

## DETERMINATION AND STATEMENT OF REASONS SYDNEY SOUTH PLANNING PANEL

<b>DATE OF DETERMINATION</b>	10 April 2018
<b>PANEL MEMBERS</b>	Helen Lochhead (Chair), Bruce McDonald, Nicole Gurran, Michael Foreshore
<b>APOLOGIES</b>	Steve Simpson
<b>DECLARATIONS OF INTEREST</b>	None

Electronic meeting held between 29 March 2018 and 10 April 2018.

### MATTER DETERMINED

2018SSH013 – Sutherland - MA17/0591 at 475A Captain Cook Drive Woollooware (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 determined to approve the development application as described in Schedule 1 pursuant to section 4.55 (previously section 96) of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.





### REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- The application satisfies the requirement that the development to which the consent as modified relates, will remain substantially the same development as that originally granted consent. Further, there is no necessity for consultation with any Minister, public authority or approval body in respect to the modification sought by this application.
- The application continues to adequately satisfy the applicable State Environmental Planning Policies, Sutherland Local Environmental Plan 2015 and Sutherland Development Control Plan 2015.
- The proposed development is permissible within the zone with development consent from Council.

### CONDITIONS

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

PANEL MEMBERS	
 Helen Lochhead (Chair)	 Bruce McDonald
 Nicole Gurran	 Michael Foreshore

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SSSH013 – Sutherland - MA17/0591
2	PROPOSED DEVELOPMENT	Section 4.55(1A) modification of DA16/1068 - civil engineering modifications, construction staging and materials.
3	STREET ADDRESS	475A Captain Cook Drive, Woollooware NSW 2230 (Part Lot 3 DP 1218707)
4	APPLICANT/OWNER	Emily McLaughlin (Bluestone Capital Ventures No.1 Pty Ltd) / Sharks Residential Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(1A) Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>State Environmental Planning Policy (State and Regional Development) 2011</li> <li>State Environmental Planning Policy No.55 – Remediation of Land</li> <li>State Environmental Planning Policy No.65 – Design Quality of a Residential Development</li> <li>State Environmental Planning Policy (Infrastructure) 2007</li> <li>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> <li>Greater Metropolitan Regional Environmental Plan No.2 – Georges River Catchment</li> <li>Apartment Design Guide</li> <li>Sutherland Local Environmental Plan 2015</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Sutherland Development Control Plan 2015</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil [or enter the clauses if relevant]</li> <li>Coastal zone management plan: Nil</li> <li>The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>The suitability of the site for the development</li> <li>Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Council assessment report: 27 March 2017</li> <li>Written submissions during public exhibition: number</li> <li>Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>Support – [names of speakers]</li> <li>Object – [names of speakers]</li> <li>On behalf of the applicant – [names of speakers]</li> </ul> </li> </ul>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	Electronic determination meeting
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report