

# RECORD OF DEFERRAL SYDNEY NORTH PLANNING PANEL

<b>DATE OF DEFERRAL</b>	Wednesday 12 September 2018
<b>PANEL MEMBERS</b>	Peter Debnam (Chair), John Roseth, Sue Francis, Cedric Spencer, Sam Ngai
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	Sue Francis advised that the applicant's submission, dated 10 September 2018, notes that Helen Deegan was initially engaged by Council as an independent planner to assess the development application. Council officers confirmed that Helen ceased to be involved in the assessment from mid-2017. In July 2018, Helen Deegan was appointed as a Director of Sue Francis's company. Panel Chair agreed that this does not raise any conflict of interest which would remove Sue Francis from the Panel.

Public meeting held at Christie Conference Centre, 100 Walker Street North Sydney, on 12 September 2018, opened at 12.55pm and closed at 2.49pm.

## MATTER DEFERRED

2017SNH084 – Ku-ring-gai – DA0610/17 at 810-818 Pacific Highway Gordon (as described in Schedule 1)




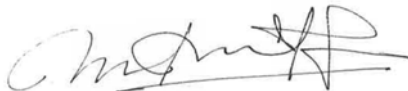

## REASONS FOR DEFERRAL

The Panel notes that the applicant has submitted amended plans which it claims address the reasons for refusal and which have not yet been assessed; and the assessment officer has prepared “without prejudice” conditions, which the applicant has not yet responded to. Consequently, the Panel has decided unanimously to defer the determination to allow the following to occur before a further public meeting.

The Panel requests the assessment officer to assess the amended plans and to provide, before the end of October 2018, a supplementary report stating whether they satisfactorily respond to the concerns raised in the assessment report of September 2018. The Panel also requests the assessment officer to provide the applicant with the “without prejudice” conditions, and the applicant to respond to them.

The Panel also requires the written concurrence of the RMS to the proposed traffic arrangements in Pacific Highway and Dumaresq Street.

When the above matters have been attended to, the Chair will arrange for a further public meeting.

PANEL MEMBERS	
 Peter Debnam (Chair)	 John Roseth
 Sue Francis	 Cedric Spencer
 Sam Ngai	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SNH084 – Ku-ring-gai – DA0610/17
2	PROPOSED DEVELOPMENT	Demolition of existing structures and construction of a mixed use development comprised of shop top housing containing 56 apartments, use of ground floor commercial space as an Aldi supermarket and small retail suite, basement parking, signage and associated works.
3	STREET ADDRESS	810-818 Pacific Highway, Gordon NSW 2072
4	APPLICANT OWNER	RPS Group / Pacific Highway Gordon P/L & Ku-ring-gai Council
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(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.55 – Remediation of Land</li> <li>State Environmental Planning Policy No.64 – Advertising &amp; Signage</li> <li>State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development</li> <li>State Environmental Planning Policy (Infrastructure) 2007</li> <li>State Environmental Planning Policy (BASIX)</li> <li>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP)</li> <li>Ku-ring-gai Local Environmental Plan (Local Centres) 2012</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Ku-ring-gai Local Centres Development Control Plan</li> <li>Ku-ring-gai Contributions Plan 2010</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Clause 92(1)(B)</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: 29 August 2018</li> <li>Written submissions during public exhibition: 8</li> <li>Verbal submissions at the public meeting 12 September 2018: <ul style="list-style-type: none"> <li>Object – Brett Maynard (GTA Consultants) on behalf of Charter Hall</li> <li>On behalf of the applicant – Claire Muir, Jon Kennedy, Hayden Calvey</li> </ul> </li> </ul>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Site inspection and briefing: 11 April 2018</li> <li>Final briefing to discuss council's recommendation, Wednesday 12 September 2018 at 11.45am. Attendees: <ul style="list-style-type: none"> <li>Panel members: Peter Debnam (Chair), John Roseth, Sue Francis, Cedric Spencer, Sam Ngai</li> </ul> </li> </ul>

		<ul style="list-style-type: none"><li>○ <u>Council assessment staff</u>: Jonathan Goodwill, Corrie Swanepoel, Kerry Gordon, Joseph Piccoli, Brian O’Connell, Adam Richardson, Kerry Hunter, Roybn Askew</li></ul>
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	Attached to the council assessment report