DETERMINATION AND STATEMENT OF REASONS
SYDNEY SOUTH PLANNING PANEL

DATE OF DETERMINATION	Wednesday, 21 March 2018
PANEL MEMBERS	Helen Lochhead (Chair), Bruce McDonald, Peter Brennan, Steve Simpson and Michael Forshaw
APOLOGIES	Nicole Gurran
DECLARATIONS OF INTEREST	None *(must include reason for declaration and whether the member participated or not)*

Public meeting held at Sutherland Council on 21 March 2018, opened at 12pm and closed at 1.30pm.

MATTER DETERMINED
2017SSH038 – Sutherland – DA17/1307 – 945-947 Old Princes Hwy & 2-4 Anzac Ave Engadine
Demolition of existing structures and construction of new affordable housing consisting of 22 townhouses and 1 level of basement parking (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 the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION
The reasons for the decision of the Panel were:

- The proposed development will add to the supply and choice of housing including affordable housing available within the Sydney South District and the Sutherland Shire local government area in a location with access to the services and amenities offered within Engadine centre and the metropolitan services available from Engadine Rail Station
- The proposed development subject to the conditions imposed adequately satisfies the relevant State Environmental Planning Policies including SEPP (Affordable Rental Housing 2009), SEPP 55 Remediation of Land and SEPP (Infrastructure)2007.
- The proposal adequately satisfies the applicable provisions and objectives of Sutherland LEP 2015 and Sutherland DCP 2015
- The proposed development is considered to be of appropriate scale and form which will integrate effectively with the predominantly low density residential character of the locality in which it is placed.
- The proposed development, subject to the conditions imposed, will have no unacceptable, adverse impacts on the natural or built environments including the amenity of adjoining and nearby residential premises the local vegetation or the operation of the local road system, due to appropriate development conditions to mitigate noise and manage traffic entry and exit from the site.

- In consideration of conclusions 1-5 above the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report with the following amendments.

- Amendments to the following conditions to be included that:
  - 2 Design changes: approval be made by the responsible Council officer prior to issue of the Construction Certificate.
  - 2 A ii and 8Aiii the *vehicular crossing* shall be splayed to 9 metres at the kerb line and appropriately line marked to ensure safe entry and exit
  - 2 A xvii Signage and line marking to the satisfaction of Council shall be erected at the exit of basement
  - 2 new condition: A bulky goods/large waste storage area be designated in the basement.
- Deletion of Conditions:
  - 2 A xi to maintain internal amenity of the apartments as proposed
  - 2 A xiii subject to satisfactory screen planting along the property boundary to maintain privacy and amenity of the adjoining property's private open space.

PANEL MEMBERS	
Helen Lochhead (Chair)	Bruce McDonald
Peter Brennan	Steve Simpson
Michael Forshaw	

SCHEDULE 1		
1	**PANEL REF – LGA – DA NO.**	2017SSH038 – Sutherland – DA17/1307
2	**PROPOSED DEVELOPMENT**	Demolition of existing structures and construction of 21 townhouses (reduced from 22) including 5 'affordable rental housing' dwellings and 1 level of basement parking.
3	**STREET ADDRESS**	945-947 Old Princes Hwy & 2-4 Anzac Ave, Engadine
4	**APPLICANT/OWNER**	Applicant: Peter Chan (Bechara Chan & Associates Pty Ltd) Owner: Addict & Kat Group Pty Ltd; Hyeok Kwoh and Kugju Lee; Adam and Kerri Codwell
5	**TYPE OF REGIONAL DEVELOPMENT**	Private infrastructure and community facilities over $5 million
6	**RELEVANT MANDATORY CONSIDERATIONS**	• Environmental planning instruments: o State Environmental Planning Policy (State and Regional Development) 2011 o State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARHSEPP) o State Environmental Planning Policy (Infrastructure) 2007 o State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 o State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) o Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment o Sutherland Shire Local Environmental Plan 2015 (SSLEP2015) • Draft environmental planning instruments: Nil • Development control plans: o Sutherland Shire Development Control Plan 2015 (SSDCP2015) o Sutherland Shire Section 94 Contribution Plans • Planning agreements: Nil • Provisions of the *Environmental Planning and Assessment Regulation 2000*: Nil • 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 *Environmental Planning and Assessment Act 1979* or regulations • The public interest, including the principles of ecologically sustainable development
7	**MATERIAL CONSIDERED BY THE PANEL**	• Council assessment report: 28 February 2018 • Written submissions during public exhibition: 9 • Verbal submissions at the public meeting: o Support – Nil o Object – Michael Robson o On behalf of the applicant – Gihad Bechara and Benjamin Black
8	**MEETINGS AND SITE INSPECTIONS BY THE PANEL**	• Site inspection 21st March 2018 • briefing meeting 13 December 2017 • Final briefing meeting to discuss council's recommendation, 21st March 2018, 10.30am. Attendees: o Panel members: Helen Lochhead (Chair), Bruce McDonald, Peter Brennan, Steve Simpson and Michael Forshaw

		o Council assessment staff: Evan Phillips, Mark Adamson and Bruce Powe
9	**COUNCIL RECOMMENDATION**	Approval
10	**DRAFT CONDITIONS**	Attached to the council assessment report