

DETERMINATION AND STATEMENT OF REASONS

SYDNEY SOUTH PLANNING PANEL

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| DATE OF DETERMINATION | 24 May 2018 |
| PANEL MEMBERS | Helen Lochhead (Chair), Bruce McDonald, Nicole Gurrán, Steve Simpson and Michael Forshaw |
| APOLOGIES | |
| DECLARATIONS OF INTEREST | None |

Electronic meeting held between 15 May 2018 and 24 May 2018.

MATTER DETERMINED

2018SSH016 – Sutherland – MA18/0030 at 580 Princes Highway & 45 Flora Street, 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 determined to approve the development application as described in Schedule 1 pursuant to section 4.55(1a) 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 proposed development is substantially the same as that for which consent was earlier granted
- The proposed modification is consistent with the Part 3A Concept approval applying to this site, as modified by the Department of Planning and Environment on 12.4.18
- The proposed modification will facilitate construction of Stage 1 of the approved development while the design of the future park that is to be provided under the terms of consent is being resolved
- The proposed modification does not result in deletion of the proposed park from the development
- The modification is a change to the delivery timing part of the development from Stage 1 to Stage 2 and does alter the development for which approval has previously been granted.

| PANEL MEMBERS | |
|---|---|
|  Helen Lochhead (Chair) |  Bruce McDonald |
|  Nicole Gurrán |  Steve Simpson |
|  Michael Forshaw | |

| SCHEDULE 1 | | |
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| 1 | PANEL REF – LGA – DA NO. | 2018SSH016 – Sutherland – MA18/0030 |
| 2 | PROPOSED DEVELOPMENT | Section 4.55(1a) Modification Application to DA15/1134 – Amend staging diagrams in Condition 1 to transfer the completion of the park from Stage 1 to Stage 2 |
| 3 | STREET ADDRESS | 580 Princes Highway and 45 Flora Street, Kirrawee |
| 4 | APPLICANT/OWNER | Combined Projects (Kirrawee) Pty Ltd |
| 5 | TYPE OF REGIONAL DEVELOPMENT | Section 4.55(1A) Modification Application |
| 6 | RELEVANT MANDATORY CONSIDERATIONS | <ul style="list-style-type: none"> • Environmental planning instruments: N/A • Draft environmental planning instruments: N/A • Development control plans: N/A • Planning agreements: N/A • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil [or enter the clauses if relevant] • 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: 8 May 2017 • Written submissions during public exhibition: Nil • Council addendum report addressing a comment submitted after the exhibition period: 8 May 2017 |
| 8 | MEETINGS AND SITE INSPECTIONS BY THE PANEL | <ul style="list-style-type: none"> • Electronic determination meeting |
| 9 | COUNCIL RECOMMENDATION | Approval |
| 10 | DRAFT CONDITIONS | Attached to the council assessment report |