



DETERMINATION AND STATEMENT OF REASONS
SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	Wednesday 13 February 2019
PANEL MEMBERS	Peter Debnam (Chair), Sue Francis, John Roseth, Michel Reymond, Veronique Marchandean
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held at Christie Conference Centre 100 Walker Street North Sydney on 13 February 2019, opened at 10.30am and closed at 10.35am.

MATTER DETERMINED

2018SNH065 – North Sydney – DA368/18 at 86-88 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 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 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The proposal is consistent with the zoning and the desired future character of the area. It preserves the Fire House, which is an important item of local heritage.

The proposal complies with the height controls of North Sydney LEP 2013, as the part that exceeds the statutory height is an architectural feature. While the applicant has submitted a justification under clause 4.6 of the LEP, this was for 'abundant caution'. However, if the submission were required, in the Panel's opinion, it would be justified as the proposal complies with the objectives of the zone and the controls and the height exceedance has no material environmental impact. A better planning outcome is achieved.




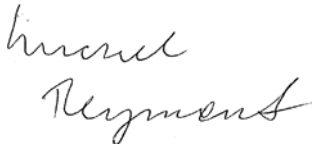

CONDITIONS

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

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition.

There were two submissions objecting to the proposal raising concerns with too many tall buildings and traffic problems. The Panel notes the proposal complies with planning controls and has no parking spaces. The council’s Design Excellence Panel is strongly in favour of the proposal.

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

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SNH065 – North Sydney – DA368/18
2	PROPOSED DEVELOPMENT	Construction of a 48 storey hotel and office building
3	STREET ADDRESS	86-88 Walker Street North Sydney
4	APPLICANT/OWNER	Saul Moran/88 Walker Street Investments Pty Ltd; MRAKA Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy 55 – Remediation of Land ○ 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: 25 January 2019 • Sydney Water Memo: 1 February 2019 • Written submissions during public exhibition: 2 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Council assessment officer – Geoff Mossemeneer ○ On behalf of the applicant – Michael Rowe
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Final briefing to discuss council's recommendation, 13 February 2019 at 10am. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Peter Debnam (Chair), John Roseth, Sue Francis, Michel Reymond, Veronique Marchandean ○ <u>Council assessment staff</u>: Geoff Mossemeneer
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report