

NORTH SYDNEY COUNCIL

Council Chambers 30 April 2025

I wish to inform you that a Meeting of the **NORTH SYDNEY LOCAL PLANNING PANEL** will be held in the Supper Room, Council Chambers North Sydney at 2:00pm on Wednesday 7 May 2025.

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

I would like to acknowledge the traditional owners of these lands in which we meet and to pay our respect to the ancestors, and spirits past and present.

THERESE COLE
CHIEF EXECUTIVE OFFICER

BUSINESS

LPP01: 11 King George Street, Lavender Bay - DA 270/24

Applicant: Madelaine Blanchfield Architects Pty Ltd Report of Thomas Holman, Senior Assessment Officer

This development application seeks consent for alterations and additions to a heritage listed dwelling house at 11 King George Street, Lavender Bay. The proposed work includes demolition of an existing two storey side wing and construction of a new two storey side / rear pavilion with garage, new living area and kitchen, with master bedroom suite above. Alterations are also proposed to the dwelling fenestration, amendments to landscaping and a replacement swimming pool.

The application is reported to the North Sydney Local Planning Panel for determination as the proposal involves part demolition/removal of building fabric within a heritage listed item which requires determination by the Panel in accordance with Directions of the NSW Minister of Planning Housing & Infrastructure. The application requires consideration of the potential effect on the significance of the heritage item and determination by the Panel.

The dwelling is significant as a good example of a substantial Victorian house in the Italianate style located on a picturesque corner location with mature trees. The two storey addition replaces a later addition to the main dwelling and is designed to be submissive in scale below the eaves of the main dwelling. The proposed elevations comprise predominantly pale brick complementary to the appearance of the dwelling. The addition is setback from the principal elevation facing Waiwera Street to provide a separation and interpretation between the addition and the heritage item. Council's Conservation Planner has assessed the design and has confirmed that it would conserve the heritage significance of the heritage item and conservation area subject to minor changes by condition.

A condition of consent is recommended to retain the ground and first floor windows either side of the chimney breast on the east elevation to reduce the extent of glazing and assist in the interpretation of the heritage significance of the building.

The existing landscaping for the site includes large areas of paving, a large swimming pool and a mature tree canopy including three mature native trees in the south western corner of the site and a semi-mature Leyland Cypress on the rear and side boundaries of the site.

The application includes an arborist report and addendum plus a detailed structural methodology to construct the new addition which is within the tree protection zone of three mature native trees (*T1 Eucalyptus microcorys*, *T2 Eucalyptus microcorys* & *T3 Lophostemon confertus*). The methodology to construct the addition being a suspended slab above grade supported by piers is assessed as supportable subject to detailed construction design and subject to on-site monitoring by a qualified arborist. Conditions are recommended

concerning tree protection, supervision of construction by a Project Arborist and sensitive construction techniques.

The development inclusive of the new addition has a proposed site coverage of 42% which exceeds the maximum 35% stipulated in Section 1.5.5 of NSDCP 2013. However, there is sufficient merit for the proposed site coverage most notably if the site area were 2m² less the site would be subject to a lesser maximum of 40% as stipulated in Table B-1.6, s1.5.5 of NSDCP 2013. It is also notable the development proposes a positive outcome removing paved areas and artificial lawn for new landscaping and compliance with the minimum 45% landscaped area.

One (1) submission has been received raising concerns regarding overlooking of units and communal areas plus overshadowing. Neighbouring amenity including visual privacy and solar access has been considered in detail as part of the assessment and the development would not have an unreasonable shadow impact and subject to retention of the tree canopy and mature rear boundary hedging there is no direct or close views to neighbouring properties. Having regard to the merits of the proposal, the application is recommended for **approval** subject to appropriate standard and site specific conditions.

RECOMMENDATION

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. 270/2024 for alterations and additions to a dwelling which is a local heritage item on land at 11 King George Street, Lavender Bay subject to following site specific and attached standard conditions of consent.

Heritage Requirements

- C1. The following changes must be made to the plans prior to the issue of the construction certificate and submitted to the principal certifier. The building plans and specifications submitted, referenced on and accompanying the issued Construction Certificate must fully satisfy the requirements of this condition.
 - a) Ground Floor Fire Place
 - ii) the opening to the eastern side of the fire place clouded in red on the approved Ground Floor Plan is to retain an appropriately proportioned bulk head.

(Reason: To ensure the legibility of original interior room configuration and detailing so that the evolution of the building remains discernible)

- b) East Elevation Windows
 - ii) The existing windows clouded red on the Proposed East Elevation which are either side of the chimney breast on both the Ground Floor and First Floor are to remain. No approval is granted for an increase to the size and proportion of the windows.

(Reason: To retain the character of the heritage item and ensure the balcony and verandah elements remain the prominent elements of the dwelling as viewed from the north western corner of the dwelling)

Transport for NSW

C2. The development, including but not limited to any structural support elements, temporary structures or the like, must not involve any ground penetration of 2m or below existing ground level on land within 25m (measured horizontally) of a rail corridor. Prior to the issue of a Construction Certificate for the development, the Certifier is to be satisfied that no such works are proposed on detailed design plans and information accompanying the Construction Certificate. If the Certifier is not so satisfied, a modification application will be required.

Copies of any certificates, drawings, approvals/certification, or documents endorsed by, given to, or issued by Sydney Trains or TAM (Transport Asset Manager of NSW) must be submitted to Council for its records prior to the issuing of the applicable Construction Certificate or Occupation Certificate.

(Reason: Transport for NSW requirement)

Transport for NSW

- E1. The Applicant must ensure that at all times they have a representative (which has been notified to Sydney Trains in writing), who:
 - oversees the carrying out of the Applicant's obligations under the conditions of this consent and in accordance with correspondence issued by Sydney Trains;
 - acts as the authorised representative of the Applicant; and
 - is available (or has a delegate notified in writing to Sydney Trains that is available) on a 7 day a week basis to liaise with the representative of Sydney Trains, as notified to the Applicant.
 - Without in any way limiting the operation of any other condition of this consent, the Applicant must, during demolition, excavation and construction works, consult in good faith with Sydney Trains in relation to the carrying out of the development works and must respond or provide documentation as soon as practicable to any queries raised by Sydney Trains in relation to the works.

(Reason: Transport for NSW requirement)

LPP02: 1 Hayes Street, Neutral Bay - DA 182/22/5

Applicant: 7 Pty Ltd

Report of Jim Davies Executive Planner

This application, made under Section 4.56 of the *Environmental Planning and Assessment Act 1979* seeks approval to modify the Land and Environment Court's consent granted 13 June 2023, for alterations and additions to an existing mixed-use building at 1 Hayes Street Neutral Bay, adjacent to the Neutral Bay Public Wharf at the southern end of Hayes Street. The application

is reported to the North Sydney Local Planning Panel as 11 submissions have been received.

The application was notified between 1 and 15 November 2024, objections were received regarding:

- Impacts on local amenity, specifically increased site coverage causing excessive bulk and scale, increased impacts on views, loss of views and reduced access to sunlight,
- Loss of retail floor space, and
- Insufficient information to allow proper assessment.

Minor amendments to the design were submitted 6 March 2025 and 16 April 2025. The amendments involve minor adjustments to windows and inclusion of ventilation grilles on eastern and southern elevations for BCA compliance, and inclusion of exhaust outlet cowls and fans on the roof, also to satisfy the BCA. These were deemed to not materially affect local amenity, and the application was not renotified according to Council's community engagement protocol.

An assessment of the application concludes that the proposed modification of the consent is satisfactory, and approval is accordingly recommended.

RECOMMENDATION

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

THAT the North Sydney Planning Panel exercising the functions of Council approve the modification of development consent DA 182/22 for alterations and additions to a mixed-use building at 1 Hayes Street Neutral Bay under the provisions of Section 4.56 of the Environmental Planning and Assessment Act as detailed in the attached Schedule.

LPP03: 5-7 Lower Wycombe Road, Neutral Bay - DA 137/23/4

Applicant: Ingham Planning Pty Ltd

Report of Ben Rourke, Consultant Planner

Modification of consent is sought to DA 137/2023 for demolition of a residential flat building and construction of a new 4 storey residential flat building comprising six apartments, basement parking with car lift, inground swimming pool and landscaping.

DA 137/2023 was approved on 1 November 2023 by the North Sydney Planning Panel for *Demolition of existing residential flat building and construction of new residential flat building containing six (6) apartments and construct swimming pool adjacent to the Foreshore.* Conditions of consent included a requirement for design amendments that changed curved blade walls, setbacks of front balconies, an open design car lift, relocation of the hydrant booster at the north-western corner, and fencing to a maximum height of 1.2m for the front and rear boundaries.

Subsequent to the original approval, two modifications of consent have been approved by Council to correct minor errors in the consent (DA 137/2024/2 and amend staging of conditions of consent (DA 137/2024/30

The current S.4.55(2) modification application seeks several design amendments including alterations to the façade with enclosure of the car lift to comply with AS-1735, and revisions to conditions of consent detailed in the following section. The modification application is required for referral to the NSLPP for determination as it includes modifications to conditions imposed by the Panel.

Notification of the proposed modification resulted in two (2) submissions with one (1) objection and one (1) submission in support. Issues raised in objection relate to the design of the car lift enclosure, including signage; impacts to streetscape character; impact of roof mounted A/C units; consequential view impacts; and concerns about applicant's view loss assessment. These issues have been addressed in this report, and do not warrant refusal or further design amendments.

Council's Landscape Officer advises that the design amendments are satisfactory subject to additional details being provided on landscape plans for planting two new Banksia trees within the rear foreshore garden area.

The proposed modifications are each considered to be satisfactory, resulting in *substantially the same development* compared with the development as originally approved. Accordingly, the application of modification of consent is recommended to the NSLPP for approval.

RECOMMENDATION

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 No. 137/23 dated 1 November 2023 in respect of a proposal for demolition of existing residential flat building and construction of new residential flat building containing six (6) apartments and construct swimming pool adjacent to the foreshore at 5-7 Lower Wycombe Road, Neutral Bay under the provisions of Section 4.55 of the Environmental Planning and Assessment Act only insofar as will provide for the following:

Amend condition A1 as follows: Development in Accordance with Plans/Documentation A1.

Plan No.	Issue	Description	Prepared by	Dated
DA 002	4	Proposed Site Plan	PBD Architects	13/12/2024
DA 003	3	Site Analysis Plan	PBD Architects	13/12/2024
DA 004	3	Demolition Plan	PBD Architects	13/12/2024
DA 100	6	Basement 2	PBD Architects	13/12/2024
DA 102	6	Basement 1	PBD Architects	13/12/2024
DA 103	6	Communal Area	PBD Architects	13/12/2024
DA 104	6	Lower Ground Floor	PBD Architects	13/12/2024
DA 105	7	Ground Floor	PBD Architects	13/12/2024
DA 106	7	Level 1	PBD Architects	13/12/2024
DA 107	6	Level 2	PBD Architects	13/12/2024
DA 108	3	Roof Plan	PBD Architects	13/12/2024
DA 200	6	East Elevation	PBD Architects	13/12/2024
DA 201	6	West Elevation	PBD Architects	13/12/2024

DA 202	6	North Elevation	PBD Architects	13/12/2024
DA 203	6	South Elevation	PBD Architects	13/12/2024
DA 301	6	Section A	PBD Architects	13/12/2024
DA302	6	Section B	PBD Architects	13/12/2024
DA 400	3	Schedule of	PBD Architects	13/12/2024
		Materials		
DA 620	3	Adaptable Unit	PBD Architects	13/12/2024
		Layout – Lower		
		Ground		
DA 621	01	Adaptable Unit	PBD Architects	13/12/2024
		Layout Level 2		
S.4.55_00	01	Existing Tree	Wyer and Co	18/12/2024
		Schedule		
		Plant Schedule		
		Specification		
S.4.55_01	01	Existing Tree Plan	Wyer and Co	18/12/2024
S.4.55_02	01	Landscape	Wyer and Co	18/12/2024
		Masterplan		
S.4.55_3	01	Landscape Plan –	Wyer and Co	18/12/2024
		Basement 01		
S.4.55_4	01	Landscape Plan –	Wyer and Co	18/12/2024
		Lower Ground Floor		
S.4.55_05	01	Landscape Plan –	Wyer and Co	18/12/2024
		Ground Floor		
S.4.55_06	3	Landscape Plan –	Wyer and Co	18/12/2024
		Level 01		
S.4.55_07	3	Landscape Plan –	Wyer and Co	18/12/2024
		Level 02		

- 2. Delete condition A2
- 3. Amend conditions G27, I5 and K6 'Allocation of Spaces' amend bicycle parking spaces from '10' spaces to '7' spaces
- 4. Amend condition A5 to refer to amended plans as set out in amended condition A1
- 5. Amend conditions C9 & C10 with regard to finishes, replacing "must be factory pre-finished" with "will have"
- 6. Amend condition C24 to refer to the amended Arboricultural Impact Assessment dated 17/12/2024 by Arborlogix.
- 7. Amend condition C27 to refer to the amended Arboricultural Impact Assessment dated 17/12/2024 by Arborlogix.
- 8. Amend condition C48 to refer to updated BASIX Certificate 1381833M_06 dated 13/12/2024
- 9. Delete condition C52 open car lift
- 10. Amend condition E15 to refer to the amended Arboricultural Impact Assessment dated 17/12/2024 by Arborlogix.

LPP04: 48 Raymond Road, Neutral Bay - DA 384/24

Applicant: Mark Hurcum Design Practice Pty Ltd Report of Rachel Wu, Assessment Officer

This development application seeks consent for the alterations and additions to an existing residential flat building, including internal and external changes to all four units at 48 Raymond Road, Neutral Bay.

The application is reported to the North Sydney Local Planning Panel for determination as the application seeks a variation to a development standard by more than 10%.

Development for the purpose of alterations and additions to a residential flat building is not permitted within the R2 Low Density Residential zone. The subject site has existing use rights under the definitions within s4.65 of the *EP&A Act 1979* (as amended).

The existing building on site was converted from a terrace building to form four units in DA1349/79 approved by Council on 7 August 1979.

The proposed building results in a non-compliance with the height of buildings development standard in Clause 4.3 of the *North Sydney Local Environmental Plan 2013*. The existing dwelling has a maximum height of 10.2m measured from the finished floor level of the Lower Ground Floor to the roof above the mezzanine. The proposal will maintain the maximum height of 10.2m, which contravenes the maximum height control of 8.5m by 1.7m or 20%. A written request has been submitted pursuant to clause 4.6 in *NSLEP 2013* which demonstrates that compliance with the development standard is unreasonable and unnecessary as the objectives of the standard are achieved notwithstanding the variation, and that there are sufficient environmental planning grounds to justify the variation in the circumstances of the case. The variation would be in the public interest as the proposed development is consistent with the objectives of the standard and the objectives of the R2 Low Density Residential zone.

The external alterations and additions are located to the rear (west) of the subject site.

Notification of the proposal has attracted three (3) submissions raising particular concerns about visual privacy, noise, height non-compliance, overshadowing, excessive bulk and scale, inadequate setbacks and impact to existing vegetation. 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

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

RECOMMENDATION

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 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 of *NSLEP 2013* and grant consent to Development Application No. 384/24 for alterations and additions to a residential flat building with existing use rights on land at 48 Raymond Road subject to the following site specific and standard conditions.

LPP05: 1A Belgrave Street, Cremorne - DA 104/24

Applicant: Peter Anderson c/o COSO Architecture Report of Jack Varka, Senior Assessment Officer

This amended development application seeks consent for alterations and additions to an existing residential flat building at 1A Belgrave Street, Cremorne.

The application is reported to NSLPP for determination as the proposal is for alterations and additions to an existing residential flat building which Chapter 4 of SEPP (Housing) 2021 and the Apartment Design Guidelines apply.

The proposed alterations and additions to an existing residential flat building to facilitate the addition of a 3 bedroom apartment is permissible on land zoned R4 High Density Residential. The proposal is consistent with the Design Quality Principles and the relevant sections of the Apartment Design Guide under Chapter 4 of the SEPP (Housing) 2021.

The proposal will provide a contemporary addition which respects neighbouring residential flat buildings in terms of design and scale, and does not cause material amenity impacts for the adjoining properties and apartments within the residential flat building in terms of view loss, overshadowing and loss of privacy. The proposed balconies along the northern elevation of the building would enhance the internal amenity by providing access to sunlight and natural ventilation.

The non-compliances in landscape and unbuilt upon areas is acceptable as there would be no physical change in the matrix between landscaping and unbuilt upon areas and are only technically non-compliant. Furthermore, the variation proposed to the building height plane control is also acceptable considering that existing setbacks of the RFB would be maintained as well as more than sufficient building separation, and there are negligible associated impacts to neighbouring properties.

The proposed apartment will provide an adequate level of amenity for the residents with respect to overshadowing, privacy, views, ventilation and solar access. The amenity of the existing apartments within the RFB would also be preserved.

Notification of the proposal has attracted one (1) submission which raised support for the proposed development.

The development application has been assessed against the *North Sydney Local Environmental Plan (NSLEP) 2013* and the North Sydney Development Control Plan (NSDCP) 2013 and generally found to be satisfactory.

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

RECOMMENDATION

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. 104/2024 for alterations and additions to an existing residential flat building

on land at 1A Belgrave Street, Cremorne subject to the attached standard and site-specific conditions.

LPP06: 1B Pine Street, Cammeray - DA 40/21/3

Applicant: George Youhanna

Report of Robin Tse, Senior Assessment Officer

This S4.55(2) application seeks consent for modifications to DA 40/21 for various changes to a deferred commencement consent for the construction of a two storey detached dwelling.

The application is reported to the North Sydney Local Planning Panel for determination as the application relates to modifications to the deferred commencement conditions that were previously imposed by the Local Planning Panel in the original deferred commencement consent in accordance with the Minister directions.

The proposed modifications are considered to be generally consistent with the originally approved development application and s.4.55 of the *EP & A Act 1979*. The proposed modifications, as amended by conditions of consent, would result in a development which is substantially the same development as originally approved in the original deferred commencement consent.

The proposed modifications have generally addressed the reasons for the imposition of the deferred commencement conditions to provide certainty and improvement to the development outcome.

The proposed retention of the north-western element of the first floor addition is considered to be acceptable as the result of an improved architectural design and treatments subject to the imposition of a condition to further improve the outcome of the modified design.

The proposed modifications would maintain compliance with the LEP maximum building height development standard and DCP site coverage/unbuilt upon area/landscape area requirements.

The proposed modifications would not cause additional adverse amenity impacts for the neighbouring properties subject to the imposition of new conditions.

The other requirements of the deferred commencement conditions have also been addressed by the applicant's submission and/or the imposition of new conditions.

The issues raised in the submissions have been addressed in the assessment report.

The proposal was found to be acceptable in the site circumstances and is recommended that the subject Section 4.55(2) application be approved with modifications/deletion to existing conditions of consent, including the deletion of the deferred commencement conditions and addition of new conditions.

RECOMMENDATION

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

THAT the North Sydney Planning Panel exercising the functions of Council

approve the modification of development consent **D40/21** dated 5 May 2021 in respect of a proposal for the construction of a new two storey detached dwelling at No.1B Pine Street, Cammeray 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 the conditions of (D40/21) in particular conditions A1, A4, C7, C18, C19, G6, G8 and G15 to read as follows:

Development in Accordance with Plans (S4.55 Amendments)

A1. The development being carried out in accordance with the following drawings:

Plan No.	Description	Prepared by	Dated
AR-DA2000 Rev 2	Ground Level	Place Studio	15/04/2025
AR-DA2001 Rev 3	First Floor	Place Studio	15/04/2025
AR-DA2002 Rev 2	Roof Plan	Place Studio	16/12/2024
AR-DA4000 Rev 1	Sections	Place Studio	12/09/2021
AR-DA5001 Rev 2	NE & NW Elevations	Place Studio	16/12/2024
AR-DA5002 Rev 1	SW & SE Elevations	Place Studio	16/12/2024
AR-DA7000 Rev 2	Existing Carport Minor Works	Place Studio	16/12/2024
AR-DA9001 Rev 1	External Finishes	Place Studio	12/09/2022
L01 of 1	Landscape Plan	Hortus Design	06/11/2023

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

Terms of Consent (D40/21/3)

- A4. Approval is granted for the following as shown on the approved drawings listed in Condition A1:
 - (a) Retention of an existing brick wall of the original dwelling adjacent to the southwestern (side) property boundary;
 - (b) Construction of a two storey detached dwelling;
 - (c) Construction of a single carport to Pine Street;
 - (d) Construction of a new brick wall on along the common property boundary with No.1A Pine Street; and
 - (e) Associated landscaping work as required by Condition A1 of this consent.

No approval is given or implied in this consent for the following to ensure that the terms of the consent are clear:

- (a) The external staircase at the rear of the dwelling connecting the first floor of the dwelling and the rear setback;
- (b) The use of the flat roof at the rear of dwelling as a trafficable area other than occasional maintenance access to the roof and solar panels;
- (c) The use of the dwelling other than a single occupancy; and
- (d) Any other works, internal or external, not covered by this consent and other previous approvals issued by the relevant consent authorities or a Principle Certifying Authority, both internal and external, within the subject property.

(Reason: To ensure the terms of the consent are clear)

External Colours and Materials

C7. The external materials, colours and finishes shall be consistent with those as indicated on drawing numbered AR-DA9001 Rev 1, titled External Finishes, dated 12 September 2022 prepared by Place Studio.

Any other external materials, colours and finishes, not specified in drawing numbered AR-DA9001 Rev 1, shall be compatible with the approved development and the surrounding development.

A full schedule of external materials, colours and finishes must be submitted for the approval of the Principal Certifier for approval.

The Principal Certifier must ensure that the building plans and specifications submitted fully satisfy the requirements of this condition prior to the release of the Construction Certificate.

(Reason: To ensure that the external materials, colours and finishes are compatible with the surrounding development/locality.)

BASIX Certificate

C18. Under section 75 of the *Environmental Planning and Assessment Regulation 2021*, it is a condition of this development consent that all the commitments listed in BASIX Certificate No. 1176928S_05 for the development are fulfilled.

Plans and specifications complying with this condition must be submitted to the Principal Certifier for approval prior to the issue of any Construction Certificate. The Principal Certifier 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)

Surrender of Previous Development Consent

C19. The applicant/developer is required to surrender Development Consent (**D402/17**) within 60 days from the date of this modification approval (**D40/21/3**), to ensure clarity and certainty for the development on the subject site.

The Prinaipal Certifier must ensure that the written confirmation from Council for the surrendering of the Development Consent (**D402/17**) is received prior to the issue of the Construction Certificate.

(Reason: To ensure clarity and certainty of development within the subject site)

Height

G6. Upon completion of the works and prior to the issue of any Occupation Certificate, the RL on the development measured RL70.13 must be surveyed and certified by an appropriately qualified and practicing surveyor as compliant with the maximum approved levels in accordance with the approved plans showing height at RL70.13AHD. This survey and certification must be submitted to the Principal

Certifier with the application for an Occupation Certificate and a copy provided to Council (If Council is not the Principal Certifier).

(Reason: To ensure compliance with the terms of this development consent)

Landscaping

G8. The landscaping shown on the approved landscape plan and as amended by Condition C20 of this consent must be completed prior to the issue of any Occupation Certificate.

(Reason: To ensure compliance.)

Compliance with Certain conditions

G15. Prior to the issue of any Occupation Certificate, Conditions A4, C1, C7, C9, C20, C21, C22, C23 and C24, 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)

2. To insert new conditions C20, C21, C22, C23 and C24 to read as follows: Amendments to Landscape Plan

- C20. The submitted landscape plan (Drawing numbered L01 of 1, dated 6 November 2023 prepared by Hortus Design) shall be amended to incorporate the following:
 - (a) 5 x nandina domestica shall be substituted for 9 x Lomandra sp. or Dianella sp. or similar (200mm min); and
 - (b) 3 x unspecified trees across northwestern (Miller Street) frontage shall be clearly specified.

Plans and specifications complying with this condition must be submitted to the Principal Certifier prior to the issue of any Construction Certificate.

The Principal Certifier 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 enhance landscaping outcome and to ensure clarity.)

Design Modifications (D40/21/3)

C21. The width of the two masonry columns supporting the north-eastern building element of the first floor addition be increased to match the inner edge of the planter wall at the base of the columns to further improve the design of the front elevation.

Plans and specifications complying with this condition must be submitted for the written approval of the Team Leader Assessments prior to the issue of any Construction Certificate.

The Principal Certifier 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 enhance design outcomes and streetscape.)

Deletion of Bamboo Planting

C22. The planting of 'new natural screen bambu'(sic) as shown along the south-western (side) property boundary on drawing numbered AR-DA-2000 Rev 2 dated 15 April 2025 prepared by Place Studio, be deleted and form no part of this consent.

Plans and specifications complying with this condition must be submitted for the Principal Certifier prior to the issue of any Construction Certificate.

The Principal Certifier 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 compliance and clarity.)

Visual Privacy Protection

- C23. Obscure/Opaque glazing shall be installed to the following window to protect visual privacy for the adjoining properties
 - (a) The full height stairwell window (W112) on the rear elevation of the main dwelling; and
 - (b) The first floor master bedroom window (W101) on the northeastern elevation facing No. 495 Miller Street.

Plans and specifications complying with this condition must be submitted for the Principal Certifier prior to the issue of any Construction Certificate.

The Principal Certifier 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 visual privacy protection for the adjoining properties)

Front Fencing

C24. The height of any new front fencing along the Miller Street property boundary shall not exceed the DCP requirements for the maximum height of front fence, at 1.8m as measured from the ground level, on Miller Street.

Plans and specifications complying with this condition must be submitted for the Principal Certifier prior to the issue of any Construction Certificate.

The Principal Certifier 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 compliance with DCP requirement and streetscape.)

3. Deletion of Conditions AA1, AA2 and AA3:

Modifications to first floor of the proposed dwelling

- AA1. The design of the first floor of the proposed dwelling be modified as follows:
 - (a) The proposed element on the north-eastern side of the building that projects beyond the north-eastern external wall for the

- ground floor TV room, Study and bathroom be deleted to provide a more harmonious built form for the dwelling and no projecting building elements on the first floor beyond the original dwelling building line with the exception of the eave line at 450mm maximum;
- (b) The external staircase and the living room balcony be deleted to ensure visual privacy for the adjoining properties. A Juliet balcony is to be provided to the full length (3.17metres) of the first floor living room window on the rear elevation (W18);
- (c) The spiral staircase connecting the ground floor living room and first floor living room to be replaced by a straight or L-shaped staircase to provide safer access for residents;
- (d) The internal layout of the first floor shall be modified to accommodate the required design modifications.
- (Reason: To ensure that the development complements the locality in terms of streetscape, landscape quality and the amenity of the surrounding properties)

Landscape Plan

- AA2. The applicant must submit a landscape plan showing the landscaping treatments within the subject site incorporating the following:
 - (a) The retention and protection of 2 x Howea forsteriana and 1 x Syagrus romanzoffianum within the rear building setback and 1 x Persea americana within the front building setback;
 - (b) Planting of 2 x Banksia integrifolia (45I) in the north-eastern corner of site as shown on the approved plans, and appropriately spaced to allow for the retention of the existing Persea americana;
 - (c) Planting of 1 x Callistemon viminalis (451) in the north western corner of site; 1 x Glochidion ferdinandii (751), 2 x Tristaniopsis laurina (751) and 2 x Tristaniopsis laurina (751) within the rear yard of the subject site;
 - (d) Soft landscaping/turf shall be provided for the front garden and rear yard where applicable; and
 - (e) The species names, number and pot sizes of new planting shall be detailed in the landscape plan.
 - (Reasons: To ensure a desirable landscaping outcome for the subject site and the locality.)

Additional Deferred Commencement Requirements

- AA3 The applicant shall submit plans/documents/information to satisfy the requirements of the following:
 - (a) Dilapidation report detailing the visible external conditions of the immediately adjoining properties at Nos 491 and 495 Miller Street, including documentary evidence that a copy of the report has been provided to the owners of the nominated adjoining properties;
 - (b) Amendments to all relevant architectural drawings to incorporate the deletion of 'new natural screen bambu' (sic) adjacent to the common boundary at the rear of No. 491 Miller Street;

- (c) The height of the proposed brick wall adjacent to the driveway of No. 497 Miller Street, No. 1A Pine Street must be reduced to 1.8 metres maximum;
- (d) The concrete flat roof on the first floor of the proposed dwelling shall be replaced by a sloping colorbond roof.

(Reason: To ensure record keeping of the condition of the immediate adjoining properties and the design of the development complements the surrounding properties)

LPP07: - 111-115 Chandos Street, Crows Nest - DA 363/24

Applicant: Equicentia Pty Ltd

Report of Rachel Wu, Assessment Officer

This development application seeks consent for demolition of existing structures and construction of a 5-storey residential flat building with two levels of basement parking and a rooftop terrace on land at 111-115 Chandos Street, Crows Nest.

The application is reported to the North Sydney Local Planning Panel for determination as the application seeks a variation to the Clause 4.3 Height of Buildings development standard by more than 10%.

The Applicant commenced proceedings in the Land and Environment Court on 19 February 2025 for deemed refusal of the subject application on 19 February 2025. Irrespective of the proceedings in the Land and Environment Court, as the application has been deemed refused, it may be determined by the North Sydney Local Planning Panel prior to a determination by the Land and Environment Court.

The Panel's determination of this application is required to assist in the direction of the appeal and to reduce the total time for determination which will be applied in the NSW Planning Portal. Currently "deemed refusal" is not treated as a determination for statistical purposes by the Portal with only a determination, or a court decision finalising the application process. A Panel decision is required to assist Council in meeting the Minister's expected processing time of 115 days for the entire application stream.

Development for the purpose of a residential flat building is permitted within the R4 High Density Residential zone.

The proposed building results in a non-compliance with the height of buildings development standard in Clause 4.3 of the North Sydney Local Environmental Plan 2013. A written request has been submitted pursuant to clause 4.6 in NSLEP 2013 which is considered inadequate and does not demonstrate that compliance with the development standard is unreasonable and unnecessary against the objectives of the standard, and have not demonstrated that there are sufficient environmental planning grounds to justify the variation in the circumstances of the case. The variation is therefore not in the public interest as the proposed development is inconsistent with the objectives of the standard and the objectives of the R4 High Density Residential zone, of the North Sydney Local Environmental Plan 2013.

Notification of the proposal has attracted eight (8) submissions (7 in support and 1 objection). The objection raises particular concerns about the excessive scale, loss of natural light, impact on sustainability, neighbourhood character, height non-compliance and overshadowing. The assessment has considered these concerns as well as the performance of the application against NSW Government and Council's planning requirements.

Following this assessment the development application is recommended for **refusal**:

- 1. The proposed development does not satisfy provisions of the State Environmental Planning Policy (Housing) 2021, in particular compliance with the Apartment Design Guide.
- 2. The proposed development is inconsistent with Clause 1.2 Aims of Plan in NSLEP 2013.
- 3. The proposed development is inconsistent with objectives of the R4 High Density Residential zone of the North Sydney Local Environmental Plan 2013.
- 4. The Clause 4.6 request does not justify non-compliance with Clause 4.3 objectives by demonstrating:
 - a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
 - that there are sufficient environmental planning grounds to justify the contravention of the development standard in clause 4.3 of NSLEP 2013.
- 5. Insufficient information in relation to a structural engineer's report not being submitted does not allow a proper assessment of the potential for lowering the floor to ceiling heights.
- 6. The application is inconsistent with provisions of North Sydney Development Control Plan 2013, Part B Development Controls, Section 1 Residential Development, Section 19 Waste Minimisation, and Part C, Section 3 Area Character Statement.
- 7. The application did not submit adequate and sufficient information to enable a proper and comprehensive assessment of the proposal, which should have included:
 - (a) Revised 2D and 3D architectural drawings confirming the location for A/C condensers and other mechanical equipment.
 - (b) A Structural Engineer's Report
 - (c) An outline of the eastern elevation window openings of 107-109 Chandos Street on the western elevation drawing of the proposal, to assess the extent of visual privacy impacts.
 - (d) Plans showing details of areas of waste collection and an acceptable bin holding area.
- 8. The proposal is unsuitable for the site for the reasons 1-7.
- 9. Approval of the application would not be in the public interest, for reasons 1-8.

RECOMMENDATION

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 refuse to grant consent to Development Application No.363/24 for the demolition of the existing building and construction of a 5-storey residential flat building with rooftop terrace on land at No.111-115 Chandos Street, Crows Nest for the reasons set out below:-

- 1. The proposed development does not satisfy provisions of the State Environmental Planning Policy (Housing) 2021, in particular compliance with the Design Quality Principles, as follows:
 - (a) Principle 1: Context and Neighbourhood Character;
 - (b) Principle 2: Built Form and Scale
 - (c) Principle 4: Sustainability
 - (d) Principle 5: Landscape
 - (e) Principle 6: Amenity
 - (f) Principal 9: Aesthetics
- 2. The proposed development is inconsistent with the following Clause 1.2 Aims of Plan in North Sydney Local Environmental Plan 2013:
 - "(2) The particular aims of this Plan are as follows—

•••

- (a) to promote development that is appropriate to its context and enhances the amenity of the North Sydney community and environment,
- (b) in relation to the character of North Sydney's neighbourhoods—
 - (i) to ensure that new development is compatible with the desired future character of an area in terms of bulk, scale and appearance, and
 - (ii) to maintain a diversity of activities while protecting residential accommodation and local amenity, and

•••

- (c) in relation to residential development—
 - (i) to ensure that new development does not adversely affect residential amenity in terms of visual and acoustic privacy, solar access and view sharing, and

...

- (e) in relation to environmental quality—
 - (i) to maintain and protect natural landscapes, topographic features and existing ground levels, and
 - (ii) to minimise stormwater run-off and its adverse effects and improve the quality of local waterways,
- (f) to identify and protect the natural, archaeological and built heritage of North Sydney and ensure that development does not adversely affect its significance..."
- 3. The proposed development is consistent with the following objectives of the R4 High Density Residential zone within the North Sydney Local Environmental Plan 2013 as follow:

- "• To encourage the development of sites for high density housing if such development does not compromise the amenity of the surrounding area or the natural or cultural heritage of the area.
- To ensure that a reasonably high level of residential amenity is achieved and maintained."
- 4. The Clause 4.6 statement provided does not justify the non-compliance with Clause 4.3 objectives by demonstrating:
 - a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
 - b) that there are sufficient environmental planning grounds to justify the contravention of the development standard in clause 4.3 of NSLEP 2013.
- A structural engineer's report have not been submitted to allow proper consideration of the potential to reduce the extent of the height exceedance or comply by reducing the floor to ceiling heights in the development.
- 6. The application is inconsistent with the following provisions of North Sydney Development Control Plan 2013, Part B Development Controls, Section 1 Residential Development and Part C Area Character Statements, Section 3 St Leonards Crows Nest Planning Area:
 - (a) Clause 1.3.1 Topography, information submitted does not adequately address the impacts from the excavation proposed. Neither does information submitted with the application adequately demonstrate compliance with specific requirements of the clause.
 - (b) Clause 1.3.8 Acoustic Privacy, the design of the development does not provide sufficient front setback from SP2 Classified Road Chandos Street and may result in impacts on acoustic privacy
 - (c) Clause 1.3.10 Visual Privacy, the design of the development will create unsatisfactory privacy relationships between occupants of the development and neighbouring residences, mainly due to the lack of building separation and insufficient front setback from Chandos Street,.
 - (d) Clause 1.4.1 Context, the building's size and bulk in relation to adjacent development is incompatible with its context and the desired future character outlined in the Area Character Statement under Part C.
 - (e) Clause 1.4.5 Siting, the siting of the development is unacceptable, reflected by its impacts on local amenity and character detailed in Part C.
 - (f) Clause 1.4.6 Side Setbacks, the proposed development does not provide compliant and adequate setbacks to the western boundary for habitable rooms and balconies to satisfy the minimum required setbacks identified in Objection 3F-1 of the ADG and therefore causes adverse visual privacy impact to No.107-109 Chandos Street.
 - (g) Clause 1.4.6 Front Setback, the proposal is not consistent with the front setback of the primary facades on adjoining properties,

- thereby creating impact on pedestrians from the development's bulk and scale, and impacting on the useability and privacy for residents on the Ground Level G01.
- (h) Clause 1.4.7 Form, massing and scale, the proposal's form and scale is incompatible with the form and scale of development in the locality as prescribed in the Area Character Statement under Part C.
- (i) Clause 1.4.8 Built form character, for reasons outlined in paragraphs (f), (g), (h), non-compliance with height of building control prescribed by NSLEP Cl4.3, and contravention with Part C, the built form of the proposal is incompatible with the built form of other buildings in the locality.
- (j) Clause 1.5.5 Site coverage, the development exceeds the maximum site coverage prescribed. Being inconsistent with objectives of this clause, the proposal constitutes an overdevelopment of the site.
- (k) Clause 1.5.6 Landscape area, the development has inadequate landscape area and is inconsistent with objectives of this clause.
- (I) The proposal does not satisfy the objectives and provisions in Section 1 Residential and Section 19 Waste Minimisation of Part B of NSDCP 2013.
- (m) Part C, Section 3.0 and Section 3.1 St Leonards Town Centre, the development does not satisfy the objectives and provisions, desired future character of the locality within NSDCP 2013.
- 7. The application did not submit adequate and sufficient information to enable a proper and comprehensive assessment of the proposal.
 - a) The landscape plan submitted in support of the application does not provide plants of adequate height within the front setback that allow for visual and acoustic privacy screening without compromising on solar access of Unit G01.
 - b) Revised 2D and 3D architectural drawings confirming the location for A/C condensers and other mechanical equipment are required to enable a proper assessment.
 - c) A Structural Engineer's Report is required to enable a proper assessment of the potential to reduce the floor to ceiling heights and reduce the overall height of the development.
 - d) An outline of the eastern elevation window openings of 107-109 Chandos Street on the western elevation drawing of the proposal to understand the extent of visual privacy impact is required to enable a proper assessment.
 - e) Plans showing details of areas of waste collection and an acceptable bin holding area are required to enable a proper assessment.
- 8. The proposal is unsuitable for the site for the reasons 1-7.
- 9. Approval of the application would not be in the public interest, for reasons 1-8.



NORTH SYDNEY LOCAL PLANNING PANEL

DETERMINATIONS OF THE NORTH SYDNEY LOCAL PLANNING PANEL MEETING HELD IN THE COUNCIL CHAMBERS, NORTH SYDNEY, ON WEDNESDAY 2 APRIL 2025, AT 2.00PM.

PRESENT IN SUPPER ROOM

Chair:

Vince Hardy

Panel Members:

Judy Clark (Panel Member)
Gerard Turrisi (Panel Member)
Karla Castellanos (Community Representative)

Staff:

Stephen Beattie Manager Development Services Jim Davies, Executive Planner Damon Kenny, Executive Planner

Administrative Support:

Peita Rose, Governance Officer (Minutes)

The Panel was assisted by Consultant Planner John McFadden regarding Item 2.

This meeting was otherwise conducted by remote (Zoom) means.

The Chair acknowledged the Cammeraygal people being the traditional owners of the land on which this meeting is held.

Apologies:

Nil.

1. Minutes of Previous Meeting

The Minutes of the NSLPP Meeting of Wednesday 5 March 2025 were confirmed following 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.

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

<u>ITEM 1</u>

DA No:	175/24
ADDRESS:	35 East Crescent Street, Lavender Bay
PROPOSAL:	Demolition of a dwelling house, construction of a new dwelling house and associated works.
REPORT BY NAME:	Jim Davies, Executive Planner
APPLICANT:	Craft Architecture - C/- GSA Planning

3 Written Submissions

Registered to speak

Submitter	Applicant/Representative
Pam Wood, Secretary SP21014 33 East Crescent St	N/A
Victoria Walker - Resident	
Peter Clarke - Hones Lawyers representing 37 East Crescent Street	
Devendra Gupta - Resident	
Fiona Stephenson - Resident	

Panel Determination

The Panel members have undertaken a site inspection prior to the meeting and considered the written submissions, and the oral submissions from the submitters at the meeting.

The Council Officer's Report and Recommendations are endorsed by the Panel.

Panel Reason:

The Panel based its decision on the reasons outlined in the Assessment Report.

Voting was as follows:

Panel Member	Yes	No	Community Representative	Yes	No
Vince Hardy	Υ		Karla Castellanos	Υ	
Judy Clark	Υ				
Gerard Turrisi	Υ				

ITEM 2

DA No:	60/22/2
ADDRESS:	58 Cowdroy Avenue, Cammeray
PROPOSAL:	Section 8.2(1) review of S4.55(2) Determination for the DA 60/22/2 for modification of consent for demolition of existing dwelling and ancillary structures and construction of a dwelling house and associated site works including a swimming pool.
REPORT BY NAME:	John McFadden, Consultant Planner
APPLICANT:	P & R Etherington - C/- COSO Architecture

3 Written Submissions

Registered to Speak

Submitter	Applicant/Representative
Tim Keith - Resident	Paul Etherington - Applicant
	Peter Tomasetti - representing applicant Renata Etherington

Panel Determination

The Panel members have undertaken a site inspection prior to the meeting, considered the Consultant planner's report as well as the written submissions, and the oral submissions from the applicant and the submitters at the panel meeting.

The Panel notes the Consultant Planner's recommendation to change the previous panel's decision and refuse Development Consent DA No.60/2022/2. The Panel were of the opinion that they were not of the view to refuse the modification application as per the Consultant Planner's recommendation.

After conducting a review of the determination of the previous panel decision, pursuant to S8.4 of the *Environmental Planning & Assessment Act*, 1979 the Panel determined that it confirms the determination of the previous panel.

The Panel also noted the following:

- The applicant did not articulate clearly what was sought in their review request as to the proposal.
- It was also evident that there were inconsistencies in the documentation which made it difficult for the Panel to make a proper assessment.
- The existing development consent provides an extensive scope of works across the site inclusive of numerous non-compliances with development standards and controls. The Panel can't see justification for granting further non-compliances.
- During the site inspection the applicant provided amended architectural plans, however, they were not formally submitted through the planning portal and therefore were not considered by the panel.

Panel Reason:

The Panel based its decisions based primarily on the reasons outlined in the Assessment Report and these are reflected below:

1. Bulk and Scale

- a. The application is unacceptable pursuant to the provisions of s.4.15(1)(a)(i) and (b) of the *Environmental Planning and Assessment Act 1979* as the height of the pergola of 11.13 metres would result in excessive bulk and scale and a breach of the maximum 'height of building' standard of 2.63m which would also impact on views (particularly from 56 Cowdroy Avenue to Middle Harbour), cause additional overshadowing and create /amenity/visual impacts.
- b. The application is unacceptable pursuant to the provisions of s.4.15(1)(a)(iii) and (b) of the *Environmental Planning and Assessment Act 1979* as the increase in the height of the pool will create unacceptable visual impacts when viewed from Middle Harbour and does not comply with Part B of NSDCP 2013.

2. Content of Application

a. The application is unacceptable pursuant to the provisions of s.4.15(1)(a)(i), (iii), (iv) and (b) of the *Environmental Planning and Assessment Act 1979* having regard to clause 24 of the *Environmental Planning and Assessment Regulation 2021* and NSDCP 2013 as it contains inaccuracies and errors in the submitted review plans with respect to site coverage, landscaped area and unbuilt upon area.

3. Site Suitability

a. The application is unacceptable pursuant to the provisions of s.4.15(1)(c) of the *Environmental Planning and Assessment Act 1979* taking into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified, the site is no longer considered suitable for the development.

4. Public Interest

a. The application is unacceptable pursuant to the provisions of s.4.15(1)(b)(e) of the *Environmental Planning and Assessment Act 1979*, particularly due to its impact on the public domain when viewed from the waterway and on surrounding development, including, but not limited to, No. 56 Cowdroy Avenue, Cammeray and the modified proposal does not satisfy the Objects of the EP&A Act.

Voting was as follows:

Panel Member	Yes	No	Community Representative	Yes	No
Vince Hardy	Υ		Karla Castellanos	Υ	
Judy Clark	Υ				
Gerard Turrisi	Υ				

<u>ITEM 3</u>

DA No:	90/24
ADDRESS:	1/33 Grasmere Road, Cremorne
PROPOSAL:	Alterations and additions to a semi-detached dwelling
REPORT BY NAME:	Damon Kenny, Executive Planner
APPLICANT:	Larissa Lopes – Group Architects

Registered to Speak

Submitter	Applicant/Representative
Ruth O'Neill - iObject	Julian Brenchley - Group Architects
Matthew Powell - iObject	
James Plunkett-Cole - Resident	
Jeremy Maspero - Resident	

1 Written Submission

Panel Determination

The Panel members have undertaken a site inspection prior to the meeting and considered the written submission, and the oral submissions from the applicant and the submitters at the panel meeting.

The Council Officer's Report, Recommendation and Conditions are generally endorsed by the Panel.

The Community Representative, Karla Castellanos, was of the view that the proposed development will be an unsympathetic addition to the existing building, that does not exhibit good quality design, will be highly visible from the public domain, and therefore will have adverse impacts to the character of the street.

Panel Reason:

The Panel based its decision on the reasons outlined in the Assessment Report.

Voting was as follows:

Panel Member	Yes	No	Community Representative	Yes	No
Vince Hardy	Υ		Karla Castellanos		N
Judy Clark	Υ				
Gerard Turrisi	Υ				

The public meeting concluded at 2.56pm.

The Panel Determination session commenced at 3.00pm.

The Panel Determination session concluded at 4.00pm.

Endorsed by Vince Hardy Chair North Sydney Local Planning Panel 2 April 2025