

DATE OF DEFERRAL	15 July 2020
PANEL MEMBERS	Stuart McDonald (Chair), Sue Francis, Heather Warton, Steve Simpson, Jack Boyd
APOLOGIES	None
DECLARATIONS OF INTEREST	Michael Forshaw and Carol Provan declared a conflict of interest having voted on the application in their capacity as Councillors for Sutherland Shire Council.

Public meeting held at Public Teleconference on Wednesday, 15 July 2020, opened at 1pm and closed at 2pm.

MATTER DEFERRED

2019SSH002 – Sutherland – DA18/1448 at 455 Captain Cook Drive Woollooware for construction of Stage 1 Precinct of Woollooware Bay Town Centre.

REASONS FOR DEFERRAL






The Panel defer the determination of the application, at the request of the applicant, for the following reasons:

1. To allow for the Council officers and applicant representatives to confer regarding the draft conditions of consent dealing only with the timing of future construction works and occupation.

It is the Panel's position that the consent conditions should not include reference to staging but be flexible enough to allow conditions to be addressed at 'relevant' phases of the work and occupation to occur as is appropriate.
2. The Council provide an updated report with updated draft conditions of consent in response to item 1 above to the Panel within 15 working days of the date of this decision.
3. That an additional draft condition be included stating that the use of the hotel rooms are not to be changed to another use without development consent.

Upon receipt of the updated report and updated draft conditions of consent, the Panel deal with the application by way of electronic determination within 2 working

The decision to defer the matter was unanimous.

PANEL MEMBERS	
 Stuart McDonald (Chair)	 Sue Francis
 Heather Warton	 Steve Simpson
 Jack Boyd	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2019SSH002 – Sutherland – DA18/1448
2	PROPOSED DEVELOPMENT	Construction of Stage 1 Precinct of Woollooware Bay Town Centre: Partial demolition of existing Leagues Club and other structures, tree removal, construction and use of new retail centre, fitout of Levels 3 and 4 for the Leagues Club, public domain works, infrastructure works, construction and use of hotel accommodation, construction of four residential apartment buildings containing 255 dwellings, construction and use of office tenancies, construction of a child care centre, above ground car park, landscaping works and staged Construction and Occupation Certificates.
3	STREET ADDRESS	455 - 461 Captain Cook Drive, Woollooware
4	APPLICANT/OWNER	BCV Sharks Retail Unit Trust
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 No. 55 – Remediation of Land ○ State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ○ State Environmental Planning Policy (Educational Establishments and Childcare Facilities) 2017 ○ State Environmental Planning Policy (Coastal Management) 2018 ○ Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment ○ 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 ○ Section 7.12 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: 1 July 2020 • Applicant memo: 9 July 2020 • Written submissions during public exhibition: 21 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Council assessment officer – Carine Elias, Mark Adamson ○ On behalf of the applicant – Michael Oliver

8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing: 15 May 2019 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Helen Lochhead (Chair), Bruce McDonald, Nicole Gurran, Steve Simpson ○ <u>Council assessment staff</u>: Mark Adamson, Carine Elias, Amanda Treharne, Teille Whiteman • Final briefing to discuss council's recommendation, [date], [time]. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Stuart McDonald (Chair), Heather Warton, Sue Francis, Steve Simpson, Jack Boyd ○ <u>Council assessment staff</u>: Mark Adamson, Carine Elias
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report