

DATE OF DETERMINATION	Wednesday, 21 November 2018
PANEL MEMBERS	Helen Lochhead (Chair), Bruce McDonald, Nicole Gurran, Michael Forshaw, Steve Simpson
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held at Sutherland Shire Council, 4-20 Eton St, Sutherland on 21 November 2018, opened at 2.35pm and closed at 7:20pm

MATTER DETERMINED

2018SSH015 – Sutherland – DA18/0323 at 5-9 Ozone Street, Cronulla (as described in Schedule 1)

REASONS FOR DEFERRAL






The panel agreed to defer the determination of the matter so that additional information from the applicant to demonstrate how:

1. the adverse impacts of the development, in particular view loss, have been addressed as per the relevant considerations in the LEP.
2. the amended design addresses the comments of Council's Design Review Forum (DRF) at their meeting on 25 October 2018. This submission is to be reconsidered by the DRF and their comments along with an updated Design verification statement be provided to the Panel.

An amended report, including the applicant's submissions be prepared by Council is to be submitted to the Panel for their reconsideration of the application.

The applicant should provide this additional information to Council within 30 days. When this information has been assessed by Council, the panel will hold another public determination meeting.

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

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

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SSH015 – Sutherland – DA18/0323
2	PROPOSED DEVELOPMENT	Demolition of existing structures and construction of aa residential apartment building containing 32 apartments and 3 basement parking levels
3	STREET ADDRESS	5-9 Ozone Street, Cronulla
4	APPLICANT/OWNER	Ozone Cronulla Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ State Environmental Planning Policy (Coastal Management) 2018 ○ State Environmental Planning Policy No. 55 (Remediation of Land) ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ○ State Environmental Planning Policy No. 65 (Design Quality of Residential Flat Development) ○ Apartment Design Guide ○ Sutherland Shire Local Environmental Plan 2015 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Sutherland Shire Development Control Plan 2015 ○ Sutherland Shire Section 94 Development Contributions Plan 2016 • 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: 9 November 2018 • Written submissions during public exhibition: 62 households • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Support – Nil ○ Object – Tony Robb, James Flaherty, Jim McDonald, Bill Swinger, Paul Heeks ○ Council assessment officer – Martin Southwell, Carine Elias, Amanda Treharne ○ On behalf of the applicant – Julie Grant, Vic Lake, Jeff Baker, Matthew McCarthy
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing 22 August 2018 • Site inspection 21 November 2018 • Final briefing to discuss council's recommendation, 21 November 2018, 1.45pm. Attendees:

		<ul style="list-style-type: none">○ <u>Panel members</u>: Helen Lochhead (Chair), Bruce McDonald, Nicole Gurran, Michael Forshaw, Steve Simpson○ <u>Council assessment staff</u>: Carine Elias, Martin Southwell, Amanda Treharne, Peter Barber
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report