

SYDNEY EAST JOINT REGIONAL PLANNING PANEL

Meeting held electronically between 4 April 2016 and 6 April 2016

Panel Members: John Roseth (chair), David Furlong, Sue Francis, Steve Kennedy and Lloyd Graham

Apologies: None - Declarations of Interest: None

Determination and Statement of Reasons

2016SYE011 – Warringah - Mod2015/0293 - Section 96(2) modification - 25 – 29 Pacific Parade and 23 Pacific Dee Why as described in Schedule 1.

Date of determination: 6 April 2016

Decision:

The panel determined to approve the development application as described in Schedule 1 pursuant to section 96 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.

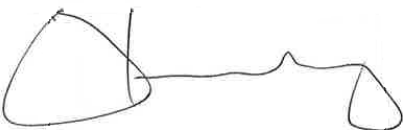
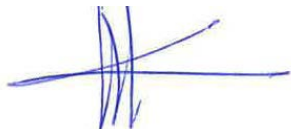
Reasons for the panel decision:

The panel adopted the assessment of those matters in the Council Assessment Report. The principal reason for the panel decision was that:

- The amended development has no additional impact.
- The amended development complies with the relevant planning controls.
- (The development as proposed to be modified would still be substantially the same development for which the consent was originally granted.
- The proposed modifications are essentially of a minor nature and, although the reduction in landscaped open space of 45sqm is regrettable, the overall provision of landscaped open space for stages 1 and 2 of the development is well in excess of the 25% of the site requirement of the ADG.
- The submission made in response to the notification did not warrant the refusal or further amendment of the application.

Conditions: The development application was approved subject to the conditions in the Council Assessment Report.

Panel members:

 John Roseth (chair)	 David Furlong	 Sue Francis
 Steve Kennedy	 Lloyd Graham	

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SCHEDULE 1

1	JRPP Reference – LGA- Council Reference: 2016SYE011 – Warringah - Mod2015/0293
2	Proposed development: Section 96(2) modification
3	Street address: – 29 Pacific Parade and 23 Pacific Dee Why
4	Applicant/Owner: Dee Why Properties No 2 Pty Ltd
5	Type of Regional development: s96 (2)
6	Relevant mandatory considerations • State Environmental Planning Policy (State and Regional Development) • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 • State Environmental Planning Policy No. 55 – Remediation of Land • State Environmental Planning Policy No. 65 – Design Quality for Residential Flat Development • Warringah Local Environmental Plan 2011 • 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: 1 April 2016 Written submissions during public exhibition: 0
8	Meetings and site inspections by the panel: Nil
9	Council recommendation: Approval
10	Draft conditions: Attached to council assessment report