

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

2016SYE008 – Sutherland – Da15/1586 - Demolition of Existing Structures & Construction of RFB - 316-320 Taren Point Road, Caringbah as described in Schedule 1.

Date of determination: 15 June 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 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 and accepted the recommendation of the assessment report to approve the development application.

The principal reason for the panel decision was that the proposal was generally in accordance with the relevant planning framework. Additionally, the proposed design changes contained within the draft conditions will improve the amenity for future residents of the development.

The panel also formed the view that the Clause 4.6 variation request in relation to the LEP building height standard was well founded.

Conditions: The development application was approved subject to the conditions in Appendix A of the Council Assessment Report as amended as follows:

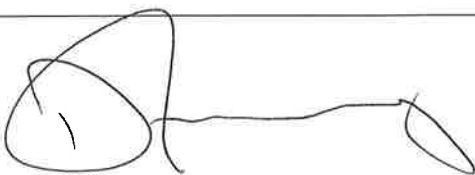
Condition 2(i) to change "north" to "south" and the amendment to condition 2(iv) to require a minimum of 52.m² of communal open space outside the building footprint with 2 additional seats

Condition 13 is deleted.

The Panel notes the applicant's submission and the recent decision of the Court, but is not convinced that in this case the external walls of the corridor are the external walls of the "building".

In conjunction with the above the Panel remains concerned with the amenity of proposed Units 9 and 10 and retains Condition 2(vi).

Panel members:



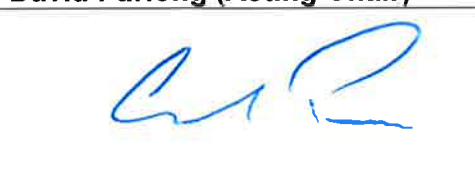
David Furlong (Acting Chair)



Sue Francis



Tim Moore



Carmelo Pesce



Kent Johns

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SCHEDULE 1

1	JRPP Reference – LGA- Council Reference: 2016SYE008 – Sutherland – Da15/1586
2	Proposed development: Demolition of Existing Structures & Construction of RFB
3	Street address: 316-320 Taren Point Road, Caringbah
4	Applicant: Landmark Group Australia 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 (Affordable Rental Housing) 2009 • State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development (SEPP 65) • Sutherland Shire Local Environmental Plan 2015 (SSLEP2015) • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 • Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment • Draft Sutherland Shire Development Control Plan 2015 (DSSDCP2015) • 2005 Shire Wide Open Space and Recreational Facilities Contribution Plan • 2003 Community Facilities Plan • 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: 2 June 2016 Written submissions during public exhibition: 0 Verbal submissions at the panel meeting: On behalf of the applicant- Anthony Whealy and Benjamin Black
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