

<b>DATE OF DEFERRAL</b>	23 May 2017
<b>PANEL MEMBERS</b>	Bruce McDonald (Acting Chair), Nicole Gurran, Steve Simpson and Kent Johns
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	Morris lemma advised that he had association with one of the registered speakers and had no discussion in relation to this application with that speaker. Mr lemma did not take part in consideration of the application.

Public meeting held at Sutherland Shire Council Chambers on Tuesday, 23 May 2017, opened at Opening 12.45 pm and closed at 3.00 pm.

#### **MATTER DEFERRED**

2016SYE051 – LGA – Sutherland – DA – 16/0388 – Lot 3 DP 31460, Lot 6 DP 31460, Lot 7 DP 31460, Lot P DP 413007, Lot 102 DP 868930, Lot 1 DP 31460, Lot 4 DP 31460, Lot 5 DP 31460, (Nos 103, 105-107, 109 & 113) Willarong Road, Caringbah, Staged development for concept master plan for construction of up to 23 residential flat buildings with infrastructure and a detailed design for construction of 6 residential flat buildings consisting of 131 dwellings.

#### **VERBAL SUBMISSIONS**

- Support – Nil
- Object – Tony Day, Dennis Gilligan, Douglas Clemson, Douglas Clemson on behalf of Caringbah Bowling Club and Maria lemma on behalf of Caringbah High School
- On behalf of the applicant – Nicholas Nasser

#### **REASONS FOR DEFERRAL**

It is the position of the Panel that the subject site given its scale and location provides a significant opportunity to achieve a development complying with relevant planning regulations and standards, which is well integrated into its local Caringbah context and provides well integrated on site building forms and high levels of residential amenity.

While the Panel notes the proposed development would add to the supply and choice of housing within the Sydney South District and the Sutherland Shire in a location with access to transport services and the services and amenities offered by Caringbah centre and is consistent with the zoning of the land under Sutherland Shire LEP 2015, the Panel having considered the Council assessment report concludes;

1. In regard to that element of the proposal relating to the adoption of a concept masterplan over the site the proposal fails to adequately demonstrate satisfaction of the provisions of SEPP 65 Design Quality of Residential Apartment Development.

Further in regard to the masterplan and Stage 1 detailed building proposal it is considered the application fails to adequately satisfy the provisions of the SEPP 65 Apartment Design Guide.

Detailed expression of such inadequacies are articulated in the Council assessment report and the Architectural Review Advisory Panel report appended to Council's assessment report.

2. The request to vary the development standard contained in Cl. 4.3(2) Height of Buildings Sutherland Shire LEP 2015 is not considered acceptable as the Applicant has not provided sufficient information to assess the extent of the proposed variation and a full assessment of the impacts of that variation cannot be fully determined. Further it is considered that the size of the subject site allows sufficient scope for conforming development to be reasonably achieved.
3. The proposed concept masterplan has been reviewed by Council's independent Architectural Review Advisory Panel and judged to not respond adequately to the opportunities presented by this large well located site. In this regard reference is made to the matters raised in the ARAP report attached to Council's assessment report.
4. The proposed distribution of Gross Floor Area across the site would result in an unreasonably dense building mass on the southern portion of the site.
5. Inadequate advice has been provided in regard to the private/public use entitlements of the open space located near to and including the facilities associated with the bowling club element of the site, to enable assessment of the utility of these spaces as residential communal open space and consequently their contribution and value to the on-site amenity of residents.
6. In regard to that element of the proposal relating to the detailed design construction of the first stage of the site's development the Panel considers that approval of individual buildings on the site prior to the resolution of all issues relating to the concept master plan guiding development over the site would be premature, and not constitute orderly development of the site. Further it considers each stage of the development must provide reasonable compliance with relevant design regulations and guidelines.

In consideration of these factors the decision of the Panel is to defer the determination of the application to allow the applicant to submit amended documentation. That material is to address the Panel's concerns as stated above by;





- Modifying the proposal to adequately conform with the Sutherland Shire LEP 2015 including compliance with the height of buildings standard.
- Adequately addressing the design and statutory compliance issues discussed in the Council assessment report and the appended ARAP report.
- Clarifying, quantifying and providing formal documentation of the proposed measures relating to the consolidation, land title and use arrangements that are proposed in regard to the overall site, assuming approval of the master plan, particularly the distinction between public and on site residential entitlement to use of the proposed on site open

spaces and the impact of those arrangements on the extent of at ground communal open space provided for future residents of the complex.

- Adjusting the building locations to more centrally locate the taller buildings, to provide a more acceptable transition with the existing residential flat building located immediately to the south of the site, and the planned future context of the locality, and provide more acceptable solar access to the adjacent southern building.
- Demonstrating arrangements for practical access to the rear of Tarren Point Road properties from the road proposed to be located adjacent to the subject sites common boundary with such properties.

This material is to be submitted to Council by 30.6.17. Should that not occur the Panel will determine the proposal on the basis of the material which has been submitted to Council by that date.

The decision to defer the matter was unanimous. The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

PANEL MEMBERS	
 Bruce McDonald	 Nicole Gurran
 Kent Johns	 Steve Simpson