

## DETERMINATION AND STATEMENT OF REASONS

### SYDNEY NORTH PLANNING PANEL

<b>DATE OF DETERMINATION</b>	Wednesday 27 November 2019
<b>PANEL MEMBERS</b>	Peter Debnam (Chair), Sue Francis, Veronique Marchandean, John Roseth, Michel Reymond
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held at Christie Conference Centre, 100 Walker Street North Sydney, on 27 November 2019, opened at 10am and closed at 10.30am.

#### MATTER DETERMINED

2019SNH020 – North Sydney -DA68/19 at 173 Pacific Highway North Sydney for a commercial office building (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 adjourned during the meeting to deliberate on the matter and formulate a resolution.

#### Development application

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





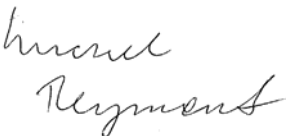
- The proposal complies with the major planning controls applying to the site.
- The proposal is consistent with the desired future character of the area and its external impacts are reasonable.
- The proposal provides a through-site link, which is a public benefit.

#### CONDITIONS

The development application was approved subject to the conditions in the council assessment report.

#### CONSIDERATION OF COMMUNITY VIEWS

The first exhibition of the application attracted two objections. One of the objections was concerned with part of the building that did not comply with the height control and that aspect has now been amended. The second objection related to the impact on the building to the north, which was reduced as a result of the amendment. There were no objections to the exhibition of the amended application. No objectors attended the public meeting.

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

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2019SNH020 – North Sydney – Da68/19
2	PROPOSED DEVELOPMENT	The construction of a 31 storey commercial office building at No.173 Pacific Highway and alterations and additions to the existing building at No.116 Miller Street including a through site link between the Pacific Highway and Miller Street frontages of the site.
3	STREET ADDRESS	173 Pacific Highway and 116 Miller Street, North Sydney
4	APPLICANT/OWNER	Maville Investment Trust, Maville Bay Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
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 – Contaminated Lads</li> <li>State Environmental Planning Policy Infrastructure 2007</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: 7 November 2019</li> <li>List any clause 4.6 variation requests here</li> <li>Written submissions during public exhibition: 2</li> <li>Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>In support – [names of speakers]</li> <li>In objection – [names of speakers]</li> <li>Council assessment officer – Luke Donovan</li> <li>On behalf of the applicant – Jason Fraser, Michael Rowe, James McBride</li> </ul> </li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Briefing: 23 July 2019 <ul style="list-style-type: none"> <li><u>Panel members</u>: Peter Debnam (Chair), Sue Francis, John Roseth, Veronique Marchandean, Michel Reymond</li> <li><u>Council assessment staff</u>: Luke Donovan</li> </ul> </li> <li>Final briefing to discuss council's recommendation, 27 November 2019 at 9.30am. Attendees: <ul style="list-style-type: none"> <li><u>Panel members</u>: Peter Debnam (Chair), Sue Francis, John Roseth, Veronique Marchandean, Michel Reymond</li> <li><u>Council assessment staff</u>: Luke Donovan</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report