



Amanda Treharne – 97100462
File Ref: DA15/1254

13 September 2017



E Haddad
30A Eva Street
RIVERWOOD NSW 2210

Dear Sir/Madam

Section 96 Modification Application No. MA17/0087

Development Consent No. DA15/1254

Proposal: Demolition of 6 existing dwellings and construction of a seven storey and an eight storey residential flat buildings containing 99 units with basement carparking (Modified - 10 August 2016)

Property: 16-20 & 40-44 Pinnacle Street, Miranda

This letter is to advise you that following assessment of the above application, the Sydney South Planning Panel determined the application by refusal.

The reasons for the decision are as follows:

REASONS FOR REFUSAL

The Panel while satisfied as required Section 96(1A) of the EP&A Act that the modified proposal is substantially the same development as the development for which consent was originally granted, has considered the extent of modifications proposed including the number of additional units to be provided, the increase in gross floor area, the increased building envelope and the differing integration of the proposed building into its immediate context.

The Panel considers that the proposed amendments sought result in a development which:

1. Exceeds the maximum Floor Space Ratio standard contained in Clause 4 of Sutherland LEP 2015 without adequate reasons for such exceedance being presented.
2. Fails to adequately satisfy the provisions of State Environmental Planning Policy 65 – Design Quality of Residential Flat Development and its associate Apartment Design Guide.

3. Fails to adequately satisfy the provisions of Sutherland Shire DCP2015 as it does not adequately reflect the urban design principles set out in Building Envelope Plan prepared to guide development of the Miranda Pinnacle Street Precinct.

Accordingly, the proposed development is not considered a suitable development of the site and approval would not be in the public interest.

If you are dissatisfied with Council's decision Part 4, Division 8 (Appeals and Related Matters) of the Environment Planning and Assessment Act, 1979 provides you with a right of appeal to the Land and Environment Court.

If you would like further information, please contact Amanda Treharne on 9710 0462 or email atreharne@ssc.nsw.gov.au and quote the application number in the subject.

Yours faithfully

A handwritten signature in black ink, appearing to read 'P Barber', with a long horizontal line extending to the right.

Peter Barber
Director, Shire Planning