

JRPP No:	2013SYE052
DA No:	DA13/0537
LGA:	Sutherland Shire
Proposed Development:	Construction of a Multi-Deck Car Park at Sutherland Hospital
Site/Street Address:	Lot 1 DP 119519 (No.126) Kareena Road, Caringbah
Applicant:	Health Infrastructure
Submissions:	Two (2) Submissions
Recommendation:	Approval
Report By:	Michael Hornery – Environmental Assessment Officer Sutherland Shire Council

Assessment Report and Recommendation

1.0 EXECUTIVE SUMMARY

1.1 Reason for Report

Pursuant to the requirements of State Environmental Planning Policy (Major Development) 2005, this application is referred to the Joint Regional Planning Panel (JRPP) as the development has a capital investment of more than \$5,000,000 and is Crown Development. The application submitted to Council nominates the value of the project as \$20,438,386.

1.2 Proposal

The application is for the construction of a multi-deck car park comprising 13 split levels over seven (7) storeys and an on-ground car park for Sutherland Hospital staff at the above property.

1.3 The Site

The subject site is located on the south-eastern corner of the intersection of Kareena Road and the Kingsway.

1.4 The Issues

The main issues identified are as follows:

- Variation to building height development standard
- Tree removal
- Impact on traffic
- Provision of bicycle parking

1.5 Conclusion

Variation to the building height development standard is supported. Following the submission of additional information addressing outstanding issues, the current application is considered worthy of support, subject to conditions.

2.0 DESCRIPTION OF PROPOSAL

The proposal is for the construction of a multi-deck car park comprising 13 split levels over seven (7) storeys. There will also be an on-ground car park to the east of the multi level car park. The proposal will provide parking for 809 vehicles, 607 within the multi-deck car park and 202 on-ground car parking spaces. The proposal also includes 12 spaces for motorcycles. The maximum height of the car park will be R.L 56.68m AHD.

Two separate access points will be provided into the multi-deck car park, the main entry/exit on the northern side with an additional entry point located on the southern side linking the multi-deck car park to the on-ground car park.

Two passenger lifts will be located in the centre of the western façade of the multi-deck car park to provide vertical connectivity. Access paths to the main hospital building to the north and the on-ground car park to the south are available from the eastern side of level 1 in the multi-deck car park.

The car park is to be for the exclusive use of hospital staff. There are no specific details as to how the car park will be operated or who it will be operated by.

Landscaping is included in the works and a detailed landscape plan has been submitted. The proposal involves the removal of 43 trees and the retention of 18 trees within the development area.

It is proposed that due to NSW Government funding, the development will be constructed in two (2) stages, being as follows:

- Stage 1 of the proposal will involve the construction of the new on-ground car park over the site used as informal parking, the upgrading of the existing on-ground car park and the construction of the multi-deck car park to a height of R.L 46.6m, which comprises levels 4 and 4.5.
- Stage 2 will involve the construction of the additional levels of the multi-deck car park.

The application is on behalf of the Crown and as such the consent authority cannot impose conditions without the approval of the applicant or refuse the application without the approval of the Minister.



Figure 1: Site plan showing the exact location on site of the proposal.



Figure 2: Perspective of the proposed car park from the south-east.

3.0 SITE DESCRIPTION AND LOCALITY

The subject land is located at 126 Kareena Road, Caringbah on the south-eastern corner of the intersection of Kareena Road and the Kingsway.

Currently situated on the site is the Sutherland Hospital, which provides parking for 550 vehicles. Vehicular access to the site is provided from both the Kingsway and Kareena Road. The site is owned by South Eastern Sydney Illawarra NSW Health and the hospital is a regional facility.

The south-eastern portion of the site where the development is proposed is currently an on-ground, sealed, 266 space car park for staff use, and landscaped area. The development site falls gradually from the north to the

south-east. The area of the proposed car park falls approximately 4m to the southern boundary.

There is a mix of paid parking, short term free parking and staff parking on site. Overflow parking and most free long term parking occurs within the surrounding public streets.

The development surrounding the site is varied, with a mixture of residential and commercial buildings. To the north across the Kingsway is Kareena Private Hospital. The eastern boundary adjoins the rear of residential properties along Hinkler Avenue. To the west across Kareena Road are detached dwelling houses. To the south and adjoining the rear boundary of the site is the Cronulla-Sutherland Railway Line.

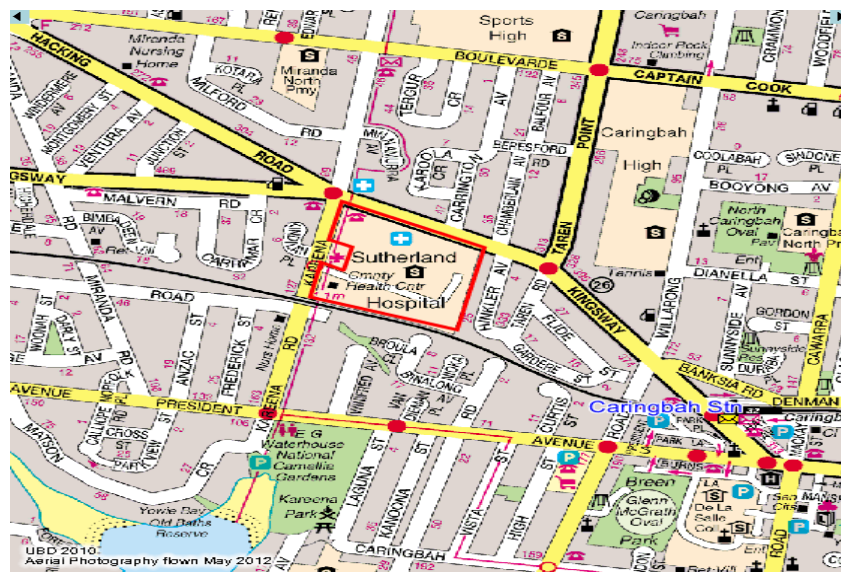


Figure 3 Locality plan.



Figure 4: Aerial photograph of site

4.0 BACKGROUND

A history of the development proposal is as follows:

- A pre-application discussion (PAD) was held on 28 March 2013 regarding the construction of a multi-deck car park. A formal letter of response was issued by Council dated 6 May 2013, a copy of which is contained within Appendix “B” of this report.
- The current application was submitted on 20 June 2013.
- Due to delays caused by the application being incomplete, it was not placed on exhibition for several weeks, with the last date for public submissions being 8 August 2013. Two (2) submissions were received.
- An Information Session was held on 1 August 2013. No members of the public attended this meeting.
- Discussion with JBA on 7 August in relation to additional information required including further traffic surveys, landscape redesign and the provision of bicycle and motorcycle parking.
- JRPP briefed on proposal on 22 August 2013.
- Council officers requested that the following additional information be provided:
 - Traffic impact study and survey as per Council's Traffic and Transport Manager's request.
 - Consideration of redesign to preserve significant trees at the request of Council's Landscape Officer.
 - Provision of motorcycle and bicycle parking in accordance with SSDCP 2006.
- Comments and conditions received from Roads & Maritime Services on 27 August 2013.
- Additional information received from JBA on 30 August 2013 including an amended plan with motorcycle spaces provided.
- Draft conditions emailed by Railcorp on 2 September 2013 for review by the Crown.
- Additional information received from JBA on 2 September 2013 including amended traffic survey/report and landscape design justification.
- Changes to Draft Railcorp conditions emailed to Council on 3 September 2013 after review by Crown.

5.0 ADEQUACY OF APPLICANT'S SUBMISSION

In relation to the Statement of Environmental Effects, plans and other documentation submitted with the application or after a request from Council, the applicant has provided adequate information to enable an assessment of this application. The application includes a SEPP 1 Objection requesting a variation to the height development standards.

6.0 PUBLIC PARTICIPATION

The application was advertised in accordance with the provisions of Chapter 12 of Sutherland Shire Development Control Plan 2006 (SSDCP 2006). A total of 99 adjoining or affected owners were notified of the proposal and two (2) submissions were received as a result.

Submissions were received from the following properties:

Address	Date of Letter/s	Issues
Central & North Miranda Precincts Residents Association C/- 5 Kirkby Place, Miranda	8 August 2013	1 & 2
Sutherland to Cronulla Shared Path Coalition C/- 13 Mooki Street, Miranda	9 August 2013	1 & 2

The issues raised in these submissions are as follows:

6.1 Issue 1 – Bicycle Parking

Concern is raised that the proposed development does not provide any bicycle parking as part of this development.

Comment: This matter is addressed in the “Assessment Section” of this report.

6.2 Issue 2 – Off Road Cycleway Adjacent to Rail corridor

Concern has been raised that the construction of the car park will prevent the construction of an off road cycleway adjacent to the rail corridor.

Comment: Setting aside land for a pedestrian/bicycle path is not directly relevant to this proposal. Importantly though, the construction of the proposed multi-deck car park would not prevent a bicycle/pedestrian pathway being constructed at a later stage.

7.0 STATUTORY CONSIDERATIONS

The subject land is located within Zone 12 – Special Uses (Medical Facility) pursuant to the provisions of Sutherland Shire Local Environmental Plan 2006. The car park is permissible as it will be ancillary development to the hospital (the hospital is a medical facility and is permissible development itself).

The following Environmental Planning Instruments (EPI's), Development Control Plans (DCP's), Codes or Policies are relevant to this application:

- Draft Sutherland Shire Local Environmental Plan 2013 (DSSLEP 2013)
- State Environmental Planning Policy No. 1 – Development Standards (SEPP 1)
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)
- State Environmental Planning Policy (Major Development) 2005
- State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)
- Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment
- Sutherland Shire Local Environmental Plan 2006 (SSLEP 2006)
- Sutherland Shire Development Control Plan 2006 (SSDCP 2006)

8.0 STATEMENT OF COMPLIANCE

The statement of compliance below contains a summary of applicable development standards and controls and a compliance checklist relative to these:

Standard/Control	Required	Proposed	Complies?
Sutherland Shire Local Environmental Plan 2006			
Number of storeys Clause 33(4)(a)	2 (max)	7	No
Ceiling height Ridge height Clause 33(4)(b)	7.2m (max) 9.0m (max)	22.08m 22.68m	No No
Sutherland Shire Development Control Plan 2006			
Motor cycle parking Ch 7 Cl 1.b.2	1/25 car spaces $543/25 = 32$ spaces	12 spaces	No
Bicycle Parking Ch 7 Cl 5.b.3.1	1/10 cars (first 200 cars) 1/20 (thereafter) = 38	Nil	No

There are no site specific height controls applicable to the site, so the 'default' controls shown above apply. These controls are not appropriate for a site containing a regional hospital and will be given limited weight in the assessment.

The bicycle and motorcycle rates have been calculated on the additional parking spaces being provided. The proposal will result in a total of 809 car parking spaces however, as there are currently 266 car parking spaces provided, the net increase is 543 spaces.

9.0 SPECIALIST COMMENTS AND EXTERNAL REFERRALS

The application was referred to the following internal and external specialists for assessment and the following comments were received:

9.1 NSW Railcorp

The application was referred to Railcorp seeking concurrence for the proposed development under the Infrastructure SEPP. NSW Railcorp granted concurrence to the development, subject to Council imposing conditions, a copy of which is located within Appendix "C" of this report.

9.2 Transport Roads and Maritime Services (RMS)

Pursuant to Schedule 3 of State Environmental Planning Policy (Infrastructure) 2007, the development is identified as Traffic Generating Development and as such has been referred to the RMS for comment. The RMS provided comments and recommendations to Council, a copy of which is located within Appendix "D" of this report. In summary the RMS do not have any fundamental objection to the proposal.

9.3 Traffic and Transport Manager

The application was referred to Council's Traffic and Transport Unit for assessment. The comments provided are discussed later in this report, though are generally supportive of the proposal.

9.4 Engineering – Environmental Services Division

The application was referred to Council's Development Engineer for an assessment of traffic management, stormwater management, construction site management and geotechnical issues within the site during the construction and operational phases of the development. No objection was raised to the proposal subject to suitable conditions of development consent.

9.5 Landscaping

The application was referred to Council's Landscape Officer who has provided comments and conditions in relation to the proposal.

9.6 Community Services

The application was referred to Council's Community Services Unit, which provided comment in relation to accessibility and crime prevention. Council's Community Services Unit advised that, subject to suitable conditions of development consent, no objection is raised to the proposed development.

9.7 Urban Designer

The application was referred to Council's Urban Designer who concluded the following:

"Further development of an external screening system would be a preferable outcome for this extremely bulky and highly visible structure.

In the absence of a well considered architectural expression for the structure, it is extremely important to ensure that a well considered landscape proposal (containing large scale trees) is adopted to help screen the building."

10.0 ASSESSMENT

Following a detailed assessment of the application having regard to the Heads of Consideration under Section 79C(1) of the Environmental Planning and Assessment Act 1979 and the provisions of relevant environmental planning instruments, development control plans, codes and policies, the following matters are considered important to this application.

10.1 Height

As the site has not been given a specific height control, it is subject to the default height standard contained within Clause 33 (4) of SSLEP 2006. This control stipulates a maximum of 2 storeys with maximum ceiling and ridge heights of 7.2m and 9.0m respectively. The default height control is obviously not appropriate for a regional hospital facility.

The proposal contains seven (7) storeys with an overall height of R.L 56.68m AHD, which is a height of approximately 22.68m above natural ground level.

The applicant has submitted an Objection pursuant to State Environmental Planning Policy No 1 – Development Standards in respect of the proposed variation.

In *Winten Property Group Limited v North Sydney Council* (2001) NSW LEC 46, Justice Lloyd established a set of five (5) questions which now are an accepted convention for assessing a SEPP 1 Objection. An assessment of the SEPP 1 in accordance with this convention has been undertaken below.

The first and second questions are relatively simple in that the height control is a development standard and the underlying object or purpose of the standard is contained with the objectives to Clause 33, being:

- “(a) to ensure the scale of buildings:*
- (i) is consistent with the desired scale and character of the street and locality in which the buildings are located, and*
 - (ii) complements any natural landscape setting of the buildings,*
- (b) to allow reasonable daylight access to all buildings and the public domain,*
- (c) to minimise the impacts of new buildings on adjoining or nearby properties from loss of views, loss of privacy, overshadowing or visual intrusion,*
- (d) to ensure that the visual impact of buildings is minimised when viewed from adjoining properties, the street, waterways and public reserves,*
- (e) to ensure, where possible, that the height of non-residential buildings in residential zones is compatible with the scale of residential buildings on land in those zones.”*

The third question is whether compliance with the development standard is consistent with the aims of the Policy, and in particular does compliance with

the development standard tend to hinder the attainment of the objects specified in Section 5(a)(i) and (ii) of the EP&A Act, which are:

“5(a)(i) - to encourage the proper management, development and conservation of natural and man-made resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment.

5(a)(ii) - to encourage the promotion and coordination of the orderly and economic use and development of land.”

The scale of the car park is consistent with the land use of the site and will provide a car park that will function effectively and efficiently and minimise the impact on the surrounding development.

The height of the car park is compatible with the existing built form of the Hospital and will integrate into the buildings within the subject site. Outlook, privacy and solar access of adjoining and nearby properties are not unduly affected by the variation to the height controls. A seven (7) storey car park, in the form proposed, is considered to be appropriate for the site and location.

The granting of development consent would be consistent with the aims of SEPP 1 and the objects of the Act. A variation to the development standards is considered reasonable in the circumstances of the case.

The fourth question is whether compliance is unreasonable or unnecessary in the circumstances of the case. The applicant’s explanation as to why compliance with the height standards would be unreasonable or unnecessary in this particular case is supported.

The proposed car park will achieve the objectives of the height controls contained within Clause 33 in that the car park is compatible and consistent with the scale and character of buildings within the locality and will not adversely affect the amenity of adjoining buildings in terms of views, loss of privacy or overshadowing.

In addition, under the Draft Sutherland Shire Local Environmental Plan 2013 there are no height development standards proposed for the subject site. This is in response to the public nature of the use and in the best interests of the community.

The final question is whether the objection is well founded. The SEPP 1 Objection provides evidence to demonstrate that compliance with the development standard would be unreasonable or unnecessary in the circumstances of the case. The Objection is well founded and the granting of consent would be consistent with the aims of SEPP1.

10.2 Traffic and Parking

As stated previously, the proposed development was referred to the RMS as it is classified as Traffic Generating Development pursuant to the provisions of State Environmental Planning Policy (Infrastructure) 2007.

SSDCP 2006 states that where development is identified as Traffic Generating Development, the parking requirement specified in the RTA Guide to Traffic Generating Development should apply.

The applicant submitted an assessment of traffic and parking. The report assessed the traffic implications of the proposed development in relation to the existing conditions and the transport implications of the proposed development. In relation to traffic and parking, the report concluded that the proposed parking provision is considered appropriate.

The proposed development will provide a total of 809 car spaces and this is considered to be acceptable.

Whilst Council is supportive of the car park, measures to mitigate any resulting impacts on traffic flow in Kareena Road at the intersection with Kingsway should be considered.

The RMS has indicated that it is committed to changes to the pedestrian phasing at the intersection. Consideration is also to be given to whether there is scope to improve the operating performance of the subject intersection through signal optimisation and adjustments to signal timings with more time provided for the right turn movements on each approach.

In addition to this, some minor amendment to lane allocation/line marking is also considered to potentially improve operational performance.

The applicant should further investigate and undertake these measures in consultation with RMS to mitigate the impact of the proposal on the Kareena Road approach. In this regard the following condition of development consent has been recommended:

“The applicant shall investigate and liaise with RMS and Council with regard to reasonable options to improve the efficiency of the intersection of Kingsway/Kareena Road/Port Hacking Road so as to mitigate the impact on capacity and delays in the northbound Kareena Road approach due to the reassignment of traffic associated with the proposed car park. The investigation shall take into account the current RMS proposal for pedestrian crossing upgrades at the intersection.”

SSDCP 2006 requires motor cycle parking to be provided at a rate of 1/25 car spaces. The applicant has amended the plans and the proposal provides parking for 12 motor cycles, which, although non compliant with Council's DCP requirement, is acceptable in this circumstance. If demand for motorcycles exceeds supply, motorcycles can park in car spaces and the

proponent could change the line marking to provide more motorcycle parking if required.

SSDCP 2006 requires that bicycle parking be provided at the rate of 1/10 for the first 200 spaces and 1/20 thereafter. The inclusion of active transport infrastructure is considered vital as a means to support and encourage more staff to use active transport to travel to work and help reduce pressure on the demand for long term parking at the hospital.

The applicant has not provided bicycle parking and has indicated that bicycle usage and demand for bicycle spaces is extremely low. The existing bicycle parking provision on the site is comprised of two racks that provide unsecured parking for a total of 10 bicycles. Of the two racks, only one rack is covered and neither rack is located in a secure compound. It is likely that the lack of demand is a reflection of the poor quality of the facilities provided.

To encourage staff to ride to work secure, lockable, undercover bicycle facilities would be required. Although 38 bicycle spaces would be required under SSDCP 2006, it is recommended that one car parking space be converted to accommodate approximately six (6) bicycle lockers. If it was proven that the demand was high for this type of bicycle storage, Health Infrastructure could install more bicycle lockers in a second car space.

10.3 Landscaping and Tree Removal

Concern has been raised by Council's Landscape Officer about the removal of six (6) remnant Sydney Turpentine Ironbark Forest trees and two (2) Eucalyptus citriodora (lemon Scented Gum) trees at the eastern end of the car park where the existing car park is shown to be extended.

A redesign of the eastern section of the car park was requested in terms of layout and paving materials so that these trees could be retained and protected. The applicant has advised that they are not prepared to redesign the car park to allow the retention of these trees.

In considering the request of Council, the applicant stated that the proposed landscaping scheme achieves the objectives of SSDCP 2006 in that the trees to be removed are located within the existing informal car park and are not fundamental to conservation of biodiversity. The replacement trees are well located to allow easy management and the proposed landscape design will retain valuable trees on site where possible.

In addition, the retention of these trees would result in the reduction of parking, which in turn would require this parking to be relocated elsewhere. This would most likely be at the expense of screen planting to be located adjacent to the site boundaries.

On review of the information available and the importance of maximising parking, it is accepted that the trees are unable to be retained. To ensure that suitable landscaping is provided, a condition of development consent will be imposed requiring that landscaping is undertaken in accordance with the

concept landscape plan and that there be provision of greater biodiversity of the Sydney Turpentine Ironbark Forest species within the landscape plan.

The proposal is removing 43 trees from the site and Council's requirement under SSDCP 2006 is replacement tree planting at a rate of 4:1. In order to satisfy this requirement, tree planting in the vicinity of 160 trees would normally be required.

Due to the significant number of trees required by simple application of the ratio, consideration has been given to whether this is reasonable. The development has been sensitively designed to maintain existing bushland and trees outside of the car parking area such that it makes a positive contribution to the local landscape character. It would also be difficult and unrealistic to plant 160 new trees on the property. In view of this, the extent of compensatory planting has been reduced to 2:1.

The landscape plan incorporates the planting of 33 trees, so in order to satisfy the replanting requirement, an additional 53 replacement trees are required to offset this loss.

10.4 Light Spill

There is potential for light spill from the car park to impact on adjoining properties. It is important that a balance is struck between the need for lighting to ensure the safety of car park users and any impact on adjacent residents.

The applicant has undertaken an assessment of the potential impacts of light spill from vantage points surrounding the site.

All new lighting proposed within the on-ground car park will be orientated away from the boundary of the site, internally facing the car park and minimising the amount of light directed outside the car park.

The applicant has indicated that it is not expected that any light spill will occur due to the orientation of lighting and that the proposed landscaping scheme to be included across the site will further ensure that the proposal is appropriately screened.

In relation to the multi-deck car park, the lighting will be internally directed to minimise light impacts. The façade of the car park has been architecturally designed to diffuse light through the wire mesh, whilst still ensuring that sight lines are maintained.

It is also expected that the provision of trees across the extent of the car park area as shown in the landscape plan will further reduce the potential of light spill. The multi-deck car park is also sited a significant distance away from the site boundaries to further minimise the likelihood of light spill.

Railcorp has imposed a draft condition that requires that there be no light spillage from car park lighting into the rail corridor with evidence to be provided prior to the installation of the lighting.

10.5 Parking Rates

Whilst generally supportive of the proposal and the benefits it will deliver, the uptake of the new parking by staff will be critical. In this regard, it is noted that subject to negotiation with staff and their respective union, it is proposed to potentially increase the current \$2/day staff parking rate. The impact of this on staff participation rates is not known.

A parking survey was undertaken, which concluded that the existing flat rate of \$2/day for staff parking would only deter a very minor number of staff from parking on site. The majority of comments received stated that the existing parking rates were reasonably priced. From this survey the main reason staff chose to park on the adjoining side streets was the lack of parking available within the existing south-eastern car park.

Although regulating parking rates is not a matter for Council, it is important that the rate set will encourage staff to use the car park. A condition of development consent has been recommended requiring that parking charges be regularly reviewed to ensure they are at a level that will encourage staff to use the car park.

10.6 Draft Sutherland Shire Local Environmental Plan 2013 (DSSLEP 2013)
DSSLEP2013 was recently re-exhibited on 20 August 2013. The draft plan proposes major changes to the planning controls applying throughout Sutherland Shire. It is a matter for consideration under S.79C(1)(a)(ii) of the EP & A Act.

The site is proposed to be zoned SP1 – Special Activities under DSSLEP 2013. The development would be permissible for the purpose of a Health Services Facility (a car park being ancillary to a Health Services facility). There are no proposed controls relevant to the subject site under the Draft LEP.

At this stage DSSLEP 2013 has limited statutory weight in the assessment of applications. The proposed development is generally consistent with the draft provisions.

10.7 Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment (Georges River REP)

It is the northern portion of the site near the front of the main hospital building on the Kingsway that is covered by the REP. The area proposed to be developed is not affected by the REP.

It is however considered that the aims and objectives of this plan in relation to water quality management have been incorporated into the design or are dealt with via appropriate conditions.

11.0 SECTION 94 CONTRIBUTIONS

Due to its nature, the proposed development will not require or increase the demand for local and district facilities within the area. Accordingly, it does not generate any Section 94 contributions.

12.0 DECLARATION OF AFFILIATION

There was no declaration of affiliation, gifts or political donations noted on the development application from submitted with this application.

13.0 CONCLUSION

The proposed development is for the construction of a multi-deck staff car park for Sutherland Hospital at 126 Kareena Road, Caringbah.

The subject land is located within Zone 12 – Special Uses (Medical Facility) under SSLEP 2006. The car park is permissible as it will be ancillary development to the hospital (the hospital is a medical facility and is permissible development itself).

The application has been publicly exhibited and Council has received two (2) submissions. The concerns with the proposal raised in these submissions relate to the lack of bicycle parking and a request that land adjacent to the railway be made available for a future bicycle/pedestrian path. The matters raised in these submissions have been dealt with by design changes or conditions of consent where appropriate.

The proposal includes a SEPP 1 Objection for a variation to the maximum height development standard. The SEPP 1 Objection is considered reasonable and is supported for the reasons detailed in the report. Although the proposal exceeds the height standards, it does not result in unacceptable impacts upon neighbouring properties, the road network or the streetscape character.

The design and scale of the multi-deck car park are considered acceptable within the location of the site, it is a viable development that will provide benefit to the hospital staff and local community and can be supported.

The application has been assessed having regard to the Heads of Consideration under Section 79C (1) of the Environmental Planning and Assessment Act 1979. Following detailed assessment it is considered that Development Application No. 13/0537 may be supported for the reasons outlined in this report.

14.0 RECOMMENDATION

- 14.1 That pursuant to the provisions of Clause 6 of State Environmental Planning Policy No. 1 (SEPP 1), the Objection submitted in relation to the requested variation of the two (2) storey height limit development standard under Clause 33(4)(a) of Sutherland Shire Local

Environmental Plan 2006 is considered to be well founded and is therefore supported. Accordingly, the provisions of SEPP No. 1 are invoked and this development standard is varied to seven (7) storeys in respect to this development application.

- 14.2 That pursuant to the provisions of Clause 6 of State Environmental Planning Policy No. 1 (SEPP 1), the Objection submitted in relation to the requested variation of the maximum ceiling and ridge height development standards under Clause 33(4)(b) of Sutherland Shire Local Environmental Plan 2006 is considered to be well founded and is therefore supported. Accordingly, the provisions of SEPP No. 1 are invoked and this development standard is varied to 22.68m in respect to this development application.
- 14.3 That Development Application No. 13/0537 for the Construction of a Multi-Deck Car Park at Lot 1 DP 119519 (No. 126) Kareena Road, Caringbah be approved, subject to the draft conditions of consent detailed in Appendix "A" of the Report.