

<b>DATE OF DETERMINATION</b>	Tuesday, 26 March 2019
<b>PANEL MEMBERS</b>	Helen Lochhead (Chair), Bruce McDonald, Nicole Gurrán, Michael Forshaw, Steve Simpson
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Papers circulated electronically between 19 March 2019 and 26 March 2019.

**MATTER DETERMINED**

2018SSH035 – Sutherland - MA18/0241 - Section 4.55(2) Modification to DA16/1620 at 99R Acacia Road and 42 Auburn Street, Sutherland (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 briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

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






The decision was unanimous.

**REASONS FOR THE DECISION**

- The panel determined to approve the application for the reasons outlined in the council assessment report.

**CONDITIONS**

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

<b>PANEL MEMBERS</b>	
 Helen Lochhead (Chair)	 Bruce McDonald
 Nicole Gurrán	 Michael Forshaw
 Steve Simpson	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SSH035 – Sutherland - MA18/0241 - Section 4.55(2) Modification to DA16/1620
2	PROPOSED DEVELOPMENT	Deletion of wellness centre and replacement with 4 additional residential units; relocation of hairdressing room; reduction in cafe area; extension to pool concourse; additional plant area; adjustment to footprint of building A; design changes to units; removal of 2 units from building B and change to roof form; deletion of conditions requiring design changes, deletion of roof top communal open space to Building A.
3	STREET ADDRESS	Lot 11 DP 1103619 (No. 99R) Acacia Road and Lot 200 DP 1110295, (No. 42) Auburn Street, Sutherland
4	APPLICANT/OWNER	Pact Pm
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million (DA lodged prior to 1 March 2018)
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 (Housing for Seniors or People with a Disability) 2004</li> <li>○ State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development</li> <li>○ State Environmental Planning Policy 55 – Remediation of Land</li> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ NSW Planning &amp; Environment – Apartment Design Guide</li> <li>○ Sutherland Shire Local Environmental Plan 2015</li> <li>○ Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment</li> <li>○ Draft planning agreement that has been entered into under section 93F</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Sutherland Shire 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</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: 18 March 2019</li> <li>• Written submissions during public exhibition: 0</li> </ul>
8	PAPERS CIRCULATED ELECTRONICALLY	<ul style="list-style-type: none"> <li>• Papers were circulated electronically between 19 March 2019 and 26 March 2019</li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report