

DATE OF DEFERRAL	28 March 2024
DATE OF PANEL BRIEFING	25 March 2024
PANEL MEMBERS	Annelise Tuor (Chair), Penelope Holloway, Glennis James, Carol Provan and Luke Murtas
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Panel Briefing held by teleconference on 25 March 2024, opened at 9:10 am and closed at 10:30am.
Papers circulated electronically on 18 March 2024.

MATTER DEFERRED

PPSSH-134 – Sutherland Shire Council – DA23/0196 at 39 Willarong Road, Caringbah – Demolition of existing structures and construction of a medical and child care centre.

REASONS FOR DEFERRAL

The Panel considered the matters listed at item 6, the material listed at item 7, the material presented at the meetings listed at item 8 in Schedule 1.

The reasons that matter was deferred are:

- The applicant requested additional time to work with council to resolve the outstanding issues.
- Council opposed the deferral but indicated that it may be possible to resolve the reasons for refusal with further information and time.
- The proposed medical centre and child care centre are suitable uses for the site and would provide a community benefit, should the outstanding issues be resolved to the satisfaction of the Panel.

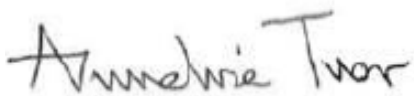
ACTIONS

The Panel agreed that:

1. The applicant and council staff are to meet by 9 April 2024 to discuss council's recommended reasons for refusal. Following the meeting, a joint memo (from council and the applicant) is to be provided to the Panel outlining the agreed solutions to each of the reasons for refusal, any remaining unresolved issues and whether the DA would require renotification.
2. Should the Panel not be satisfied as to the outcome indicated in the memo, the Panel will determine the DA based on the current information, by circulation of papers. Should the Panel be satisfied, then both parties will be advised to proceed, and:
 - a. The applicant is to provide council with additional information to address the reasons for refusal in the council assessment report by 22 April 2024.
 - b. Council staff will have until 16 May 2024 to provide the Panel and the Applicant with a supplementary report and draft conditions of consent. The Council and the Applicant are to provide advice to the Panel by 23 May 2024 on any conditions that are not agreed with reasons.
 - c. The Panel will hold a Determination Briefing on 27 May 2024.

The decision to defer the matter was unanimous.

PANEL MEMBERS



Annelise Tuor (Chair)



Penelope Holloway



Glennis James



Carol Provan



Luke Murtas

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSSH-134 – Sutherland Shire Council – DA23/0196
2	PROPOSED DEVELOPMENT	Demolition of existing structures and construction of a medical and child care centre.
3	STREET ADDRESS	31 Koonya Circuit (Lot 23 DP 800924) 39 Willarong Road Caringbah (Lot 22 DP 800924) 41-49 Willarong Road (Lot 101 DP 417983) 29 Koonya Circuit (Lot 21 DP 800924)
4	APPLICANT/OWNER	Richard Seaward - Equity Trustees Limited as Custodian for HMC Funds Management Limited
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> <i>State Environmental Planning Policy (Planning Systems) 2021</i> <i>State Environmental Planning Policy (Resilience and Hazards) 2021</i> <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> <i>Sutherland Shire Local Environmental Plan 2015 (SSLEP 2015)</i> Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> <i>Sutherland Shire Development Control Plan 2015 (SSDCP 2015)</i> Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> 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
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report: 18 March 2024 Clause 4.6 statement – Landscaped Area Written submissions during public exhibition: 6 Total number of unique submissions received by way of objection: 5
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Kick Off Briefing: 01/08/2023 <ul style="list-style-type: none"> <u>Panel members</u>: Annelise Tuor (Chair), Penny Holloway, Glennis James, Carol Provan and Stephen Nikolovski <u>Council assessment staff</u>: Evan Phillips, Amanda Treharne and Sue McMahon <u>Applicant representatives</u>: Richard Seaward, Jacob Barsoum and Kieran Corcoran Assessment Briefing: 20/11/2023 <ul style="list-style-type: none"> <u>Panel members</u>: Annelise Tuor (Chair), Penelope Holloway, Glennis James, Carol Provan and Luke Murtas <u>Applicant representatives</u>: Richard Seaward, Jacob Barsoum, Kieran Corcoran and Michael Bonnici Site Inspection: 8/1/023

		<ul style="list-style-type: none"> ○ <u>Panel members</u>: Annelise Tuor (Chair), Penny Holloway, Glennis James and Carol Provan ○ <u>Council assessment staff</u>: Sue McMahon & Evan Phillips ● Final briefing to discuss council's recommendation: 25/03/2024 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Annelise Tuor (Chair), Penny Holloway, Glennis James, Carol Provan and Luke Murtas ○ <u>Council assessment staff</u>: Amanda Treharne, Evan Phillips and Sue McMahon ○ <u>Applicant representatives</u>: Richard Seaward, Alex DeJong, Helen Doherty, Jacob Barsoum, Lizzy Henry, Thomas Rozehnal, Ted Lilly, Andrew Boustred and Kieran Corcoran
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	No draft conditions provided as recommended for refusal.