



## DETERMINATION AND STATEMENT OF REASONS WILLOUGHBY LOCAL PLANNING PANEL

<b>DATE OF DETERMINATION</b>	26 March 2019
<b>PANEL MEMBERS</b>	Garry West (Chair), Trevor Bly, Julie Savet Ward and Robert Wilson
<b>DECLARATIONS OF INTEREST</b>	NIL

Public meeting held at Willoughby City Council Chambers on 26 March 2019 opened at 2.27pm and closed at 2.42pm.

### **MATTER DETERMINED**

DA-2014/332/B at 8 The Rampart, CASTLECRAG NSW 2068 (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 the material presented at the meeting and at the site inspection listed at item 8 in Schedule 1.

The Panel unanimously approved the applicant's Clause 4.6 request to vary the floor space ratio in Clause 4.4 of the *Willoughby Local Environment Plan 2012*. The Panel considered the applicant's submission and concluded it had appropriately demonstrated the matters required by Clause 4.6 and that the objectives of the floor space ratio standard will be met notwithstanding the variation.

The Panel determined to approve the development application as described in Schedule 1 pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was **unanimous**.

### **REASONS FOR THE DECISION**

The Panel resolved to:

**Approve Development Application DA-2014/332/B subject to conditions contained in the Council Assessment Report for meeting dated 26 March 2019, for the following reasons:**

1. The proposed modification involves infill of an approved void area which does not increase the scale and bulk of the already approved alterations and additions.
2. The proposed modification is considered to be of minor environmental impact that will not adversely affect the environmental or ecological values of the E4 zone.
3. The proposed modification results in a very minor increase in building footprint that will not create additional environmental impacts to the adjoining reserve.
4. The proposed modification is acceptable from a heritage viewpoint and will not have an adverse impact on the heritage significance of the Griffin Conservation Area.
5. Subject to conditions, it is considered that the proposed modification will have an acceptable impact on adjoining properties.

PANEL MEMBERS



GARRY WEST (CHAIR)



TREVOR BLY



JULIE SAVET WARD



ROBERT WILSON

<b>SCHEDULE 1</b>		
1)	<b>DA NO.</b>	DA-2014/332/B
2)	<b>PROPOSED DEVELOPMENT</b>	Internal changes, infill of void alteration to roof shape, extra skylights and associated works.
3)	<b>STREET ADDRESS</b>	8 The Rampart, CASTLECRAG NSW 2068.
4)	<b>APPLICANT/OWNER</b>	Bensen & Partners Pty Ltd.
5)	<b>REASON FOR REFERRAL</b>	Departure from standard by more than 10%.
6)	<b>RELEVANT MANDATORY CONSIDERATIONS</b>	<ol style="list-style-type: none"> <li>1) Environmental planning instruments: <ul style="list-style-type: none"> <li>• SEPP BASIX.</li> <li>• SEPP 55 – Remediation of Land (Land Contamination).</li> <li>• SEPP 19 – Bushland in Urban Areas.</li> <li>• Sydney Regional Environmental Plan (Sydney and Middle Harbour Catchment) (Deemed SEPP).</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</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>
7)	<b>MATERIAL CONSIDERED BY THE PANEL</b>	<ol style="list-style-type: none"> <li>1) Council assessment report for meeting dated 26 March 2019.</li> <li>2) Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>• Objector – Paul Stokes of Castlecrag Progress Association</li> <li>• Support – Nil</li> <li>• On behalf of the applicant – George Bensen of Bensen &amp; Partners Pty Ltd</li> </ul> </li> </ol>
8)	<b>MEETINGS AND SITE INSPECTIONS BY THE PANEL</b>	Site inspection and briefing meeting on 26 March 2019.
9)	<b>COUNCIL RECOMMENDATION</b>	Approval