

DATE OF DEFERRAL	3 June 2025
PANEL MEMBERS	Annelise Tuor (Chair), Glennis James, Carol Provan, Elizelle Cilliers
APOLOGIES	Penelope Holloway
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 21 May 2025.

#### MATTER DEFERRED

PPSSSH-156 – Sutherland – DA23/0721 - 13 Endeavour Road CARINGBAH - Mixed use development (as described in Schedule 1).

#### REASONS FOR DEFERRAL

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 the site inspection listed at item 8 in Schedule 1.

The panel had the benefit of the council's assessment report (which recommended a deferred commencement of the development application, and a submission from the applicant in response to council's recommendation (Letter to SSPP re Draft Conditions, dated 22 May 2025). The matters raised in the applicant responses related primarily to the deferred commencement conditions requiring the removal of parking spaces and amendments to the building footprint to retain existing trees. The applicant sought the deferral of the matter to resolve outstanding matters, and to provide additional information (such as stormwater modelling).

The panel agreed to defer the determination of the matter until 30 June 2025. The matter was deferred to enable council and the applicant to hold further discussions, provide further information and assessment.

The decision to defer the matter was unanimous.

#### ACTIONS

To enable the panel to make an informed decision on the development application, the panel directed that council, and the applicant hold further discussions (30 May 2025) in relation to design changes, outstanding information and disputed conditions. The matters to be discussed include reduction in car spaces and design changes to enable increased tree retention, further stormwater information, childcare centre details, timing of VPA and easement, updated documentation related to staging plans and amendments or requirements of any previous consents on the site relevant to the application.

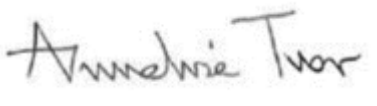
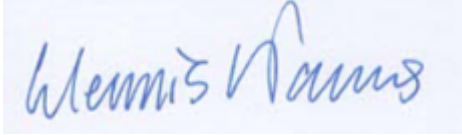


All additional documentation is to be uploaded to the Planning Portal by 16 June 2025.

Once the further information is provided by the applicant, council is requested to upload to the Planning Portal by 30 June 2025:

1. An addendum assessment report which fully considers the information provided as well as the requirements under ss 2.8 and 2.8 of SEPP (Resilience and Hazards) 2021, and
2. Updated draft conditions of consent

Once the addendum assessment report and draft conditions are received, including any comments provided by the applicant, the panel will consider the matter by circulation of papers and determine the application by way of electronic determination, unless a further briefing is deemed necessary by the Chair.

If the outstanding information is not provided by 30 June 2025, the panel may move to determine the DA based on the information currently at hand.

PANEL MEMBERS	
 Annelise Tuor (Chair)	 Glennis James
 Carol Provan	 Elizelle Cilliers

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSSH-156 - SUTHERLAND SHIRE - DA23/0721
2	PROPOSED DEVELOPMENT	Retention of two existing buildings, demolition of existing structures, hardstands and tree removal, and construction of 6 new buildings in development stages. Proposed 24 hour, 7 day a week, land uses include warehouse and distribution, light industrial, industrial retail outlet, commercial, child care and café. Remaining works include internal roads and footpaths, new carparking and landscaping works and partial tree replacement.
3	STREET ADDRESS	13 ENDEAVOUR ROAD CARINGBAH 2229
4	APPLICANT/OWNER	Andrew Whiteman (Aliro) / Perpetual Corporate Trust Limited
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Relevant Acts: <ul style="list-style-type: none"> <li><i>Environmental Planning and Assessment Act 1979</i></li> <li><i>Environmental Planning and Assessment Regulation 2021</i></li> <li><i>Fisheries Management Act 1994</i></li> <li><i>Roads Act 1993</i></li> </ul> </li> <li>Environmental Planning Instruments: <ul style="list-style-type: none"> <li><i>State Environmental Planning Policy (Planning Systems) 2021</i></li> <li><i>State Environmental Planning Policy (Resilience and Hazards) 2021</i></li> <li><i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i></li> <li><i>State Environmental Planning Policy (Primary Production) 2021</i></li> <li><i>State Environmental Planning Policy (Industry and Employment) 2021</i></li> <li><i>Sutherland Shire Local Environmental Plan 2015 (SSLEP 2015)</i></li> <li>Draft environmental planning instruments: Nil</li> </ul> </li> <li>Development control plans: <ul style="list-style-type: none"> <li>Sutherland Shire Development Control Plan 2015 (SSDCP 2015)</li> </ul> </li> <li>Other considerations: <ul style="list-style-type: none"> <li>Child Care Planning Guideline (CCPG)</li> <li>NSW DPI Oyster Industry Sustainable Aquaculture Strategy</li> <li>NSW DPE Healthy Estuaries Oysters Guidelines</li> <li>Sutherland Shire Section 7.12 Development Contributions Plan 2020</li> </ul> </li> <li>Planning agreements: 28 April 2025 (PLN0009-25) - Dedication of approximately 2,662m<sup>2</sup> and signalization of Endeavor Road/Captain Cook Drive Intersection</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: <b>19 May 2025</b></li> <li>Letter to SSPP re Draft Conditions: <b>22 May 2025</b></li> <li>Written submissions during public exhibition: 6</li> <li>Total number of unique submissions received by way of objection: 3</li> </ul>

8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Site inspection: 25 March 2024 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Annelise Tuor (Chair), Glennis James, Carol Provan, Elizelle Cilliers</li> <li>○ <u>Council assessment staff</u>: David Sheehan, Kate Bartlett</li> </ul> </li> <li>• Assessment Briefing: 24 June 2024 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Annelise Tuor (Chair), Penelope Holloway, Glennis James, Carol Provan, Elizelle Cilliers</li> <li>○ <u>Council assessment staff</u>: Sue McMahon, Kate Bartlett, Adrian Melo and David Sheehan</li> <li>○ <u>Applicant representatives</u>: Colin McDonald, Andrew Whiteman, Javier Ferre, Jessica Male, Matthew McCarthy, Gordon Kirkby, Chris Curtis, Jethro Yuan</li> <li>○ <u>DPHI staff</u>: Lillian Charlesworth, Joel Burgess</li> </ul> </li> <li>• Assessment Briefing: 12 August 2024 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Annelise Tuor (Chair), Penelope Holloway, Glennis James, Elizelle Cilliers</li> <li>○ <u>Council assessment staff</u>: Sue McMahon, Adrian Melo and David Sheehan</li> <li>○ <u>Applicant representatives</u>: Colin McDonald, Andrew Whiteman, Jessica Male, Chris Curtis, Jethro Yuan and Noa Galapo</li> <li>○ <u>DPHI staff</u>: Lillian Charlesworth, Joel Burgess</li> </ul> </li> <li>• Assessment Briefing: 16 December 2024 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Annelise Tuor (Chair), Penelope Holloway, Glennis James, Carol Provan, Elizelle Cilliers</li> <li>○ <u>Council assessment staff</u>: David Sheehan, Sue McMahon, Kate Bartlett</li> <li>○ <u>Applicant representatives</u>: Andrew Whiteman (Aliro), Colin MacDonald (Aliro), Andrew Simpson (Aliro), Christopher Curtis (Ethos Urban), Jethro Yuen (Ethos Urban), Noa Galapo (Ethos Urban)</li> <li>○ <u>DPHI staff</u>: George Dojas, Nikita Lange</li> </ul> </li> <li>• Final briefing to discuss council's recommendation: 26 May 2025 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Annelise Tuor (Chair), Glennis James, Carol Provan, Elizelle Cilliers</li> <li>○ <u>Council assessment staff</u>: David Sheehan, Sue McMahon, Joel Di Fonzo</li> <li>○ <u>Council Consultant Assessment Planner</u>: Kate Bartlett</li> <li>○ <u>Applicant representatives</u>: Andrew Whiteman (Aliro), Andrew Simpson (Aliro), Christopher Curtis (Ethos Urban), Jethro Yuen (Ethos Urban), Gordon Kirkby (Ethos Urban), Joel Di Fonzo, Andy Lloyd, Lydia Watson-Moore (Allens), Felicity Rourke (Allens)</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Deferral
10	DRAFT CONDITIONS	Attached to the Council Assessment Report