

DETERMINATION AND STATEMENT OF REASONS

SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	Wednesday 10 April 2019
PANEL MEMBERS	Peter Debnam (Chair), Sue Francis, John Roseth, Veronique Marchandean, Michel Reymond
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held at Christie Conference Centre, 100 Walker Street North Sydney on 10 April 2019, opened at 10am and closed at 10.05am.

MATTER DETERMINED

2018SNH054 – North Sydney – DA487/15/5 at 229 Miller Street North Sydney for modifications to an approved development (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 briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application pursuant to section 4.55 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel unanimously determined to approve the application for the following reasons:

1. The amended application is substantially the same as the original proposal.
2. The amendment involves mainly a change of external materials and the new materials comply with the council's requirement of a maximum of 20% reflectivity.
3. The bulk of the building does not change.

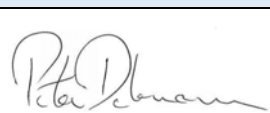
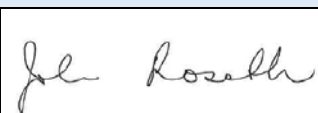
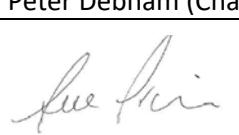
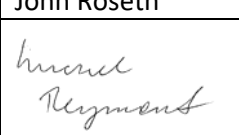
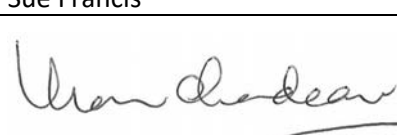
CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report, with the following amendment:

- Condition I6(c) amended to read as follows:
No part of the terrace / balcony may have a fixed enclosure; and

CONSIDERATION OF COMMUNITY VIEWS

Council received one submission which was later withdrawn. There were no objectors at the public meeting.

PANEL MEMBERS	
 Peter Debnam (Chair)	 John Roseth
 Sue Francis	 Michel Reymond
 Veronique Marchandean	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SNH054 – North Sydney – DA487/15/5
2	PROPOSED DEVELOPMENT	Section 4.55(2) to Modify DA 487/15 for various modification to an approved mixed use building including changes to external finishes.
3	STREET ADDRESS	229 Miller Street North Sydney
4	APPLICANT/OWNER	Vantage 229 Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(2) Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy No. 55 – Remediation of Land State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 Sydney Regional Environmental Plan Sydney Harbour Catchment 2005 (Deemed SEPP) North Sydney Local Environmental Plan 2013 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> North Sydney Development Control Plan 2013 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	<ul style="list-style-type: none"> Council assessment report: 27 March 2019 Written submissions during public exhibition: One, withdrawn Verbal submissions at the public meeting: <ul style="list-style-type: none"> Council assessment officer – Kim Rothe On behalf of the applicant – Kerry Gordon
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY	<ul style="list-style-type: none"> Briefing: 13 February 2019 Final briefing to discuss council's recommendation, 10 April 2019 and 9.30am. Attendees: <ul style="list-style-type: none"> <u>Panel members</u>: Peter Debnam (Chair), Sue Francis, John Roseth, Veronique Marchandean, Michel Reymond <u>Council assessment staff</u>: Kim Rothe
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report