

## DETERMINATION AND STATEMENT OF REASONS

### SYDNEY NORTH PLANNING PANEL

<b>DATE OF DETERMINATION</b>	Wednesday, 20 December 2017
<b>PANEL MEMBERS</b>	John Roseth (Chair), Julie Savet Ward, and Linda McClure
<b>APOLOGIES</b>	Gail Giles-Gidney and Hugh Eriksson
<b>DECLARATIONS OF INTEREST</b>	Sue Francis declared a non-pecuniary conflict as City Plan Services gave unpaid advice to the project management company on this matter.

Public meeting held at Christie Conference Centre, 100 Walker Street North Sydney on 20 December 2017, opened at 2pm and closed at 3pm.

#### MATTER DETERMINED

2017SNH052 – Willoughby – DA2017/181 at 989 – 1015 Pacific Highway, Roseville (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 meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

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*.

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

The decision was Unanimous.




#### REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- The Panel accepts that the cl 4.6 requests for variation of FSR and height are well founded. The additional FSR is entirely due to the balconies being converted to wintergardens, which in turn is due to the proximity of the railway line adjacent to the site. The variation of height is due to the building being required to set back from the railway line and the heritage item on the site as well as the flood-liability of the site.
- The proposal provides commercial and residential floor space in a zone in which this complies with the zone objectives.
- The external impacts and the internal amenity of the proposal are acceptable.

#### CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report as amended by the Council's memo dated 19 December 2017.

PANEL MEMBERS	
 John Roseth (Chair)	 Julie Savet Ward
 Linda McClure	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SNH052 – Willoughby – DA2017/181
2	PROPOSED DEVELOPMENT	Adaptive reuse of heritage building, construction of a mixed use building consisting of part six (6) and part seven (7) storeys, 117 residential apartments, four (4) new commercial tenancies, carparking and associated works.
3	STREET ADDRESS	989 – 1015 Pacific Highway, Roseville
4	APPLICANT/OWNER	City Projects and Developments Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development</li> <li>○ Apartment Design Guide (ADG)</li> <li>○ Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP)</li> <li>○ State Environmental and Planning Policy (Infrastructure) 2007</li> <li>○ Willoughby Local Environmental Plan 2012</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Willoughby Development Control Plan 2016</li> <li>○ Section 94A Plan</li> </ul> </li> <li>• Planning agreements:</li> <li>• Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</li> <li>• Coastal zone management plan: Nil</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 <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Council assessment report: 5 December 2017</li> <li>• Written submissions during public exhibition: 5</li> <li>• Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>○ On behalf of the applicant – Gil Candido, Philip Rossington, Cai Zhu</li> </ul> </li> </ul>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Briefing meeting 11 October 2017</li> <li>• Final briefing meeting to discuss council's recommendation, Wednesday, 20 December 2017, 1.30pm. Attendees: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: John Roseth (Chair), Julie Savet Ward and Linda McClure</li> <li>○ <u>Council assessment staff</u>: Joseph Bazergy, Ian Arnott and Pooja Chugh</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report