

SYDNEY EAST JOINT REGIONAL PLANNING PANEL

Meeting held at Christies Conference Centre on Thursday 28 April 2016 at 3:30 pm

Panel Members: David Furlong (Acting Chair), Tim Moore, Julie Savet Ward and Carol Provan

Apologies: Kevin Schriber - Declarations of Interest: None

Determination and Statement of Reasons

2015SYE163 – Sutherland - DA15/1393 - Construction of a new residential flat building with basement car parking - 138 Acacia Road & 473-489 President Avenue Kirrawee as described in Schedule 1.

Date of determination: 28 April 2016

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 as addressed in the Council Assessment Report, the material listed at item 7 and the material presented at meetings listed at item 8 in Schedule 1.

Reasons for the panel decision:

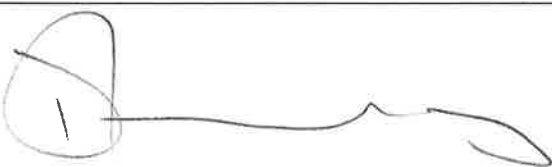
1. The proposal is consistent with the desired future character of the area as envisaged by the Sutherland LEP 2015.
2. The external impact and internal amenity of the proposal are acceptable, with the development generally compliant with the requirements of the relevant Planning framework.
3. The Panel notes the variation to the side setback and accepts that the proposed landscaping of the eastern side setback will provide sufficient screening between the properties.

Conditions: The development application was approved subject to the conditions in Appendix A of the Council Assessment Report with the following amendment:

Condition 40 to be changed as follows: at the start of the second paragraph, change wording from "On ### occasions," to "On 21 occasions,".

Reason: to comply with Council's standard position.

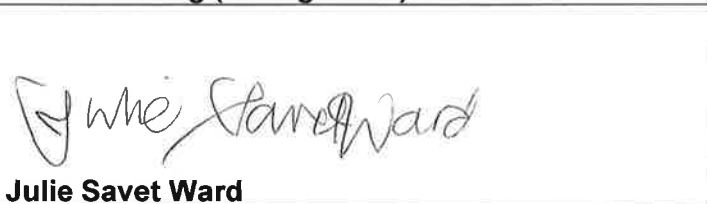
Panel members:



David Furlong (Acting Chair)



Tim Moore



Julie Savet Ward



Carol Provan

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SCHEDULE 1

1	JRPP Reference – LGA- Council Reference: 2015SYE163 – Sutherland - DA15/1393
2	Proposed development: Construction of a new residential flat building with basement car parking
3	Street address: 138 Acacia Road & 473-489 President Avenue Kirrawee
4	Applicant/Owner: Aplusgroup
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"> • Sutherland Shire Local Environmental Plan 2015 (SSLEP2015) • State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development (SEPP 65) • Apartment Design Guide (ADG) • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 • State Environmental Planning Policy (Infrastructure) 2007 • Draft Sutherland Shire Development Control Plan 2015 (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, including the principles of ecologically sustainable development.
7	Material considered by the panel: Council Assessment Report Dated: 12 April 2016 Written submissions during public exhibition: 5
8	Meetings and site inspections by the panel: Briefing Meeting on 6 April 2016
9	Council recommendation: Approval
10	Draft conditions: Attached to council assessment report