

DETERMINATION AND STATEMENT OF REASONS

SYDNEY NORTH PLANNING PANEL

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

Public meeting held at Christie Conference Centre 100 Walker Street North Sydney on 22 June 2017, opened at 3.00 pm and closed at 3.05 pm.

MATTER DETERMINED

2016SYW154 – Ku-ring-gai – DA0341/16 at 144-146 Killeaton Street St Ives (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 decision was unanimous.

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:


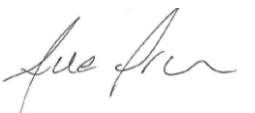

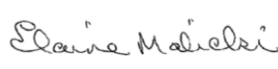

The Panel is satisfied that the proposal is a satisfactory development for the site and provides a much needed residential aged care facility.

The Panel was of the opinion that the site has 3 street frontages and that the western boundary is effectively a side boundary condition in relationship to the townhouse development as approved to its west. As such, a Clause 4.6 Variation Request was not required in respect to the rear 25% single storey requirement of the SEPP.

The Panel accepts the Clause 4.6 Variation in respect to height noting that the breach of the height is located centrally and has no detrimental impact on surrounding properties.

CONDITIONS

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

	PANEL MEMBERS	
 Deborah Dearing (Chair)	 Sue Francis	 Clare Brown
 Elaine Malicki	 Christiane Berlioz	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016SYW154 – Ku-ring-gai – DA0341/16
2	PROPOSED DEVELOPMENT	Demolish structures and construct a residential aged care facility, basement parking and landscaping works under the provisions of SEPP (Housing for Seniors or People with a Disability) 2004.
3	STREET ADDRESS	144-146 Killeaton Street St Ives
4	APPLICANT/OWNER	Estia Investments Pty Ltd C/O- Peter Hamilton
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"> ○ State Environmental Planning Policy No. 55 Remediation of Land ○ State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 ○ Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP) ○ Ku-ring-gai Local Environmental Plan 2012 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Ku-ring-gai Development Control Plan 2012 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Clause 92(1)(b) of the Environmental Planning and Assessment Regulation 2000 • Coastal zone management plan: 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: 8 June 2017 • Written submissions during public exhibition: 6 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Support – [names of speakers] ○ Object – [names of speakers] ○ On behalf of the applicant – [names of speakers]
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing meeting: 22 March 2017 • Final briefing meeting to discuss council's recommendation, 22 June 2017 at 2.30pm. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Deborah Dearing (Chair), Sue Francis, Clare Brown, Elaine Malicki, Christiane Berlioz ○ <u>Council assessment staff</u>: Janice Buteux- Wheeler, Kerry Hunter, Robyn Askew, Kathy Hawken, Corrie Swanepoel, Shaun Garland
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report