



NORTH SYDNEY COUNCIL

Council Chambers
26 November 2020

I wish to inform you that a Meeting of the **NORTH SYDNEY LOCAL PLANNING PANEL** will be held in the Supper Room, North Sydney at 2.00pm on Wednesday, 2 December 2020 when your attendance is requested.

Your attention is directed to the accompanying statement of the business proposed to be transacted at such meeting.

KEN GOULDTHORP
GENERAL MANAGER

BUSINESS

1. Minutes

Confirmation of Minutes of the previous Meeting held on Wednesday 4 November 2020.
(Circulated)

2. LPP01: 127 Alexander Street, Crows Nest - DA 224/20

Applicant: O2 Architecture

Report of Geoff Mossemeneer, Executive Planner

This development application seeks approval for alterations and additions to a commercial building and is reported to North Sydney Local Planning Panel for determination as the application involves a variation to the height control exceeding 10%.

Notification of the proposal has attracted two submissions raising particular concerns about the exceedance of the height control and loss of privacy. The assessment has considered these concerns as well as the performance of the application against Council's planning requirements.

Following this assessment the development application is considered to be reasonable in the circumstances and is recommended for **approval** subject to conditions.

Recommending:

PURSUANT TO SECTION 4.16 OF ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (AS AMENDED)

THAT the North Sydney Local Planning Panel exercising the functions of Council, assume the concurrence of the Director General of the Department of Planning, Industry and Environment and invoke the provisions of Clause 4.6 with regard to the exception to the development standard for building height and grant consent to Development Application No 224/20, subject to the attached conditions.

3. LPP02: 4-6 McKye Street, Waverton (W) - Section 4.55 No. 29/18/2

Applicant: Shanlin L Property Pty Ltd

Report of Luke Donovan, Senior Assessment Officer

This application under Section 4.55(2) of the Environmental Planning and Assessment Act 1979 (as amended) seeks to modify consent to DA29/18 with regards to various changes to the approved residential flat building including increasing the number of apartments from 7 to 8, an increase in the number of car spaces from 12 to 13 and various internal and external modifications.

The Section 4.55(2) application is reported to the NSLPP for determination as it proposes the modification of a development consent granted by the Panel and meets the criteria for a contentious development as set out in Schedule 1 of the Minister's Directions as greater than 10 submissions were received.

Council's notification of the proposal has attracted sixteen (16) submissions raising particular concerns about building height, bulk, scale, privacy, solar access, impacts to Sydney Trains infrastructure, materials, character, views, parking and landscaping. The assessment has considered these concerns as well as the performance of the modification against Council's planning requirements.

During the assessment process, the applicant made amendments to the design to address issues raised by Council, Design Excellence Panel and the community.

Following this assessment, the application to modify consent is considered to be reasonable in the circumstances and is recommended for **approval** subject to conditions of consent.

Recommending:

PURSUANT TO SECTION 4.55 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (AS AMENDED)

THAT the North Sydney Local Planning Panel, as the consent authority, **approve** the modification of development consent 29/18 dated 4 July 2018 in respect of a proposal involving various changes to an approved residential flat building on land at 4-6 McKye Street, Waverton under the provisions of Section 4.55 of the Environmental Planning and Assessment Act only insofar as will provide for the following:

1. To modify conditions A1, A3, C4, C27, C28, C39, C40, C42, C46, C49, G16, G22 and I4 of the consent as follows:

Development in accordance with Plans

A1. The development must be carried out in accordance with the following drawings and documentation and endorsed with Council's approval stamp, except where amended by the following conditions of this consent.

Plan No.	Revision No	Description of works	Prepared by	Dated
Architectural				
DA-005	G	Site Analysis	Become	27/10/20
DA-010	E	Existing/Demolition Site Plan	Become	23/10/20
DA-015	H	Proposed Site Plan	Become	27/10/20
DA-099	G	Proposed Basement Level 02	Become	23/10/20
DA-100	M	Proposed Basement Level 01	Become	23/10/20
DA-101	P	Proposed Ground Level Plan	Become	12/11/20
DA-102	N	Proposed Level 01 Plan	Become	27/10/20
DA-103	K	Proposed Level 02 Plan	Become	23/10/20
DA-104	Q	Proposed Level 03 Plan	Become	12/11/20
DA-105	L	Proposed Roof Plan	Become	27/10/20
DA-400	H	Proposed Building Elevations	Become	12/11/20
DA-401	H	Proposed Building Elevations	Become	12/11/20
DA-402	H	Proposed Building Elevations	Become	12/11/20
DA-403	H	Proposed Building Elevations	Become	12/11/20
DA-420	E	Proposed Building Sections	Become	27/10/20
DA-421	E	Proposed Building Sections	Become	27/10/20
DA-749	A	Adaptable Unit Plan	Become	23/10/20
DA-750	C	Adaptable Unit Plan	Become	23/10/20
DA-920	D	External Finishes Schedule	Become	23/10/20
Landscaping				
LA-01	N	Landscape Plan - Ground Level	Ground Ink	11/11/20
LA-02	F	Existing Tree Plan	Ground Ink	27/10/20
LA-03	H	Proposed Tree Plan	Ground Ink	27/10/20
LA-04	H	Proposed Planting Plan	Ground Ink	27/10/20
LA-05	G	Landscape Plan Level 03	Ground Ink	11/11/20
LA-07	A	Landscape Section	Ground Ink	11/11/20
LA-08	C	Landscape Details	Ground Ink	28/07/20

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Information)

External Finishes & Materials

A3. External finishes and materials must be in accordance with **Condition A1** ~~the submitted schedule dated 30 January 2018, prepared by Design Studio Group and received by Council on 13 February 2018 unless otherwise modified by Council in writing.~~

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Information)

Dilapidation Survey Private Property (Neighbouring Buildings)

C4. A photographic survey and dilapidation report of adjoining properties No's. 23 King Street, Nos. 25-27 King Street, No. 10 McKye Street and No. 2 McKye Street detailing the physical condition of those properties, both internally and externally, including, but not limited to, such items as walls, ceilings, roof, structural members and other similar items, SHALL BE submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate.

The survey and report are to be prepared by an appropriately qualified person agreed to by both the applicant and the owner of the adjoining property. **The survey and report must be prepared following the date of the modified consent.**

A copy of the report is to be provided to Council, if Council is not the Certifying Authority, prior to the issue of any Construction Certificate.

All costs incurred in achieving compliance with this condition shall be borne by the person entitled to act on this Consent.

In the event that access for undertaking the photographic survey and dilapidation report is denied by an adjoining owner, the applicant MUST DEMONSTRATE, in writing, to the satisfaction of Council that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed. Written concurrence must be obtained from Council in such circumstances.

Note: This documentation is for record keeping purposes only, and may be used by an applicant or affected property owner to assist in any action required to resolve any dispute over damage to adjoining properties arising from the works. It is in the applicant's and adjoining owner's interest for it to be as full and detailed as possible.

(Reason: Proper management of records)

Garbage and Recycling Facilities

C27. An appropriate area must be provided within the premises for the storage of garbage bins and recycling containers and all waste and recyclable material generated by this premises. The following requirements must be met:

- a) all internal walls of the storage area must be rendered to a smooth surface, coved at the floor/wall intersection, graded and appropriately drained with a tap in close proximity to facilitate cleaning;
- b) provision for the separation and storage in appropriate categories of material suitable for recycling;
- c) the storage area must be adequately screened from the street, with the entrance to the enclosures no more than 2m from the street boundary of the property;
- d) if a storage facility is to be provided at another suitable location within the building, a complementary garbage bin holding bay must be provided no more than 2m from the street boundary of the property; **This temporary bin holding bay, on the eastern side of the driveway, must be appropriately screened from both the public**

domain and the residential property at 10 McKye Street by landscaping.

~~e) garbage enclosures serving residential units are not to be located within areas designated for non-residential uses; and~~

~~f) garbage enclosures serving non-residential uses are not to be located within areas designated for dining purposes.~~

Plans and specifications which comply with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate.

(Reason: To ensure the provision of appropriate waste facilities for residents and protect community health, and to ensure efficient collection of waste by collection contractors)

Location of Plant

C28. All plant and equipment (including but not limited to air conditioning equipment) is to be located within the basement of the building and is not to be located on balconies or the roof **with the exception of the PV solar panels**. Plans and specifications complying with this condition must be submitted to the Certifying Authority for Approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: Minimise impact on surrounding properties, improved visual appearance and amenity for locality)

Adaptable Housing

C39. Proposed apartments Unit D **and Unit E is are** to be designed with accessible features for disabled persons, and must incorporate level entries and wider doorways and corridors, slip resistant surfaces, reachable power points, disabled toilet, and lever door handles and taps. These features are to be designed generally in accordance with the relevant Australian Standard 4299 - 1995. Plans and specifications complying with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure equity of access and availability of accommodation in the future for an ageing population)

Section 7.11 Contributions

C40. A monetary contribution pursuant to the provisions of Section 7.11 of the Environmental Planning and Assessment Act 1979, in accordance with the North Sydney Council Section 7.11 Contribution Plan for the public amenities/ services detailed in column A below and, for the amount detailed in column B below, must be paid to Council.

A	B (\$)
Administration	\$1,226.04
Community Centres	\$5,565.94
Child Care Facilities	\$2,123.63
Library and Local Studies Acquisitions	\$1,038.51
Library Premises & Equipment	\$3,211.76
Multi Purpose Indoor Sports Facility	\$877.07

Olympic Pool	\$2,856.64
Open Space Acquisitions	\$35,006.44
Open Space Increased Capacity	\$69,389.01
North Sydney Public Domain	-
St Leonards Public Domain Improvements	-
Public Domain Improvements	\$2,742.87
Traffic Improvements	\$3,366.90
Total	\$127,404.81

The contribution MUST BE paid prior issue of any Construction Certificate. The above amount will be adjusted for inflation by reference to the Consumer Price (All Ordinaries) Index applicable at the time of the payment of the contribution. A copy of the North Sydney Section 94 Contribution Plan can be viewed at North Sydney Council's Customer Service Centre, 200 Miller Street, North Sydney or downloaded via Council's website at www.northsydney.nsw.gov.au

(Reason: To retain a level of service for the existing population and to provide the same level of service to the population resulting from new development)

BASIX Certificate

C42. Under clause 97A(3) of the Environmental Planning & Assessment Regulation 2000, it is a condition of this development consent that all the commitments listed in BASIX Certificate No. ~~820033M_03 1121875M~~ dated 6 August 2020 for the development are fulfilled. Plans and specifications complying with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure the proposed development will meet the Government's requirements for sustainability and statutory requirements)

Screen Planting

C46. To maintain acceptable levels of privacy, screen planting must be installed and maintained adjacent to the eastern, northern and north-western boundaries of the site ~~in locations shown clouded red on the stamped approved plans~~. The required screen planting must consist of suitable screening species capable of attaining a mature height of 2.5 - 3.0 metres above finished ground levels. The proposed screen planting along the northern boundary must be planted in 50cm pot sizes to allow for a height of at least 1.5m at the time of planting. Details of the screen planting required by this condition must be provided to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the details submitted fully satisfy the requirements of this condition.

(Reason: To ensure an adequate level of privacy is provided to adjoining properties)

Allocation of Car Parking Spaces

C49. Car Parking spaces must be provided and maintained at all times on the subject site. The spaces shall be allocated as follows:

~~10~~ 9 car parking spaces, including ~~one~~ ~~two~~ accessible car spaces to be allocated to the residents;

2 visitor car parking spaces, one of which is to be an accessible visitor car space, ~~are to be visitor spaces, with one having allowance for an electric charging bay~~ and one ~~doubling up~~ as a visitor/car wash bay. ~~All car spaces are to have a power point and provision for charging.~~

Plans and specifications complying with this condition must be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure adequate parking facilities and services are provided for the development on site)

Landscaping

G16. The landscaping shown in the approved landscape plans ~~numbered LA-01 Rev E dated 27 April 2018, LA-02 Rev A dated 27 April 2017, LA-03 Rev A dated 27 April 2017, LA-04 Rev A dated 27 April 2017, LA-05 Rev B dated 27 April 2018, LA-06 Rev A dated 11 September 2017 prepared by Ground Ink and received by Council on 1 May 2018 forming part of Condition A1~~ must be completed prior to the issue of any Occupation Certificate.

(Reason: To ensure compliance)

Compliance with Certain conditions

G22. Prior to the issue of any Occupation Certificate ~~C45 Privacy~~, C46 Screen Planting, must be certified as having been implemented on site and complied with.

(Reason: To ensure the development is completed in accordance with the requirements of this consent)

~~Green Walls and Planter boxes~~

I4. The ~~green walls and landscaping within the level 03 planter boxes~~ is to be ~~retained~~, maintained by the individual owners and/or Owners Corporation and ~~operated~~ on an on-going basis for the life of the development, ~~as per the Maintenance Plan described in Condition C50.~~

(Reason: To ensure the on-going maintenance of the ~~green walls landscaping with the~~ planter boxes)

2. *Delete Condition A8 'Design Amendments', Condition C45 'Privacy', Condition C48' Safety of Metal Screening', Condition C50 'Green Walls and Planter boxes' and Condition C51 'Colour and Materials'.*

3. *Add Condition I5 as follows:*

Maintenance of landscaping

I5. For the life of the development, the maintenance and operation of the landscaping that requires automatic irrigation is to be periodically monitored by the owner's corporation.

(Reason: To ensure overwatering and drainage problems do not occur for surrounding properties)

4. LPP03: 425-429 Pacific Highway, Crows Nest (T) - DA 198/20

Applicant: Legge & Legge Architects Pty Ltd

Report of Luke Donovan, Senior Assessment Officer

This development application, as amended, seeks approval from the North Sydney Local Planning Panel (NSLPP) for alterations and additions to levels 4, 5 of a heritage listed commercial and retail building, changes to and roof and changes to signage including the demolition of the existing ‘AGC’ sign on the northern elevation, demolition of the existing advertising billboard structure on the southern elevation and construction of a new LED advertising sign on the southern elevation on land at 425-429 Pacific Highway, Crows Nest. The subject building is identified as a local heritage item in Schedule 5 of the NSLEP 2013.

Specifically, this development application, as amended, seeks consent to install a new LED advertising sign on the southern façade to replace the existing advertising billboard. The proposed LED sign is inset within the existing mullion framework of the approved glass/steel façade to level 5 of the building approved under the preceding DA 4/19. The rooftop plant and associated screening approved as part of DA4/19 is proposed to be relocated to the existing level 4 terrace.

On 1 May 2019 the NSLPP granted consent to DA4/19 for alterations and additions to an existing commercial building on the subject site. The works included the refurbishment of the existing lift, lobby and stairwell, new glass/steel façade to levels 4 and 5, relocation of services and internal changes. The consent did not include any changes to the existing “AGC” wall sign on the northern façade or to the advertising signage panel on the southern façade of the building.

The application is reported to North Sydney Local Planning Panel for determination as the proposed LED advertising sign and relocated plant is located more than 10% above the maximum building height control of 10m specified in Clause 4.3(2) in NSLEP 2013. The overall height of the building is reduced as a result of this application with the relocation of the rooftop plant and deletion of the louvred screen around the perimeter of this plant. The lift overrun remains at RL121.660 (22.14m), the same as approved under DA4/19. The application also involves the part demolition of a local heritage item, specifically the demolition of the AGC wall sign. The applicant has submitted a revised written request pursuant to Clause 4.6 in NSLEP 2013 which is considered to be well founded.

Notification of the original application has attracted one (1) submission raising concerns about acoustic amenity. The amended application retains levels 4 and 5 as office use consistent with the previous approval which resolved these acoustic amenity concerns.

Transport for NSW has considered the proposed digital LED sign and has granted concurrence to the proposal subject to conditions of consent.

Council’s Conservation Planner has formed the view that the proposed LED advertising signage will not adversely impact the heritage significance of the item given the signage is integrated into the approved contemporary addition of the building and is consistent with the established signage history of the site and is compatible with the character and context of larger scale signage in the immediate locality.

Having regard to Section 4.15 of the EP&A Act 1979 (as amended), the development application is considered reasonable and recommended for **approval** subject to conditions of consent.

Recommending:

PURSUANT TO SECTION 4.16 OF ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (AS AMENDED)

THAT the North Sydney Local Planning Panel, assume the concurrence of the Secretary of The Department of Planning, Industry, and Environment and invoke the provisions of Clause 4.6 in NSLEP 2013 with regards to the non-compliance with Clause 4.3 (Building Height) in NSLEP 2013 and **grant consent** to Development Application No. 198/20 for alterations and additions to levels 4 and 5 of a heritage listed commercial and retail building, changes to roof and signage including the demolition of the existing ‘AGC’ sign on the northern elevation, demolition of the existing advertising billboard structure on the southern elevation and construction of a new LED advertising sign on the southern elevation on land at 425-429 Pacific Highway, Crows Nest subject to the following site specific and attached standard conditions:

Transport for NSW

- B1.
- 1) The proposed sign should not obstruct sight distance to critical road infrastructure, any regulatory signs, and not reduce the visibility and effectiveness of directional signs, traffic signals, other traffic control devices, regulatory signs or advisory signs or to obscure information about the road alignment.
 - 2) The signage shall not hinder driver sightlines.
 - 3) The signage displays shall not contain/use:
 - Flashing lights.
 - Animated display, moving parts or simulated movement.
 - A method of illumination that unreasonably distracts or dazzles.
 - Images that may imitate a prescribed traffic control device, for example red, amber or green circles, octagons or other shapes or patterns that may result in the advertisement being mistaken for a prescribed traffic control device.
 - Text providing driving instructions to drivers
 - 4) The dwell times, transition time between messages and illumination levels should be in accordance with relevant guidelines and standard, except as amended by other conditions of this consent.
 - 5) TfNSW reserves the right to remove the proposed signage on road safety grounds, at no cost to TfNSW.
 - 6) TfNSW has previously resumed & dedicated a strip of land as road along the Pacific Highway frontage of the subject property. All buildings and structures including signage (other than pedestrian footpath awnings), together with any improvements integral to the future use of the site are to be wholly within the freehold property (unlimited in height or depth), along the Pacific Highway boundary.
 - 7) A construction zone will not be permitted on Pacific Highway.
 - 8) All works/regulatory signposting associated with the proposed development, including maintenance activities, shall be at no cost to TfNSW.
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(Reason: To satisfy the requirements of Transport for NSW)

Conservation Policy

C1. Prior to the issue of any construction certificate, a conservation management policy for the building detailing the conservation works that will be undertaken as part of this consent must be submitted to Council and the Principal Certifying Authority.

(Reason: To ensure conservation works are documented and implemented as part of the works)

Staging of Works

C2. Prior to the issue of any Construction Certificate associated with this consent, a construction certificate must be issued and physical building works commenced to levels 4 and 4 of the building consistent with the previous consent (DA4/19) on the site.

Council must receive written confirmation that a construction certificate has been issued and physical building works commenced to levels 4 and 4 of the building consistent with the previous consent (DA4/19) on the site.

(Reason: To ensure the orderly development of the land and to ensure the heritage benefits associated with the previous consent are enacted before works commence in relation to the subject consent)

Deed of Agreement

C3. The applicant and the Council must enter into a Deed of Agreement in relation to the lease of the advertising (display) time associated with the LED sign on the southern façade of level 5 of the building at 425-429 Pacific Highway, Crows Nest.

The instrument(s) prepared for the lease of the proposed advertising (display) time associated with the LED sign on the southern façade of level 5 of the building is (are) to include:

- a) Details of the “in-kind” contribution, by free advertising time to North Sydney Council to “Promote a service, tourism in the locality, community information or emergency messages.”;
- b) Details relating to the percentage of display time to be used by Council for advertising time. A minimum of 5% of the advertising time in a 12-month period must be dedicated to Council; and
- c) The cost associated with the display time for Council must be borne by the owner of the site and not Council.

Prior to the issue of any Construction Certificate, the Deed of Agreement and any associated documentation shall be prepared, executed and registered at the sole cost of the applicant, including the reasonable costs of Council in obtaining advice, the cost and expense of negotiating the terms and conditions of the lease, producing documents or otherwise facilitating the preparation, execution and registration of the required documents. The Deed must bind all successors in title and shall only be subject to variation at the discretion of the Council.

Locality in this condition includes the North Sydney LGA.

An annual log documenting the total public benefit advertising (in terms of display time) is to be submitted to Council each year by 30 June.

(Reason: To ensure public access and proper management of land)

Existing lighting structures and fixtures

C14. Prior to the issue of any construction certificate, the existing ‘up-lighting’ fixtures and associated structures in connection with the

existing AGC and billboard signage must be indicated on the plans to be removed.

(Reason: To remove redundant lighting and structures from the facades and terrace of the existing building).

AGC Sign

D1. Prior to the removal of the AGC sign an archival recording of this sign must be submitted to Council and the Principal Certifying Authority.

(Reason: To provide a historical record of heritage significant fabric on site for archival purposes)

Staging of Works

G1. Prior to the operation of the digital advertising signage and prior to the issue of any occupation certificate associated with this consent, the works approved as part of the previous consent (DA4/19) relating to levels 4 and 5 of the building must be completed and an occupation certificate issued for these works.

Council must receive written confirmation that an occupation certificate has been issued for the previous consent (DA4/19) on the site.

(Reason: To ensure the orderly development of the land and to ensure the heritage benefits associated with the previous consent are enacted before an occupation certificate is issued in relation to the subject consent).

Time Period for Advertising

G2. The LED advertising sign (southern elevation of level 5) is limited to a maximum of three (3) years from the date of the occupation certificate for the sign. At the expiration of the three (3) year period the sign must be switched off. Any extension beyond three (3) years will be the subject of a separate application to Council.

(Reason: To ensure consistency with the NSDCP 2013 and to ensure the time period for advertising has regard to any future change to the Crows Nest Town Centre)

Dwell Time and Curfew on Advertising

II. a) The dwell time for the advertising on the LED sign (southern elevation at level 5 of the building) must be not less than 60 seconds.

b) The advertising on the LED sign must not change during the time that school zones along Pacific Highway are active (i.e. 2.30pm to 4pm on weekdays during School Terms).

c) A curfew is to be placed on the advertising on the LED sign (southern elevation at level 5 of the building) between 11pm and 7am (every day of the year).

The above requirements must be programmed into the sign to ensure compliance with the terms of this condition.

(Reason: To protect existing and future residential amenity and to minimize safety impacts for motorists)

5. LPP04: 24 Hodgson Avenue, Cremorne Point - DA 151/20

Applicant: Richard Garside C/- Corben Architects

Report of Robin Tse, Senior Assessment Planner

The applicant is seeking development consent from the North Sydney Local Planning Panel (NSLPP) for alterations and additions to a dwelling house at No. 24 Hodgson Avenue, Cremorne Point. The works include internal alterations

and a new first floor rear addition for a new master bedroom, ensuite, and walk-in robe. The dwelling is listed as a contributory item under NSDCP 2013 also located in the Cremorne Point Conservation Area.

This application is reported to NSLPP because Council received more than 10 submissions following two rounds of notification of the original and the amended proposal. Under the directions from the Minister of Minister for Planning, Industry and Environment, this application requires determination by NSLPP.

Council received a total of thirty-three (33) submissions including eleven (11) submissions from two (2) households at the completion of the two rounds of notifications to adjoining properties and the Cremorne Point Precinct for the original and the amended plans. A range of issues were raised in the submission including the loss of significant views, adverse privacy impacts, overshadowing, visual dominance of the new structure and disruptions to residential amenity during the construction phase of the development.

The proposal, as amended by the applicant, complies with the LEP maximum building height limit and DCP's setbacks and site coverage requirements. A detailed view loss assessment based on the Land and Environment Court Tenacity Planning Principle has been carried out in Attachment 3 of the report to ascertain the view impacts particularly for a number of units within the adjoining apartment building at No.22 Hodgson Avenue. It was found that the view impacts are considered to be acceptable given that the impacts are caused by complying building elements and the views are available across side boundaries. In addition, the applicant has amended the original design to facilitate a higher degree of view sharing.

Furthermore, the proposal would not cause material amenity impacts in terms of overshadowing and the loss of privacy.

The proposal would have no material impacts on the significance of the contributory dwelling and the conservation area as a whole subject to the imposition of appropriate conditions.

The issues raised in the submissions have been addresses throughout the report. The proposal is therefore considered to be reasonable in the circumstances and is recommended for **approval** subject to conditions.

Recommending:

PURSUANT TO SECTION 4.16 OF ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (AS AMENDED)

THAT the North Sydney Local Planning Panel exercising the functions of Council as the consent authority grant consent to Development Application No. 151/20 for alterations and additions to an detached dwelling including internal alterations and the construction of a first floor rear addition on land at No.24 Hodgson Avenue, Cremorne Point subject to the following site specific and attached standard conditions:-

Visual Privacy

- C1. Frosted or opaque glazing must be fitted to the following windows to provide visual privacy protection for the residents of the subject site and the adjoining properties:
 - (a) The new walk-in-rob window (W2.05) on the northern elevation; and
 - (b) The new windows within the new ensuite bathroom (W2.08 & W.2.09) on the western elevation.

Plans and specifications which comply with this condition must also be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To protect visual privacy for the surrounding properties.)

Revised External Finishes & Materials

C2. A revised schedule of external finishes and materials must be submitted to Council for the written approval of Council's Team Leader Assessments in consultation with Council's Conservation Planner prior to the issue of any Construction Certificate.

The revised schedule of external finishes and materials shall be based on the submitted schedule prepared by Corben Architects and received by Council on 15 October 2020 with the following modification:

- The new metal roof sheeting and gutters must be Dulux Lead or another visually submissive colour that does not highly contrast with the terracotta roof tiles. Dulux Monument is not appropriate for heritage reasons and no approval is granted for the use of this colour on the metal roof sheeting and gutters.

Plans and specifications which comply with this condition must also be submitted to the Certifying Authority for approval prior to the issue of any Construction Certificate. The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council, Public Information)

New Windows and Doors

C3. New windows and doors must be timber-framed.

The Certifying Authority must ensure that the building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To be sympathetic to the character of the conservation area and the original dwelling)

6. LPP05: 75 Bank Street, North Sydney (V) - DA 170/20

Applicant: Antonio Caminiti

Report of Kim Rothe, Senior Assessment Officer

This development application seeks North Sydney Local Planning Panel (NSLPP) approval for Partial demolition of an existing dwelling, construction of new dwelling including new external works and related landscaping.

The application is reported to the North Sydney Local Planning Panel (NSLPP) for determination as the proposal exhibits a breach exceeding 10% of the statutory Clause 4.3(2) Building Height control of NSLEP 2013.

Council's notification of the proposal attracted **two (2) submissions** raising concerns about bulk and scale, consistency of the proposal with the established character of the locality and general impact to amenity.

The development application has been assessed against the North Sydney Local Environmental Plan 2013, North Sydney Development Control Plan 2013 and

the relevant State Planning Policies and generally found to be unsatisfactory in the site circumstances.

The proposed development considered to perform unsatisfactorily with regard to impact to the Conservation Area, Context, Streetscape, Setbacks, Form Massing and Scale, Built Form Character is non-compliant with applicable controls in the NSLEP 2013 and NSDCP 2013.

These non-compliances result in a building with excessive bulk and would not be in keeping with the character of the Union, Bank, Thomas Street Conservation Area which and considered to be an overdevelopment of the site in the circumstances.

Following this assessment, and having regard to the provisions of Section 4.15 of the Environmental Planning & Assessment Act 1979 (as amended), the application recommended for refusal as it is not considered to be suitable for the subject site, and fails to satisfy a number of objectives within the North Sydney Development Control Plan 2013.

Recommending:

PURSUANT TO SECTION 4.16 OF ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (AS AMENDED)

THAT the North Sydney Local Planning Panel, under the delegation of the General Manager as the consent authority, resolve to refuse consent to Development Application No. 170 /20 for partial demolition of an existing dwelling, construction of new dwelling including new first floor addition and internal modifications, on land at 75 Bank Street, North Sydney, for the following reasons:-

1. Overdevelopment of the Site

The proposed development due to the site coverage and setback non-compliances is considered to be an overdevelopment of the site.

Particulars

- a) The site coverage of the building is excessive for the size of the site and is not characteristic of surrounding developments or the conservation Area. The proposed development is contrary to the following:
 - i. Aims of NSLEP 2013, specifically (2)(a) and (b)(i);
 - ii. Clause 5.10 Heritage Conservation of NSLEP 2013
 - iii. Objective O1 and P1 in Part B, Section 1.4.1 *Context* in NSDCP 2013;
 - iv. Objective O1, P2 in Part B, Section 1.4.7 *Form Massing and Scale* in NSDCP 2013;
 - v. Objective O1, P2 in Part B, Section 1.4.8 *Built Form Character* in NSDCP 2013;

2. The development Would not be in keeping with the established Character of the Union, Bank, Thomas Street Conservation Area

The non-compliances with the following controls of NSLEP 2013 and North Sydney Development Control Plan (NSDCP 2013) result in a development that is uncharacteristic and will not be in keeping with the established character of the conservation area.

- a) Part 5 Clause 5.10 Heritage conservation of NLEP 2013 and
- b) NDCP 2013 Section 13 Heritage and Conservation:
 - Part B Section 13 Heritage and Conservation Particulars:
 - 13.6.1 General objectives O1/ O3
 - 13.6.2 Form, massing, scale O1/ O2/ P1/ P2/ P5/ P7/ P9

- 13.6.3 Roofs O1/ P1/
 13.6.4 Additional storeys and levels O1/ P1/P2 (a)
 13.9.4 Materials, colours and finishes O1/ P8
 c) NSDCP 2013 Part C Lavender Bay Planning Area, Section 9.10
 Union, Bank, Thomas Street Conservation Area
 Part C Section 9.10 Union, Bank, Thomas Street Conservation Area
 Particulars:
 9.10.6 Characteristic Building element Controls P1, P2, P5, P11,
 P16
 9.10.7 Uncharacteristic Elements Control P1

3. The proposed additions do not satisfy the following objectives and controls within the North Sydney Development Control Plan 2013

The proposed development fails to satisfy the objectives of a number of the controls within the North Sydney Development Control Plan 2013 (NSDCP 2013).

Particulars

- a) The non-compliances with the following controls of North Sydney Development Control Plan (NSDCP 2013) result in a development that is uncharacteristic and represents an overdevelopment of the site and will not be in keeping with the established character of the conservation area.

The proposed development is contrary to the following:

- i. Objectives of the R2 Low Density Residential zone, specifically dot point 3;
- ii. Objective O1 and P1 in Part B, Section *1.4.1 Context* in NSDCP 2013;
- iii. Objective O1 in Part B, Section *1.4.3 Streetscape* in NSDCP 2013;
- iv. Objective O1, O2, P1 in Part B, Section *1.4.6 Setbacks* in NSDCP 2013;
- v. Objective O1, P2 in Part B, Section *1.4.7 Form Massing and Scale* in NSDCP 2013;
- vi. Objective O1, P2 in Part B, Section *1.4.8 Built Form Character* in NSDCP 2013;
- vii. Objective O1, P1 in Part B, Section *1.4.12 Colours and Materials* in NSDCP 2013

4. Not considered to be in the public interest

The proposed development would set undesirable precedent for infill development in a conservation area for the subject site nor in the public interest.

Particulars

- a) The size of the proposed building is not considered to be suitable for the site nor would be characteristic within the Union Bank and Thomas Street Conservation Area and contrary to Section 4.15(c) of the Environmental Planning and Assessment Act 1979 (as amended)
- b) Public submissions were received against the application raising particular concerns about the excessive bulk, scale and density of the development, uncharacteristic built form, non-compliance with the landscape area, and privacy. The proposal in its current form is not considered to be in the public interest contrary to Section 4.15(e) of the Environmental Planning and Assessment Act 1979 (as amended).

7. LPP06: 31 King Street, Waverton (W) - DA 219/2020

Applicant: Saw Eng Tan, Miriam Green, C/Atelier M

Report of Hugh Shouldice, Assessment Officer

This development application seeks North Sydney Planning Panel (NSLPP) approval for partial demolition, alterations and additions to a local heritage item at No. 31 King Street, Waverton.

This application is reported to NSLPP for determination as the development application involves partial demolition and substantial additions to a heritage item. The development application is therefore required to be determined by the North Sydney Local Planning Panel in accordance with the Minister's directions.

The notification of the application is in accordance with the *North Sydney Community Participation Plan 2019*. At the end of the notification period, Council received seven (7) submissions raising particular concerns about heritage, site coverage, solar access, visual privacy and safety of the car stacker. The assessment has considered these concerns as well as the performance of the application against Council's planning requirements.

Council requested the application be amended on 5 November 2020 due to the impacts to the heritage item and the non-compliances with the relevant sections of the North Sydney Development Control Plan 2013. The applicant submitted amended plans in response to Council's concern to reduce the overall height of the proposed rear additions and to delete the proposed multi-car stacker located in the front building setback.

The amended plans have been referred to Council's Conservation Planner who has raised no objections to the proposal subject to standard and site-specific conditions.

The amended proposal is considered to maintain the heritage significance of the dwelling and achieves the objectives for the zone to maintain a low-density residential form and scale that is commensurate with the surrounding area.

Having regard to the provisions of Section 4.15 of the Environmental Planning & Assessment Act 1979, the application is considered to be satisfactory and therefore recommended for **approval**.

Recommending:

PURSUANT TO SECTION 4.16 OF ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (AS AMENDED)

THAT the North Sydney Local Planning Panel, grant consent for the Development Application No. 219/20 for alterations and additions to a local heritage item on land at No. 31 Waverton Avenue, Waverton, subject to the attached site specific and standard conditions.

8. LPP07: 23 Victoria Street, McMahons Point (W) - DA 230/20

Applicant: Studio Barbara

Report of Hugh Shouldice, Assessment Officer

This development application seeks North Sydney Local Planning Panel (NSLPP) consent for alterations and additions and change of use from a commercial building to a single residential dwelling house on land at No. 23 Victoria Street, McMahons Point.

This application is reported to North Sydney Local Planning Panel for determination because elements of the proposed works would breach the height limit by greater than 10%. While the building is already in breach and in increase

height results, approval will result in a minor all be it material increase in floor area, this yield and the application is thus not capable of delegated determination.

The application received nil (0) submissions during the notification of the application.

The subject site is zoned IN2 Light Industrial Zone with a maximum building height of 8.5m. The proposal has a maximum building height of 10.2m and is non-compliant with building height control specified in Clause 4.3 of the NSLEP 2013.

The applicant has submitted a written request seeking a variation to the building height development standard in accordance with Clause 4.6 of NSLEP 2013. The applicant's Clause 4.6 variation statement is considered to be well founded and has provided sufficient environmental planning grounds. The proposal is considered to be consistent with the objectives of the building height development standard.

The proposal also seeks a minor increase in the footprint of the dwelling, resulting non-compliances with the front and side setbacks as well as the site coverage controls in the NSDCP 2013. The non-compliances with the DCP do not result in any additional amenity impacts to adjoining properties and are therefore considered to be reasonable in this regard. The proposal is recommended for approval subject to conditions.

The development application has been assessed against the North Sydney Local Environmental Plan 2013 and the North Sydney Development Control Plan 2013 and found to be satisfactory.

The proposal is not considered to have any adverse impacts on the amenity of the adjoining properties nor would it result in a built form that is uncharacteristic within its current context.

Having regard to the provisions of section 4.15 of the Environmental Planning & Assessment Act 1979, the application is considered to be a reasonable response in the circumstances and is recommended for approval subject to conditions.

Recommending:

PURSUANT TO SECTION 4.16 OF ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (AS AMENDED)

THAT the North Sydney Local Planning Panel, as the consent authority grant consent to Development Application No. 230/20 proposing alterations and additions and change of use from commercial building to single residential dwelling house, upon land described as No. 23 Victoria Street, McMahons Point, subject to the attached conditions.

**NORTH SYDNEY LOCAL PLANNING PANEL****DETERMINATIONS OF THE NORTH SYDNEY LOCAL PLANNING PANEL MEETING
HELD IN THE SUPPER ROOM, COUNCIL CHAMBERS, NORTH SYDNEY,
ON WEDNESDAY 4 NOVEMBER 2020, AT 2.00PM.****PRESENT****Chair:**

Jan Murrell

Panel Members:

David Logan, Panel Member

Lloyd Graham, Panel Member

Virginia Waller, Community Representative

Staff:

David Hoy, Team Leader (Assessments)

Melissa Dunlop, Governance Co-Ordinator (Minutes)

Apologies: Nil**1. Minutes of Previous Meeting**

The Minutes of the NSLPP Meeting of 7 October 2020 were confirmed at that meeting.

2. Declarations of Interest

Nil.

3. Business Items

The North Sydney Local Planning Panel is a NSW Government mandated Local Planning Panel exercising the functions of North Sydney Council, as the Consent Authority, under Section 4.8(2) of the Environmental Planning and Assessment Act, 1979 as amended, and acts pursuant to a Direction of the Minister for Planning issued under Section 9.1 of the Act, dated 23 February 2018.

Panel Members inspected sites independently and have had access to Council's electronic file, including details of all written submissions, plans, site photographs and supporting documentation. This meeting was recorded for the purposes of preparing minutes in accordance with the NSW Panel Secretariat's Panel Operating Guidelines.

The Panel has considered the following Business Items and resolves to determine each matter as described within these minutes.

ITEM 1

DA No:	166/20
ADDRESS:	59 Cowdroy Avenue, Cammeray
PROPOSAL:	Alterations and additions to provide a 3-4 storey dwelling house with swimming pool and landscaping.
REASON FOR NSLPP REFERRAL	This application is reported to the North Sydney Local Planning Panel for determination because the proposed works breach the height limited by greater than 10%.
REPORT BY NAME:	Robyn Pearson, Team Leader Assessments
APPLICANT:	Group Architects

Public Submissions

No written submissions received.

Submitter	Applicant/Representative
	Julian Brenchley, Architect

Panel Determination

The Panel members have undertaken independent site inspections as deemed necessary prior to the meeting and have noted the submissions received.

The Council Officer's Report and Recommendation for approval is endorsed by the Panel.

Pursuant to the provisions of clause 4.6 of the North Sydney Local Environmental Plan 2013 ("the LEP"), the Panel is satisfied that the written request in relation to the contravention of the height of buildings development standard, in clause 4.3 of the LEP, adequately addresses the required matters in clause 4.6 of the LEP. In the opinion of the Panel the written request demonstrates that compliance with the development standard is unnecessary in the circumstances of the case. Further, the Panel considers that the proposed development will be in the public interest because it is consistent with the objectives of the height of buildings standard.

The Panel approves the Development Application subject to the conditions contained in the Officer's report and the following amendment to Condition C23:

- To delete the words, "for the undercroft area in the north-eastern corner of the dwelling".

Panel Reason:

The Panel considers the application is satisfactory and there is minimal view impact having regard to the total views enjoyed.

Voting was as follows:

Panel Member	Yes	No	Community Representative	Yes	No
Jan Murrell	Y		Virginia Waller	Y	
David Logan	Y				
Lloyd Graham	Y				

ITEM 2

DA No:	DA 168/20
ADDRESS:	5 Carlyle Lane, Wollstonecraft
PROPOSAL:	Alterations and additions to form a multi-level dwelling including double garage, roof top garden and associated landscaping.
REPORT BY NAME:	Hugh Shouldice, Assessment Officer
REASON FOR NSLPP REFERRAL:	The application is reported to the North Sydney Local Planning Panel for determination because elements of the proposed works would breach the height limited by greater than 10%.
APPLICANT:	Dhillon Reva Synergy

Public Submissions

No written submissions received.

Submitter	Applicant/Representative
	Tim Cooper, Town Planner
	Michael Harris, Architect
	Sunny and Raj Dhillon, Applicants

Panel Determination

The Panel members have undertaken independent site inspections prior to the meeting, and have noted the submissions received.

The Applicant requested that the Panel defer determination of this matter to allow discussions with Council. The Panel also notes the Applicant provided amended plans, however these were not accepted by Council as they were considered not to address the non-compliances. The Panel notes that the amended plans provide for little change and still represent an overdevelopment of the site.

The Panel has considered the Applicant's request for deferral and in the circumstances considers amendments to the plans would be of such a magnitude as to require major modifications fully documented to be assessed (extent of demolition, existing building footprint, overlay of new footprint on the existing footprint). This could be done through the facilitative process of a Section 8.2 Review.

The Council Officer's Report and Recommendation for refusal is endorsed by the Panel.

The request to vary the height development standard pursuant to the provisions of clause 4.6 of the North Sydney Local Environmental Plan 2013 ("the LEP"), is not supported by the Panel.

The Panel endorses the reasons for refusal contained in the Officer’s Report with the following amendments as highlighted below:

1) Excessive building height and inadequate written request pursuant to Clause 4.6 in the NSLEP 2013

Particulars:

- a) The Clause 4.6 Variation Statement ~~provided~~ does not provide sufficient environmental planning grounds for Council to support a 50.5% variation to the building height standard.
- b) The breach to the building height control is inconsistent with objectives (1) (a), (c), (d) and (f) in Clause 4.3 in the NSLEP 2013 relating to residential amenity.
- c) The Clause 4.6 variation statement has not adequately addressed subclause (3) in Clause 4.6 in the NSLEP 2013.
- d) The proposal is inconsistent with the fourth objective of the R2 Low Density Residential Zone.

2) Site coverage and landscape area non-compliances

Particulars:

- a) The proposal is inconsistent with Objective 1, 3 and 4 as well as being non-compliant with Provision 1 of Section 1.5.5 ‘site coverage’ of the NSDCP 2013.
 - i) The proposal will ~~result in a non-compliance with~~ exceed the site coverage control ~~being~~ by 10.7% (30.4sqm) (~~10.7%~~).
- b) The proposal is inconsistent with Objective 1 (a), (g), (h), (i), (j) as well as being non-compliant with Provision 1 of Section 1.5.6 ‘landscape area’ of the NSDCP 2013.
 - i) The proposal ~~is non-compliant with~~ will exceed the numerical landscaped area control by 4.97% (13.88sqm) (~~4.97%~~). The Panel also notes the extensive areas to be covered by vergolas.

Panel Reason:

The Panel considers that the current plans represent an overdevelopment of this constrained site.

Voting was as follows:

Panel Member	Yes	No	Community Representative	Yes	No
Jan Murrell	Y		Virginia Waller	Y	
David Logan	Y				
Lloyd Graham	Y				

ITEM 3

DA No:	70/20
ADDRESS:	5 Colindia Avenue, Neutral Bay
PROPOSAL:	Demolition of existing residential flat building and construction of a residential flat building with basement parking.
REASON FOR NSLPP REFERRAL	The application is reported to the North Sydney Local Planning Panel as the proposal has attracted 24 submissions.
REPORT BY NAME:	George Youhanna, Executive Planner
APPLICANT:	Fortis Development Group

Public Submissions

One written submission received.

Submitter	Applicant/Representative
	Mark Schofield, Town Planner
	Paul Buljevic, Applicant

Panel Determination

The Panel members have undertaken independent site inspections prior to the meeting and have noted the submissions received.

The Council Officer's Report and Recommendation for approval is endorsed by the Panel subject to a minor amendment to Condition I4 to add the words, "except any accessible car space is to be 2.3 metres".

Panel Reason:

The Panel notes the development generally complies with the Council's controls and guidelines and considers the building sits comfortably within its context and has architectural merit.

Voting was as follows:

Panel Member	Yes	No	Community Representative	Yes	No
Jan Murrell	Y		Virginia Waller	Y	
David Logan	Y				
Lloyd Graham	Y				

ITEM 4

DA No:	229/20
ADDRESS:	1/6 Holbrook Avenue, Kirribilli
PROPOSAL:	Internal alterations and additions to a heritage item.
REPORT BY NAME:	Robyn Pearson, Team Leader Assessments
REASON FOR NSLPP REFERRAL:	The application is reported to the North Sydney Local Planning Panel for determination because the application involves partial demolition of a heritage item.
APPLICANT:	Isaac-Cole/Mood by Design

Public Submissions

No written submissions received.

Submitter	Applicant/Representative
	Harriet Isaac-Cole, Applicant

Panel Determination

The Panel members have undertaken independent site inspections prior to the meeting and have noted the submissions received.

The Council Officer's Report and Recommendation for approval is endorsed by the Panel.

Panel Reason:

The Panel considers that the internal alterations to the heritage item would not adversely affect its heritage significance while also enhancing the amenity for occupants.

Voting was as follows:

Panel Member	Yes	No	Community Representative	Yes	No
Jan Murrell	Y		Virginia Waller	Y	
David Logan	Y				
Lloyd Graham	Y				

ITEM 5

PROPOSAL:	Delegation of decisions relating to part demolition of Heritage items associated with alterations and additions and certain height variations for works relating to existing non-compliant buildings.
REPORT BY NAME:	David Hoy, A/Manager Development Services
REASON FOR NSLPP REFERRAL:	This report has been referred to the North Sydney Local Planning for the Panel to consider delegation of certain functions to Officers of Council who otherwise have delegations to determine development applications.

Panel Determination

The Council Officer's Report and Recommendation is endorsed by the Panel subject to the below amendments.

1. **THAT** pursuant to Section 2.20(8) of the EPA & Act, the North Sydney Local Planning Panel delegate their functions with regard to the determination of the following development applications referred to in Schedule 1 to the Minister's Directions referred to in Part A to the Council Officers referred to in Part B in the context of Council's current delegations concerning authority:

Part A: Functions to be delegated to Council staffed referred to in Part B.

~~Contentious development (2.)~~

- ~~• To determine Development applications which involves contentious development, being development that attracts 10 or more unique submissions by way of objection, where the Manager Development Services in consultation with the North Sydney Local Planning Panel Chair considers that the application should be refused.~~
- ~~• Any such delegation shall be the subject of a written summary to the Chair outlining the steps taken by Council staff to resolve significant design or compliance issues with the application, including any advice of any relevant advisory or concurrence authority.~~

A1. Departures from Development Standards

- To determine development applications involving a variation to the maximum height of building development standard contained within Clause 4.3 of the North Sydney LEP 2013 by greater than 10%, which relates to an existing building on land in the R2, R3, R4, B1, B3 and B4 zones where no material significant increase in overall building height or yield. ~~impact and no material increase in yield results.~~
- The Council Delegate must be satisfied that all relevant requirements under Clause 4.6 of the North Sydney LEP 2013 and the Standard Instrument have been satisfactorily addressed by a written submission.

A2. Sensitive Development

- To determine development applications which involve minor partial ~~part~~ demolition of a heritage item identified in Schedule 5 of the North Sydney LEP 2013 that would not adversely affect the heritage significance of the heritage item. Development that would affect the heritage significance of the item must be referred to the Panel.

A3. Modifications under S.4.55(2)

- Functions to determine modification applications under S.4.55(2) which otherwise meet the criteria under the Minister’s Directions for referral to the Panel, but which would otherwise be covered by any development under A1 & A2 of this delegation.

Part B: Council Delegates with delegations to determine development applications out lined in Part A:

1. The General Manager;
 2. The Director - CIS; and
 3. The Manager - Development Services.
2. **THAT** the Panel notes that the delegation of functions referred to above does not extend to development application which involves contentious development, being development that attracts 10 or more unique submissions by way of objection, which remains subject to the Minister’s Directions.
 3. **THAT** Panel members selected for Panel Meetings shall be advised of the need to constitute the Panel for the duration of the month for the purposes of dealing with Development Applications by electronic means, for non-contentious and matters not requiring a public hearing.

Panel Reason:

The Panel has amended the extent of the delegations to be consistent with the Ministerial Directions and to add clarity. The Panel considers that this will result in the determination of minor matters in a more timely manner while protecting the public interest.

Voting was as follows:

Panel Member	Yes	No	Community Representative	Yes	No
Jan Murrell	Y		Virginia Waller	Y	
David Logan	Y				
Lloyd Graham	Y				

The public meeting concluded at 2.45pm.

The Panel Determination session commenced at 2.50pm.

The Panel Determination session concluded at 4.35pm.

Endorsed by Jan Murrell
Chair North Sydney Local Planning Panel
5 November 2020