

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at **Ku-ring-gai Council** on **Thursday 24 March 2016 at 1.00 pm**

Panel Members: Mary-Lynne Taylor (Chair), Bruce McDonald, John Colvin, Cr Elaine Malicki and Cr Christiane Berlioz

Apologies: None

Declarations of Interest: None

Determination and Statement of Reasons

2015SYW186 – Ku-ring-gai Council, DA0434/15, Demolish existing improvements and construct a residential flat building containing 34 apartments, basement car park and landscaping, 28-32 Dumaresq Street, Gordon.

Date of determination: 24 March 2016

Panel consideration:

The panel considered: the matters listed at item 6, the material listed at item 7 and the matters observed at site inspections listed at item 8 in Schedule 1.

Panel Decision:

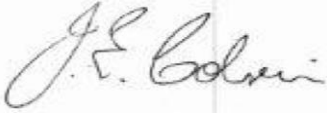
The Panel approved the Application, subject to the conditions, for the following reasons:

1. The proposed development will add to the supply and choice of housing within the Northern Metropolitan Subregion and the Ku-ring-gai local government area in a location with ready access to services and amenities available in Gordon Village and the transport facilities available from Gordon Railway Station and the Pacific Highway.
2. The Panel has considered the Applicant's request to vary the development standard contained in the Ku-ring-gai LEP (Local Centres) 2012 (Cl.4.4.) relating to building height and considers that the compliance with the standard would be unreasonable and unnecessary in the circumstances of this case as the variation will result in buildings and development consistent with that planned for this site and the development remains consistent with the underlying intent of the standard and the objectives of the zone.
3. The proposed development adequately satisfies the relevant State Environmental Planning Policies including, SEPP 65 (Design Quality of Residential Flat Development) and its associated Apartment Design Guide Design Code, SEPP 55 Remediation of Land.
4. The proposal adequately satisfies the provisions and objectives Ku-ring-gai LEP 2012, and Ku-ring-gai Local Centres DCP 2013.
5. The proposed development is consistent in scale and form with the pattern of development planned for the locality in which the subject site is located.
6. The proposed development will have no unacceptable adverse impacts on the natural or built environments including the local ecology, the amenity of nearby residential premises and the operation of the local road system
7. In consideration of conclusions 1 – 6 above the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

Conditions: The majority of the Panel (Bruce McDonald, John Colvin, Elaine Malicki and Christiane Berlioz) agreed to approve the application with Deferred Commencement Conditions as outlined in the Assessment Report.

Mary-Lynne Taylor voted against the deferring any of the conditions.

Panel members:

 Mary-Lynne Taylor	 Bruce McDonald	 John Colvin
 Elaine Malicki	 Christiane Berlioz	

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SCHEDULE 1

1	JRPP Reference – 2015SYW186, LGA – Ku-ring-gai Council, DA0434/15
2	Proposed development: Demolish existing improvements and construct a residential flat building containing 34 apartments, basement car park and landscaping.
3	Street address: 28-30 Dumaresq Street, Gordon.
4	Applicant/Owner: Gelder Architects Pty Limited/Qun Lun Developments Pty Limited
5	Type of Regional development: CIV > \$5M - Council interest
6	Relevant mandatory considerations • Environmental planning instruments: ○ Ku-ring-gai Local Environmental Plan (Local Centres) 2012 ○ SEPP No. 55 ○ SEPP No. 65 ○ SEPP (BASIX) 2004 ○ Sydney Harbour Catchment 2005 ○ Ku-ring-gai Local Environmental Plan (Local Centres) 2013 • Draft environmental planning instruments: Nil • Development control plans: ○ Ku-ring-gai Local Centres Development Control Plan • Planning agreements: Dumaresq Street Gordon Roadworks Planning Agreement, prepared by Lindsay Taylor Lawyers • Regulations: ○ 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 Environmental Planning and Assessment Act 1997 or EPA Regulation. • The public interest.
7	Material considered by the panel: Council assessment report, Voluntary Planning Agreement, Urban Design Report by Angelo Ksanos, Development Plans, Clause 4.6 Variation and Location Diagrams. Verbal submissions at the panel meeting: Nil
8	Meetings and site inspections by the panel: 24 March 2016 – Site Inspection and Final Briefing Meeting.
9	Council recommendation: Deferred commencement consent.
10	Conditions: Attached to council assessment report