

DETERMINATION AND STATEMENT OF REASONS

WILLOUGHBY LOCAL PLANNING PANEL

DATE OF DETERMINATION	Electronic - 19 August 2020
PANEL MEMBERS	Abigail Goldberg (Chair), James Harrison, John McInerney and Robert Wilson.
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Electronic determination on 19 August 2020.
Papers circulated electronically 14 August. Electronic communication between 16 and 19 August 2020.

MATTER DETERMINED

DA-2020/174 at 1 Frederick Street, ARTARMON NSW 2064. Artarmon Home HQ - Shop G5 - Shop fitout and signage.

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 (previously section 80) of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The reasons outlined in the Council assessment report dated 10 August 2020, specifically:

1. The fitout is permissible with consent.
2. The proposed development does not adversely impact the qualities or significance of the building, which is an Item of Environmental Heritage identified by the *Willoughby LEP 2012*.
3. The development is unlikely to cause any other negative environmental impacts.

The Panel is satisfied that:

- a) the development is in the public interest because it is consistent with the objectives for development in the IN1 zone; and
- b) the concurrence of the Secretary has been assumed.

CONDITIONS

The development application was approved subject to the conditions in the Council assessment report with the following amendment:

Condition 6 is deleted.

CONSIDERATION OF COMMUNITY VIEWS

The application did not require notification or advertisement, in accordance with Category D of the Willoughby Community Participation Plan.

PANEL MEMBERS



ABIGAIL GOLDBERG (CHAIR)



JAMES HARRISON



JOHN MCINERNEY



ROBERT WILSON

SCHEDULE 1		
1)	DA NO.	DA-2020/174
2)	PROPOSED DEVELOPMENT	Artarmon Home HQ - Shop G5 - Shop fitout and signage.
3)	STREET ADDRESS	1 Frederick Street, ARTARMON NSW 2064.
4)	APPLICANT/OWNER	Interior Fitouts Pty Ltd / Willoughby City Council.
5)	REASON FOR REFERRAL	Conflict of Interest: <ul style="list-style-type: none"> • Council owns the building.
6)	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ <i>Willoughby Local Environmental Plan 2012.</i> • Draft environmental planning instruments:- Nil • Development control plans: <ul style="list-style-type: none"> ○ <i>Willoughby Development Control Plan</i> • Provisions of the <i>Environmental Planning and Assessment Regulation 2000.</i> • Provisions of the <i>Environmental Planning and Assessment Act.</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: 10 August 2020. 2) Clause 4.6 variation requests: Nil 3) Written submissions during public exhibition: N/A
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: Abigail Goldberg (Chair), James Harrison, John McInerney and Robert Wilson. • Papers circulated electronically 14 August 2020. • Electronic communication between 16 and 19 August 2020.
9)	COUNCIL RECOMMENDATION	Approval
10)	DRAFT CONDITIONS	Attached to the Council assessment report