

To: Sydney North Planning Panel (SNPP)

From: Michael Rowe, Director, Beam Planning

Date: 28 May 2026

## **Memorandum: 46-50 Cowan Road, St Ives NSW 2075 – Construction of a new 6-storey residential flat building, basement carparking and associated works**

RE: eDA0485/25 | PPSSNH-729

### **1.0 Introduction**

This memorandum has been prepared by Beam Planning on behalf of Traders In Purple (the Applicant) to provide the Sydney North Planning Panel (SNPP) with clarifications relating to the development application at 46–50 Cowan Road, St Ives (eDA0485/25). Specifically, this memorandum is intended to assist the Panel in its determination by providing additional background on the amendments and further consultation that has been undertaken, ahead of the Panel meeting.

We would like to thank the panel for deferring the DA at the determination meeting on the 11 March 2026 in order to provide the Applicant with the opportunity to submit the amended plans tabled at that meeting, to address the concerns raised by stakeholders and the community.

As the Panel will recall:

- The application is subject to a deemed refusal and was reported to the SNPP with a recommendation for refusal by Council.
- The Low and Mid-Rise Housing provisions of State Environmental Planning Policy (Housing) 2021 (Housing SEPP) establish built form controls that facilitate a more intensive development outcome than that envisaged under the Ku-ring-gai Local Environmental Plan 2015 (KLEP) and Ku-ring-gai Development Control Plan (KDCP).
- The community submissions primarily related to the application of the Housing SEPP controls and resultant built form outcomes.
- With the benefit of Council's Statement of Fact and Contentions (SOFAC), the applicant undertook significant design amendments and meaningful changes in response to Council and community feedback, with particular focus on amenity, tree retention, and privacy outcomes.
- The amendments were presented at the Panel meeting, but had not formally been submitted as the meeting fell less than a week after the without prejudice plans were due as part of the Section 34 process.
- In light of the proposed amendments, the Panel deferred its determination to allow the Applicant to submit its amended plans and allow them to be assessed and reported back to the Panel.

Since the Determination Meeting, the Applicant and Council participated in a Section 34 Conciliation conference (which was unsuccessful despite the Applicant's genuine willingness to negotiate) and the Applicant has continued to listen to the community in order to address its key areas of concern. Accordingly, a further improvement is presented to the SNPP in response to a key community concern relating to overlooking and privacy which is discussed further in this letter.

## 2.0 Amended Proposal and Design Response

The amended proposal incorporates a range of significant design changes as compared to the original DA.

Collectively, these meaningful changes improve the integration of the development within the surrounding context and the sensitivity to adjoining properties. The changes are summarised as follows:

- At the request of the residents at 30-32 Cowan Road, the driveway has been relocated away from their boundary to alleviate their concerns in relation to odour and acoustic impacts, as well as improving the activation of the southern façade and enabling retention of more significant trees.
- Changes to the corner of Building A have improved solar access to 30-32 Cowan Road to 86%.
- The height of both buildings has been reduced, with only minor protrusions above the 22m as a consequence of the sloping topography and irregular existing site levels.
- The potential GFA areas raised by Council have been removed / redesigned to ensure compliance with the floor space ratio standard.
- The relocation of the driveway and reduction in building footprint allows the retention of a further 10 trees resulting in the removal of only a single tree from the site.
- The basement has been redesigned out of the Cowan Road setback, increasing deep soil from 13.8% up to 29.6%.
- At least 25% of the site area is now provided as communal open space.
- A distinct architectural recess has been included in the northern façade of Building A, and the southern façade of Building B, to further articulate the side frontages consistent with the KDCP.
- Doors have been removed from the multi-purpose rooms, mitigating the assumption that these will be used as non-compliant bedrooms.

### 2.1 Community Engagement

As previously committed to the community and foreshadowed to the Panel, the Traders In Purple development team met with nearby residents on 1 May 2026 to present the amended DA and outline the significant changes made since the original submission. The session ran for approximately two hours.

The community acknowledged the improvements in the amended proposal, particularly the relocation of the driveway and basement.

### 2.2 Privacy for Neighbours

Following the Section 34 site inspection and a result from further community consultation, the applicant has prepared a targeted privacy screening strategy. While not strictly required, noting the proposal complies with the required separation under the Apartment Design Guide, this work has been undertaken in response to feedback received through the community consultation process. Engagement with adjoining property owners provided a firsthand opportunity to better understand privacy concerns which has since informed the proposed privacy strategy.

The proposed approach provides targeted screening to northern and southern neighbours, focusing on key areas of potential overlooking rather than applying a blanket treatment across the façade.

The strategy includes the following measures:

- Replacement of previously proposed clear vision glass spandrel panels with colour-backed glass.
- Provision of sliding, operable screening to the central balconies.
- Fixed screening to selected balconies to address potential overlooking impacts to the north and south.
- Replacement of previously clear vision glass to balustrades to have an opaque finish to certain balconies on the north

The strategy is detailed in the attached package and is submitted for the Panel's consideration. It is intended that the Panel may either endorse the attached plans or, alternatively, impose a condition requiring implementation of the proposed privacy screening strategy within the conditions of development consent.

A suitable condition could be framed as follows:

*The development must incorporate the approved privacy measures as detailed in the plans referenced in the table below:*

Drawing No.	Rev	Name of Plan	Date
PLA-LEC-10UG	B	GENERAL FLOOR PLAN - UPPER GROUND UG	6 May 2026
PLA-LEC-10UG	B	GENERAL FLOOR PLAN - Level 01	6 May 2026
PLA-LEC-1002	B	GENERAL FLOOR PLAN - LEVEL 02	6 May 2026
PLA-LEC-1003	B	GENERAL FLOOR PLAN - LEVEL 03	6 May 2026
PLA-LEC-2001	B	ELEVATIONS - SHEET 02	6 May 2026
PLA-LEC-2002	B	ELEVATIONS - SHEET 03	6 May 2026

### 3.0 Conclusion

In my expert opinion, the Development Application, as amended, achieves an appropriate balance between the objectives of the Low and Mid-Rise Housing provisions of State Environmental Planning Policy (Housing) 2021 and the aspirations of the KDCP, having regard to the site context and surrounding development.

As noted in Council's assessment report, the Housing SEPP provisions 'provide an overall uplift in development potential greater than under the provisions contained within the LEP. Council cannot ignore or override these development standards'.

The applicant has demonstrated a clear commitment to achieving a positive design outcome through its response to Council and additional community feedback, including the lodgement of amended plans and preparation of the privacy screening strategy proposed in this letter.

These meaningful changes materially improve the overall merit of the proposal, reduce potential impacts to adjoining properties, and support the Panel in determining the application favourably.

Kind regards,



**Michael Rowe**

**Director**

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