

DATE OF DETERMINATION	Wednesday 8 May 2019
PANEL MEMBERS	Peter Debnam (Chair), John Roseth, Abigail Goldberg, Michel Reymond and Veronique Marchandeanu
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held at Christie Conference Centre, 100 Walker Street North Sydney on 8 May 2019, opened at 10.02am and closed at 10.05am.

MATTER DETERMINED

2019SNH018 – North Sydney – DA115/11/04 at 106 Kirribilli Avenue, Kirribilli – Modification to DA 115/11 pursuant to S.4.55(2) (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 amended application is substantially the same as the original application approved in 2011.

The amendments have no material impact on neighbouring land or surrounding properties.

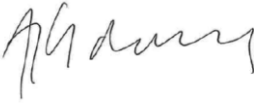
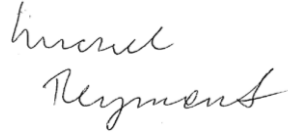
Where variations are sought to council's controls, they are of a minor nature.

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, which concerned mainly the impact of the amendments on views. No objector addressed the public meeting. The Panel accepts the conclusion of the assessment report that any impact on existing views is of a minor nature. Notwithstanding this, the Panel notes that the application was amended in response to objections to delete the extension to the roof plant and the exhaust risers.

PANEL MEMBERS	
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 Veronique Marchandeanu	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2019SNH018 – North Sydney – DA115/11/04
2	PROPOSED DEVELOPMENT	Modification to DA 115/11 pursuant to S.4.55(2) including modifications proposing internal changes to basement layout and uses; changes to car parking allocation and storage; landscape changes; fence and pedestrian entry change; changes to stormwater arrangements; front balustrade change and installation of an external access ladder to rear of building for building maintenance.
3	STREET ADDRESS	106 Kirribilli Avenue, Kirribilli
4	APPLICANT/OWNER	A Plus Group Pty Ltd C/- Redgen Matheson Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(2) Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - Sydney Regional Environmental Plan 2005 (Deemed SEPP) – Sydney Harbour Catchment 2005 - State Environmental Planning Policy No. 55 – Contaminated Lands - State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development - State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 - Section 2.12 EP & A Act 1979 (as amended) (cf previous s 23G) - CI 123B EP & A Regulations 2000 - State Environmental Planning Policy (State and Regional Development) 2011 - North Sydney Local Environmental Plan 2013 - Apartment Design Guidelines (ADG) - Draft environmental planning instruments: Nil - Development control plans: - 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	- Council assessment report: 29 April 2019 - Written submissions during public exhibition: 4 - Verbal submissions at the public meeting: - In support – Nil - In objection – Nil - Council assessment officer – David Hoy - On behalf of the applicant – Nil
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	- Final briefing to discuss council's recommendation, 8 May 2019, 9.30am Attendees: <u>Panel members</u>: Peter Debnam (Chair), John Roseth, Abigail Goldberg, Michel Reymond and Veronique Marchandau

		○ <u>Council assessment staff:</u> David Hoy
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report