

**MINUTES OF THE SYDNEY EAST REGION JOINT REGIONAL PLANNING PANEL MEETING  
HELD AT SUTHERLAND SHIRE COUNCIL  
ON WEDNESDAY, 6 APRIL 2011 AT 3.30PM**

**PRESENT:**

Mary-Lynne Taylor	Chair
David Furlong	Panel Member
Julie Savet Ward	Panel Member
Peter Wells	Panel Member
Phil Blight	Panel Member

**IN ATTENDANCE**

John Brunton	Sutherland Shire Council
Peter Barber	Sutherland Shire Council
Mark Adamson	Sutherland Shire Council
Greg Hansell	Sutherland Shire Council
Christine Edney	Sutherland Shire Council
Carolyn Howell	Sutherland Shire Council
Brad Harris	Sutherland Shire Council
Paul Styman	Sutherland Shire Council
Chris Greig	Sutherland Shire Council
Colleen Baker	Sutherland Shire Council

**APOLOGY: NIL**

1. The meeting commenced at 3:30PM

**2. Declarations of Interest -**

Cr Phil Blight decided to stand down from the JRPP for Item 4 on the Australand development application because of the public perception of his involvement with the previous rezoning of the subject land.

**3. Business Items**

***ITEM 1 - 2010SYE113 - Sutherland - DA10/1292 - Commercial Development (Construction of a Three Storey Commercial Building) - 531-533 Kingsway, Miranda***

**5. Public Submission -**

Jeff Mead	Addressed the Panel on behalf of the applicant
-----------	--

**6. Business Item Recommendations**

***2010SYE113 - Sutherland - DA10/1292 - Commercial Development (Construction of a Three Storey Commercial Building) - 531-533 Kingsway, Miranda***

The Panel agrees unanimously to accept the recommendation for approval of this development application in the staff assessment report subject to the conditions proposed in the supplementary staff report.

In arriving at this decision the Panel notes the staff's positive assessment of the SEPP 1 Objection to the relevant LEP numerical standards and agrees that compliance with those standards in this case is neither reasonable nor necessary.

The Panel agrees that the SEPP 1 Objection is well founded.

**7. Business Items**

***ITEM 2 - 2011SYE004 - Sutherland - DA10/1360 - Demolition of Existing Structures and Construction of a Residential Aged Care Facility (144 Single Bedrooms) Over Two Storeys With Basement Parking - 101 Acacia Road, Sutherland***

**8. Public Submission -**

NIL

**9. Business Item Recommendations**

***2011SYE004 - Sutherland - DA10/1360 - Demolition of Existing Structures and Construction of a Residential Aged Care Facility (144 Single Bedrooms) Over Two Storeys With Basement Parking - 101 Acacia Road, Sutherland***

The Panel agrees unanimously to accept the recommendation for approval of this development application in the staff assessment report subject to the conditions proposed in that report.

In arriving at this decision the Panel notes the staff's positive assessment of the SEPP 1 Objection to the relevant LEP numerical standards and agrees that compliance with those standards in this case is neither reasonable nor necessary.

The Panel agrees that the SEPP 1 Objection is well founded.

**10. Business Items**

***ITEM 3 - 2011SYE005 - Sutherland - DA10/1359 - Demolition of Existing Dwellings and Construction of a Residential Flat Building With 31 Units, Basement Car Park & Associated Landscaping - 558-566 President Avenue, Sutherland***

**11. Public Submission -**

Scott Barwick	Addressed the Panel on behalf of the applicant
Angelo Candalepas	Addressed the Panel on behalf of the applicant

**12. Business Item Recommendations**

***2011SYE005 - Sutherland - DA10/1359 - Demolition of Existing Dwellings and Construction of a Residential Flat Building With 31 Units, Basement Car Park & Associated Landscaping - 558-566 President Avenue, Sutherland***

The Panel agrees unanimously to accept the recommendation for refusal of this development application in the staff assessment report for the following reasons:

1. The Objection submitted pursuant to the provisions of Clause 6 of State Environmental Planning Policy No. 1 (SEPP 1) with respect to the development standard for landscaped area established in Clause 36(5)(h) of Sutherland Shire Local Environmental Plan 2006 is not considered to be well founded and has not adequately demonstrated why, in the circumstances of the case of this application, compliance with this development standard is either unreasonable or unnecessary
2. The application is considered unacceptable pursuant to the provisions of Section 79C(1)(a)(i) of the Environmental Planning and Assessment Act 1979 as it is inconsistent with the following clauses of Sutherland Shire Local Environmental Plan 2006:
  - (a) Clause 36(5)(h) - Landscaped Area.
  - (b) Clause 36(1) Objective (b) - Tree Retention.
3. The application is considered unacceptable pursuant to the provisions of Section 79C(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 as it is inconsistent with the following components of Sutherland Shire Development Control Plan 2006:
  - (a) Clause 4.a.1 and 4.b.1.1 of Chapter 3 – Site Coverage
  - (b) Clause 3.b.9.1 of Chapter 3 – Deep Soil Tree Planting
  - (c) Clause 3.a.1.1 of Chapter 3 Objectives (c) and (e)
  - (d) Clause 1.a.1.1 of Chapter 7 - Objectives (a), (c) and (d)
  - (e) Clause 5.b.1 of Chapter 7 - Bicycle Parking
  - (f) Clause 14.a.1.1 of Chapter 3 Objectives (a), (b), (d), (e) and (f)
  - (g) Clause 14.b.3.1 of Chapter 3 – Open Space
4. The application is considered unacceptable in that the proposed development adversely impacts on the amenity of the residents of the site to the south and on future residents of the site itself in terms of overshadowing impact and poor solar access.

### 13. Business Items

***ITEM 4 - 2010SYE106 - Sutherland - DA10/1253 - Staged Development for Residential Subdivision of 2 Lots into 166 Lots - Stage 1 Approval & Works for 165 Lots. Stage 2 Pedestrian Access - Lucas Reserve - 446 Captain Cook Drive, Kurnell***

### 14. Public Submission -

John Brunton - Director Environmental Services	Addressed the Panel on behalf of the Council
Nigel Edgar	Addressed the Panel on behalf of the applicant
Simon Blount	Addressed the Panel on behalf of the applicant

### 15. Business Item Recommendations

**2010SYE106 - Sutherland - DA10/1253 - Staged Development for Residential Subdivision of 2 Lots into 166 Lots - Stage 1 Approval & Works for 165 Lots. Stage 2 Pedestrian Access - Lucas Reserve - 446 Captain Cook Drive, Kurnell**

The Panel unanimously agrees to approve this application in accordance with the staff assessment report and subject to the conditions in the report except for the following amended conditions:

Condition 20 (k) – (p) is deleted and a new condition (k) and (L) is inserted as follows:

(k) A minimum of 9.0 m pavement is to be provided for roads throughout the subdivision and the roads shall provide 2.1m for the parking lane.

(l) Where possible without reducing developable area, in proposed road 1 opposite lots 351-363, dedicated parking bays are to be provided. An amended plan is to be submitted to the satisfaction of Council's Director of Environmental Services prior to issue of the Construction Certificate.

The meeting concluded at 5:54 PM

Endorsed by

Mary-Lynne Taylor  
Acting Chair, Sydney East  
Joint Regional Planning Panel  
18 April 2011