

DETERMINATION AND STATEMENT OF REASONS

SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	30 June 2021
PANEL MEMBERS	Peter Debnam (Chair), Sue Francis, Brian Kirk, Linda McClure
APOLOGIES	None
DECLARATIONS OF INTEREST	Gail Giles-Gibney

Papers circulated electronically on 22 June 2021.

MATTER DETERMINED

PPSSNH-101 – Willoughby – DA2020/136 at 14 Artarmon Road, Willoughby NSW 2068 – Construction of five buildings containing 228 dwellings, retail/commercial space, basement car-parking, landscaping and public domain works, extension of Scott street and other associated works.

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 briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

Development application

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined to approve the development application for the reasons outline below and in Council's Assessment Report.

This development has been the subject of reviews, Concept Plans and Development Applications for a decade and was extensively canvassed with the community and Council over that time. This particular DA for Stage 1 of the project was lodged in June 2020 and was comprehensively assessed by Council. The DA also underwent a Design Excellence Review.

Throughout the process, the Applicant consulted with Council and amended plans to address significant issues raised during the assessment. The result is a well-resolved large-scale development, which will provide much needed housing as well as retail and commercial space in Willoughby.

The Panel further notes the DA was assessed in accordance with the Concept Plan Approval, Section 4.15 of the EP&A Act, Willoughby LEP 2012, Willoughby DCP and other relevant codes and policies. The Panel concurs with Council that the proposal is acceptable for the location.

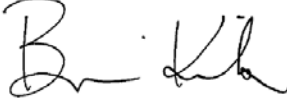
Accordingly, the Panel concurs with Council that approval of the DA is in the public interest.

CONDITIONS

The development application was approved subject to the conditions in Council's Assessment Report as amended by Council's email of 30th June regarding Condition 23A. The amended condition addressed Panel concern with the detailed design of the fencing along Artarmon Road for Stage 1 of the development.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition and noted issues of concern included traffic, construction hours, landscaping, lighting, parking, signage and pedestrian access. The Panel considers that concerns raised by the community were adequately addressed by Council's Assessment Report, Council and Applicant responses during the briefing and in the conditions.

PANEL MEMBERS	
Peter Debnam (Chair) 	Sue Francis 
Brian Kirk 	Linda McClure 

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSNH-101 – Willoughby – DA2020/136
2	PROPOSED DEVELOPMENT	Construction of five buildings containing 228 dwellings, retail/commercial space, basement carparking, landscaping and public domain works, extension of Scott street and other associated works.
3	STREET ADDRESS	14 Artarmon Road, Willoughby NSW 2068
4	APPLICANT/OWNER	Mirvac Residential (NSW) Developments Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	• State Environmental Planning Policy No 65 – Design Quality of • Residential Apartment Development • Concept Approval MP 10 0198 MOD 4 • Willoughby LEP 2012 • Willoughby DCP • Planning Agreement dated 10 March 2021 between the Applicant and Council
7	MATERIAL CONSIDERED BY THE PANEL	• Council assessment report: 21 June 2021 • Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP • Attachment conditions report 30 June 2021 • Written submissions during public exhibition: 4
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	• Briefing: 21 October 2020 ○ <u>Panel members</u>: Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Gail Giles-Gidney, Linda McClure ○ <u>Council assessment staff</u>: Mark Bolduan, Ian Arnott, Ritu Shankar • Applicant Briefing: 30 June 2021 ○ <u>Panel members</u>: Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Gail Giles-Gidney, Linda McClure ○ <u>Applicant representatives</u>: Clancy Sprouster, Graham Cooper, Gemma Bassett <u>Note</u>: Applicant briefing was requested to respond to the recommendation in the council assessment report • Final briefing to discuss council's recommendation: 30 June 2021 ○ <u>Panel members</u>: Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Gail Giles-Gidney, Linda McClure ○ <u>Council assessment staff</u>: Mark Bolduan, Ian Arnott, Ritu Shankar, Clare Woods, Will Robertson, ○ <u>Applicant representatives</u>: Clancy Sprouster, Graham Cooper, Gemma Bassett
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report