

## DETERMINATION AND STATEMENT OF REASONS

### WILLOUGHBY LOCAL PLANNING PANEL

<b>DATE OF DETERMINATION</b>	3 December 2024
<b>PANEL MEMBERS</b>	Stephen O'Connor (Chair), Helen Deegan and Sheridan Burke
<b>DECLARATIONS OF INTEREST</b>	Leah Bulfin – President of Willoughby South Progress Association who made a submission on the original Development Application

Electronic determination on 3 December 2024.

Papers circulated electronically 27 November 2024. Electronic communication sent between 27 November and 3 December 2024.

#### PANEL CONSIDERATION AND DECISION

The Panel considered the matters listed at item 6, the material listed at item 7, the material presented at the meeting and briefings and the matters observed at site inspections listed at item 8 in Schedule 1 of this Determination and Statement of Reasons.

#### MATTER DETERMINED

DA- 2021/5/B at 1A Burra Road, Artarmon NSW 2064. Modification of DA-2021/5 for alterations to the approved building materials, including changes to the external floor finishes and changes to the levels of the accessible drop off zone and car space.

#### MODIFICATION APPLICATION

The Panel determined to **defer consideration** of the modification application until 19<sup>th</sup> December 2024 to allow additional information to be provided regarding the original roof treatment and proposed. Further advice regarding the options to make the deck waterproof. The reason for the changing to the decking material, the options considered and a comparison of the sustainability of materials determined and the current proposal. Circulation of the Conservation Management Plan to Panel Members.


The decision was unanimous.

#### REASONS FOR THE DECISION

The reasons outlined in the Council assessment report and:

1. **Concern regarding the level of change and the sustainability of the Project.**
2. **Noting the Heritage listing of the site and the community interest.**

This matter will be determined by Electronic Determination on 19 December 2024

PANEL MEMBERS	
 <b>STEPHEN O'CONNOR (CHAIR)</b>	 <b>HELEN DEEGAN</b>
 <b>SHERIDAN BURKE</b>	

SCHEDULE 1		
1)	DA NO.	DA-2021/5/B
2)	PROPOSED DEVELOPMENT	Modification of DA-2021/5 for alterations to the approved building materials, including changes to the external floor finishes and changes to the levels of the accessible drop off zone and car space.
3)	STREET ADDRESS	1A Burra Road, Artarmon NSW 2064
4)	APPLICANT/OWNER	SJB Planning Pty Ltd
5)	REASON FOR REFERRAL	Conflict of Interest: <ul style="list-style-type: none"> <li>Council application.</li> </ul>
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 (Resilience and Hazards) 2021.</li> <li>State Environmental Planning Policy (Biodiversity and Conservation) 2021.</li> <li>State Environmental Planning Policy (Sustainable Buildings) 2022</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</li> <li>Section 7.12 (S94A) Plan</li> <li>Willoughby Local Infrastructure Contributions Plan.</li> </ul> </li> <li>Provisions of the Environmental Planning and Assessment Regulation 2021.</li> <li>Provisions of the Environmental Planning and Assessment Act 1979.</li> <li>Planning agreements: 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 Environmental Planning and Assessment Act 1979 or regulations.</li> <li>The public interest, including the principles of ecologically sustainable development.</li> </ul>
7)	MATERIAL CONSIDERED BY THE PANEL	<ol style="list-style-type: none"> <li>Council assessment report: 26 November 2024</li> <li>Clause 4.6 variation requests: Nil</li> <li>Written submissions during public exhibition: 3</li> </ol>
8)	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY	<ul style="list-style-type: none"> <li>Site inspections were undertaken individually by Panellists at their discretion.</li> <li>Panel Members: Stephen O'Connor (Chair), Helen Deegan and Sheridan Burke.</li> <li>Papers circulated electronically 27 November 2024.</li> <li>Panel briefing held on 3 December 2024.</li> <li>Attendees: <ul style="list-style-type: none"> <li>Stephen O'Connor (Chair), Helen Deegan and Sheridan Burke.</li> <li>Council staff: Peter Wells and Ritu Shankar.</li> </ul> </li> </ul>
9)	COUNCIL RECOMMENDATION	Approval
10)	DRAFT CONDITIONS	Attached to the Council assessment report