

DATE OF DEFERRAL	8 March 2017
PANEL MEMBERS	Deborah Dearing (Chair), Sue Francis, Julie Savet Ward
APOLOGIES	John Roseth
DECLARATIONS OF INTEREST	Elaine Malicki, Christiane Berlioz and Cheryl Szatow in their roles as Councillor have all voted on the Heritage Item within the application and have declared a conflict of interest.

Public meeting held at [Location] on Wednesday, 8 March 2017, opened at 4.00 pm and closed at 7.40 pm.

MATTER DEFERRED

2015SYW189 – Ku-ring-gai – DA0418/15

25, 25A and 27 Bushlands Avenue Gordon

Demolish structures (except dwelling at 25 Bushlands Avenue), construct a residential aged care facility, basement parking and landscaping works (SEPP Seniors Living) - (Interim Heritage Order)

VERBAL SUBMISSIONS

- In Support – Henry Tsang, Sean Wong, Alexandra Davis, Rose Yeung
- In Objection
 - Fr Keith Dably and Nick Juradowitch on behalf of the Gordon Killara Action Group
 - Paul Vergotis and Margaret Davey on behalf of the Bushlands Avenue Community Group
 - Members of the community – Lyn Dundas, John Dundas, Peter Davey, Greg Fenech, Duncan Gill, Kim Gill, Celia Pozzecco, Vanessa Newey, Thi Tran, Amanda Pudney, David Garnsey on behalf of Alistar Henskens SC MP
- On behalf of the applicant – Fleur Hannen, Ellen Louie, Mark Boffa, Grant Sheerer, Tony Robb

REASONS FOR DEFERRAL

The Panel has visited the site and considered the report of Council staff as well as the submissions of local residents and the applicant.

In relation to the reason for refusal in respect of location and access (reason 1) the Panel notes cl.26 of the Seniors SEPP is a development standard and able to be varied pursuant to cl.4.6 (which has been submitted by the applicant). Having regard to the recent judgement of Justice Robson, the Panel considers the proposal for the provision of services on site, visiting professionals and the provision and operation of a bus for the use of the residents addresses the objective of the provisions to provide development in a manner suited to residents who are both mobile, independent, active and frail. The Panel considers that the site specific circumstances and facilities proposed would be a better planning outcome in the circumstances of this case and therefore is minded to accept the clause 4.6 variation to clause 26 of the SEPP.




In relation to concerns regarding heritage and streetscape, the Panel considers that the proposal does have merit but considers it needs further detail and amendments as follows:

1. The western building should be set back to the predominant alignment of the existing heritage dwelling on the site.
2. Courtyard 1 at the rear of the existing heritage item should be increased in size and allow deep soil to allow the growth of large, centrally located (15m plus) trees to maintain the backdrop to the heritage item. This may require the design of the basements to be amended.
3. The vegetation management plan should describe how the Sydney Turpentine Ironbark forest will be managed for its long term viability. The vegetation management plan should require retention of the Himalayan Cedar.
4. The skillion roof over the lift is to be a traditional hip to match the remainder of the development.
5. The rear setback is to be increased to 12 metres minimum to reduce the adverse impact on the St Johns Avenue Conservation Area.
6. Review and resubmit traffic report to consider the impact of service vehicles and community bus in terms of traffic generation and the adequacy of Bushlands Avenue to safely accommodate the anticipated vehicle movements.
7. Review and resubmit acoustic report to consider the impact from service vehicles and community bus on immediate adjoining residents, particularly from 9pm to 6am.
8. The development should comply with controls 3 and 4 of CI 23.2 of the Ku-ring-gai Development Control Plan to achieve a 4 star Green Star rating.
9. Increase the disabled / accessible car parking spaces by 2 plus one additional ordinary space.
10. The wall opening to the ramp on the southern end of the western elevation is to be fully enclosed.
11. A Plan of Management is to be prepared to establish operational practices of the facility including but not limited to the operation of the community bus, and the loading and unloading of service vehicles. All loading and unloading of service vehicles, waste services and the community bus is to be undertaken in the basement. The community bus should also provide transport for staff to Gordon Station at the time when working shifts change.

Accordingly the Panel defers determination of the proposal and seeks amended plans to be submitted to Council by 5 June 2017 addressing the above matters. The Panel requests the amended plans to be assessed by Council staff and a supplementary report to be submitted to the panel one month after receipt of the amended plans after which time the panel will consider the proposal.

The decision to defer the matter was unanimous.

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

PANEL MEMBERS	
 Deborah Dearing (Chair)	 Sue Francis
 Julie Savet Ward	