

## SYDNEY EAST JOINT REGIONAL PLANNING PANEL

Meeting held by electronic means between 12 October 2015 and 14 October 2015

Panel Members: David Furlong (chair), Sue Francis, Tim Moore, Linda McClure and Tony Mustaca

Apologies: None - Declarations of Interest: None

### Determination and Statement of Reasons

2014SYE128 - Willoughby - DA-2014/445 - Demolition of existing structures and construction of five (5) mixed use buildings containing retail premises, business premises, shop-top housing, carparking, childcare centre, landscaping, restoration of a heritage building and associated works - 36-38 Hercules Street & 256 Victoria Avenue, Chatswood as described in Schedule 1.

**Date of determination:** 14 October 2015

**Decision:**

The panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

**Panel consideration:**

The panel considered: the matters listed at item 6 as addressed in the Council Assessment Report, the material listed at item 7 and the material presented at meetings listed at item 8 in Schedule 1.






**Reasons for the panel decision:**

The panel adopted the assessment of those matters in the Council Assessment Report. The principal reason for the panel decision was that the:

- 1 The development provides an appropriate built form outcome for the site and will provide the impetus and financial opportunity to renovate and maintain the heritage item on the site.
2. The Clause 4.6 requests to vary the LEP Building height and Floor space ratio (FSR) standards are well founded.
3. The development as proposed will result in the promotion and co-ordination of the orderly and economic use and development of the land.

**Conditions:** The development application was approved subject to the conditions in the Council Assessment Report.

**Panel members:**

 <b>David Furlong (chair)</b>	 <b>Sue Francis</b>	 <b>Tim Moore</b>
 <b>Linda McClure</b>	 <b>Tony Mustaca</b>	

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## SCHEDULE 1

1	<b>JRPP Reference – LGA- Council Reference:</b> 2014SYE128 - Willoughby - DA-2014/445
2	<b>Proposed development:</b> Demolition of existing structures and construction of five (5) mixed use buildings containing retail premises, business premises, shop-top housing, carparking, childcare centre, landscaping, restoration of a heritage building and associated works
3	<b>Street address:</b> 6-38 Hercules Street & 256 Victoria Avenue, Chatswood
4	<b>Applicant:</b> Chatswood Place Pty Ltd
5	<b>Type of Regional development:</b> General development with a Capital Investment Value of more than \$20 million
6	<b>Relevant mandatory considerations</b> <ul style="list-style-type: none"> <li>• WLEP 2012;</li> <li>• SEPP State and Regional Development 2011 (SRD SEPP);</li> <li>• Deemed SEPP Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005;</li> <li>• SEPP 55;</li> <li>• SEPP Building Sustainability Index;</li> <li>• BASIX 2004 (The BASIX SEPP);</li> <li>• SEPP 65;</li> <li>• Residential Flat Design Code;</li> <li>• Draft WLEP;</li> <li>• Draft Apartment Design Guide (Draft ADG);</li> <li>• WDCP;</li> <li>• S94A Plan;</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality.</li> <li>• The suitability of the site for the development.</li> <li>• Any submissions made in accordance with the EPA Act or EPA Regulation.</li> <li>• The public interest.</li> </ul>
7	<b>Material considered by the panel:</b> Council Assessment Report Dated: 18 August 2015 Written submissions during public exhibition: 5 Verbal submissions at the panel meeting: Against- Dominic Johnson; On behalf of the applicant- Alison McCabe, Michael Staunton and Johnathon Leib
8	<b>Meetings and site inspections by the panel:</b> Briefing Meeting on 31 March 2015
9	<b>Council recommendation:</b> Approval
10	<b>Draft conditions:</b> Attached to council assessment report