

MINUTES OF KU-RING-GAI LOCAL PLANNING PANEL MEETING HELD ON MONDAY, 21 JULY 2025

Present: Chairperson (The Hon. David Lloyd KC)
Expert Panel Member (Stephen Davies)
Expert Panel Member (John O'Grady)
Community Member (Ian Arnott)

Staff Present: Director Development & Regulation (Michael Miocic)
Development Assessment Services Manager (Shaun Garland)
PA to Director Development & Regulation/Acting Planning Panels
Coordinator (Nicole Kratochvil)

Acting Team Leader (Luke Donovan)
Executive Assessment Officer (Tahlia Alexander)
Acting Team Leader (Stuart Wilson)
Team Leader Engineering Assessment (Ross Guerrera)
Senior Development Engineer (Vincent Ooi)
Senior Landscape Development Officer (Robyn Askew)
Senior Landscape Assessment Officer (Constanza Bottazzini)
Ecological Assessment Officer (John Whyte)
Manager Urban & Heritage Planning (Antony Fabbro)
Team Leader Urban Planning (Craig Wyse)
Executive Urban Planner (Rathna Rana)
Senior Urban Designer (Stephanie Griffiths)
Administration Officer (Sascha Solomon)

The Meeting commenced at 10:30 AM

APOLOGIES

File: S02194

NIL

DECLARATIONS OF INTEREST

The Chair advised of the necessity for the panel members and staff to declare a Pecuniary Interest/Conflict of Interest in any item on the Business Paper.

No interest was declared.

GENERAL BUSINESS**KLPP13 Planning Proposal - Dual Occupancy Floor Space Ratio (FSR) standard**

File: S14848

Vide: GB.1

To have the Ku-ring-gai Local Planning Panel consider a Planning Proposal amending the *Ku-ring-gai Local Environmental Plan 2015* to apply a Floor Space Ratio (FSR) to dual occupancy development.

The Panel Advised:

- A. Council that the Planning Proposal has site specific and strategic merit and that it be submitted to the Department of Planning, Housing and Infrastructure for a Gateway Determination that will enable its exhibition and public consultation.
- B. That Council seek authority to finalise the planning proposal under delegation.
- C. Date of the decision: 21 July 2025.
- D. Reason for the advice:
 - 1. The Panel concurs with the recommendation in Council's Planning Proposal Assessment Report.
 - 2. The planning proposal is consistent with site and local planning instruments and has strategic and site specific merit.

Voting: Unanimous

KLPP14 8A, 14 and 16 Buckingham Road Killara - Demolition of existing structures and construction of a residential flat development comprising three buildings with 34 units, basement car parking, lot amalgamation and associated works

File: EDA0020/25

Vide: GB.2

Demolition of existing structures and construction of a residential flat development comprising three buildings with 34 units, basement car parking, lot amalgamation and associated works

The Panel Resolved:

The Chair and Committee note that the Development Application was withdrawn by the applicant on 11 July 2025 and the DA may no longer be determined.

- KLPP15 **2A, 2B and 4 Shinfield Avenue St Ives - Demolition of existing structures and construction of a residential flat building including 18 units, basement parking and associated works.**

File: EDA0028/25

Vide: GB.3

Demolition of existing structures and construction of a residential flat building including 18 units, basement parking and associated works.

The Panel Resolved:

PURSUANT TO SECTION 4.16(1) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

- A. Ku-ring-gai Local Planning Panel, exercising the functions of Ku-ring-gai Council, as the consent authority, pursuant to Section 4.16 of the Environment Planning and Assessment Act 1979, is not satisfied that the request submitted under Clause 4.6 to vary the maximum Building Height and Floor Space Ratio development standards has met the requirements of Clause 4.6(3).

The Panel was also of the opinion that strict compliance with the development standards is not unreasonable or unnecessary in the circumstances of the case and that there are not sufficient environmental planning grounds to justify the variation to the development standards.

- B. Ku-ring-gai Local Planning Panel, exercising the functions of Ku-ring-gai Council, as the consent authority, pursuant to Section 4.16 of the Environment Planning and Assessment Act 1979, refused development consent to eDA0028/25 for demolition of existing structures and construction of a residential flat building including 18 units, basement parking and associated works on land at 2A, 2B and 4 Shinfield Avenue, St Ives for the reasons provided in the Development Assessment Report.

- C. Date of decision: 21 July 2025

- D. Reason for the decision: The Panel concurs with the recommendation in Council's Development Assessment report.

- E. How community views were taken into consideration: The views of the community were requested by way of notification of the application and there were eight submissions which were considered in the assessment and determination of the development application.

Voting: Unanimous

KLPP16 **44 Shirley Road, Roseville - Significant alterations and additions to existing dwelling house, construction of a swimming pool and associated works**

File: EDA0123/25

Vide: GB.4

Significant alterations and additions to existing dwelling house, construction of a swimming pool and associated works.

The Panel Resolved:

- A. Ku-ring-gai Local Planning Panel, exercising the functions of Ku-ring-gai Council, as the consent authority, pursuant to Section 4.16 of the Environment Planning and Assessment Act 1979, is not satisfied that the request submitted under Clause 4.6 to vary the maximum Height of Building development standard has met the requirements of Clause 4.6(3). The Panel is also of the opinion that strict compliance with the development standard is not unreasonable or unnecessary in the circumstances of the case and that there are not sufficient environmental planning grounds to justify the variation to the development standard.
- B. Ku-ring-gai Local Planning Panel, exercising the functions of Ku-ring-gai Council, as the consent authority, pursuant to Section 4.16 of the Environment Planning and Assessment Act 1979, refused development consent to eDA0123/25 for significant alterations and additions to existing dwelling house, construction of swimming pool and associated works on land at 44 Shirley Road, Roseville, for the reasons provided in the Development Assessment Report.
- C. Date of decision: 21 July 2025
- D. Reason for the decision: The Panel concurs with the recommendation in Council's Development Assessment report.
- E. How community views were taken into consideration: The views of the community were requested by way of notification of the application and there were two submissions which were considered in the assessment and determination of the development application.

Voting: Unanimous

KU-RING-GAI LOCAL PLANNING PANEL

Declaration of Interest

MEETING DATE	Monday 21 July 2025
Agenda Item/Panel reference number	<p>GB.1 – Planning Proposal - Dual Occupancy Floor Space Ratio (FSR) standard</p> <p>GB.2 – 8A, 14 and 16 Buckingham Road, Killara - Demolition of existing structures and construction of a residential flat development comprising three buildings with 34 units, basement car parking, lot amalgamation and associated works.</p> <p>GB.3 – 2A, 2B & 4 Shinfield Avenue, St Ives - Demolition of existing structures and construction of a residential flat building including 18 units, basement parking and associated works.</p> <p>GB.4 – 44 Shirley Road, Roseville - Significant Alterations and additions to existing dwelling house, construction of a swimming pool and associated works</p>

In relation to this matter, I declare that I have:

no known conflict of interest ☒

an actual¹ ☐, potential² ☐ or reasonably perceived³ ☐ conflict of interest as detailed below:

David Lloyd KC
Signature

11. 07. 2025
Date

DAVID LLOYD KC
Name

¹ An 'actual' conflict of interests is where there is a direct conflict between a member's duties and responsibilities and their private interests or other duties.

² A 'potential' conflict of interests is where a panel member has a private interest or other duty that could conflict with their duties as a panel member in the future.

³ A 'reasonably perceived' conflict of interests is where a person could reasonably perceive that a panel member's private interests or other duties are likely to improperly influence the performance of their duties as a panel member, whether or not this is in fact the case.


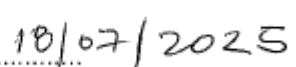
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Signature Date

STEPHEN L. DAVIES

Name

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Signature

11 July 2025
Date

...Ian Amott.....
Name

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2019/067982

The Meeting closed at 10:41AM

The Minutes of the Ku-ring-gai Local Planning Panel Meeting held on 21 July 2025 (Pages 1 - 9) were confirmed as a full and accurate record of proceedings by
The Hon. David Lloyd KC on 22 July 2025.



Chairperson