

DETERMINATION AND STATEMENT OF REASONS WILLOUGHBY LOCAL PLANNING PANEL

DATE OF DETERMINATION	26 November 2019
PANEL MEMBERS	Abigail Goldberg (Chair), Trevor Bly, Gary Shiels and Robert Wilson.
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held at Willoughby City Council on 26 November 2019, opened at 2.01pm and closed at 2.51pm. Papers circulated electronically between 20 November and 25 November 2019.

This item was heard between 2.06pm and 2.07pm.

MATTER DETERMINED

DA-2014/578/A at 1 Frederick Street, ARTARMON NSW 2064 (as described in Schedule 1)

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at the meeting and briefings and the matters observed at site inspection listed at item 8 in Schedule 1.

Development application

The panel determined to **approve** the development application pursuant to section 4.55 (previously section 96) 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 26 November 2019.

CONDITIONS

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

Conditions 54B and 54C are added as follows:

ADDITIONAL CONDITIONS

The following conditions have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the planning instrument affecting the land, and relevant legislation.

54B. Western heritage front facade

**All new works to and immediately adjacent to the western heritage front facade are to be undertaken such that it can be reversible so as to protect the original heritage fabric.
(Reason: Heritage protection)**

54C. No attachments to the western heritage wall facade

**At fitout stage, there are to be no attachments to the western heritage wall facade.
(Reason: Heritage protection)**

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel notes that no written submissions were made during public exhibition and therefore no issues of concern were raised.

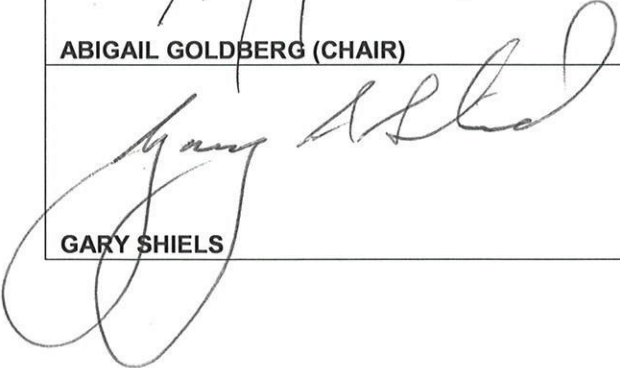
PANEL MEMBERS



ABIGAIL GOLDBERG (CHAIR)



TREVOR BLY



GARY SHIELS



ROBERT WILSON

SCHEDULE 1		
1)	DA NO.	DA-2014/578/A
2)	PROPOSED DEVELOPMENT	Modification of approved development including change of use of mall extension to cafe/restaurant, deletion of approved vehicle access, reinstatement of existing vehicle ingress and egress, alterations to existing building, landscaping and associated works.
3)	STREET ADDRESS	1 Frederick Street, ARTARMON NSW 2064.
4)	APPLICANT/OWNER	Artarmon Retail Centre TC Pty Ltd / Willoughby City Council.
5)	REASON FOR REFERRAL	Conflict of Interest: <ul style="list-style-type: none"> • Council is the owner of the subject building.
6)	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ <i>State Environmental and Planning Policy (Infrastructure 2007)</i>. ○ <i>SEPP 64 – Advertising and Signage</i>. ○ <i>Sydney Regional Environmental Plan (Sydney and Middle Harbour Catchment) (Deemed SEPP)</i>. ○ <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> • Planning agreements:- Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>:- Nil (or enter the clauses if relevant) • 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: 26 November 2019. 2) Written submissions during public exhibition: 0 3) Verbal submissions at the public meeting: 0
8)	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY	<ul style="list-style-type: none"> • Site inspection: 26 November 2019. • Briefing: 26 November 2019 • Final briefing to discuss council's recommendation, 26 November 2019 from 1.00-1.50pm • Attendees: <ul style="list-style-type: none"> ○ Abigail Goldberg (Chair), Trevor Bly, Gary Shiels and Robert Wilson. ○ Council assessment staff: Chi Wai Kong and Ritu Shankar ○ On behalf of the applicant: Sandra Stewart of HDR Architecture
9)	COUNCIL RECOMMENDATION	Approval.
10)	DRAFT CONDITIONS	Attached to the council assessment report