

<b>DATE OF DETERMINATION</b>	Wednesday 14 March 2018
<b>PANEL MEMBERS</b>	Peter Debnam (Chair), John Roseth, Louise Camenzuli, Veronique Marchandean, Stephen Barbour
<b>APOLOGIES</b>	Sue Francis, Michel Reymond
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held at Christie Conference Centre 100 Walker Street North Sydney on 14 March 2018, opened at 1.00pm and closed at 1.41pm.

#### **MATTER DETERMINED**

2017SNH078 – North Sydney – DA486/15/2 at 168 Walker Street North Sydney (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 modification to the approve the development application as described in Schedule 1 pursuant to section 4.55 of the *Environmental Planning and Assessment Act 1979*.

The Panel adjourned at 1.15pm during the meeting to deliberate on the matter and formulate a resolution.

The decision was unanimous.






#### **REASONS FOR THE DECISION**

The reasons for the decision of the Panel were:

- The amended proposal is substantially the same as the original proposal.
- The amendments do not result in any material additional impact on the surroundings.
- As the envelope of the amended proposal is similar to the one originally approved, there is no additional breach of planning controls.
- The Panel considered the objectors' concerns in relation to inadequate parking, traffic and privacy. The Panel notes that the site is in a mixed-use zone, that the amended proposal provides additional parking and that the amended proposal complies with the council's parking controls (as did the original proposal). The Panel notes Council's advice that the modification results in no significant increase in traffic generation and that privacy concerns were addressed in the original development application.
- The Panel believes that the approval of the amended application is consistent with the reasons for the approval of the original application.

**CONDITIONS**

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

PANEL MEMBERS	
 Peter Debnam (Chair)	 John Roseth
 Louise Camenzuli	 Veronique Marchand
 Stephen Barbour	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SNH078 – North Sydney – DA486/15/2
2	PROPOSED DEVELOPMENT	To modify consent for demolition of existing office building and the construction of a mixed use development comprising basement levels, retail/commercial floor space, and residential apartments with regard to increase in apartment numbers and parking.
3	STREET ADDRESS	168 Walker Street, North Sydney
4	APPLICANT/OWNER	Aqualand North Sydney Development Pty Ltd
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 No.65 – Design Quality of Residential Apartment Development</li> <li>State Environmental Planning Policy No.55 – Remediation of Land</li> <li>Sydney Regional Environmental Plan Sydney Harbour Catchment 2005 (Deemed SEPP)</li> <li>North Sydney Local Environmental Plan 2013</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>North Sydney Development Control Plan 2013</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: 20 February 2018</li> <li>Written submissions during public exhibition: 5</li> <li>Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>Object – Vicky Harris</li> <li>On behalf of the applicant – Scott Barwick, Jason Fraser, Costas Haramis, Tony Pizzolato</li> </ul> </li> </ul>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Final briefing meeting to discuss council's recommendation, 14 March 2018 at 12.30pm. Attendees: <ul style="list-style-type: none"> <li><u>Panel members</u>: Peter Debnam (Chair), John Roseth, Louise Camenzuli, Veronique Marchandean, Stephen Barbour</li> <li><u>Council assessment staff</u>: Geoff Mossemeneer</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report