SYDNEY EAST JOINT REGIONAL PLANNING PANEL

Meeting held at Sutherland Council on Wednesday 15 June 2016 at 3:30 pm
Panel Members: David Furlong (Acting Chair), Sue Francis, Tim Moore, Carmelo Pesce and Kent Johns
Apologies: None - Declarations of Interest: None
Determination and Statement of Reasons

2015SYE134 – Sutherland – DA15/1148 - Alterations & Additions to Lark Ellen Aged Care Facility - 133, 135, 137 & 139 Jannali Avenue, Sutherland as described in Schedule 1.

Date of determination: 15 June 2016

Decision:
The panel determined to refuse 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. The panel adjourned during the meeting to deliberate on the matter and formulate a resolution.
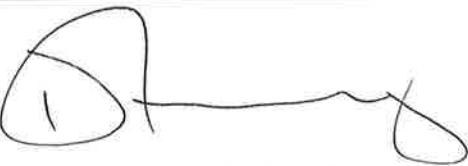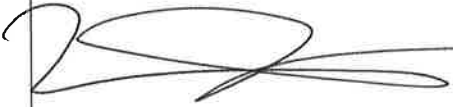
Reasons for the panel decision:
The panel adopted the assessment of those matters in the Council Assessment Report.

The principal reason for the panel decision was the failure of the proposal to meet a number of the requirements of the SEPP (Housing for Seniors or People with a Disability) 2004 and the Sutherland LEP, 2015 and that no requests to vary those standards under Clause 4.6 of the LEP have been submitted.

However, the panel noted the advice of Council's planning staff that a reduced proposal that sought to upgrade the existing seniors facility on the site may be capable of achieving development consent and urged the applicant to liaise with Council to achieve this outcome

Conditions: The development application was refused subject to the reasons set out in the recommendation contained in the Council's Planning Assessment report.

Panel members:

David Furlong (Acting Chair)	**Sue Francis**	**Tim Moore**
Carmelo Pesce	**Kent Johns**	

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	SCHEDULE 1
1	**JRPP Reference – LGA- Council Reference:** 2015SYE134 – Sutherland – DA15/1148
2	**Proposed development:** Alterations & Additions to Lark Ellen Aged Care Facility
3	**Street address:** 133, 135, 137 & 139 Jannali Avenue, Sutherland
4	**Applicant:** Gerendas Family Trust
5	**Type of Regional development:** General development with a Capital Investment Value of more than $20 million
6	**Relevant mandatory considerations** • State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 • Seniors Living Policy • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 • Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment • Sutherland Shire Local Environmental Plan 2015 • Draft Sutherland Shire Development Control Plan 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, including the principles of ecologically sustainable development.
7	**Material considered by the panel:** Council Assessment Report Dated: 31 May 2016 Written submissions during public exhibition: 9 Verbal submissions at the panel meeting: Against- Vasco Varela, Rhonda Daniels; On behalf of the applicant- Benjamin Black,
8	**Meetings and site inspections by the panel:** Briefing Meeting on 10 December 2015
9	**Council recommendation:** Refusal
10	**Draft conditions:** N/A