



DATE OF DETERMINATION	22 March 2017
PANEL MEMBERS	Deborah Dearing (Chair), Sue Francis, John Roseth, Elaine Malacki, Christiane Berlioz
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held at Christie Conference Centre 100 Walker Street Lindfield on Wednesday, 22 March 2017, opened at 1.00 pm and closed at 1.30 pm.

MATTER DETERMINED

2016SYW107 – Ku-ring-gai – DA0223/16 at 101 Eton Street Lindfield (AS DESCRIBED IN SCHEDULE 1)

PANEL CONSIDERATION AND DECISION

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

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*.

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

The decision was unanimous.

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

Having regard to the provisions of Section 79C of the Environmental Planning and Assessment Act 1979 and relevant matters, including the Threatened Species Conservation Act 1995, SEPP 55 – Remediation of Land, SREP (Sydney Harbour Catchment) 2005, SEPP (Infrastructure) 2007, SEPP 65, Apartment Design Guide, Ku-ring-gai LEP 2015, Ku-ring-gai DCP, Development Contributions Plan 2010, and submissions received, the Panel considers the proposed development to be satisfactory.

Elaine Melicki wished to record her concern about evacuation risks in the immediate area of the site but noted that the Bushfire Certification had been received by Council and covers this issue.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report with the following amendments.

Amendment to condition 20 to read as follows:

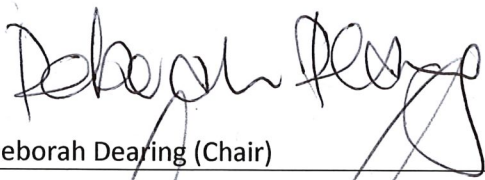
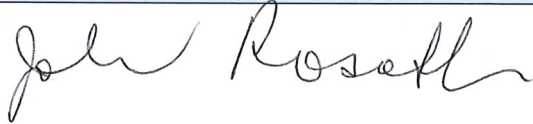

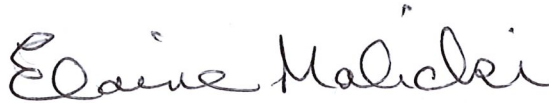

20. Amendments to architectural plans

Prior to the issue of a Construction Certificate, the Certifying Authority shall be satisfied that the approved architectural plans prepared by Bates Smart and referred to in condition 1 have been amended in accordance with the requirements of this condition.

1. Section 4A is to include the proposed gabion wall and section 3A is to indicate the relationship with Tree 94.

2. A 1:200 scale plan for the north elevation of Building A which matches the approved floor plans is to be prepared.

Reason: To ensure that there are no inconsistencies between the floor plans and the elevations & sections.

PANEL MEMBERS	
 Deborah Dearing (Chair)	 John Roseth
 Sue Francis	 Elaine Malicki
 Christiane Berlioz	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016SYW107 – Ku-ring-gai – DA0223/16
2	PROPOSED DEVELOPMENT	Construction of a residential flat building comprising 96 apartments, basement parking and associated landscaping works.
3	STREET ADDRESS	101 Eton Street Lindfield
4	APPLICANT/OWNER	City Projects and Developments Pty Ltd (Gil Candilo) Eon Development Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> Threatened Species Conservation Act 1995 SEPP 55 – Remediation of Land SREP – (Sydney Harbour Catchment) 2005 SEPP Infrastructure) 2007 SEPP 65 – Design Quality of Residential Apartment Development Ku-ring-gai LEP 2015 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Ku-ring-gai DCP 2015 Planning agreements: <ul style="list-style-type: none"> Development Contributions Plan 2010 <i>Environmental Planning and Assessment Regulation 2000</i>: Nil 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 <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report: 13 March 2017 Amended council assessment report: 15 March 2017 Written submissions during public exhibition: 7 Verbal submissions at the public meeting: <ul style="list-style-type: none"> Support – Object – On behalf of the applicant –
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Panel Briefing: 22 March 2017
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report