

## Record of Preliminary Briefing Sydney North Planning Panel

<b>PANEL REFERENCE, DA NUMBER &amp; ADDRESS</b>	PPSSNH-614 – eMOD0193/24 – 440 Bobbin Head Road, North Turramurra
<b>APPLICANT OWNER</b>	Jamie Bryant The Trustee for LDK Turramurra unit Trust
<b>APPLICATION TYPE</b>	Modification application
<b>REGIONALLY SIGNIFICANT CRITERIA</b>	Section 4.56 Modification to Court Consent
<b>KEY SEPP/LEP</b>	State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Housing) 2021 Ku-ring-gai Local Environmental Plan 2015
<b>CIV</b>	\$2,854,924.00 (ex GST)
<b>BRIEFING DATE</b>	23 April 2025

### ATTENDEES

<b>APPLICANT</b>	Jamie Bryant, Genevieve Kenyon-Slade, Ted de Fegely, David Jameson, Bryan Cannon
<b>PANEL MEMBERS</b>	Peter Debnam, Brian Kirk, Stephen O'Connor
<b>COUNCIL OFFICER(S)</b>	Phillip Johnston, Jonathan Goodwill
<b>CASE MANAGER</b>	Nikita Lange
<b>PLANNING PANELS TEAM</b>	Jade Buckman

**DA LODGED:** 14 January 2025

**DAYS SINCE LODGEMENT:** 99 days

**TENTATIVE PANEL BRIEFING DATE:** TBD in consultation with council

**TENTATIVE PANEL DETERMINATION DATE:** Late June 2025

### **KEY MATTERS DISCUSSED**

The Panel notes the applicant's presentation and matters discussed with the applicant and council during the briefing. In particular, the Panel notes:

- Court approval. After the consent was Issued housing became a prohibited use due to bushfire risk. As a result, the development relies on existing use rights for permissibility.
- Councils main concern relates to existing use right provisions and whether the proposed use is consistent with the consent. Council is requesting an occupation certificate from the applicant to confirm legal advice and to be satisfied that the proposal is captured under existing use rights.
- The Applicant provided legal advice to council that states they benefit from existing use right provisions; this advice is being reviewed by council

### **NEXT STEPS**

- RFI to be issued within 7-10 days with a response within 7 days.
- Council to contact the Department secretariat to schedule a determination date once further information is received from the applicant. Determination estimated for late June.

### **Note:**

Council is yet to undertake its full application assessment, and therefore future comment will not be limited to matters discussed at the preliminary briefing.