Francis  
Kerry Hunter  
Adam Richardson

1. The meeting commenced at 2.30 pm
2. Declarations of Interest – Nil
3. **Business Item** - 2012SYW093 - Ku-ring-gai - DA0378/12 - Demolish existing structures and construct 2 residential flat buildings containing 86 units, basement parking and landscaping, 5-15 Lamond Drive, Turramurra
4. **Public Submissions –**

### **Addressing the Panel against the item:**

- Brian Plain
- Marguerite Riley
- John Bourne

### **Addressing the Panel on behalf of the applicant:**

- Garry Chapman (Chapman Planning)

## **5. Panel Decision**

This application for 2 residential flat buildings on a steep slope at Turramurra has been considered by the Panel on a previous occasion and was found to be unsatisfactory, in terms of the manner in which the steep slope had been dealt with in the application, the impacts on neighbouring residences and because of unsolved issues about existing important vegetation.

The Panel agrees with Council assessment that the amended plans deal appropriately with the steep slope and other difficulties of this site.

The SEPP 1 objection relating to this site has been well founded and should be upheld, arising, as they do, from the topography of the particular site, the Panel now agrees that the relevant objectives have been met, as discussed in the applicant's written objection, by the stepping down of the built form and the extended boundary setbacks. The Panel accepts the argument that relevant objectives have been met despite technical non compliance with standards.

The Panel had expressed concerns regarding aspects of the design of the units and their internal amenity and the Panel now agrees with the Council's assessment that design matters have now been satisfactorily resolved.

The Panel also accepts that the manner in which the Blue Gum High Forest will now be treated in this development will enhance the remnant community to be retained on the site and will afford it better protection - it will provide a landscaped screen of the development from beyond the site boundary.

The landscape plan deals appropriately with screen planting to adjoining residents.

The Council's drainage engineers have found the proposed drainage treatment to be satisfactory and to have dealt with the neighbouring concerns. The Panel accepts the drainage is now resolved.

The proposed conditions are satisfactory to the Panel with the following amendments –

1. The deferred commencement condition must be satisfied within two (2) years from the date of the notice of Determination.
2. The Consent should operate for 5 years after it is effective.
3. The following additional Conditions relating to Noise and vibration management plan and Construction Noise

### **Condition No. 4a**

#### **4 (a) Noise and vibration management plan**

Prior to the commencement of any works, a noise and vibration management plan is to be prepared by a suitably qualified expert addressing the likely noise and vibration

from demolition, excavation and construction of the proposed development and provided to the Principal Certifying Authority. The management plan is to identify amelioration measures to achieve the best practice objectives of AS 2436-2010 and NSW Department of Environment and Climate Change Interim Construction Noise Guidelines. The report shall be prepared in consultation with any geotechnical report that itemises equipment to be used for excavation works.

The management plan shall address, but not be limited to, the following matters:

- identification of the specific activities that will be carried out and associated noise sources
- identification of all potentially affected sensitive receivers, including residences, churches, commercial premises, schools and properties containing noise sensitive equipment
- the construction noise objective specified in the conditions of this consent
- the construction vibration criteria specified in the conditions of this consent
- determination of appropriate noise and vibration objectives for each identified sensitive receiver
- noise and vibration monitoring, reporting and response procedures
- assessment of potential noise and vibration from the proposed demolition, excavation and construction activities, including noise from construction vehicles and any traffic diversions
- description of specific mitigation treatments, management methods and procedures that will be implemented to control noise and vibration during construction
- construction timetabling to minimise noise impacts including time and duration restrictions, respite periods and frequency
- procedures for notifying residents of construction activities that are likely to affect their amenity through noise and vibration
- contingency plans to be implemented in the event of non-compliances and/or noise complaints

**Reason:** To protect the amenity afforded to surrounding residents during the construction process.

### **Condition No. 36a**

#### **36 (a) Construction noise**

During excavation, demolition and construction phases, noise generated from the site shall be controlled in accordance with the recommendations of the approved noise and vibration management plan.

**Reason:** To ensure reasonable standards of amenity to neighbouring properties.

The Panel unanimously approves the application for the reasons outlined in Council's Town Planning Report, subject to the conditions contained therein with amendments to the conditions as discussed at the meeting and noting the acceptance by the applicant's representatives.

The meeting concluded at 3.55 pm

Endorsed by:



Mary-Lynne Taylor  
Chair  
Sydney West Joint Regional Planning Panel  
Date: 1 November 2013