

# MEMO

**To:** Chair, Sydney North Planning Panel  
**From:** Consultant Planner, Peter Wells  
**Date:** 12 July 2022  
**Address:** 26 Crabbes Avenue & 243, 247 - 255 Penshurst Street NORTH  
WILLOUGHBY  
**Ref/File No.:** Sydney North Planning Panel - **PPSSNH-298** - Willoughby –  
E Determination DA-2019/247/A  
**Subject:** Update to conditions of consent, and clarification on setback to 223  
Penshurst Street

---

The applicant has reviewed the SNPP Report and has brought to Council's attention a required change to two proposed conditions (conditions 1 and 20), and a clarification on setbacks to 223 Penshurst Street. These matters are dealt with below.

Condition 1 needs to be updated to the following (reflected in bold in approved plans table for clarity):

- (i) Change date for drawing DA 2.04 Rev E from 22/04/2022 to 17/12/2021.
- (ii) Insert drawing DA 2.02A Rev B dated 17.12.2021.

It is confirmed that these drawings did form part of the assessment and the update to condition 1 simply corrects an administrative error.

Condition 20 in the report mistakenly shows strikeouts over the wrong words. The corrected version is shown below.

In addition, on page 8 of the report (4.1.4 Current application) under (b) reference is made to:

b) Clarification on reduction of the basement level to 223 Penshurst Street.

This refers to a reduction in *setback* of the basement levels from 223 Penshurst Street, which were approved at 6m from the boundary but is proposed to be reduced to 4.6m. The applicant's landscape architect addressed this reduction in setback in a submission to Council in May 2022, confirming that 4.6m width of deep soil is sufficient to ensure the ongoing growth and vigour of the approved planting between the development and 223 Penshurst Street. This was considered as part of the overall assessment of the subject application. The proposal as modified is considered satisfactory. No conditions need to be updated in this respect.



WILLOUGHBY  
CITY COUNCIL

### **UPDATED RECOMMENDATION:**

That DA-2019/247/A (Sydney North Planning Panel - PPSSNH-298 – Willoughby) be approved subject to:

- i. Condition 1 be updated to read as follows:

### **A. The following conditions are modified to read as follows:**

#### **1. Approved Plan/Details**

The development must be in accordance with the following consent plans electronically stamped by Council:

Type	Plan No.	Revision/ Issue No	Plan Date (as Amended)	Prepared by
Architectural Drawings	DA 2.01	C	06/08/2020	Hycorp Property Group
	DA 2.02	C	06/08/2020	
	DA 2.03	C	06/08/2020	
	DA 2.04	C	06/08/2020	
	DA 2.05	D	08/12/2020	
	DA 2.06	C	08/12/2020	
	DA 2.07	C	08/12/2020	
	DA 2.08	C	08/12/2020	
	DA 2.09	C	08/12/2020	
	DA 3.01	A	14/06/2019	
	DA 3.02	B	06/08/2020	
	DA 3.03	B	08/12/2020	
	DA 3.04	C	08/12/2020	
	DA 3.05	D	08/12/2020	
	DA 3.06	B	08/12/2020	
	DA 4.01	C	08/12/2020	
	DA 4.02	D	08/12/2020	
	DA 4.03	C	08/12/2020	
	DA 4.04	C	08/12/2020	
Landscape Master Plan	C100	D	07/10/2020	Site Image (NSW) Pty Ltd
Landscape Plans	-	All plans are Issue D	All plans are dated 07/10/2020	Site Image (NSW) Pty Ltd
	101			
	102			
	103			
	104			
	105			
	106			
	107			



WILLOUGHBY  
CITY COUNCIL

	108			
	109			
	110			
	301			
	302			
	303			
	304			
	305			
	306			
	401			
	-			
	403			
	-			
	405			
	406			
	-			
	502			
	503			
	402	D	21/06/2019	Site Image (NSW) Pty Ltd
	404	C	21/06/2019	Site Image (NSW) Pty Ltd
	501	C	07/10/2020	Site Image (NSW) Pty Ltd
Stormwater Plans	19013-DA-C01	G	06/10/2020	IDC
	19013-DA-C02	H	06/10/2020	IDC
	19013-DA-C04	I	06/10/2020	IDC
	19013-DA-C05	E	06/10/2020	IDC
Drainage Plans (Discharge via easement through 15 Horsley Avenue & Upgrade Drainage in Horsley Avenue)	D1	D	04/03/2022	Acor Consultants
	D2	D	04/03/2022	Acor Consultants
	D3	D	04/03/2022	Acor Consultants
	D4	D	04/03/2022	Acor Consultants
	D5	D	04/03/2022	Acor Consultants

*As modified by DA 2019/247/A*

Type	Plan No.	Revision/ Issue No	Plan Date (as Amended)	Prepared by
Architectural Drawings	DA106A to DA106D inclusive	1	23/05/2022	Hyecorp Design
	DA 2.01	F	22/04/2022	Hyecorp Design
	DA 2.02	F	22/04/2022	
	<b>DA 2.02A</b>	<b>B</b>	<b>17/12/2021</b>	
	DA 2.03	F	22/04/2022	



	DA 2.04	E	<del>22/04/2022</del> 17/12/2021	
	DA 2.05	F	17/12/2021	
	DA 2.06	E	17/12/2021	
	DA 2.07	E	17/12/2021	
	DA 2.08	E	17/12/2021	
	DA 2.09	E	17/12/2021	
	DA 3.01	A	14/06/2019	
	DA 3.02	B	06/08/2020	
	DA 3.03	D	17/12/2021	
	DA 3.04	E	17/12/2021	
	DA 3.05	F	17/12/2021	
	DA 3.06	D	17/12/2021	
	DA 4.01	E	17/12/2021	
	DA 4.02	F	17/12/2021	
	DA 4.03	E	17/12/2021	
	DA 4.04	E	17/12/2021	
	DA 4.05	D	17/12/2021	
Landscape Master Plan	C100	G	17/01/2022	Site Image (NSW) Pty Ltd
Landscape Plans	101	F	24/11/2021	Site Image (NSW) Pty Ltd
	102	F	24/11/2021	
	104	F	24/11/2021	
	105	F	24/11/2021	
	107	F	24/11/2020	
	108	F	24/11/2020	
	109	F	24/11/2021	
	110	G	17/01/2022	
	301	F	24/11/2021	
	302	F	24/11/2021	
	304	F	24/11/2021	
	305	F	24/11/2021	
	401	F	24/11/2021	
	402	F	24/11/2021	
	404	F	24/11/2021	
	405	F	24/11/2021	
	501	F	24/11/2021	
	502	F	24/11/2021	
	503	F	24/11/2021	
Stormwater Management Plan Level 1	C3	E	13.05.2022	Acor
Stormwater Management Details	C11	E	13.05.2022	Acor



Driveway & Internal Ramp Section	DA 4.05	D	17/12/2021	Hyecorp
Stormwater Quality Report Sheet 1 of 2	C12	D	24/1/2022	Acor
Stormwater Quality Report Sheet 2 of 2	C13	D	24/1/2022	Acor
Site Catchment Plan	C2	D	24/1/2022	Acor
Stormwater Management Plan-Basement 2 (Part 1)	C8	D	24/1/2022	Acor
Stormwater Management Plan-Basement 2 (Part 2)	C9	D	24/1/2022	Acor
Stormwater Management Plan-Basement 1 (Part 2)	C7	D	24/1/2022	Acor
Stormwater Management Plan-Basement 1 (Part 1)	C6	D	24/1/2022	Acor
Stormwater Management Plan-Level 2	C5	D	24/1/2022	Acor
Stormwater Management Plan-Level 1 (Part 2)	C4	D	24/1/2022	Acor
Stormwater Management Detail Sheet (No 1)	C10	D	24/1/2022	Acor

the application form and any other supporting documentation submitted as part of the application, except for:

- (a) any modifications which are “Exempt Development” as defined under S.4.1(1) of the *Environmental Planning and Assessment Act 1979*;
  - (b) otherwise provided by the conditions of this consent.
- (Reason: Information and ensure compliance)

## 20. Co-ordinated Plans

Prior to the issue of any Construction Certificate, a set of co-ordinated architectural, landscape and civil drawings shall be submitted to the certifying authority for approval. The architectural plans shall show the following items:

- The outline of the OSD tank and all access grates into the tank
- ~~The location of the bio-retention basin and all grates and pits associated with the basin~~
- The location of any required stormwater quality improvement measures
- The location of the rainwater tank



WILLOUGHBY  
CITY COUNCIL

The ~~bio-retention basin~~ stormwater treatment system, access grates to the OSD tank and rainwater tank are to be located in common areas.

(Reason: Ensure stormwater management measures comply)

**Peter Wells**  
**Consultant Planner**