

<b>DATE OF PANEL DECISION</b>	27 May 2024
<b>PANEL MEMBERS</b>	Annelise Tour (Chair), Glennis James, Penelope Holloway, Carol Provan, Fiona Prodromou
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

## **DELEGATION – DETERMINATION OF 4.56 MODIFICATION APPLICATIONS PPSSSH-166 and PPSSSH-167**

### **MODIFICATION APPLICATIONS**

1. PPSSSH-166 – Sutherland Shire Council – MA24/0080 – 5-9 Ozone Street, Cronulla - s4.56 (Modification of DA18/0323), and
2. PPSSSH-167 – Sutherland Shire Council – MA24/0086 - 5-9 Ozone Street, Cronulla - s4.56 (Modification of DA18/0323)

### **BACKGROUND**

The Minister for Planning and Public Spaces has provided approval under section 2.16(6) of the Environmental Planning and Assessment Act 1979 (EP&A Act) for any Sydney district or regional planning panel to delegate any of its functions under the EP&A Act or any other Act (other than the power of delegation) to the general manager or other staff of a council, for any area or part of any area for which the Sydney district or regional planning panel is constituted.

These two modification applications for the same site have been referred to Sydney South Planning Panel given they were lodged under section 4.56 of the Environmental Planning and Assessment Act 1979. Both MODS seek to amend DA18/0323 approved by the Land and Environment Court on 2 April 2019. An appeal regarding DA18/0323 had been lodged with the Court on 24 August 2018 and on 21 November 2018, the former Sydney South Planning Panel deferred a determination of the DA (Panel Ref:2018SSSH015). The approved development was for demolition of existing structures and construction of a residential apartment building containing 38 apartments and 3 basement parking levels.

### **APPLICATION DETAILS**

The details of each application are shown in the table below:

	<b>PPSSSH-167</b>	<b>PPSSSH-167</b>
<b>DA Number</b>	MA24/0080	MA24/0086
<b>Lodgement date</b>	19 April 2024	23 April 2024
<b>Project description</b>	Section 4.56 Modification to DA18/0323 comprising internal changes to Apartment 502 to remove the study, extend the walk in pantry and include additional storage space.	Section 4.56 Modification to DA18/0323 comprising amendments to the driveway, basement garage and filtration tank, fence height increase and reinstatement of green wall.
<b>Applicant</b>	Joshua Zhou	Joshua Zhou
<b>Owner</b>	Joshua Zhou	Joshua Zhou
<b>Planner</b>	Glyde Consulting	Glyde Consulting
<b>Architect</b>	PBD	PBD
<b>CIV</b>	\$30,407,589	\$30,407,589

The following six (6) modification applications have previously been approved:

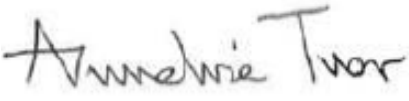
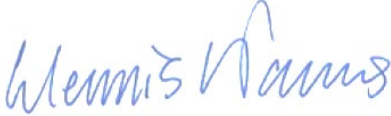



1. MA19/0303 - Changes to the apartment mix, internal layouts and external facade
2. MA20/0232 - Delete condition 19 i) consolidation and amend condition 19 ii) road dedication
3. MA20/0412 - Design changes to all basement levels 1, 2 & 3
4. MA21/0080 - Increase overall height, floor area and open space for ground floor units G01-05, changes to internal layout of units, windows, location of fire booster, OSD and services, façade base cladding and landscaping and addition of louvre screens and sliding doors
5. MA22/0137 - Changes to internal layouts, parking allocations, finishes and landscaping components. 2
6. MA21/0270 - Modifying conditions 1 and condition 6 to incorporate separate approvals for the amalgamation of units 403/404, 502/503 and 702/703.

## PANEL RESOLUTION

This is a resolution of the Sydney South Planning Panel made on 27 May 2024 in accordance with Schedule 2 Part 5 of the EP&A Act.

That pursuant to section 2.16(6)(c) of the EP&A Act 1979 the Panel resolves to delegate to the Senior Manager Development Services of Sutherland Shire Council the power to make a determination as consent authority under section 4.56 of the EP&A Act on:

- PPSSSH-166 - MOD24/0080 - S4.56 Modification of DA18/0323, and
- PPSSSH-167 - MOD24/0086 - S4.56 Modification of DA18/0323.

PANEL MEMBERS	
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