

DATE OF DETERMINATION	23 June 2022
DATE OF PANEL DECISION	21 June 2022
PANEL MEMBERS	Helen Lochhead (Chair), Heather Warton, Carol Provan, Kent Johns
APOLOGIES	Stuart McDonald
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 8 June 2022.

MATTER DETERMINED

PPSSSH-107 – Sutherland– MA-21/0359 - 186 Captain Cook Drive, Kurnell

Modification to an approved development for construction of a warehouse for storage and distribution of tyres and an ancillary office building which includes food and drink premises and amenities.

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 modification pursuant to section 4.55(2) 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 modification was approved subject to the amendment to and additional conditions as shown in the council assessment report with the following amendments:

- Condition 4A to include a proviso that any additional uses and sub-leasing of the warehouse will be subject to separate application.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel notes that no written submissions were made during public exhibition and therefore no issues of concern were raised.

PANEL MEMBERS	
 Helen Lochhead (Chair)	 Heather Warton
 Carol Provan	 Kent Johns

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSSH-107 – Sutherland– MA-21/0359
2	PROPOSED DEVELOPMENT	Modification application under s4.55(2) to an approved development for construction of a warehouse for storage and distribution of tyres and an ancillary office building which includes food and drink premises and amenities.
3	STREET ADDRESS	186 Captain Cook Drive, Kurnell
4	APPLICANT/OWNER	Insight Project Services Pty Ltd / Taleb Property Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Sutherland Shire Local Environmental Plan 2015 (SSLEP 2015) • Sutherland Shire Development Control Plan 2015 (SSDCP 2015) • State Environmental Planning Policy (Resilience and Hazards) 2021 • State Environmental Planning Policy (Transport and Infrastructure) 2021 • State Environmental Planning Policy (Planning Systems) 2021 • Section 7.12 Development Contribution Plan 2016 - Sutherland Shire
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report: 27 May 2022 • Written submissions during public exhibition: Zero
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing: 12 April 2022 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Helen Lochhead (Chair), Stuart McDonald, Heather Warton, Carol Provan, Kent Johns ○ <u>Council assessment staff</u>: Beth Morris, Thomas Walters ○ <u>DPE</u>: Leanne Harris, Carolyn Hunt, Holly McCann • Final briefing to discuss council's recommendation: 21 June 2022 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Helen Lochhead (Chair), Heather Warton, Carol Provan, Kent Johns ○ <u>Council assessment staff</u>: Beth Morris, Slavco Bujaruski ○ <u>DPE</u>: Carolyn Hunt, Sharon Edwards
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report