

DATE OF DETERMINATION	27 September 2017
PANEL MEMBERS	Nicole Gurran (Acting Chair) Bruce McDonald, Peter Brennan and Steve Simpson
APOLOGIES	Morris Iemma and Kent Johns
DECLARATIONS OF INTEREST	Peter Brennan declared a non-pecuniary, insignificant interest in relation to this development, Peter use to work with Aaron Sutherland who is the town planner of the applicant.

Public meeting held at Sutherland Shire Council Chambers on Wednesday 27 September 2017 opened at 11.00 am and closed at 1.20 pm.

MATTER DETERMINED

Panel Ref – 2017SSH012 - LGA – Sutherland Shire, MA-17/0129, Address – Lots 1 & 2 DP 589977 & Lot 1 DP 179075 (No. 566-594) Princess Highway, Kirrawee, Section 96(2)
Modification Application to DA15/1134 – Increase in number of commercial tenancies, design amendment to retail tenancy, use of a tenancy for Coles distribution centre, use and fit out as child care centre, amend carparking condition, include liquor sales in supermarket and amend working hours.

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meeting and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel has resolved to defer this matter to allow the applicant to have further discussions with council to:

- Resolve the issues relating to the enclosure of the outdoor play area of the proposed childcare centre, by the construction of floor to ceiling acoustically treated glass walls, and an assessment of air quality, ventilation and other environmental requirements.
- Address concerns about parking, set down and drop off arrangements for the proposed child care centre, including provision of at least 16 car spaces and arrangements for disabled and or pram parking as required by council.
- Reconciliation of the total amount of total additional GFA in the proposed development so as to remain consistent with the original concept plan approval. The Panel notes that this implies a need to delete the proposed additional retail floor space, if the proposed childcare centre is to proceed, but is minded to accept the recommendation to approve the creation of additional retail tenancies, provided that this remains consistent with the total GFA approved under the concept plan.

Pending the resolution of these matters, the Panel is generally minded to accept the Council's recommendation to approve the following aspects of the proposal:

- Items b (the shopping distribution facility) c and d (the division of retail tenancies to create new tenancies), and h (changes to the building façade as indicated in the submitted plans).

In relation to the modification of the access arrangements from Flora St, the Panel is also minded to approve this aspect of the proposal, subject to a condition relating to the removal of the entry boomgate and the introduction of licence plate recognition technology to manage car park access.

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

VERBAL SUBMISSIONS:

On behalf of the Council –

- Daniel Lukic, Luke Murtas and Bruce Powe





On behalf of the applicant –

- Aaron Sutherland
- Piran Trethewey

Support – Nil

Object –

- Paul Hesse – written submission
- John Nias
- June Wilson

PANEL MEMBERS	
 Nicole Gurran (Acting Chair)	 Bruce McDonald
 Peter Brennan	 Steve Simpson