

DATE OF DETERMINATION	20 June 2018
PANEL MEMBERS	Helen Lochhead (Chair), Bruce McDonald, Nicole Gurran, Steve Simpson and Michael Forshaw
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held at Sutherland Shire Council, 4-20 Eton Street, Sutherland on 20 June 2018, opened at 2pm and closed at 3.40pm.

MATTER DETERMINED

2018SSH002 – Sutherland – MA17/0572 at 566-594 Princes Highway, Kirrawee (AS DESCRIBED IN SCHEDULE 1)

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, 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.

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 4.55 of the *Environmental Planning and Assessment Act 1979*.

The decision was 4:1 in favour, against the decision was Steve Simpson.

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:






1. The Panel is satisfied that the proposed development is substantially the same as that for which consent was originally granted and that the proposed modification is of minimal additional environmental impact.
2. The proposed development is consistent with the modification (Modification 5- approved 18 October 2017) to the Concept Plan approval by the Planning Assessment Commission (PAC) issued under Part 3a of the EPA Act 1979 by the Department of Planning. In this regard it is noted that the modification has been approved on the basis that carparking is to be provided and the local road system capacity are considered adequate.
3. In considerations of conclusions 1-2 above the Panel considers the proposed development is a suitable use of the site.

Steve Simpson disagreed with the majority decision for the following reason:

He did not support the decision on the grounds of the increase in density and the pressures on infrastructure and open space within the development.

CONDITIONS:

The development application was approved subject to the recommended conditions in the Council Assessment Report

PANEL MEMBERS	
 Helen Lochhead (Chair)	 Nicole Gurran
 Bruce McDonald	 Steve Simpson
 Michael Forshaw	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SSH002 – Sutherland – MA17/0572
2	PROPOSED DEVELOPMENT	Section 4.55(2) modification of DA15/1134: split 30 x 3 bedroom apartments into 60 x 1 bedroom apartments resulting in increased density from 749 approved apartments to 779 apartments within the development
3	STREET ADDRESS	566-594 Princes Highway, Kirrawee
4	APPLICANT/OWNER	Combined Projects (Kirrawee) Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(2) Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development State Environmental Planning Policy (Building Sustainability Index: BASIX) (BASIX) Sutherland Shire Local Environmental Plan 2015 (SSLEP2015) Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Sutherland Shire Development Control Plan 2015 (SSDCP2015) Apartment Design Guide (ADG) Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil Coastal zone management plan: Nil 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 <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report: 30 May 2018 Written submissions during public exhibition: 2 <ul style="list-style-type: none"> On behalf of the applicant – Aaron Sutherland, Stephen Cox
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Site inspection and briefing meeting 21 February 2018 Final briefing meeting to discuss council's recommendation, 20 June 2018, 12.30pm. Attendees: <ul style="list-style-type: none"> <u>Panel members</u>: Helen Lochhead (Chair), Bruce McDonald, Nicole Gurran, Steve Simpson and Michael Forshaw <u>Council assessment staff</u>: Daniel Lukic and Luke Murtas
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report