

## DETERMINATION AND STATEMENT OF REASONS

### SYDNEY NORTH PLANNING PANEL

<b>DATE OF DETERMINATION</b>	Monday 4 December 2017
<b>PANEL MEMBERS</b>	John Roseth (Chair), Sue Francis, Julie Savet Ward, Linda McClure, Hugh Eriksson
<b>APOLOGIES</b>	Deborah Dearing, Gail Giles-Gidney
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held at Christie Conference Centre 100 Walker Street North Sydney on 4 December 2017, opened at 1.05pm and closed at 2.15pm.

#### MATTER DETERMINED

2017SNH063 – Willoughby – DA2017/257 at 151-161 Mowbray Road Willoughby (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 proposal responds to an important need in the locality to accommodate more children in the school.
- The proposal removes demountable classrooms and replaces them with permanent ones.
- The impacts of the proposal on the surrounding area are acceptable.

#### CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report except as follows:

1. Condition 2, 17, 63 and 64 are deleted.
2. In all conditions that refer to "Construction Certificate" that word is replaced by "Crown Certificate".

3. In all conditions that refer to "Occupation Certificate" that word is replaced by "Completion Certificate".
4. Condition 77 is amended by replacing the last sentence with "No work is to resume to the impacted heritage item until the written approval of council is obtained."

PANEL MEMBERS	
 John Roseth (Chair)	 Sue Francis
 Julie Savet Ward	 Linda McClure
 Hugh Eriksson	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SNH063 – Willoughby – DA2017/257
2	PROPOSED DEVELOPMENT	Upgrade of existing facilities at Willoughby Public School including construction of mixed function buildings and associated works.
3	STREET ADDRESS	151-161 Mowbray Road Willoughby
4	APPLICANT/OWNER	NSW Department of Education and Communities C/- Mace
5	TYPE OF REGIONAL DEVELOPMENT	Crown development over \$5 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 (Infrastructure) 2007,</li> <li>○ State Environmental Planning Policy No.55 Remediation of Land</li> <li>○ State Environmental Planning Policy Education Facilities and Childcare Facilities 2017</li> <li>○ Sydney Regional Environmental Plan (Sydney Harbour Catchment) (Deemed SEPP)</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 2012</li> </ul> </li> <li>• Planning agreements: Nil</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: 22 November 2017</li> <li>• Clause 4.6 variation request</li> <li>• Written submissions during public exhibition: 121</li> <li>• Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>○ On behalf of the applicant – Claire Muir, David Laybourne</li> </ul> </li> </ul>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Briefing meeting: 13 September 2017</li> <li>• Final briefing meeting to discuss council's recommendation, 4 December 2017 at 12.00pm. Attendees: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: John Roseth (Chair), Sue Francis, Julie Savet Ward, Lidna McClure, Hugh Eriksson</li> <li>○ <u>Council assessment staff</u>: Ian Arnott, Ana Vissarion, Ritu Shankar</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report