

DATE OF DETERMINATION	13 April 2018
PANEL MEMBERS	Helen Lochhead (Chair), Bruce McDonald, Nicole Gurran, Michael Foreshore
APOLOGIES	Steve Simpson
DECLARATIONS OF INTEREST	None

Electronic meeting held between 29 March 2018 and 13 April 2018.

MATTER DETERMINED

2018SSH013 – Sutherland - MA17/0523 at 475B 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
- The application continues to adequately satisfy the applicable State Environmental Planning Policies, Sutherland Local Environmental Plan 2015 and Sutherland Development Control Plan 2015.

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.	2018SSSH014 – Sutherland - MA17/0523
2	PROPOSED DEVELOPMENT	Clause 4.55 modification to DA14/0598 - installation of storage cages rearrangement of car parking spaces and modify condition 14 relating to car parking space heights.
3	STREET ADDRESS	475B Captain Cook Drive Woollooware (Lot 2 DP1218707)
4	APPLICANT/OWNER	Bluestone Capital Ventures No. 1 Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(1A) Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	• Environmental planning instruments: - o State Environmental Planning Policy (State and Regional Development) 2011 - o State Environmental Planning Policy No.55 – Remediation of Land - o State Environmental Planning Policy No.65 – Design Quality of a Residential Development - o State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 - o Greater Metropolitan Regional Environmental Plan No.2 – Georges River Catchment - o Apartment Design Guide - o Sutherland Local Environmental Plan 2015 • Draft environmental planning instruments: Nil • Development control plans: - o Sutherland Development Control Plan 2015 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017 • 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	• Council assessment report: 27 March 2017 • Written submissions during public exhibition: nil
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	Electronic determination meeting
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report