

## **4.8. North Sydney Local Planning Panel Report 2020/21**

**AUTHOR:** Stephen Beattie, Manager Development Services

**ENDORSED BY:** Joseph Hill, Director City Strategy

**ATTACHMENTS:**

1. summary of panel activities [4.8.1 - 7 pages]

**PURPOSE:**

The purpose of this report is to explore the activities of the North Sydney Local Planning Panel within the 2020/21 financial year.

**EXECUTIVE SUMMARY:**

This report is provided in response to the provision contained within Section 2.20 (5) of the Environmental Planning and Assessment Act 1979; "MISCELLANEOUS PROVISIONS RELATING TO LOCAL PLANNING PANELS - (5) The council is to monitor the performance of local planning Panels constituted by the council."

Reports are provided annually based on the financial year.

**FINANCIAL IMPLICATIONS:**

The activities of the Panel are budgeted for in an ongoing sense. There are no financial implications flowing from this report.

**RECOMMENDATION:**

1. **THAT** the North Sydney Local Planning Panel Report 2020/21 report be received.

## **LINK TO COMMUNITY STRATEGIC PLAN**

The relationship with the Community Strategic Plan is as follows:

### **5. Our Civic Leadership**

#### **5.3 Community is informed and consulted**

## **BACKGROUND**

At present, while around 90% of development applications are determined under delegated authority, the remainder are determined by three different Panels which operate to determine Development Applications (DAs) within the North Sydney local government area. These are:

### **North Sydney Local Planning Panel (NSLPP)**

This is Council's Local Planning Panel and determines all applications up to a value of \$30 million which cannot be determined under delegation in accordance with the Directive from the Minister for Planning. The current composition of NSLPP consists of the Minister-appointed Chair, Ms Jan Murrell (or an alternate chair), with two Panel members at each meeting selected by Council from the pool of experts approved by the Minister for Planning. The final member of the Panel is the community representative who is selected from a Panel of four.

### **Sydney North Planning Panel (SNPP)**

The Sydney North Planning Panel (SNPP) is administered by the State Government and facilitated by the Department of Planning Industry and Environment (DPIE) and determines applications which exceed a certain value threshold. This is generally \$30 million but this can vary based on the type of development proposed. The Chair is Mr Peter Debnam, with the state-appointed members being Brian Kirk and Juliet Savet-Ward.

Council also has the opportunity to appoint two members to represent the Council and its community. These are currently drawn from a rotating pool comprising Virginia Waller, and Kenneth Robinson with the alternates being former Councillor Stephen Barbour and Kevin Alker.

### **Independent Planning Commission (IPP)**

This Panel is operated by the State Government and determines applications which are of state significance and are assessed by staff of DPIE. There are no permanent members on this Panel which is called into being on a need basis.

Council's role in such applications is as a submitter and has little direct influence on the outcome of these applications. A Chair is appointed who selects a minimum of two other members from a Minister-approved list based on the issues presented by an individual

application. There is no provision for a Council based representative on this Panel. This Panel was previously known as the Planning Assessment Commission.

## **CONSULTATION REQUIREMENTS**

Community engagement is not required.

## **DETAIL**

### **Function of the North Sydney Local Planning Panel (NSLPP).**

#### **1.1 The NSLPP:**

1. determines DAs and modification applications which are deemed by the Minister to be of local interest;
2. provides advice on planning proposals; and
3. directs the conduct of planning appeals as they relate to the Panel's activities. (Note: The Panel has delegated this function to certain council staff).

#### **1.2 Types of Development Applications determined:**

The Local Planning Panel determines applications including modifications to certain applications which are beyond the limits set by the Minister for the use of delegated authority by Council staff. These limits were set by the Minister for Planning by way of a Section 9.1 direction made under the provisions of the Environment Planning and Assessment Act and which took effect on 1 March 2018. The relevant applications are:

1. Conflict of interest: Development for which the applicant or landowner is:
  - a. the council,
  - b. a councillor,
  - c. a member of council staff who is principally involved in the exercise of council's functions under the Environmental Planning and Assessment Act 1979,
  - d. a member of Parliament (either the Parliament of New South Wales or Parliament of the Commonwealth), or
  - e. a relative (within the meaning of the Local Government Act 1993) of a person referred to in (b) to (d) but not development for the following purposes:
    1. internal alterations and additions to any building that is not a heritage item
    2. advertising signage,
    3. maintenance and restoration of a heritage item, or

4. minor building structures projecting from the building facade over public land (such as awnings, verandas, bay windows, flagpoles, pipes and services, and sun shading devices).
2. Contentious development that:
    - a. in the case of a council having an **approved submissions policy**- is the subject of the number of submissions set by that policy, or
    - b. in any other case – is the subject of 10 or more unique submissions by way of objection.

An **approved submissions policy** is a policy prepared by the council and approved by the Secretary of the Department of Planning and Environment which details the circumstances in which a local planning Panel or council staff should exercise the consent authority functions of the council, based on the number and nature of submissions received about development.

3. Departure from development standards  
Development that contravenes a development standard imposed by an environmental planning instrument by more than 10% or non-numerical development standards.

Note: If the Secretary allows concurrence to be assumed by council staff for contravening development standards, the Panel can delegate these applications to council staff to determine.

4. Sensitive development
  - a. Designated development.
  - b. Development to which State Environmental Planning Policy No 65 — Design Quality of Residential Apartment Development applies.
  - c. Development involving the demolition of a heritage item.
  - d. Development for the purposes of new licenced premises, that will require one of the following liquor licences:
    - i. a club licence under the Registered Clubs Act 1976,
    - ii. a hotel (general bar) licence under the Liquor Act 2007, or
    - iii. an on-premises licence for public entertainment venues under the Liquor Act 2007.
  - e. Development for the purpose of sex services premises and restricted premises.
  - f. Development applications for which the developer has offered to enter into a planning agreement.

### **1.3 A further direction dated 23 February 2018 was made by the Minister which relates to the referral of Planning Proposals;**

A council to whom this direction applies is required to refer all planning proposals to be prepared after 1 June 2018 to the local planning Panel for advice, unless the council's General Manager determines that the planning proposal relates to:

- a. the correction of an obvious error in a local environmental plan,
- b. matters that are of a consequential, transitional, machinery or other minor nature, or
- c. matters that council's general manager considers will not have any significant adverse impact on the environment or adjoining land.

A proposal is referred to the local planning Panel before it is forwarded to the Minister under section 3.34 of the Environmental Planning and Assessment Act 1979.”

#### **1.4 A further direction commencing 20 August 2020 was made to clarify and expedite the determination of modification applications;**

Local planning Panels are to determine applications under section 4.55(2) of the Act for the modification of development consents granted by the Panel that:

- a. propose amendments to a condition of development consent recommended in the council assessment report but which was amended by the Panel, or
- b. propose amendments to a condition of development consent that was not included in the council assessment report but which was added by the Panel, or
- c. meets the criteria for development applications set out in the Schedules to this direction relating to conflict of interest, contentious development or departure from development standards. These criteria are the same as those that relate to the primary directive.

The determination of all other modification applications under section 4.55(2), as well as sections 4.55(1) and (1A) of the Act, are made by council staff.

#### **1.5 Relationship of the Council, Panel, Community and Council Officers.**

The Council has no power to direct the activities of NSLPP nor the Council staff in the assessment, reporting and determination of Development Applications. The Council, individual Councillors and/or community can make a submission to an application which is reviewed and reported in accordance with well-established practice. They can also address the NSLPP during its determination of an application. The stated intent of the amendments to the Act was to depoliticised the assessment of local development applications to aid efficiency and to reduce corruption risk. Development Applications which do not meet the criteria for referral to this or any other Panel are dealt with under officer delegation.

#### **Covid 19 impacts**

Up to the Panels April 2020 meeting the Panel operated as it had done so for the two years since its establishment in March 2018. This included a physical site inspection done together by the Panel, a public meeting held in the Council Chambers and a confidential determination held in the supper

From its April 2020 meeting until its final meeting in the reporting period it operated by way of having the Panel members meet in an appropriate room to facilitate social distancing with applicants and submitters being heard by way of “zoom”. This process generally worked well with little concern being raised by participants and meetings being conducted in a highly efficient manner.

A Ministerial directive of August 2020 sought to have the functions of the local Panel align more closely with those of the regional Panel being the Sydney North Planning Panel. The most significant change is that public meetings are not to be held for applications which feature less than ten (10) submitters, and that applicants alone may be invited to brief the Panel in such cases. Where there are ten (10) submitters or more a public meeting is held by electronic means and both applicants and submitters may participate. In either case written submissions address the officers report are accepted and considered by the Panel up to the close of business the Monday before the Panel meeting.

While outside the reporting period since July 2021 the Panel in accordance with a further Ministerial directive has operated by remote means.

## 2. Panel Membership.

### ***NSLPP composition during the reporting period***

State Sanctioned, Chair and alternative chairs.

Jan Murrell	Chair
Grant Christmas	Alternate Chair / Expert Member
Jason Perica	Alternate Chair / Expert Member

State sanctioned; Council appointed experts:

Tony Caro	Expert Member
Grant Christmas	Expert Member
Lesley Finn	Expert Member
Deborah Laidlaw	Expert Member
Helen Lochhead	Expert Member
Ian Pickles	Expert Member
Caroline Piddock	Expert Member
Michael Reymond	Expert Member
Sandra Robinson	Expert Member
Annelise Tuor	Expert Member
David Logan	Expert Member
Peter Brennan	Expert Member
Jason Perica	Expert Member

Lloyd Graham	Expert Member
Garry Fielding	Expert Member
Peter Brennan	Expert Member
John McNerny	Expert Member
David Brigden	Expert Member
Jan Murrel	Expert Member

Current community representatives:

Veronique Marchandean	Community Member
Kenneth Robinson	Community Member
Jane van Hagen	Community Member
Virginia Waller	Community Member

### 2.1 The need for numerous Panellist.

Most minister approved experts are active in private consultancy or are academics. They are thus potentially conflicted in both time and interest. On occasion this rendered the formation of a Panel for any given meeting difficult leading to one meeting being formed based on the set quorum of 3 and led to the expansion of the expert Panel from 15 during the 2018/19 financial year to 19. This pool of expert Panelists has been maintained and was demonstrated to be adequate during the reporting period

### 2.2 Number of Meeting attended by Panel Members.

Panel members are selected by the Principal Chair in consultation with the Manager Development services. Offers are then made to the selected experts and final selection for any meeting is based on availability and lack of material conflict.

The role of Panel Chair was shared as follows;

Jan Murrell	9
Grant Christmas	2
Jason Picera (alternative)	1

The total number of meetings attended by Panel members was as follows;

Tony Caro	1
Grant Christmas	0
Lesley Finn	1
Deborah Laidlaw	0
Helen Lochhead	0

Ian Pickles	3
Carolyn Pidcock	2
Michel Reymond	1
Sandra Robinson	0
Annelise Tuor	0
David Logan	1
Peter Brennan	2
John McInerny	2
David Bridgen	1
Lloyd Graham	1
Garry Fielding	1
Michel Reymond	1
Jan Murrell	2
Virginia Waller *	3
Jane Van Hagen *	2
Veronique Marchandean *	4
Kenneth Robinson *	3
Jason Perica	0

Note: \* indicates community member.

### **2.3 On the day Meeting procedure.**

#### **Post April 2020 and for the entire reporting period.**

Having regard to the Covid 19 pandemic the Panel met in the supper room and otherwise has operated remotely using Zoom. Panel members are expected to do independent site inspections and to form a view on that basis. Applicants and members of the community attended meetings remotely.

#### **Number of applications considered by the Panel.**

During the period covered by this report 69 development applications and 6 planning proposals were reported to the Planning Panel.

It had been estimated prior to the commencement of the Panel that the workload of the Panel based on the Minsters draft 9.11 Direction would average around six applications a month. During the period covered by this report an average of 6 applications per month have been reported to the Panel.

Summaries of the agenda for each Panel meeting are attached to this report.

### **3.1 Recommendation v Outcome.**

During the period covered by this report the Panel agreed with the Council Officer's recommendation in principle on 100% of occasions and accepted the officer's recommendation in unchanged form 80% of the time.

Two matters heard by the Panel were deferred to allow the applicant the opportunity to amend the application. Delegation was subsequently given to the Manager of Development Services to determine the application.

On no occasion was the recommendation of the officer not concurred with on the day.

### **3.2 Refusal of Consent.**

Consent was refused on 12 occasions representing 17% of the applications referred to the Panel. All refusals were in accordance with the officer's recommendation. No refusal recommendation was overturned by the Panel.

### **3.3 Advice to Council regarding Planning Proposals.**

The Planning Panel considered a total of 6 planning proposals, either in conjunction with regular Panel meetings on 6 May and 1 July 2021. A dedicated meeting was also held on 9 December 2020.

All planning proposals were from private interests and were therefore unsolicited. On all occasions the Panel agreed with the officer's review with one proposal being recommended to proceed to gateway, one being given partial support and four being given no support by the Panel.

The four-planning proposals not supported were proposed up zonings which were not supported by any current work undertaken by Strategic Planning and endorsed by Council.

## **4. Complaints against the Panel.**

There were no direct formal complaints in relation to the on-day activities of the Panel. However, two matters did attract some criticism due to customer dissatisfaction arising from the process that led to the matter being determined.

In one case, related to 77 Holterman Street Da 297/20, determined by the Panel at its 7 April 2021 meeting. However, these concerns were found to be without foundation and related to the acceptance and processing of an application for alterations to a terrace house. The adjoining property owner was not acceptive of Council officers' recommendation that the application be approved. Both staff and the Panel attempted to address those concerns

including making Council facilities available so the resident could attend the Panel meeting electronically to present their view as they had no facility to attend the electronic meeting.

The other matter related to a matter heard by the Panel at its 3 February 2021 meeting, 11 Bennett Street Neutral Bay Da 308/20. The residents concerned were unaware of the matter being on the Panel agenda and therefore felt their concerns were not heard. While no process failure was determined to have occurred, additional measures were put in place to ensure wherever possible all submitters are advised by email when an application appears on the Panel's agenda.

## **5. Appeals Against the Panel's determinations.**

Development applications can be subject of an appeal to the Land and Environment Court by an applicant. Appeals can be commenced based on a decision made by the Panel, by a Council officer under delegation or following the expiry of the deemed refusal period: typically, 40 days from the date of lodgment for a local development application.

Under the provisions of the EPA Act NSLPP is responsible for the control and direction of Planning appeals arising from its activities. However, at its meeting of 4 July 2019 NSLPP delegated their functions with regard to the control and direction of all development appeals against determinations (or deemed determinations) of the Local Planning Panel (as well as those determinations not captured by the Local Planning Direction) to the following Council Officers in the context of Council's current delegations concerning authority to deal with appeals and procedural matters concerning such appeals in the Land and Environment Court:

1. The General Manager;
2. The Chief Operating Officer;
3. The General Counsel;
4. The Director City Strategy;
5. The Manager Development Services;
6. The Manager Strategic Planning; and
7. The Manager Environment & Building Compliance.

The Courts practice directions dictate that residential appeals are to be resolved by way of the Section 34 Conference process which commences with an onsite view where the commissioner can view the site, hear from both the applicant and the Council and any submitters who may be present. The aim of the practice is to resolve as many of the issues as is possible without going to a formal hearing. This process may involve the submission of amended plans which may be advertised to submitters if the Court so directs. The Commissioner will refer to Councils notification policy's and take submissions before making this decision.

It is of note that in the reporting period all applications refused by the Panel were subject to a determinative Section 34 or consent orders process which included the submission of amended plans leading to a court approval being issued.

## **6. Outcome of appeals against decisions of the NSLPP**

In the reporting period there were ten applications that were the subject of an appeal following determination by the Panel;

### 58 Cowdroy Avenue Cammeray

Meeting Date: 3 February 2021  
Officer recommendation: Refusal  
Panel Decision: Refusal  
Court Determination: Appeal dismissed

Notes: This appeal related to the refusal of an application to demolish an existing dwelling and erect a new dwelling on the northern side of Cammeray Avenue adjoining Willoughby Bay. The application had been refused by the Panel, then subject to an S8.2 review process when it was refused again. The main issue was impacts on views caused by the exceedance of the building height control. The Court found that Councils concerns were well founded and again refused the proposal.

### 101 Blues Point Road Mc Mahons Point

Meeting Date: 7 April 2021  
Officer recommendation: Refusal  
Panel Decision: Refusal  
Court Determination: Appeal upheld with considerable amendments.

Notes: This appeal related to the refusal of an application to extend a heritage listed single story corner shop by a second story addition and extension to the rear. Significantly amended plans were offered by the applicant during the appeal process which deleted the second storey and reduced the bulk and scale of the rear extensions. The appeal was settled on that basis.

### 13 Eden Street Crows Nest

Meeting Date: 5 May 2021  
Officer recommendation: Refusal  
Panel Decision: Refusal  
Court Determination: Pending.

Notes: This appeal related to the refusal of an application to extend the hours of the ground floor business premises of a mixed-use building from normal business hours to 24/7.

### 6 John Street McMahons Point

Meeting Date: 2 June 2021  
Officer recommendation: Refusal  
Panel Decision: Refusal  
Court Determination: Pending.

Notes: This appeal related to the refusal of an application to use a mobile shed within the boatyard located at the above address. The application was refused by the Panel. Resubmitted as a fresh and amended Da on the 23 December 2021 which is now the subject of a deemed refusal appeal.

### **7. Third Party Appeals against the Panel's decisions.**

The Environmental Planning and Assessment Act 1979 provides no merit based right of appeal or review to a third party such as an aggrieved submitter. However, an appeal against a determination of a Development Application whether determined by the NSLPP or under delegation is possible if there is an error at law or proper procedure is not followed.

In the period covered by this report there have been no third party appeals against a decision whether made by the NSLPP or under delegation.

### **8. Additional delegation granted to Council Staff.**

At its 4 November 2020 meeting The Panel considered a report requesting that delegation to determine certain applications that proposed limited demolition to Heritage Items to facilitate an otherwise supportable proposal and CI4.6 variations of greater than 10% relating to minor alterations to existing non-compliant buildings be granted to Council staff. The request was made to speed up the determination of such applications which due to their nature did not result in material gain or benefit to the applicant. The request was granted.

### **9. Conclusion.**

It can be concluded that the North Sydney Local Planning Panel has performed its functions with distinction over the period covered by this report and there have been no proved failures in terms of process or procedure in this period.

This report is submitted for the information and consideration of the elected Council.

### **10. Note by North Sydney Local Planning Panel Chair Ms Jan Murrell.**

The members of the Panel carefully consider all submissions and endeavour to resolve issues where appropriate with the aim of achieving better outcomes. Council's planning framework: DCP's; strategic studies; and the LEP is most important to the decisions made by the Panel as it provides Council's vision for the future of its local government area.

The Panel is pleased to say it has been greatly assisted in its deliberations over the period by the excellent reports and professional way in which the Council's planning team has addressed the Panel.

## North Sydney Local Planning Panel Agenda – July 2020-June 2021.

## 1/07/2020 Grant Christmas – Chair, Ian Pickles Jan Murrell Community Member Veronique Marchandeanu

Item	Author	Property	Description	Reason	Rec	Decision	Comments
1	Staff	6 Shellbank Pde	Upper balcony roof	Cl4.6 height	A	A	Roof to previously approved balconies.
2	Staff	55 A Carter St	2 Semidetached dwellings	C4.6 height	A	A	Demolition of existing structures.
3	Staff	182-186 Blues Point Rd	Level 3 and 4 fit out	C 14.6 height	A	A	Existing Office Building.
4	Staff	2/146 Kurraba Rd	Alterations to duplex	Cl4.6 height	R	R	Included pool and landscape works.
PP1	Staff	50-56 Atchison St	Significant Height and floorspace increase.	PP for review	S	S	Included Voluntary Planning Agreement, in accordance with St Leonards Master Plan.
PP2	Staff	41 McLaren St	Significant Height and floorspace increase.	PP for review	NS	NS	Not supported by any prior Council Study.

## 5/08/2020 Jan Murrell -Chair, David Brigden John McInerny Community Member Kenneth Robinson

Item	Author	Property	Description	Reason	Rec	Decision	Comments
1	Staff	58 Cowdry Ave	New dwelling	Cl4.6 height/submissions	A	A	Dwelling and carparking, significant community interest.
2	Staff	85 Kurraba Road	New RFB	SEPP65/Cl4.6/submissions	R	R	Height variation and building design caused significant view impacts.
3	Staff	85 Bay Rd	Attic addition to existing flats	SEPP65/Cl4.6	A	A	Height variation reflected existing circumstances. with no material impact.
4	Staff	35 Myrtle Street	Mod to existing consent	Submission numbers	A	A	Modify existing consent for mixed use development. Significant interest from residents.
5	Staff	34 McLaren St	Internal alts to heritage item	Part demolition of heritage item	A	A	Proposal was acceptable and minor, but referral required due to delegation limits.

2/09/2020 Jason Perica Christmas-Chair, Peter Jan Murrell Caroline Pidcock , Community Rep Virginia Waller

Item	Author	Property	Description	Reason	Rec	Decision	Comments
1	Staff	12 Premier St	Mod to semidetached dwellings approval	Previous panel determination	A	A	Delegation limits dictated referral.
2	Staff	173 West St	New boarding house	Cl 4.6, motorcycle parking requirement.	A	A	Variation to motorcycle parking required by Affordable Housing SEPP.
3	Staff	10 Oak St	Alteration to dwelling	Alterations to heritage item	R	R	Site cover and heritage concerns.
4	Staff	49 Carter St	Alts and adds existing dwelling	Cl4.6 height	A	A	Limited public interest, acceptable proposal.
5	CON	61 Lavender St	Modification to 2000 consent	More than 10 submissions	A	A	Concerns largely related to nature of existing consent raised by residents not in residence when that consent was granted.

2/10/2020 Chair Jan Murrell, Peter Brennan, Community Member Veronique Marchandau

Item	Author	Property	Description	Reason	Rec	Decision	Comments
1	Staff	1 The Boulevarde	Alterations to existing approved apartment building	SEPP 65 Cl4.6 height	A	A	Proposed changes were too significant to be accommodated by a modification application.
2	Staff	201 Miller St	Signage application	Submissions/CL4.6 height.	A	A	Rood sign to top of existing office building in mixed use zone.
3	Staff	13 king St	Alts and adds	Submissions	A	A	Significant Public interest.
4	Staff	73 Bay Rd	Alts to RFB	Cl4.6 height	A	A	Existing building already in breach of height.
5	Staff	27 Churchill Cres	Alts to unit 1	Cl4.6	A	A	Steeply sloping site.
6	Staff	2 Commodore Cres	Alts to existing dwelling	Cl4.6 height	A	R	Acceptable impacts.
7	Staff	12 Walters Rd	New mixed-use development	Cl4.6 height	A	A	Otherwise, a compliant development.
8	Staff	398 Military Rd	Modification to existing consent	Previous approval by panel	A	A	Limited public interest.

4/11/2020 Chair Jan Murrell David Logan Lloyd Graham, Community Member Virginia Waller

Item	Author	Property	Description	Reason	Rec	Decision	Comments
1	Staff	59 Cowdroy Ave	Alts Adds	Cl4.6 height	A	A	Included new swimming pool
2	Staff	5 Carlyle Lane	Alts and adds	CL4.6 height.	R	R	Significant impacts due to roof top garden and new garage.
3	Staff	5 Colindia Ave	New RFB	>10 submissions	A	A	Generally compliant development significant public interest.
4	Staff	6 Holbrook Ave	Alterations to unit 1	Alts to heritage item	A	A	Referred solely due to the part demolition of heritage item to facilitate works
5	Staff	N/A	Request for delegation	Panel consideration	A	A	Request for delegation to staff to deal with minor Heritage alterations and variation to height control in existing circumstances.

4/12/2020 Chair Jan Murrell, Ian Pickles, Garry Fielding Community Member Jane Van Hagen

Item	Author	Property	Description	Reason	Rec	Decision	Comments
1	Staff	127 Alexander Street	Alts and adds to commercial building	Cl4.6 >10% height	A	A	An acceptable proposal.
2	Staff	4-6 Mc Kye St	Mod to previous panel consent	>10 submissions	A	A	Residents' concerns related to nature of original consent.
3	Staff	425 - \$29 Pacific Hwy	Alterations to heritage building and signage.	Exceeded heritage delegation.	A	A	Amendments to conditions.
4	Staff	24 Hodgson Ave	Alts and adds to dwelling	>10 Submissions	A	A	First floor addition
5	Staff	75 Bank St	Alts and adds to heritage dwelling	Cl4.6 height	A	A	Approval.
6	Staff	31 King St	Alts and adds	Exceeded Heritage delegation	A	A	Minor amendments to conditions.
7	Staff	23 Victoria St	Change of use commercial to dwelling.	Cl4.6 Height	A	A	-

## 9/12/2020 Planning Proposal meeting. Jan Murrell-Chair, Grant Christmas, John McInerny Community Member Veronique Marchandau

Item	Author	Property	Description	Reason	Rec	Decision	Comments
1	Staff	1A Little Alfred Street	To allow additional range of uses	Panel advice	Part support	Part Support	Partial support, not supported by previous planning study.
2	Staff	52 Alfred St	Increase in building height	Panel Advice	NS	NS	Increase in height from RI40 to RL 86 not supported.

## 3/02/2021 Chair Jan Murrell, Lloyd Graham, LESLY Finn, Community Member Virginia Waller

Item	Author	Property	Description	Reason	Rec	Decision	Comments
1	Staff	152 Military Rd	Small Bar	More than 10 submissions	A	A	Conditions were amended.
2	Staff	11 Bennett St	Two new duplex buildings.	Cl4.6 height, >10 submissions	A	Def	Delegation to manager. Post meeting concerns raised by community led to change in notification procedure for submitters. See 2 June 2021 meeting.
3	Staff	5 Mil Mil St	Alts and adds to heritage dwelling	Exceeded heritage delegation.	A	A	Proposal while considered acceptable was not regarded as minor.
4	Staff	275 Alfred St	Replacement of existing roof signs	Cl4.6 height	A	A	Replaced existing roof signage.
5	Staff	20 Waiwera St	Alts and adds to heritage dwelling	Exceeded heritage delegation	A	A	Approval with condition mods.
6	Staff	58 Cowdroy Ave	Review of previous refused dwelling	Review of panel determination	R	R	Determination latter appealed and refused by court.

## 2/03/2021 Jan Murrell Chair, Tony Caro, Ian Pickles Community Member Kenneth Robinson

Item	Author	Property	Description	Reason	Rec	Decision	Comments
1	Staff	19 Bennett St	Alts and adds Dwelling	>10 Submissions	A	A	Extensive nature of landscape works led to submissions
2	Staff	61 Lavender St	Restaurant and shop	.10 submissions	A	A	Concern over impact of complying use on locality
3	Staff	1-11 Rodborough Ave	New RFB	Cl4.6 height > 10 submissions	R	R	Noncompliance with height and Australian Design Guidelines.
4	Staff	229 231 Miller St	3 signs to Mixed use building	>10 submissions	A	A	Part approval in line with officers' recommendations.
5	Staff	4 Holt St	New office building	Cl4.6 height, >10 submissions	A	A	Compliant with zoning.
6	Staff	30 -34 Grosvenor St	New RFB	Cl4.6 height, SEPP65	A	A	Approval with condition mods.
7	Staff	425-429 Pacific Highway	Change to hours for advertising signs	Previous panel determination	A	A	Dwell time and curfew hours amended.
8P8	Staff	20-22 Atchison St	Amend height and floor space	Panel advice	R	R	The panel did not support the proposal as it did not comply with St Leonards master plan.

## 7/04/2021 Chair Jan Murrell Michel Reymond Peter Brennan Community Member Veronique Marchandau

Item	Author	Property	Description	Reason	Rec	Decision	Comments
1	Staff	77 Holterman St	Alts and adds to residence	>10 submissions	A	A	Submitter attended by remote means. Application considered acceptable.
2	Staff	69A Carter St	Multi-unit development	Cl 4.6 height >10 submissions	A	A	Significant community interest.
3	Staff	2A Cowdroy Ave	Roof top garages	Cl4.6 height	A	A	Amendments to conditions.
4	Staff	24 Hodgson Ave	Alts and adds to dwelling	>10 Submissions	A	A	No material impact on neighbour's view.
5	Staff	101 Blues Point Rd	Alts and adds to heritage shop and dwelling	Exceeded Heritage delegation.	R	R	Later approved by court following substantive amendments (deletion of upper floor).
6	Staff	10 Oak St	Alts and adds	Review of previous panel refusal.	A	A	Substantive amendments to original proposal.
7	Staff	35 Myrtle St	Modification to existing consent for flat mixed-use building.	Modified previous panel consent.	A	A	Additional condition.

## 5/05/2021 Chair Grant Christmas Jan Murrell Caroline Pidcock Community Member Kenneth Robinson

Item	Author	Property	Description	Reason	Rec	Decision	Comments
1	Consultant	13 Eden St	24-hour operation of existing commercial premises	>10 submissions	R	R	Significant impact on residents of apartments above the commercial premises.
2	Consultant	13 Eden St	Change of use commercial to studio apartments	>10 Submissions	A	A	significant community interest but assessed as reasonable in the circumstances.
3	Staff	18 pine St	New dwelling	>10 submissions	A	A	Amendments to conditions.
4	Staff	37 Carr St	Alts and adds to heritage item	Exceeded heritage delegation	A	A	Extensive but acceptable works.
5	Staff	2-4 Winslow St	3 lot subdivision	Cl 4.6 minimum lot size	A	A	Approved minor condition mod.
6	Staff	2 Folly Point	Modification to existing consent	Mod to condition imposed by panel, Cl4.6 height,	A	A	Panel agreed with amendments.
PP7	Staff	Five Ways Triangle	Height variation 16 to 75m	For panel review	NS	NS	Planning proposal was not supported by any Council or DPIE planning study.

## 2/6/2021 Chair Jan Murrell Tony Caro Ian Pickles Community Member Jan Van Hagen

Item	Author	Property	Description	Reason	Rec	Decision	Comments
1	Staff	22-24 Carabella St	Alterations and substantive alterations to existing apartment building.	Cl 4.6 heights >10 submissions SEPP65	A	A	Part demolition and considerable new work. Much public interest.
2	Consultant	6 John St	Mobile Shed	>10 Submissions.	R	R	Much community interest. Lacked information.
3	Staff	11 Bennett St	Two new duplexes.	>10 submissions, manager unable to exercise earlier delegation	R	R	Existing dwelling had not been demolished. Consent therefore impossible.
4	Staff	1 Bank Lane	Demolition of contributory item new dwelling	Demolition of contributory item	R	R	Demolition not justified, replacement building not acceptable.
5	Staff	15 Waiwera St	Alts to heritage item	Works exceeded delegation	A	A	–
6	Staff	182 Kurraba Rd	Modification to existing consent for RFB	Panel approved application Cl4.6 height,	A	A	Vergola deleted by condition to minimise impacts.
7	Staff	12 Fernihurst Ave	Alts Adds including first floor addition	Cl4.6 Height	A	A	–
8	Staff	38 Cowdroy Ave	Alterations to dwelling	Cl4.6 height	A	A	Modified conditions
9	Staff	79 Willoughby Rd	Shading structure to Council footpath	Council DA	A	A	The minor nature of the DA warranted officer assessment with panel providing independent review.