

DATE OF DETERMINATION	6 February 2025
DATE OF PANEL DECISION	6 February 2025
PANEL MEMBERS	Peter Debnam (Chair), Brian Kirk, Nicole Gurran, Che Wall and Karla Castellanos
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 3 February 2025.

MATTER DETERMINED

PPSSNH-359 – North Sydney – D392/22 at 100 Christie Street, St Leonards – Demolition of existing buildings and works, construction of a 39 storey mixed-use building comprising retail and office premises, 184 dwellings and basement parking, landscaping and refurbishment of the Christie Street Reserve and associated works (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 listed at item 8 in Schedule 1.

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 Panel determined to approve the application for the reasons below and in Council's comprehensive Assessment Report.

The Panel notes the site underwent a site-specific Planning Proposal which amended controls within North Sydney's LEP to facilitate the redevelopment of the site aligning with the strategic growth objectives of the NSW Government and Council for the area. The LEP amendment was gazetted in 2020.

The current application was lodged in December 2022 and has benefited from feedback from Council (pre and post DA), the Design Excellence Panel and the community. The Sydney North Panel was briefed several times by both Council and Applicant on progress of the assessment and evolution of the proposal.

The Panel concurs with Council that the proposed development has been properly assessed with respect to the objectives and relevant Sections of the EP&A Act, as well as the objectives, merit based considerations, development standards and prescriptive controls of various SEPPs, the North Sydney Local Environmental Plan 2013 and the North Sydney Development Control Plan 2013.

The proposed development is entirely consistent with the form of development anticipated by the Planning Proposal process and provided for in the site-specific LEP and DCP provisions and the Panel believes approval would be in the community interest.

CONDITIONS

Council's recommended conditions of consent were amended by Council following submission in negotiation with the Applicant to correct minor errors, provide clarification and adjust timing. Council's recommended conditions were also amended by the Panel to include the following changes:


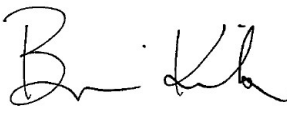



- Add condition no. C56 to require the Construction Certificate plans to include the recommendations of the Pedestrian Wind Environment Study
- Add condition no.C57 to require Construction Certificate plans to show glass privacy screens to balconies
- Add condition no. C58 to require Construction Certificate plans to show that all services at street level are enclosed

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered 8 written submissions made during public exhibition. Issues of concern included:

- Setbacks and privacy
- Noise
- Overcrowding
- Traffic and parking
- Tree retention and protection

The Panel considers that concerns raised by the community have been adequately addressed in Council's Assessment Report and the amended conditions.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Brian Kirk
 Nicole Gurran	 Che Wall
 Karla Castellanos	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSNH-359 – North Sydney – DA392/22
2	PROPOSED DEVELOPMENT	Demolition of existing buildings and works, construction of a 39 storey mixed-use building comprising retail and office premises, 184 dwellings and basement parking, landscaping and refurbishment of the Christie Street Reserve and associated works.
3	STREET ADDRESS	100 Christie Street, St Leonards
4	APPLICANT OWNER	Zirong Zhao Elegant Church Street 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"> ○ Environmental Planning and Assessment Act 1979 ○ Environmental Planning and Assessment Regulation 2021 ○ Environmental Planning and Assessment (Special Infrastructure Contribution – St Leonards and Crows Nest) Determination 2020 ○ State Environmental Planning Policy (Planning Systems) 2021 ○ State environmental Planning Policy (Housing) 2021 ○ State Environmental Planning Policy (Resilience and Hazards) 2021 ○ State Environmental Planning Policy (Transport and Infrastructure) 2021 ○ State Environmental Planning Policy (Biodiversity and Conservation) 2021 ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) ○ North Sydney Local Environmental Plan 2013 ○ North Sydney Local Infrastructure Contributions Plan 2020 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ North Sydney Development Control Plan 2013 • Planning agreements: Nil • Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> • 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 January 2025 • Written submissions during public exhibition: 8
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Kick off Briefing: 5 April 2023 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Peter Debnam (Chair) ○ <u>Council assessment staff</u>: Damon Kenny ○ <u>Applicant representatives</u>: Kate Riley, Stephen White, Raymond Tan, George Chen, Alex Lin and Catherine Love ○ <u>Department staff</u>: Carolyn Hunt, Suzie Jattan and Louisa Agyare

		<ul style="list-style-type: none"> • Council and Applicant Briefing: 14 June 2023 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Peter Debnam (Chair), Nicole Gurran, Brian Kirk, Che Wall and Karla Castellanos ○ <u>Council assessment staff</u>: Damon Kenny ○ <u>Applicant representatives</u>: Zirong Zhao, Kate Riley, Stephen White, Raymond Tan, George Chen, Alex Lin and Catherine Love ○ <u>Department staff</u>: Adam Iskander and Suzie Jattan • Final briefing to discuss council's recommendation: 5 February 2025 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Peter Debnam (Chair), Brian Kirk, Nicole Gurran, Che Wall and Karla Castellanos ○ <u>Council assessment staff</u>: Damon Kenny, Stephen Beattie ○ <u>Applicant representatives</u>: Stephen White, Alex Lin, Megumi Sakaguchi, Toni Duncan, Wing Zhao ○ <u>Department staff</u>: Lillian Charlesworth and Jade Buckman
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report. Amended by Council in negotiation with Applicant to correct minor errors, provide clarification and adjust timing. The recommended conditions were also amended by the Panel and final conditions uploaded to the Planning Portal on 6 February 2025.