

## DETERMINATION AND STATEMENT OF REASONS

### WILLOUGHBY LOCAL PLANNING PANEL

<b>DATE OF DETERMINATION</b>	29 MAY 2018
<b>PANEL MEMBERS</b>	Penny Holloway (Chair), Annelise Tuor, Gary Shiels and Robert Freestone
<b>DECLARATIONS OF INTEREST</b>	NIL

Public meeting held at Willoughby City Council Chambers on 29 May 2018 opened at 3.19pm and closed at 4.38pm.

#### MATTER DETERMINED

DA-2017/484 at 240 Edinburgh Road, CASTLECRAG NSW 2068 (AS described in Schedule 1)

The following people addressed the meeting:

- 1) Ben Perham of 236 Edinburgh Road - Objector
- 2) Aidan Marks – Applicant/Owner
- 3) Ryan Swanson – Owner
- 4) Ryan Barnett – Architect for applicant
- 5) Jennie Askin – Planning consultant for applicant

#### 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 adjourned from 4.05pm to 4.19pm during the meeting to deliberate further on the matter and formulate a resolution.

The decision was unanimous to defer the determination for the applicant to submit sketch plans within 2 weeks to incorporate the following requirements:

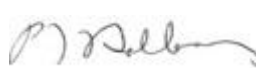



- (i). provide greater setback at the upper most level (first floor) from the southern boundary to The Bulwark;
- (ii). provide lightweight roofing to ground and first floor south facing balconies;
- (iii). demonstrate a reduction in floor to ceiling height and height of clerestory to provide overall reduction in the height of building (minimum 300mm) to ensure compliance with the objectives of the development standard,

The Panel will consider the acceptability of the sketch plans following which the matter will proceed as follows:

- 1) If the Panel considers the sketch plans satisfactorily address the design concerns, the applicant will be required to submit final amended plans; a structural integrity report to confirm the extent of retention of existing building; stormwater plans; arborist report; and address the recommended reasons for refusal for further consideration by the Panel. Following the Panel's consideration of the acceptability of the final amended plans and further information, the matter will be determined electronically.
- 2) If the Panel considers the sketch plans do not satisfactorily address the design concerns, further documentation will not be required and the matter will be determined electronically.

#### CONDITIONS

The determination at the Panel meeting was to defer the development application.

PANEL MEMBERS	
 <b>PENNY HOLLOWAY(CHAIR)</b>	 <b>ANNELISE TUOR</b>
 <b>GARY SHIELS</b>	 <b>ROBERT FREESTONE</b>

<b>SCHEDULE 1</b>		
<b>1)</b>	<b>DA NO.</b>	DA-2017/484
<b>2)</b>	<b>PROPOSED DEVELOPMENT</b>	Proposed alterations and additions to an existing dwelling including first floor addition and associated works.
<b>3)</b>	<b>STREET ADDRESS</b>	240 Edinburgh Road, CASTLECRAIG NSW 2068.
<b>4)</b>	<b>APPLICANT/OWNER</b>	Mr A A Marks.
<b>5)</b>	<b>REASON FOR REFERRAL</b>	Departure from standard by more than 10%.
<b>6)</b>	<b>RELEVANT MANDATORY CONDITIONS</b>	<ol style="list-style-type: none"> <li>1) Environmental planning instruments: <ul style="list-style-type: none"> <li>• SEPP (BASIX).</li> <li>• Sydney Regional Environmental Plan (Sydney and Middle Harbour Catchment)(Deemed SEPP).</li> <li>• State Environmental Planning Policy (Coastal Management) 2018.</li> <li>• Willoughby Local Environmental Plan 2012.</li> </ul> </li> <li>2) Development control plans: <ul style="list-style-type: none"> <li>• Willoughby Development Control Plan 2016.</li> <li>• Sydney Harbour Foreshores and Waterways.</li> </ul> </li> <li>3) 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>4) The suitability of the site for the development.</li> <li>5) Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations.</li> <li>6) The public interest, including the principles of ecologically sustainable development.</li> </ol>
<b>7)</b>	<b>MATERIAL CONSIDERED BY THE PANEL</b>	<ol style="list-style-type: none"> <li>1) Council assessment report for meeting 29 May 2018.</li> <li>2) Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>○ Object – Ben Perham.</li> <li>○ On behalf of the applicant – Aidan Marks, Ryan Swanson, Ryan Barnett and Jennie Askin.</li> </ul> </li> </ol>
<b>8)</b>	<b>MEETINGS AND SITE INSPECTIONS BY THE PANEL</b>	Site inspection and briefing meeting dated 29 May 2018.
<b>9)</b>	<b>COUNCIL RECOMMENDATION</b>	Refusal.