

DETERMINATION AND STATEMENT OF REASONS

SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	24 May 2017
PANEL MEMBERS	Deborah Dearing (Chair), John Roseth, Louise Camenzuli, Elaine Malicki, Christiane Berlioz
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Electronic meeting held between Tuesday, 23 May 2017 and 24 May 2017.

MATTER DETERMINED

2017SNH017 – Ku-ring-gai – MOD0202/16 at 43 Lindfield Avenue and 9 Havilah Lane Lindfield (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.

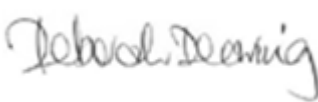
REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

1. The amended proposal is substantially the same as the approved proposal;
2. The amended proposal has no material additional impact to that of the approved proposal.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report subject to the replacement of Condition No. 2 and Condition No. 84, as noted in the report.

PANEL MEMBERS	
 Deborah Dearing (Chair)	 John Roseth
 Louise Camenzuli	 Elaine Malicki
 Christiane Berlioz	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SNH017 – Ku-ring-gai – MOD0202/16
2	PROPOSED DEVELOPMENT	Modification to JRPP approved DA0578/14 proposing various changes including revised shopfront to Lindfield Avenue, window configuration, carpark exhaust riser and lift over-runs
3	STREET ADDRESS	43 Lindfield Avenue and 9 Havilah Lane Lindfield
4	APPLICANT/OWNER	WZRM Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Section 96(2) Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 - State Environmental Planning Policy (Infrastructure) 2007 - State Environmental Planning Policy 65 - Design Quality of Residential Apartment Development - Apartment Design Guideline - Ku-ring-gai Local Environmental Plan (Local Centres) 2012 - Draft environmental planning instruments: Nil - Development control plans: - Ku-ring-gai Local Centres DCP - Planning agreements: Nil - Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil - 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	- Council assessment report: 12 May 2017 - Written submissions during public exhibition: 0
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	Electronic Meeting: 23 – 24 May 2017
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report