

MINUTES OF KU-RING-GAI LOCAL PLANNING PANEL MEETING HELD ON MONDAY, 15 JUNE 2026

Present: Chairperson (The Hon. David Lloyd KC)
Expert Panel Member (Deborah Dickerson)
Expert Panel Member (Michael Mason)
Community Panel Member (Sara Rafiee)

Staff Present: Development Assessment Services Manager (Shaun Garland)
Planning Panels Coordinator (Sascha Solomon)

Team Leader Development Assessment (Brodee Gregory)
Acting Team Leader Development Assessment (Brent Pearce)
Team Leader Development Engineering (Ross Guerrera)
Senior Development Assessment Officer (Raymond Law)
Senior Landscape Assessment Officer (Fiona Ambrosino)
Ecological Assessment Officer (John Whyte)
Strategic Traffic Engineer (Joseph Piccoli)
Urban Design Consultant (Kerry Hunter)
Coordinator Environmental Health Services (Joanna Assad)
Development Assessment Officer (Indianna Watson) *Observing*

The briefing commenced at 11:10 AM

The briefing closed at 11:59 AM

The public meeting commenced at 12:30 PM

APOLOGIES

An apology was received from Council's Director Development and Regulation.

THE PANEL RESOLVED:

The apology was accepted and a leave of absence was granted.

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 interests were declared by staff or Panel members.

ADDRESSES TO THE PANEL

The following speaker addressed the Panel on the following item on the agenda:

GB.2 59 Rosedale Road, Gordon - Demolition of existing structures and construction of 7 independent living units and associated works

Stuart Gelder, Gelder Group Architects (Applicant)

The public meeting closed at 1:05 PM

The determination meeting commenced at 1:06 PM

GENERAL BUSINESS

KLPP15 **27A Babbage Road, Roseville Chase - Alterations and additions to an existing two-storey building and change of use and fit out as a health services facility (medical centre) with associated works.**

File: EDA0703/25

Vide: GB.1

Alterations and additions to an existing two-storey building and change of use and fit out as a health services facility (medical centre) with associated works.

THE PANEL RESOLVED:

- A. THAT the 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 satisfied that the request submitted under Clause 4.6 to vary the maximum floor space ratio development standard has met the requirements of Clause 4.6(3). The Panel also of the opinion that strict compliance with the development standard is unreasonable or unnecessary in the circumstances of the case and that there are sufficient environmental planning grounds to justify the variation to the development standard.
- B. THAT the 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, being satisfied that the proposed development would be in the public interest, grant development consent to eDA0703/25 for alterations and additions to an existing two-storey building and change of use and fit out as a health services facility (medical centre) with associated works at No. 27A Babbage Road, Roseville Chase, subject to conditions in the Development Assessment Report. Pursuant to Section 4.53 of the Environmental Planning and Assessment Act 1979, this consent lapses if the approved works are not physically commenced within five years of the date of the Notice of Determination.
- C. Date of Decision: 15 June 2026
- D. Reason for the Decision: The Panel concurred with the recommendation in Council's Development Assessment Report and the conditions of consent.
- E. How community views were taken into consideration: The views of the community were requested by way of notification of the application in accordance with Council's Community Participation Plan. No submissions were received.

Voting: Unanimous

KLPP16 **59 Rosedale Road, Gordon - Demolition of existing structures and construction of 7 independent living units and associated works**

File: EDA0676/25

Vide: GB.2

Demolition of existing structures and construction of 7 independent living units and associated works

THE PANEL RESOLVED:

- A. THAT the 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, refuse development consent to eDA0676/25 for the demolition of existing structures and construction of 7 independent living units and associated works on land at No. 59 Rosedale Road, Gordon, for the reasons provided in the Development Assessment Report, with Reasons 2 and 3 amended as per below.

2. Building Height non-compliance

The amended proposal fails to demonstrate compliance with section 84(2)(c)(i) and (iii) of SEPP Housing.

Particulars:

- a) The Section 84(2)(c) (i) of SEPP Housing permits a building height of 9.5metres. However, the amended proposal does not demonstrate compliance with this standard because the architectural plan (Plan No. DA 17) is unclear.
- b) No clause 4.6 variation request has been submitted in relation to sections 84(2)(c)(i) or 84(2)(c)(iii).

3. Floor space ratio non-compliance

The amended proposal exceeds the maximum floor space ratio specified in section 4.4(2A) of the KLEP and the non-discretionary standard in section 108(2)(c) of SEPP Housing (2021).

Particulars:

- a) The applicant has failed to calculate 'gross floor area' (GFA) in accordance with the definition contained within Section 82 of SEPP Housing (2021).
- b) The proposed development incorrectly excludes the following areas from GFA:
 - i. the ground floor lobby of the proposed building
 - ii. storage areas at lower ground floor level of the proposed building

- iii. subfloor areas within the proposed building, which have a height above 1.4 metres, and
- iv. internal walls between multi-unit dwellings and internal walls surrounding voids.

- B. Date of Decision: 15 June 2026
- C. Reason for the Decision: The Panel concurred with the recommendation in Council's Development Assessment Report and the reasons for refusal, as amended.
- D. How community views were taken into consideration: The views of the community were requested by way of notification of the application in accordance with Council's Community Participation Plan and there were ten submissions and the address made by Mr Gelder to the Panel which were considered as part of this determination.

Voting: Unanimous

The determination meeting closed at 1:20 PM

KU-RING-GAI LOCAL PLANNING PANEL

Declaration of Interest

MEETING DATE	Monday 15 June 2026
Agenda Item/Panel reference number	<p>GB.1 - 27A Babbage Road, Roseville Chase - Alterations and additions to an existing two-storey building and change of use and fit out as a health services facility (medical centre) with associated works.</p> <p>GB.2 - 59 Rosedale Road, Gordon - Demolition of existing structures and construction of 7 independent living units 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:

Signature *D.H. Lloyd* Date *03.06.2027*

Name *DAVID LLOYD*

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.

2019/067982

The Minutes of the Ku-ring-gai Local Planning Panel Meeting held on 15 June 2026 (Pages 1 - 8) were confirmed as a full and accurate record of proceedings by the Hon. David Lloyd KC on 15 June 2026.



Chairperson