

DETERMINATION AND STATEMENT OF REASONS WILLOUGHBY LOCAL PLANNING PANEL

DATE OF DETERMINATION	6 February 2024
PANEL MEMBERS	Jacqueline Townsend (Chair), Robert Montgomery, Helen Deegan and Linda Tully
DECLARATIONS OF INTEREST	None

Electronic determination on 6 February 2024.
Papers circulated electronically 30 January 2024. Electronic communication sent between 30 January and 6 February 2024.

MATTER DETERMINED

DA-2023/116 at 1 Anderson Street, Chatswood NSW 2067. Installation of vehicular bridge safety barriers and rooftop security screens.

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7, the material presented at the meeting and briefings and the matters observed at site inspections listed at item 8 in Schedule 1 of this Determination and Statement of Reasons.

Development application

The Panel determined to **approve** the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel adopts the reasons outlined in the Council assessment report.

1. **The proposed development is considered to satisfy the general aims and objectives of the *Local Environmental Plan* and do not compete against the desired future character of the locality.**
2. **The proposal will not have unreasonable impacts on local traffic, streetscape or on the residential amenity of neighbouring properties.**
3. **The proposed development achieves the objectives of the development standards contained in the *Willoughby Local Environmental Plan 2012 (WLEP 2012)* and the objectives of the *Willoughby Development Control Plan (WDCP)*.**

CONDITIONS

The development application was approved subject to the conditions in the Council assessment report with the following amendments.

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

The following conditions of consent must be complied with prior to the issue of a construction certificate.

Conditions 2A and 2B are added as follows:

2A. Manufacturers Specifications




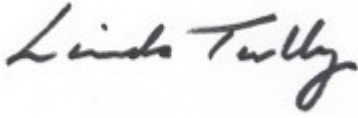
**Prior to the issue of the Construction Certificate the manufacturer's specifications for the "new 358 mesh screen by Profence" are required to be submitted to Council's Head of Planning for approval.
(Reason: Ensure compliance)**

2B. Additional supporting information

**Prior to the issue of the Construction Certificate a new drawing is to be submitted to Council's Head of Planning for approval that clearly details all fencing types, the fencing locations and elevations.
(Reason: To clarify anomalies in plans)**

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered the written submission made during the public exhibition. The Panel considered the submission made and noted that the mesh screen installed on the car park perimeter on Spring Street does not form part of this DA. The visual amenity impacts from this DA have been considered and the Panel consider them to be acceptable.

PANEL MEMBERS	
 JACQUELINE TOWNSEND (CHAIR)	 ROBERT MONTGOMERY
 HELEN DEEGAN	 LINDA TULLY

SCHEDULE 1		
1)	DA NO.	DA-2023/116
2)	PROPOSED DEVELOPMENT	Installation of vehicular bridge safety barriers and rooftop security screens
3)	STREET ADDRESS	1 Anderson Street, Chatswood NSW 2067.
4)	APPLICANT/OWNER	Scentre Design and Construction Pty Ltd / P T Limited.
5)	REASON FOR REFERRAL	Conflict of Interest: <ul style="list-style-type: none"> • Council application (Council-owned land).
6)	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ <i>Environmental Planning and Assessment Act 1979</i> ○ <i>Environmental Planning and Assessment Regulations 2021</i> ○ <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> ○ <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> ○ <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> • Draft environmental planning instruments: <i>Draft WLEP</i> (at the time of lodgement, now made <i>WLEP 2012</i> (amendment 34). • Development control plans: <ul style="list-style-type: none"> ○ <i>Willoughby Development Control Plan</i> ○ <i>Section 7.12 (S94A) Plan</i> ○ <i>Willoughby Local Infrastructure Contributions Plan.</i> • Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i>. • Provisions of the <i>Environmental Planning and Assessment Act 1979</i>. • Planning agreements: Nil • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality. • The suitability of the site for the development. • Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations. • The public interest, including the principles of ecologically sustainable development.
7)	MATERIAL CONSIDERED BY THE PANEL	<ol style="list-style-type: none"> 1) Council assessment report: 23 January 2024 2) Clause 4.6 variation requests: Nil 3) Written submissions during public exhibition: 1
8)	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY	<ul style="list-style-type: none"> • Site inspections were undertaken individually by Panellists at their discretion due to COVID-19 precautions. • Panel Members: Jacqueline Townsend (Chair), Robert Montgomery, Helen Deegan and Linda Tully. • Papers circulated electronically 30 January 2024. • Panel briefing held on 6 February 2024. • Attendees: <ul style="list-style-type: none"> ○ Jacqueline Townsend (Chair), Robert Montgomery, Helen Deegan and Linda Tully. ○ Council staff: Peter Wells and Ritu Shankar.
9)	COUNCIL RECOMMENDATION	Approval
10)	DRAFT CONDITIONS	Attached to the Council assessment report