

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at **Ku-ring-gai Council** on **Friday 5 December 2014 at 3.30 pm**

Panel Members: Mary-Lynne Taylor (Chair), Bruce McDonald, Stuart McDonald, Cr Elaine Malicki and Cr Cheryl Szatow

Apologies: None

Declarations of Interest: None

Determination and Statement of Reasons

2014SYW001-DA0474/13, Ku-ring-gai Council, Demolish existing structures & construct 2 mixed use buildings containing medical centre, 116 residential units, basement parking & associated landscape works involving threatened species development, 17-23 Merriwa Street, Gordon.

Date of determination: 5 December 2014

Decision:

The panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

Panel consideration:

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings (including the applicant's legal advice) and the matters observed at site inspections listed at item 8 in Schedule 1.






Reasons for the panel decision:

1. The proposed development will add to the supply and choice of residential accommodation within the Northwest Metropolitan Subregion and Ku-ring-gai;
2. The proposed development add to the supply of services available to the residents of Gordon and nearby localities;
3. The proposed development, subject to requiring offset planting, is considered to have no material affect on the sustainability of the endemic STIF community;
4. The proposed development adequately satisfies the State Environmental Planning Polices that apply, including SEPP 65 and associated Residential Flat Design Code;
5. The proposed development satisfies the zone objectives and provisions of Ku-ring -gai LEP (Local Centres) 2012 and the provisions of Ku-ring-gai Local Centres DCP;
6. The proposed development is consistent in context with the existing and planned character of the locality in which it is placed.

Decision: The development application was approved subject to the conditions in the Council Assessment Report with amendments to the following Conditions –

- Condition 40 – the correct unit nos. to be inserted into the condition is 'twelve (12)'.
- Condition 107 – amended to include the requirement that the pedestrian through site link is to be registered on the strata title.
- Condition 107a – new condition added to require the pedestrian through site link to be signposted in a prominent position at both street frontages indicating the public availability of the pedestrian through link during daylight hours.

Panel members:

 Mary-Lynne Taylor (Chair)	 Bruce McDonald	 Stuart McDonald
 Elaine Malicki	 Cheryl Szatow	

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

SCHEDULE 1

1	JRPP Reference – 2014SYW001, LGA – Ku-ring-gai Council, DA/0474/13
2	Proposed development: Ku-ring-gai Council, Demolish existing structures & construct 2 mixed use buildings containing medical centre, 116 residential units, basement parking & associated landscape works involving threatened species development.
3	Street address: 17-23 Merriwa Street, Gordon.
4	Applicant/Owner: Applicant – Brewster Murray Pty Ltd (Applicant), Sput No. 10 Pty Limited (Owner).
5	Type of Regional development: Capital Investment Value > \$20M
6	Relevant mandatory considerations <ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Regional Environmental Policy (Sydney Harbour Catchment) 2005 ○ State Environmental Planning Policy 55 – Remediation of Land ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy – BASIX 2004 ○ State Environmental Planning Policy 65 – Design Quality of Residential Flat Buildings ○ Ku-ring-gai LEP (Local Centres) 2012 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Ku-ring-gai Local Centres Development Control Plan • Planning agreements: Nil • Regulations: <ul style="list-style-type: none"> ○ Environmental Planning and Assessment Regulation 2000 • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality. • The suitability of the site for the development. • Any submissions made in accordance with the EPA Act or EPA Regulation. • The public interest.
7	Material considered by the panel: Council assessment report with conditions, written submissions, location sketch, zoning extract, traffic and parking assessment, parking allocation statement, access report, acoustic report, arborist report, BCA report, geotechnical report, solar access report, phase 2 environmental site assessment report, species impact statement, ecological addendum letter to species impact statement and construction environmental management plan. Verbal submissions at the panel meeting: <ul style="list-style-type: none"> • Kim Shmuel on behalf of the applicant
8	Meetings and site inspections by the panel: 25 July 2014 - Briefing Meeting, 5 December 2014 - Site Inspection & Final Briefing meeting.
9	Council recommendation: Approval
10	Conditions: Attached to council assessment report