

DATE OF DETERMINATION	29 October 2020
PANEL MEMBERS	Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Cheryl Szatow, Martin Smith
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 22 October 2020.

MATTER DETERMINED

PPSSNH-127 – Ku-ring-gai – MOD0117/20 at 376-384 & 386-390 Pacific Highway and 1 Balfour Street, Lindfield for modifications to a Land and Environment Court approved application (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.

Development application

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



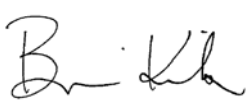

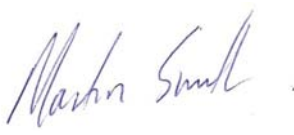
The Panel determined to approve the application for the reasons outlined in the council assessment report.

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 notes that no written submissions were made during public exhibition and therefore no issues of concern were raised.

PANEL MEMBERS	
 Peter Debnam	 Julie Savet Ward
 Brian Kirk	 Cheryl Szatow
 Martin Smith	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSNH-127 – Ku-ring-gai – MOD0117/20
2	PROPOSED DEVELOPMENT	Modification to Land & Environment Court Consent Proceedings 391613 of 2018 (DA0197/18) proposing amendments to conditions to accommodate the staged construction process.
3	STREET ADDRESS	376-384 & 386-390 Pacific Highway and 1 Balfour Street, Lindfield
4	APPLICANT/OWNER	Coles Group Property Developments Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.56 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 Ku-ring-gai Local Environmental Plan 2015 Draft environmental planning instruments: Development control plans: Draft Remediation of Land State Environmental Planning Policy <ul style="list-style-type: none"> Ku-ring-gai Development Control Plan Ku-ring-gai Contaminated Land Policy 2016 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: 21 October 2020 Written submissions during public exhibition: nil
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: 30 September 2020 <ul style="list-style-type: none"> <u>Panel members</u>: Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Cheryl Szatow, Martin Smith <u>Council assessment staff</u>: Bonnie Yue, Jonathan Goodwill
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report