



DATE OF DECISION	Wednesday 11 August 2021
PANEL MEMBERS	Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Kara Krason and James Harrison
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held by teleconference on 11 August 2021, opened at 10.00am and closed at 11.00am.

MATTER DETERMINED

PPSSNH-198 – Willoughby – DA2021/22, 2 & 2A Small Street, Willoughby, Alterations and additions to existing pool hall of Willoughby Leisure Centre including alterations to existing parking provisions (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 listed at item 8 in Schedule 1.

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

The decision was unanimous.

REASONS FOR DECISION

The Panel approved the application for the reasons set out below and in the Assessment Report.

The Development Application represents a substantial upgrade of the Willoughby Leisure Centre and the proposal, including construction disruption, has been extensively canvassed in the local community.

Willoughby Council is the Applicant and Owner of the majority of the site and the manager of the Crown land forming part of the Small Street Reserve. The Small Street Reserve is partly Crown land and partly a Council-owned lot on the corner of Marlborough Road and Small Street. The Panel sought and obtained Council advice that the Minister's consent to make this development application is deemed granted under s.2.23 of the *Crown Land Management Act 2016*.

The proposal was independently assessed and the Panel considered the comprehensive Assessment Report. The Panel concurs with the Independent Assessor that the development application was appropriately assessed in accordance with Section 4.15 (1) of the EP&A Act 1979, WLEP 2012, WDCP and other relevant policies and the proposal is appropriate for the site, will deliver a much needed upgrade of community facilities and approval is in the community interest.

The Panel notes that the proposal is consistent with the Plan of Management for Bicentennial Reserve, of which the Leisure Centre is a part.

CONDITIONS

The development application was approved subject to the conditions in the Independent Assessment Report with the addition of the following conditions relating to Green Wall Planting and toilet facilities in the children's change room area.

PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

19A Greenwall Planting

Details shall be submitted to the Certifying Authority prior to the issue of the Construction Certificate indicating soil type, plant species, irrigation, services connections, maintenance activity schedule and soil mix for the proposed Greenwall.

(Reason: To ensure the provision of suitable landscape amenity and character.)

26A Installation of Toilet

A toilet being installed instead of a shower, in one of the stalls adjacent to the Family Change Area, shown on Architectural Plan DA11.

(Reason: Patron amenity and convenience.)

ONGOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

93A Greenwall Maintenance






- a) Planting to the Greenwall is to be watered and fertilized as required at the time of planting.
- b) If any plants on the approved Greenwall fail, they are to be replaced with similar species to maintain the landscape theme and be generally in accordance with the approved Landscape Plan.

Reason: to maintain local environmental amenity and ensure landscaping continues to soften the built form.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered 20 written submissions made during public exhibition and heard from all those wishing to address the public meeting. Issues of community concern included: Environmental impacts; Cumulative impacts (with other projects in the local area and district); Strategic planning (sporting and land use/infrastructure); Minor design and operational issues (pool upgrade); Impacts on netball operations; Transport, traffic & parking and Construction and contamination management.

The Panel considers community concerns raised have been adequately addressed in the Independent Assessment Report, by Applicant and Assessor responses during the public meeting and by the conditions as amended.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Julie Savet Ward
 Brian Kirk	 Kara Krason
 James Harrison	

SCHEDULE 1

1	PANEL REF – LGA – DA NO.	PPSSNH-198 – Willoughby – DA2021/22
2	PROPOSED DEVELOPMENT	Alterations and additions to existing pool hall of Willoughby Leisure Centre including alterations to existing parking provisions
3	STREET ADDRESS	2 & 2A Small Street, Willoughby
4	APPLICANT/OWNER	Willoughby City Council
5	TYPE OF REGIONAL DEVELOPMENT	CIV of the proposal exceeds \$5m.
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy No. 55 – Remediation of Land ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy (Sydney Harbour Catchment) 2005 ○ State Environmental Planning Policy No. 19 Bushland in Urban Areas ○ Willoughby Local Environmental Plan 2012 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Willoughby Development Control Plan • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil • Coastal zone management plan: Nil • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality • The suitability of the site for the development • Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report: 28 July 2021 • Written submissions during public exhibition: 20 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Members of the community – Jillian Christie ○ Council Assessment Officers - Jim Davies, Ian Arnott and Daniel Sue. ○ On behalf of the applicant – Joseph Giandomenico, Angela Casey and Mario Colella
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing: 7 July 2021 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Kara Krason and James Harrison

		<ul style="list-style-type: none"> ○ <u>Council assessment staff</u>: Jim Davies, Ritu Shankur, Ian Arnott ● Final briefing to discuss council's recommendation: 11 August 2021 ○ <u>Panel members</u>: Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Kara Krason and James Harrison ○ <u>Council assessment staff</u>: - Jim Davies, Ian Arnott, Ritu Shankar, Clare Woods and Daniel Sue.
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report