

DETERMINATION AND STATEMENT OF REASONS

SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	15 December 2025
DATE OF PANEL DECISION	12 December 2025
DATE OF PANEL MEETING	11 December 2025
PANEL MEMBERS	Peter Debnam (Chair), Brian Kirk, Sue Francis, Kim Wheatley, Indu Balachandran
APOLOGIES	Alec Taylor, Martin Smith
DECLARATIONS OF INTEREST	None

Public meeting held by videoconference on 11 December 2025, opened at 3:00 pm and closed at 3:51 pm

Papers circulated electronically on 28 November 2025.

MATTER DETERMINED

PPSSNH-644 – Ku-ring-gai – eDA0255/25 at 4B & 8 Charlton Avenue, Turramurra NSW 2074 – Construction of Childcare Centre (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 refuse 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 refuse the application for the reasons below and in Council's Assessment Report.

The Panel notes that over the seven months since lodgement, the applicant has been in communication with Council and in fact made a number of changes to their application in response to community and Council feedback. These changes are outlined in Council's Report. However, the Assessment Report still notes six reasons for refusal and the Panel discussed these with the applicant and Council during the public meeting.

The Panel further notes that an overall childcare strategy and sensitivity to the neighbourhood do not seem to have been given sufficient weight in evolving the proposal. It is the Panel's opinion that in the development of the design, more consideration should be given to the Child Care Planning Guideline generally with particular regard to local character, streetscape and public domain interface.

During the meeting, the applicant did note further significant changes could be made to the proposal which may address some of the reasons for refusal but the Panel stressed their decision must be made on the current design as assessed by Council.

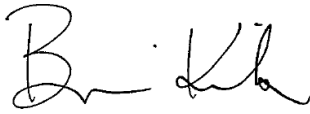
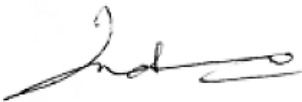
The Panel believes the application has been properly assessed against relevant planning controls and the current proposal should be refused.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition and heard from all those wishing to address the Panel. The Panel notes that issues of concern included:

- Streetscape impacts
- Bulk and Scale
- Traffic and Noise impacts
- Tree removal
- Landscaping
- Privacy impacts
- Pedestrian safety

The Panel considers that concerns raised by the community have been adequately addressed in the Assessment Report and that no new issues requiring assessment were raised during the public meeting.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Brian Kirk
 Sue Francis	 Kim Wheatley
 Indu Balachandran	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSNH-644 – Ku-ring-gai – eDA0255/25
2	PROPOSED DEVELOPMENT	Demolition of existing buildings, construction of a 120-place childcare centre and associated works
3	STREET ADDRESS	at 4B & 8 Charlton Avenue, Turramurra NSW 2074
4	APPLICANT/OWNER	Applicant: ArtMade Architectural Pty Ltd. Owner: Jianbo Zhou
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - State Environmental Planning Policy (Biodiversity and Conservation) 2021 - State Environmental Planning Policy (Resilience and Hazards) 2021 - State Environmental Planning Policy (Planning Systems) 2021 - State Environmental Planning Policy (Transport and Infrastructure) 2021 - State Environmental Planning Policy (Industry and Employment) 2021 - Ku-ring-gai Local Environmental Plan 2015 - Draft environmental planning instruments: Nil - Development control plans: - Ku-ring-gai Development Control Plan 2024 - Ku-ring-gai Contributions Plan 2023 - Education and Care Services National Regulations - Childcare planning guideline (September 2021) - Planning agreements: Nil - Relevant provisions of the Environmental Planning and Assessment Regulation 2021 - 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	- Council Briefing Note: 27 August 2025 - Council Assessment Report: 27 November 2025 - Written submissions during public exhibition: 52 - Verbal submissions at the public meeting: - Richard Gregson, Michael Rudd, Rosemerry Montgomery, David Burns - Council assessment officer – Phillip Johnston - On behalf of the applicant – Alok Sabne, Greg Tesoriero
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	- Preliminary Briefing: 27 August 2025 <u>Panel members</u>: Brian Kirk (Acting Chair), Sue Francis <u>Council assessment staff</u>: Phillip Johnston, Jonathan Goodwill <u>Applicant representatives</u>: Alok Sabne, Brenton Romeo <u>Department staff</u>: Lillian Charlesworth, Anaise Nagy - Public Meeting to discuss council's recommendation: 11 December 2025

		○ <u>Panel members</u>: Peter Debnam (Chair), Brian Kirk, Sue Francis, Kim Wheatley, Indu Balachandran ○ <u>Council assessment staff</u>: Phillip Johnston, Jonathan Goodwill, Shaun Garland, Joseph Picoli, Constanza Bottazzini ○ <u>Applicant representatives</u>: Alok Sabne, Brenton Romeo, Greg Tesoriero ○ <u>Department staff</u>: Anaise Nagy
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	Attached to the Council Assessment Report as uploaded (on 27 November 2025) by Council to the Planning Portal 4 December 2025