

SYDNEY EAST JOINT REGIONAL PLANNING PANEL

Meeting held at Sutherland Shire Council on Thursday 11 December 2014 at 1:00 pm

Panel Members: David Furlong (chair), Stuart McDonald, Julie Savet Ward, Carol Provan and Kevin Schreiber

Apologies: None - Declarations of Interest: None

Determination and Statement of Reasons

2014SYE074 - Sutherland – 14/0602 [at 4-8 Hopman Ave & 4-8 Bromwich Place, Menai] as described in Schedule 1.

Date of determination: 11 December 2014

Decision:

The panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

Panel consideration:

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.

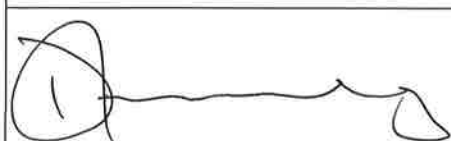
Reasons for the panel decision:

1. The proposal is compliant with the provisions of State Environmental Planning Policy (Affordable Rental Housing) 2009. This is a higher order Environmental Planning Instrument than either Sutherland Shire LEP 2006, draft Sutherland Shire LEP 2013 and the Council's DCP.
2. The design changes proposed in the conditions of consent will improve the setting of the development and its fit with the existing and desired future character of the area.
3. Affordable housing for key workers on lower incomes is an important component of the local housing market and a desired community benefit.
4. The panel noted the written submission of the elected Council and the proposal's compliance with the relevant SEPP. It also formed the view that many of the concerns expressed in the submission would be addressed by the proposed conditions relating to the development's design and layout.

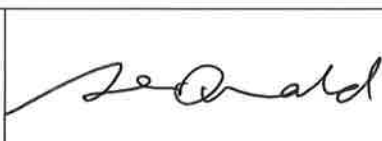
Conditions: The development application was approved subject to the conditions attached to the Council Assessment Report, amended at the meeting as follows:

- The conditions proposed on a deferred commencement basis are to become Operational Conditions.
- Of those conditions, proposed Condition 4, 7, 9 and 10 are to be deleted.
- Condition 3 is to be amended by the removal of the word 'increased' from the heading.
- Former deferred Condition 5 is to be amended by the inclusion of the words 'in buildings one and two' after the word 'avenue'. The following additional sentence is to be added 'dwelling 3.3 should incorporate devices to improve solar penetration to its living areas'.
- Deferred Condition 8 is to be amended to include greater brick banding using contrasting colours. The following sentence is to be added "This change is to be submitted to Council for approval prior to the lodgement of any Construction Certificate".
- The former deferred commencement Conditions 1, 2, 5 and 6 shall have the following sentence added: "This change is to be submitted to Council for approval prior to the lodgement of any Construction Certificate."
- Condition 30 to be deleted - leave the number in the conditions list and write deleted where the condition wording has been removed.

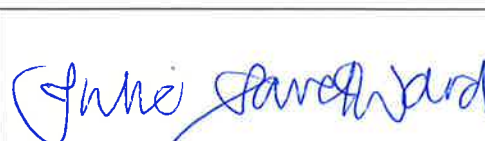
Panel members



David Furlong (chair)



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SCHEDULE 1

1	JRPP Reference – LGA- Council Reference: 2014SYE074 - Sutherland – 14/0602
2	Proposed development: Demolition of six (6) dwellings and construction of 18 townhouses
3	Street address: Lot 21 DP 43295, Lot 22 DP 43295, Lot 23 DP 43295, Lot 24 DP 43295, Lot 25 DP 43295, Lot 26 DP 43295 - 4 - 8 Hopman Avenue, Menai and 4 - 8 Bromwich Place, Menai.
4	Applicant: St George Community Housing Limited
5	Type of Regional development: Private infrastructure and community facilities with a Capital Investment Value of more than \$5 million (affordable housing)
6	Relevant mandatory considerations <ul style="list-style-type: none"> • Draft Sutherland Shire Local Environmental Plan 2013 (DSSLEP2013) • 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) • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 • State Environmental Planning Policy (Affordable Rental Housing) 2009 • Sutherland Shire Local Environmental Plan 2006 (SSLEP 2006) • Sutherland Shire Development Control Plan 2006 (SSDCP 2006) • Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality. • The suitability of the site for the development. • Any submissions made in accordance with the EPA Act or EPA Regulation. • The public interest.
7	Material considered by the panel: Council Assessment Report Dated: 26 November 2014 Written submissions during public exhibition: eleven (11) Submission of Elected Council dated 4 December 2014 Submission of applicant dated 10 December 2014 Verbal submissions at the panel meeting: Against- Lisa Pryde; On behalf of the applicant- Tony Moody, Paul Oreshkin, Dominic Stefan and Joshua Brandon
8	Meetings and site inspections by the panel: Briefing Meeting on 30 July 2014 and Site Visit on 11 December 2014
9	Council recommendation: Approval
10	Draft conditions: Attached to council assessment report