



NORTH SYDNEY COUNCIL

Council Chambers
18 June 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 25 June 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: 313 Pacific Highway, North Sydney- DA 95/21/5**

Applicant: The Trustee for North Sydney Asset Trust, c/- B. Creighton, Think Planners

Report of Jim Davies Executive Planner

Modification of consent DA 95/21 is sought, for demolition of existing structures and construction of a 4-storey mixed use building with ground level retail, a boarding house with 31 rooms on levels 1, 2 and 3, and a basement level for bicycle storage, utilities and services.

The original application was approved on 1 December 2021 by the North Sydney Local Planning Panel, under savings provisions of SEPP (Housing) 2021, which came into force on 26 November 2021. The savings provisions had allowed determination under the provision of Division 3 – Boarding Houses of SEPP (Affordable Rental Housing) 2009. Under the same savings provisions, this assessment of the subject modification application has considered the provisions of the now-repealed policy.

Proposed modifications include adjustments to the approved design, necessitated by BCA compliance and to improve constructability. The only design amendment that changes the approved shape of the building is a 70mm height increase of the lift overrun and relocation of already-approved mechanical plant (water heaters and A/C condensers) and solar panels on the roof, when compared with the plans approved in 2021. These design adjustments on the roof have negligible environmental impact. There are other numerous minor internal alterations, such as inclusion of a games area to the ground floor common room and increasing the size of the lift to make room for a stretcher, which in turn necessitated changes to hallways and room layouts. The application was notified for 14 days in accordance with Council's community engagement protocol. 12 objections were received, including 7 which are identical, except for personal details. Consequently, these 7 objections do not meet the definition of a "unique submission" in the Minister's Direction regarding Local Planning Panels of 6 May 2024.

As 10 or more "unique" objections have not been submitted, the application is not being tabled for determination by the Panel for this reason. Rather, it is a proposed departure by more than 10% (16.2%) from the minimum non-residential floor space ratio standard that requires determination by the Panel. Issues raised by submissions (whether unique or not) related to overdevelopment, traffic congestion, compliance with boarding house standards, and those of the ADG (which did not apply to boarding houses at the time of approval, and nor does it apply now, unless 'called-up' by another planning instrument).

Council's conservation planner advised that the design amendments proposed are satisfactory, although relocation of firefighting equipment (hydrant, booster valve) further from the Former Masonic Temple, (a heritage item now used as an art gallery) was recommended to lessen the visual effect of having

this infrastructure in the visual curtilage of the heritage building. A condition has been accordingly recommended, following discussion with the applicant. Other proposed modifications are satisfactory, resulting in the development as proposed to be modified remaining substantially the same development compared with the originally approved development. Accordingly, the subject application to modify the consent is recommended to the Panel for approval.

RECOMMENDATION

PURSUANT TO SECTION 4.55 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

THAT the North Sydney Local Planning Panel, as the Consent Authority, under the provisions of Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*, grant approval to the modification of Development Consent No. 95/21, dated 1 December 2021, for the purposes of revising floor to floor heights, relocating plant rooms and waste management facilities, increasing the lift size, making internal adjustments to habitable spaces and room layouts, improving constructability, increasing the lift overrun's height, and amending certain conditions, on land described as 313 Pacific Highway North Sydney, only in so far as will provide for the following:

A. Amend condition A1 as follows:

(i) Replace the table to condition A1 with the table below.

Plan No.	Title	Revision	Prepared By	Date
DA-001	Cover Sheet	E	Marchese Partners	08 11 2024
DA-200	Floor Plan – Basement	E		
DA-201	Floor Plan – Ground	E		
DA-202	Floor Plan - Level 1	E		
DA-203	Floor Plan - Level 2	E		
DA-204	Floor Plan – Level 3	E		
DA-205	Floor Plan – Roof Plan	E		
DA-300	Elevations – North & East	E		
DA-301	Elevations – South & West	E		
DA-401	Longitudinal Section	D		
DA-402	Cross Section	D		
DA-515	Privacy Screen Detail	D		

(ii) Amend condition C24 Garbage and Recycling Facilities, specifically paragraph (d), as follows:

- 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~~ **2.476m** from the street boundary of the property **as shown in the plans cited in the table to Condition A1.**

(iii) Amend condition G14 Height, as follows:

G14. Upon completion of the works and prior to the issue of any Occupation Certificate the RL of the development measured at RL101.97 maximum (top of roof slab) and RL ~~102.35~~ **102.420** (lift overrun) must be surveyed and certified by an appropriately qualified and practising surveyor as compliant with these maximum approved levels. This survey and certification must be submitted to the Certifying Authority

with the application for an Occupation Certificate and a copy provided to Council (if it is not the Certifying Authority).

B. Include a condition

Insert after condition A4, the following condition:

Design Amendment

A5. The approved plans shall be amended as necessary to relocate fire hydrants, related infrastructure and their enclosure, to reduce their visual impact on the setting and views to and from the adjacent heritage item, the Former Masonic Temple at 317 Pacific Highway North Sydney.

This may be achieved by moving the infrastructure to the southern side of the boundary wall and better integrating the infrastructure and its enclosure into the wall or integrating the infrastructure and enclosure into the wall in its current location or integrating the infrastructure and enclosure into the façade of the building, subject to satisfaction of Fire & Rescue NSW requirements.

The amended plans are to be submitted to Council for approval by the Manager Development Services before an application is made for a construction certificate.

(Reason: Heritage Conservation)

LPP02: 65 Victoria Street, McMahons Point – DA 27/25

Applicant: Barr Property & Planning

Report of Rachel Wu, Assessment Officer

This development application seeks approval for alterations and additions to an existing semi-detached dwelling and is reported to North Sydney Local Planning Panel for determination as the application has received more than 10 submissions.

Notification of the proposal has attracted eighteen (18) submissions raising particular concerns about iconic view impact, visual and acoustic privacy, shadow impact, lack of building separation, insufficient and inadequate Clause 4.6, bulk and scale, uncharacteristic design with streetscape, impact on heritage items in vicinity; and low level of landscape ratio for subject site. The assessment has considered these concerns as well as the performance of the application against Council's planning requirements.

The subject site forms a pair of semi-detached dwellings with No.63 Victoria Street to the west which was approved under DA6/24 for alterations and a first-floor addition. Under Part C of NSDCP 2013, the desired future character of the subject locality 'McMahons Point Business Precinct' in terms of residential dwellings is for 'modern medium density attached dwellings and some 3-4 storey inter-war and post war residential flat buildings according to zone'. Furthermore, the desired built form is for "Attached dwellings have symmetrical facades". The proposal is consistent with the scale and density envisaged in the area and seeks a highly symmetrical front façade to No.63 Victoria Street.

The subject site is not a heritage item, nor a contributory item, nor is it located within a conservation area. However, it is located opposite a group of Victorian style heritage-listed terraces located at No.62-68 Victoria Street, specifically No.66 and No.68 Victoria Street; a two-storey weatherboard heritage-listed dwelling to the south of the subject site at 48-50 Mitchell Street; a two-storey stone and brick heritage-listed restaurant to the east at No.178 Blues Point Road, with covered roof terrace and outdoor seating on the Blues Point Road frontage; and a heritage-listed apartment complex named Clifton Flats, containing four units to the southeast at No.176 Blues Point Road. Council's Conservation Planner raised no objections to the proposal subject to recommended conditions located at the end of the report regarding the proposed arched entry to match the height of that approved at No.63 Victoria Street under DA6/24, and for the roofing to be a traditional corrugated profile roofing.

The streetscape reflects a highly urbanised character with modern attached housing and low-rise Interwar residential flat buildings and some light industrial and commercial buildings, within narrow streets and limited street tree plantings. The surrounding locality has views to the water and foreshore (Balls Head Bay and Lavender Bay) and distant views of North Sydney and Sydney CBD's and Sydney Harbour (including the Sydney Harbour Bridge) – particularly along Mitchell Street and Victoria Street. The subject site is situated lower than the properties to the immediate north due to the sloping topography and higher than the developments to the south. An assessment of the proposal against the principle of Tenacity found the view impacts to No.62-68 Victoria Street, and dwellings on Holt Street to be reasonable.

The proposed height is 8.97m from the existing lower ground floor level (RL44.13) to the proposed roof (RL53.10). The variation is 0.47m (5.5%) above the maximum height of building control under Clause 4.3 of *NSLEP 2013*. The Applicant has submitted a Clause 4.6 to support the proposal.

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 4.6 and grant consent to Development Application No. 27/25 for alterations and additions to an existing semi-detached dwelling on land at 65 Victoria Street, McMahons Point subject to the following site specific and standard conditions:-

Roofing

C18. Traditional corrugated profile metal roof sheeting is to be used, not that illustrated on the approved Schedule of Materials. Plans and specifications which comply 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 fully satisfy the requirements of this condition.

(Reason: To be sympathetic to the character and palette of materials used on nearby heritage items).

Arched Entry

C19. The arched entry to the dwelling on the front elevation is to match the height (RL) of the arched entry into No.63 Victoria Street as approved by DA6/24. Plans and specifications which comply 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 fully satisfy the requirements of this condition.

(Reason: To be sympathetic to the streetscape and maintain symmetry as desired within the Area Character Statement under NSDCP Part C, s9.2.)

Landscaped Area or Permeable Paving

C20. The rear yard with existing paving of approximately 13sqm is to be removed and converted into landscaped area or permeable paving to maximise retention and absorption of surface drainage water on site.

(Reason: To ensure compliance with objectives and provisions of NSDCP 2013, Part B, Section 1.5.6 *Landscaped Area*)

First Floor Eastern Elevation Dormer Balustrade

C21. The proposed First Floor balustrades external to the eastern elevation dormer door is to be amended from 1m high glass balustrades to a minimum height of 1.2m above finished floor level. The glass balustrade is to be obscure or frosted glass only.

Plans and specifications complying with this condition must be submitted to the Principal Certifier for approval prior to the issue of the relevant 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 an adequate level of visual privacy is provided to the subject site, and adjoining property at 176 Blues Point Road)

First Floor Eastern and Southern Elevation Planter Box Species

C22. The proposed First Floor Eastern and Southern Elevation planter boxes are to contain species that are capable of obtaining a minimum height of 1m.

Plans and specifications complying with this condition must be submitted to the Principal Certifier for approval prior to the issue of the relevant 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 an adequate level of privacy is provided to the subject site and adjoining properties at No.176 and 178 Blues Point Road)

First Floor South and Eastern Elevation Sliding Doors

C23. All glazed openings on the proposed First Floor southern and eastern elevations represented in the approved plans as sliding doors are to be amended as windows with a minimum sill height of 1.5m measured from the First-Floor finished floor level. The planter boxes proposed outside of these locations are to be raised accordingly to match the sill height of the windows.

The glazed openings and planter boxes mentioned above do not include the glazed door and transom beneath the eastern elevation dormer.

Plans and specifications complying with this condition must be submitted to the Principal Certifier for approval prior to the issue of the relevant 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 an adequate level of visual privacy, acoustic privacy, and noise mitigation is provided to the subject site and adjoining dwellings at No.176 Blues Point Road and 48 Mitchell Street, as well as future residents on adjoining sites)

First Floor Northern Door Glazing

C24. The proposed First Floor northern glass door is to be amended to provide obscure glazing from a minimum height of 1.2m (measured from the First-Floor finished floor level) to the bottom edge of the transom. The proposed transom window may be obscure to match the door or remain as clear glazing.

Plans and specifications complying with this condition must be submitted to the Principal Certifier for approval prior to the issue of the relevant 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 alleviate potential visual privacy impact between the subject site's First Floor Living Space and No.64-68 Victoria Street)

LPP03: 246 Miller Street, North Sydney – DA 142/24

Applicant: Misterdd Pty Ltd

Report of Leena Sebastian, Monteath & Powys

This development application seeks consent for use premises as a business premises (retail pet supplies and grooming parlour) including internal alteration and signage at 246 Miller Street, North Sydney.

The application is reported to the North Sydney Local Planning Panel (the Panel) for determination in accordance with the ministerial directions as the application relates to a property owned by North Sydney Council. The application was assessed by an external consultant and the recommendations are being presented to the Panel for determination to ensure appropriate independence and transparency.

Development for the purpose of a business premises (pet grooming parlour) is permitted within MU1 Mixed use zone.

The subject property forms part of an existing two-storey terrace style development at the intersection of Miller Street and Ridge Street. These Victorian terraces known as 'Trewyn Terraces' were built in 1800s and are identified as items of local heritage significance in North Sydney Local Environmental Plan 2013 (NSLEP 2013). The property has direct frontage and access to Miller Street, with secondary pedestrian access available via a rear laneway that connects Ridge Street.

Originally constructed as shop top houses fronting Miller Street, most of these terraces have fully transformed to small business premises over the years.

The proposed development involves change of use and internal alterations to accommodate a pet grooming business, associated retail spaces and ancillary care spaces within the building. A pet supply sales area will occupy the shopfront at the ground level, with grooming and bathing areas at the rear. The upper level will be provided with dog care and cat care areas along with pet bathing areas. The balcony on the upper level will remain unchanged. The proposal does not involve any external works. The dog care and cat care areas are ancillary to the grooming business and are not intended to serve as an additional or independent use.

The application is accompanied by a Statement of Heritage Impact and Acoustic Assessment to demonstrate no impact on the heritage significance of the structure or the acoustic amenity of the surrounding uses.

Notification of the proposal has not attracted any submissions raising particular concerns.

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 DA142/2024/1 for use of premises as business premises (pet grooming parlour

and ancillary pet shop), including internal alterations and signage on land at 246 Miller Street, North Sydney subject to the following site specific and standard conditions.

No structural works permitted

- A3. This consent does not authorise any structural works to the building. All the existing fireplaces and associated chimney architecture are to remain in situ.

If any structural works are required to comply with the Building Code of Australia or to satisfy any conditions of this consent, a separate development application approval or a modification to this consent, as appropriate, must be obtained before such works are carried out.

(Reason: To protect the character and significance of the heritage building on the site and those in its immediate vicinity)

Approved use

- A4. This consent does not permit the use of the premises as a Business premises (dog care business) only. Any dog care area provided within the development shall be associated with the grooming services offered at the premises.

Appropriate information should be displayed within the building to ensure the staff and customers are aware of the restrictions on large dogs, as per the Plan of Management.

(Reason: To ensure the development operates in accordance with the specified use without adverse impacts)

Certification from Access Consultant

- C4. Prior to a Construction Certificate being issued, a suitably qualified access consultant shall certify that the proposed works meets accessibility requirements (including any wayfinding and signage requirements) in the Building Code of Australia and any other relevant legislation with regard to provision of equity in access for disabled persons.

(Reason: Ensure non-discriminatory access for disabled people)

Plan of Management

- G3. A Plan of Management including, but not limited to, the recommendations in the approved acoustic report, the operational waste management plan, and the document titled "Supplementary Information - Response to RFI" shall be submitted to the certifier prior to the issue of an Occupation Certificate.

(Reason: To ensure the operations are managed appropriately to minimise impacts)

Signage

- I7. The illuminated signs shall operate in accordance with Australian Standard *AS 4282:2019 Control of the Obtrusive Effects of Outdoor Lighting*.

The signs shall not be illuminated between 1.00am and 7.00am.

(Reason: To minimise impacts on the amenity of the area)

Operation of the premises

18. The development shall operate in accordance with the Plan of Management.

(Reason: To ensure the development operates without adverse impacts)

**NORTH SYDNEY LOCAL PLANNING PANEL****DETERMINATIONS OF THE NORTH SYDNEY LOCAL PLANNING PANEL
MEETING HELD IN THE COUNCIL CHAMBERS, NORTH SYDNEY,
ON WEDNESDAY 7 MAY 2025, AT 2.00PM.****PRESENT IN SUPPER ROOM****Chair:**

Rob Stokes

Panel Members:

Ros Read (Panel Member)

John McInerney (Panel Member)

Ken Robinson (Community Representative)

Staff:

Stephen Beattie, Manager Development Services

David Hoy, Team Leader

Isobella Lucic, Team Leader

Administrative Support:

Peita Rose, Governance Officer (Minutes)

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

The Chair acknowledged the Cammeraygal people being the traditional owners of the land on which this meeting is held. The Chair further noted that the proceedings were being recorded and reminded speakers that neither the Panel nor the Council assumed liability for any statements made by speakers.

Apologies:

Nil.

1. Minutes of Previous Meeting

The Minutes of the NSLPP Meeting of Wednesday 2 April 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.

ITEM 1

DA No:	270/24
ADDRESS:	11 King George Street, Lavender Bay
PROPOSAL:	Alterations and additions to existing dwelling house including partial demolition of dwelling including garage, addition of a pavilion and garage, new pool and alterations to landscaping.
REPORT BY NAME:	Thomas Holman, Senior Assessment Officer
APPLICANT:	Madelaine Blanchfield Architects Pty Ltd

No Written Submissions**Registered to speak**

Submitter	Applicant/Representative
	Camille Dauty-Denis - Architect
	Yvette Middleton - Planner - GSA Planning

Panel Determination

The Panel members have undertaken a site inspection prior to the meeting and considered the oral representations of the applicants at the meeting.

The Council Officer's Report, Conditions and Recommendations are endorsed by the Panel subject to the amendment of Condition C1 to read as follows:

Heritage Requirements

C1. The following changes must be made to the plans prior to the application for construction certificate and submitted to the certifying authority. 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

- i) 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

- i) 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)

c) Front Boundary Sandstone Wall and Vehicular Gate

- i) The front boundary sandstone wall facing Waiwera Street either side of the approved demolition works for the vehicular entry shall be maintained to ensure the protection of the sandstone wall as per the directions of the commissioned heritage architect for the development.**
- ii) The architectural plans approved by this consent do not depict a new or replacement gate. If change to this gate is contemplated, this approval is required to be the subject of a modification application or a new development application submitted.**

(Reason: To ensure the preservation and character of the front west boundary wall and its contribution to the heritage significance of the site and surrounding conservation area)

Panel Reason:

The Panel considered the application to be of high design quality which respected existing heritage fabric. The Panel was satisfied that the solar impacts to neighbouring properties was negligible as these impacts related largely to an existing hard stand area.

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

Voting was as follows:

Panel Member	Yes	No	Community Representative	Yes	No
Rob Stokes	Y		Ken Robinson	Y	
Ros Read	Y				
John McInerney	Y				

ITEM 2

DA No:	182/22/5
ADDRESS:	1 Hayes Street, Neutral Bay
PROPOSAL:	To modify a consent for alterations and additions to a mixed use building and associated works, issued by the NSW Land & Environment Court.
REPORT BY NAME:	Jim Davies, Executive Planner
APPLICANT:	7 Pty Ltd

One Written Submission**Registered to Speak**

Submitter	Applicant/Representative
Rachael Nolan - Resident	Ryan Crosbie, Metis Group (Principal's Representative)
	Jeff Curnow, Metis Group (Principal's Representative)
	Christina Lucic, Popov Bass (Architect)
	Edward Wu - EMF Griffiths (ESD Consultant)

Panel Determination

The Panel members have undertaken a site inspection prior to the meeting and considered the written submission, as well as the oral representations from the applicants and the submitter at the meeting.

The Council Officer's Report, Conditions and Recommendations are endorsed by the Panel subject to an amendment to Condition C22 to read as follows:

Location of Plant

- C22. Only plant and equipment as shown on the Roof Plan cited by the table to Condition A1 is to be located on the roof. All other plant is to be located within the basement of the building and is not to be located on balconies. The four exhaust fans (represented on the plans by a box with "EX" marked on the box) closest to the western edge of the roof and adjacent to the photovoltaic panels must be suitably screened on all four sides (and covered, if possible) using a material(s) and colour(s) which complement the building's architecture and heritage qualities. Such screening must also be designed to minimise any further view loss. 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)

Panel Reason:

The Panel based its decision on the reasons outlined in the Assessment Report. The Panel is satisfied the application is substantially the same as the development application that was originally approved. Prior to determination the Panel received and had regard to the ADG Compliance Statement, and a letter advising the current BASIX and NatHERS Compliance Statements remain valid.

The Panel amended Condition C22 to address concerns related to potential view loss caused by the rooftop plant. The Panel further notes there is a need for additional bicycle parking at the southern end of Hayes Street which should be addressed in future strategic planning for the precinct.

Voting was as follows:

Panel Member	Yes	No	Community Representative	Yes	No
Rob Stokes	Y		Ken Robinson	Y	
Ros Read	Y				
John McInerney	Y				

ITEM 3

DA No:	137/23/4
ADDRESS:	5-7 Lower Wycombe Road, Neutral Bay
PROPOSAL:	Modification of DA 137/23 proposing various changes to basement, excavation methods, enclosure of car lift platform, window changes, changes to balconies and elevations, new plunge pool to eastern terrace, modified pool design and location, changes to landscaping and tree protection measures.
REPORT BY NAME:	Ben Rourke, Consultant Planner
APPLICANT:	Ingham Planning Pty Ltd

No Written Submissions**Registered to Speak**

Submitter	Applicant/Representative
	Tom Virgona - Vergome - Developer
	Bill Clements - PBD Architects
	Felicia Huang- PBD Architects

Panel Determination

The Panel members have undertaken a site inspection prior to the meeting and considered the oral representations from the applicants at the meeting.

The Council Officer's Report, Conditions and Recommendations are endorsed by the Panel subject to amendments to the following conditions concerning references to pools, filters and the number of bicycle parking spaces to reflect the changes shown in the modification plans.

Conditions C37, G7, G8, C44, I1, I5, K6.

The Panel notes the Council is to issue a consolidated set of conditions to reflect all the amendments.

Panel Reason:

The Panel was satisfied that the proposed modification results in substantially the same development compared with the development as originally approved.

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
Rob Stokes	Y		Ken Robinson	Y	
Ros Read	Y				
John McInerney	Y				

ITEM 4

DA No:	384/24
ADDRESS:	48 Raymond Road, Neutral Bay
PROPOSAL:	Alterations and additions to existing RFB, including internal and external changes to all four units.
REPORT BY NAME:	Rachel Wu, Assessment Officer
APPLICANT:	Keith and Wendy Mar, C/- MHDP Architects

No Written Submissions**Registered to Speak**

Submitter	Applicant/Representative
	Benjamin Johnston – MHDP Architects

Panel Determination

The Panel members have undertaken a site inspection prior to the meeting.

The Council Officer's Report, Conditions and Recommendations are endorsed by the Panel subject to the following:

The applicant is to provide a revised Clause 4.6 Exception to Development Standards that satisfies the legislative requirements.

With this further information the Panel is of the view that the proposed development could be appropriate for the site, and potentially consistent with Council's policy framework in the area.

Under the Provisions of S.2.20(8) of the E P & A Act the Panel Delegates to the Manager of Development Services the power to determine the application subject to the submission of additional information, specified above.

This information is to be submitted to Council no later than 14 days after the date of the advice to the applicant of the Panel's decision. Should the additional information not be submitted within this period or is not to the satisfaction of the Manager Development Services, the Panel is of the view the application warrants refusal.

Panel Reason:

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

The Panel is of the view the application may be meritorious but needs to satisfy the legislative requirements of clause 4.6 of the standard instrument.

Voting was as follows:

Panel Member	Yes	No	Community Representative	Yes	No
Rob Stokes	Y		Ken Robinson	Y	
Ros Read	Y				
John McInerney	Y				

ITEM 5

DA No:	104/24
ADDRESS:	1A Belgrave Street, Cremorne
PROPOSAL:	Alterations and additions existing residential flat building to facilitate the addition of a 3 bedroom apartment.
REPORT BY NAME:	Jack Varka, Senior Assessment Officer
APPLICANT:	Peter Anderson C/- COSO Architecture

No Written Submissions**Registered to Speak**

Submitter	Applicant/Representative
	Anthony Solomon - COSO Architecture

Panel Determination

The Panel members have undertaken a site inspection prior to the meeting and considered the oral representations from the applicant at the meeting.

The Council Officer's Report, Conditions and Recommendations are endorsed by the Panel subject to changes to the following conditions:

Condition A1 updated to reflect amended plans.

Condition A3 updated to reflect amended scheduled materials and colours.

Panel Reason:

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

The Panel noted that while there were minor and technical non compliances in landscape and unbuilt upon areas, the application will enhance internal amenity whilst having no material adverse amenity impacts on adjoining properties.

Voting was as follows:

Panel Member	Yes	No	Community Representative	Yes	No
Rob Stokes	Y		Ken Robinson	Y	
Ros Read	Y				
John McInerney	Y				

ITEM 6

DA No:	40/21/3
ADDRESS:	1B Pine Street, Cammeray
PROPOSAL:	Section 4.55(2) modifications for various changes to a deferred commencement consent for a two storey detached dwelling.
REPORT BY NAME:	Robin Tse, Senior Assessment Officer
APPLICANT:	George Youhanna, Blue-Sky Urban

One Written Submission**Registered to Speak**

Submitter	Applicant/Representative
Norah Zhang - Resident	George Youhanna - Bly-Sky Urban
Vitalii Tyshchenko - Resident	Raouf Saddeh - Resident

Panel Determination

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

The Council Officer's Report, Conditions and Recommendations are endorsed by the Panel subject to the amendments to conditions as follows:

- Condition A4 (e) to include amendments to landscaping as required under Condition C20;
- Condition C7 to include reference to the roofing material (colorbond or similar);
- Condition C18 to include the issue date for the BASIX Certificate;
- Condition C23 to require high sill height window for the first floor master bedroom window (W101) only;
- Renumbering of Condition G15 to G9;
- Condition I3 to include the submitted landscape plans and amendments to landscaping as required under Condition C20;

Insert a new condition C25 requiring the reissue of the dilapidation report for the neighbouring property prior to the issue of the construction certificate:

Dilapidation Reports

C25. The applicant shall re-issue the dilapidation reports prepared for No. 491 Miller Street (aka 1C Pine Street) and No. 495 Miller Street to the owners of these nominated adjoining properties.

The applicant shall provide documentary evidence that a copy of the report has been provided to the nominated properties within 28 days from the date of this consent.

The Principal Certifier must ensure that the requirements of this condition are fully satisfied prior to issue of any Construction Certificate.

(Reason: To ensure record keeping of the condition of the immediate adjoining properties)

Panel Reason:

The Panel was satisfied that 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 Panel reflected on a submission relating to privacy and amended the size of a window on the northern side to address these concerns. The Panel considered that the proposed condition relating to the opacity of the stairwell window on the rear elevation was unnecessary, as it had negative amenity impacts to the proposed development without generating material privacy benefits to the neighbouring properties.

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

Voting was as follows:

Panel Member	Yes	No	Community Representative	Yes	No
Rob Stokes	Y		Ken Robinson	Y	
Ros Read	Y				
John McInerney	Y				

ITEM 7

DA No:	363/24
ADDRESS:	111-115 Chandos Street, Crows Nest
PROPOSAL:	Demolition of existing building and construction of a 5 storey residential flat building with rooftop terrace.
REPORT BY NAME:	Rachel Wu, Assessment Officer
APPLICANT:	Equicentia Pty Ltd

No Written Submissions**Registered to Speak**

Submitter	Applicant/Representative
	Jack Freckelton - Planning and Co - Urban Planner

Panel Determination

The Panel members have undertaken a site inspection prior to the meeting and considered the oral representations from the applicant 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
Rob Stokes	Y		Ken Robinson	Y	
Ros Read	Y				
John McInerney	Y				

The public meeting concluded at 3.05pm.

The Panel Determination session commenced at 3.25pm.

The Panel Determination session concluded at 4.45pm.

Endorsed by Rob Stokes

Chair

North Sydney Local Planning Panel

7 May 2025