

SYDNEY EAST JOINT REGIONAL PLANNING PANEL

Meeting held at Sutherland Shire Council on Wednesday 17 February 2016 at 3:30 pm

Panel Members: John Roseth (chair), David Furlong, Sue Francis, Carol Provan and Kevin Schreiber

Apologies: None - Declarations of Interest: None

Determination and Statement of Reasons

2015SYE123 – Sutherland – DA15/1037 - Demolition of Existing Structures & Construction of a Residential Flat Development Containing 132 Residential Apartments & 2.5 Levels of Basement Car Parking - 13-21 University Road & 1-5 Pinnacle Street, Miranda as described in Schedule 1.

Date of determination: 17 February 2016

Decision:

The panel determined to accept the recommendation of the assessment report 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 as addressed in the Council Assessment Report, 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:

The Panel approved the application for the following reasons:



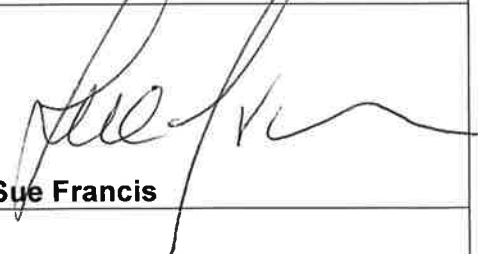


The proposal fits into the desired future character of the area.

Except for a minor variation of height, the proposal, as conditioned in relation to setbacks and facade treatment, complies with the relevant planning controls.

As concerns the variation of the height standard, the major breach of height is due to a lift tower which gives access to communal open space on the roof, which is considered a better planning outcome and provides sufficient environmental planning grounds in this case, consistent with case law established by *Four2Five v Ashfield Council* (2015) NSWLEC 90 and subsequent decisions, to allow the variation proposed.

Conditions: The development application was approved subject to the conditions recommended in the assessment report, except for an additional condition requiring the provision of an easement for public access during daylight hours over the central pedestrian way.

Panel members:

		
John Roseth (chair)	David Furlong	Sue Francis
		
Carol Provan	Kevin Schreiber	

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SCHEDULE 1

1	JRPP Reference – LGA- Council Reference: 2015SYE123 – Sutherland – DA15/1037
2	Proposed development: Demolition of Existing Structures & Construction of a Residential Flat Development Containing 132 Residential Apartments & 2.5 Levels of Basement Car Parking
3	Street address: 13-21 University Road & 1-5 Pinnacle Street, Miranda
4	Applicant/Owner: Miranda One Pty Ltd
5	Type of Regional development: General development with a Capital Investment Value of more than \$20 million
6	Relevant mandatory considerations <ul style="list-style-type: none"> • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development (SEPP 65) • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 • Greater Metropolitan Regional Environmental Plan No. 2 –Georges River Catchment • Apartment Design Guide (ADG) • Sutherland Shire Local Environmental Plan (SSLEP) 2015 • Draft Sutherland Shire Development Control Plan (DSSDCP)2015 • 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: 8 February 2016 Written submissions during public exhibition: 3 Verbal submissions at the panel meeting: Support- Nil; Against- Mr Joe Hughes; On behalf of the applicant- Mr Andrew Darroch
8	Meetings and site inspections by the panel: Briefing Meeting on 4 November 2015; Site Inspection 17 February 2016
9	Council recommendation: Approval
10	Draft conditions: Attached to council assessment report