

DATE OF DETERMINATION	13 May 2020
PANEL MEMBERS	Helen Lochhead (Chair), Stuart McDonald, Heather Warton, Michael Forshaw, Jack Boyd
APOLOGIES	Steve Simpson
DECLARATIONS OF INTEREST	None

Public meeting held at Microsoft Teams on 13 May 2020, opened at 12pm and closed at 1pm.

#### MATTER DETERMINED

PPSSSH-10 – Sutherland – MA19/0303 at 5-9 Ozone St, Cronulla

S4.56 modification to DA18/0323 - changes to the apartment mix, internal layouts and external facade (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.

#### Development application

The panel determined to approve the development application pursuant to section 4.56 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous

#### REASONS FOR THE DECISION

- The modification to the external façade and the increase in the number of apartments pose acceptable impacts subject to Councils conditions.

#### CONDITIONS

The development application was approved subject to the conditions in the council assessment report with the following amendments.





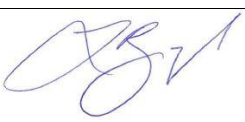
- A late report confirmed that deletion of Condition 28 - basement tanking, is acceptable and replaced with a new condition re: acid sulphate soil unexpected finds.
- Condition 9 - Construction Environmental Management Plan to include restriction of construction vehicles;
  - onloading and offloading for heavy vehicles to be limited to Ozone St,
  - onloading and offloading on Cecil Monroe St to be limited to light vehicles only.

#### CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel considered written submissions made during public exhibition and heard from all those wishing to address the panel. The panel notes that issues of concern included:

- Increase in number of apartments
- Impacts of traffic and parking
- Waste collection
- Rectification works
- Plant room noise

The panel considers that concerns raised by the community have been adequately addressed in the assessment report and that no new issues requiring assessment were raised during the public meeting. The panel notes that in addressing these issues appropriate additional conditions have been imposed.

PANEL MEMBERS	
 Helen Lochhead (Chair)	 Stuart McDonald
 Heather Warton	 Michael Forshaw
 Jack Boyd	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSSH-10 – Sutherland – MA19/0303
2	PROPOSED DEVELOPMENT	S4.56 modification to DA18/0323 - changes to the apartment mix, internal layouts and external facade
3	STREET ADDRESS	S/P 545, S/P 9336, S/P 48254, S/P 67206 – 5 to 9 Ozone Street, Cronulla
4	APPLICANT/OWNER	Ozone Cronulla Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	<b>Section 4.56 Modification Application</b>
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 (Coastal Management) 2018</li> <li>State Environmental Planning Policy (State and Regional Development) 2011</li> <li>State Environmental Planning Policy (Coastal Management) 2018</li> <li>State Environmental Planning Policy No. 55 (Remediation of Land) (SEPP 55)</li> <li>State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development (SEPP 65)</li> <li>State Environmental Planning Policy (Building Sustainability Index: Sutherland Shire Local Environmental Plan 2015 (SSLEP 2015)</li> <li>Apartment Design Guide</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 (SSDCP 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: 27 April 2020</li> <li>Addendum amendment regarding basement, dated 12 May 2020</li> <li>Written submissions during public exhibition: 3</li> <li>Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>William Swinger</li> <li>Council assessment officer – Meredith Alach</li> <li>On behalf of the applicant – Paul Buljevic, Stephen Kerr, Greg Barr</li> </ul> </li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Briefing: 19 February 2020 <ul style="list-style-type: none"> <li><u>Panel members</u>: Helen Lochhead (Chair), Stuart McDonald, Heather Warton, Michael Forshaw, Jack Boyd</li> <li><u>Council assessment staff</u>: Carine Elias, Mark Adamson, Meredith Alach</li> </ul> </li> <li>Site inspection: Various. Due to COVID-19 precautions, Panel members visited the site independently, prior to 13 May 2020</li> <li>Final briefing to discuss council's recommendation, 13 May 2020, 10.45am Attendees:</li> </ul>

		<ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Helen Lochhead (Chair), Stuart McDonald, Heather Warton, Michael Forshaw, Jack Boyd</li> <li>○ <u>Council assessment staff</u>: Meredith Alach, Mark Adamson, Carine Elias</li> </ul>
<b>9</b>	<b>COUNCIL RECOMMENDATION</b>	Approval
<b>10</b>	<b>DRAFT CONDITIONS</b>	Attached to the council assessment report and addendum memo dated 12 May 2020