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|---------------------------------|---------------------------------------------------------------------------------------|
| <b>DATE OF DETERMINATION</b>    | 3 October 2017                                                                        |
| <b>PANEL MEMBERS</b>            | Deborah Dearing (Chair), Sue Francis, John Roseth, Elaine Malicki, Christiane Berlioz |
| <b>APOLOGIES</b>                | None                                                                                  |
| <b>DECLARATIONS OF INTEREST</b> | None                                                                                  |

Electronic meeting held between 26 September 2017 and 3 October 2017.

**MATTER DETERMINED**

2017SNH053 – Ku-ring-gai – MOD0086/17 at 402 Bobbin Head Road North Turramurra (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 96 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

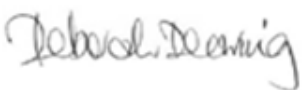
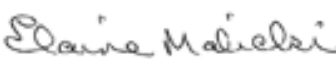
**REASONS FOR THE DECISION**

The reasons for the decision of the Panel were:

1. The works are minor;
2. The development remains essentially the same as originally approved;
3. There are no adverse environmental impacts;
4. The proposed internal and external changes and rectification works result in improved design features with minimal impacts and assure compliance with statutory building and bushfire codes.

**CONDITIONS**

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

| <b>PANEL MEMBERS</b>                                                                                           |                                                                                                        |
|----------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|
| <br>Deborah Dearing (Chair) | <br>Sue Francis    |
| <br>John Roseth             | <br>Elaine Malicki |
| <br>Christiane Berlioz      |                                                                                                        |

| SCHEDULE 1 |                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|------------|--------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1          | PANEL REF – LGA – DA NO.                   | 2017SNH053 – Ku-ring-gai – MOD0086/17                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 2          | PROPOSED DEVELOPMENT                       | Modification to NSW Land and Environment Court approved residential aged care facility – DA0185/14.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 3          | STREET ADDRESS                             | 402 Bobbin Head Road North Turramurra                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 4          | APPLICANT/OWNER                            | Southern Cross Aged Care C/-EMP Projects                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 5          | TYPE OF REGIONAL DEVELOPMENT               | Section 96(2) Modification Application                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 6          | RELEVANT MANDATORY CONSIDERATIONS          | <ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ Sydney Regional Environmental Plan XXX (Deemed SEPP)</li> <li>○ Draft Ku-ring-gai Local Environmental Plan 2013 and 2015</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Ku-ring-gai Development Control Plan 2015</li> <li>○ DCP 47 – Water Management Plan</li> <li>○ DCP 56 – Notification</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</li> <li>• Coastal zone management plan: Nil</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>• The suitability of the site for the development</li> <li>• Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul> |
| 7          | MATERIAL CONSIDERED BY THE PANEL           | <ul style="list-style-type: none"> <li>• Council assessment report: 26 September 2017</li> <li>• Written submissions during public exhibition: 0</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 8          | MEETINGS AND SITE INSPECTIONS BY THE PANEL | <ul style="list-style-type: none"> <li>• Briefing meeting: 9 August 2017</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 9          | COUNCIL RECOMMENDATION                     | Approval                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 10         | DRAFT CONDITIONS                           | Attached to the council assessment report                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |