



DETERMINATION AND STATEMENT OF REASONS
SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	27 November 2019
PANEL MEMBERS	Peter Debnam (Chair), Sue Francis, John Roseth, Cheryl Szatow, Martin Smith
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held at Christie Conference Centre, 100 Walker Street North Sydney, on 27 November 2019, opened at 2.30pm and closed at 2.34pm.

MATTER DETERMINED

PPSSNH-7 – Ku-ring-gai – MOD0198/18 at 2 Pymble Avenue Pymble for modifications to an approved development (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





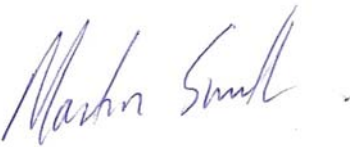
- The modified proposal is substantially the same as the original proposal.
- The modified proposal is within the envelope already approved, with the exception of three lift towers, two of each are higher and one lower by a small amount. The Panel is satisfied that the higher lift towers do not have any adverse visual impact.
- The amended proposal includes alteration to the on-site detention and bio-retention systems, which results in a failure to achieve the 50% of the site being deep-soil landscaping; however, the shortfall is minor.
- The remaining modifications are internal and have no material impact.

CONDITIONS

The development application was approved subject to the conditions in the council assessment report.

CONSIDERATION OF COMMUNITY VIEWS

The exhibition of the modification application attracted no submissions. No objectors attended the public meeting.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Sue Francis
 John Roseth	 Cheryl Szatow
 Martin Smith	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSNH-7 – Ku-ring-gai – MOD0198/18
2	PROPOSED DEVELOPMENT	Modification to Land and Environment Court Approval 159352 of 2016 (DA0145/15) proposing various changes including internal reconfigurations and addition of waste storage facilities and two water tanks.
3	STREET ADDRESS	2 Pymble Avenue, Pymble, Lot 100 DP 1232444
4	APPLICANT/OWNER	LFD Pymble Pty 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. 65 – Design Quality of Residential Apartment Development State Environmental Planning Policy (State and Regional Development) 2011 State Environmental Planning Policy – BASIX Ku-ring-gai Local Environmental Plan (Local Centres) 2012 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Ku-ring-gai Development Control Plan 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: 13 November 2019 Written submissions during public exhibition: Nil Verbal submissions at the public meeting: <ul style="list-style-type: none"> In objection – [names of speakers] Council assessment officer - [names of speakers] On behalf of the applicant – Richard Pym
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Final briefing to discuss council's recommendation, [date], [time]. Attendees: <ul style="list-style-type: none"> <u>Panel members</u>: Peter Debnam (Chair), Sue Francis, John Roseth, Cheryl Szatow, Martin Smith <u>Council assessment staff</u>: Shaun Garland, Jonathan Goodwill, Grant Walsh, Ian Francis, Brian O'Connell, Michael Miocic
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report