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| DATE OF DEFERRAL | 23 July 2025 |
| PANEL MEMBERS | Peter Debnam (Chair), Brian Kirk, Sue Francis, Tanya Taylor, Robert Freestone |
| APOLOGIES | James Harrison |
| DECLARATIONS OF INTEREST | None |

Papers circulated electronically on 18 July 2025.

MATTER DEFERRED

PPSSNH-424 – Willoughby – DA-2023/237 at 9-11 Nelson Street, Chatswood – Demolition of existing structures and construction of a 27- storey mixed use development with a 3-level basement, associated site landscaping and public domain works (as described in Schedule 1).

REASONS FOR DEFERRAL

The Panel considered the matters listed at item 6, the material listed at item 7 and the material presented at the meetings listed at item 8 in Schedule 1.

The Council's draft reasons for refusal were discussed extensively and it became apparent to the Panel that further communication between Council and Applicant may resolve the outstanding issues.


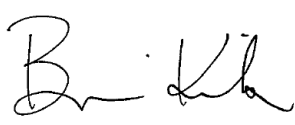
Consequently, the Panel resolved to defer the determination of the matter to allow additional time for discussions, provision of additional information and further assessment.




The decision to defer the matter was unanimous.

ACTIONS

To allow progression of the Development Application to determination:

1. The Applicant and Council are to urgently meet in the next week to resolve parking, waste, deep soil and owner's consent issues. The Panel is aware that matters relating to both Transport for NSW and Sydney Metro remain outstanding, but that these matters may take several months to resolve. If they are the only outstanding matters, the Panel has discretion to address these matters by way of condition;
2. The Applicant is to submit to Council any amended plans and additional information required within 3 weeks by 13 August 2025;
3. Council is to upload a Supplementary Assessment Report and Draft Conditions (including a deferred commencement condition if necessary regarding agency concurrence) as quickly as possible thereafter; and
4. The Panel will then urgently convene a final Determination Briefing.

| PANEL MEMBERS | |
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|  Peter Debnam (Chair) |  Brian Kirk |

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|  Sue Francis |  Tanya Taylor |
|  Robert Freestone | |

| SCHEDULE 1 | | |
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| 1 | PANEL REF – LGA – DA NO. | PPSSNH-424 – Willoughby -DA-2023/237 |
| 2 | PROPOSED DEVELOPMENT | Demolition of existing structures and construction of a 27- storey mixed use development with a 3-level basement, associated site landscaping and public domain works. The building consists of a 2 storey podium with retail/commercial floor space at the ground and first floor levels, and two residential apartment towers above comprising 193 apartments and communal facilities. The application is identified as nominated integrated development requiring approval from Water NSW pursuant to s90 of the Water Management Act 2000. |
| 3 | STREET ADDRESS | 9-11 Nelson Street, Chatswood |
| 4 | APPLICANT/OWNER | Andrew Hobbs, Urbis / 9-11 Nelson St 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 (EP&A Act) ○ Environmental Planning and Assessment Regulation 2021 (EP&A Regulation) ○ State Environmental Planning Policy (Biodiversity and Conservation) 2021 ○ State Environmental Planning Policy (Resilience and Hazards) 2021 ○ State Environmental Planning Policy (Transport and Infrastructure) 2021 ○ State Environmental Planning Policy (Planning Systems) 2021 ○ State Environmental Planning Policy (Industry and Employment) 2021 ○ State Environmental Planning Policy (Housing) 2021, Chapter 4 ○ Willoughby Local Environmental Plan 2012 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Willoughby Development Control Plan 2023 • 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 |

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| | | <ul style="list-style-type: none"> 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: 17 July 2025 Clause 4.6 variations: <ul style="list-style-type: none"> Height of Building: February 2024 Active Street Frontages: 24 August 2023 Written submissions during public exhibition: 5 |
| 8 | MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL | <ul style="list-style-type: none"> Preliminary Briefing: 8 November 2023 <ul style="list-style-type: none"> <u>Panel members</u>: Peter Debnam (Chair), Brian Kirk <u>Council assessment staff</u>: Akshay Bishnoi, Patrick Williams, Wil Robertson <u>Applicant representatives</u>: Georgia McKenzie, Andrew Hobbs, Daniel Hovagimian, David Johnson, Josh Milston, Nicholas Byrne, Daniel Nolan, Adam Dyason, Joe Walsh <u>Department staff</u>: George Dojas, Suzie Jattan Briefing: 3 April 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Peter Debnam (Chair), Brian Kirk, Nicole Gurran, Tanya Taylor, James Harrison <u>Council assessment staff</u>: Akshay Bishnoi, Wil Robertson, Sim Adeline, Ritu Shankar <u>Applicant representatives</u>: Georgia McKenzie, Andrew Hobbs, Josh Milson, Nicholas Byrne, Daniel Nolan, Joseph Khouguz, Jeff Curnow <u>Department staff</u>: Adam Iskander, Suzie Jattan Briefing: 5 February 2025 <ul style="list-style-type: none"> <u>Panel members</u>: Peter Debnam (Chair), Brian Kirk, Nicole Gurran, Tanya Taylor, James Harrison <u>Council assessment staff</u>: Akshay Bishnoi <u>Applicant representatives</u>: Andrew Hobbs, Daniel Nolan, KC Lee, David Brandon-Cooper, Gerard Sleiman, Emmanuel Igbokwe <u>Department staff</u>: Lillian Charlesworth, Jade Buckman Briefing: 2 April 2025 <ul style="list-style-type: none"> <u>Panel members</u>: Peter Debnam (Chair), Brian Kirk, Sue Francis, Tanya Taylor, James Harrison <u>Council assessment staff</u>: Ritu Shankar <u>Applicant representatives</u>: Andrew Hobbs, Daniel Nolan, Alexandre Royer, KC Lee, Emmanuel Igbokwe, Nicholas Byrne <u>Department staff</u>: Lillian Charlesworth, Jade Buckman Final briefing to discuss council's recommendation: 23 July 2025 <ul style="list-style-type: none"> <u>Panel members</u>: Peter Debnam (Chair), Brian Kirk, Sue Francis, Tanya Taylor, Robert Freestone <u>Council assessment staff</u>: Akshay Bishnoi, Ritu Shankar <u>Applicant representatives</u>: Stephen White, Emmanuel Igbokwe, KC Lee, Barney Oros, Gerard Sleiman, Stephen Canty <u>Department staff</u>: Lillian Charlesworth, Jade Buckman |
| 9 | COUNCIL RECOMMENDATION | Refusal |

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| 10 | DRAFT CONDITIONS | None |
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