



# **Report of Meeting**

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## **Sutherland Shire Local Planning Panel**

**Tuesday, 19 March 2019**

**3:00pm**

**Council Chambers**

**Level 2, Administration Building,**

**4-20 Eton Street, Sutherland**

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**SUTHERLANDSHIRE**

**PANEL:** Jason Perica (Chair), Charles Hill, Julie Savet Ward and David Corry.

**Staff in Attendance:** Manager, Development Assessment and Certification (Simone Plummer), Acting Manager Strategic Planning (Beth Morris), Senior Environmental Planner (Robyn Williams) and Environmental Planner (Robert McKinlay).

**Apologies:** There were no apologies

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**DISCLOSURES OF INTEREST**

**File Number: 2015/14239**

There were no declarations of interest.

**SSLPP006-19            Planning Proposal –  
SSLEP2015 Landscaped Area – Existing Non-Compliances 2019  
File Number: 2018/323444**

There were no speakers registered.

**PANEL ADVICE:**

**Sutherland Shire Local Planning Panel advises Council**

THAT:

The Panel supports the Planning Proposal proceeding to Gateway, noting the relatively minor nature of the proposed amendment, and that issues of detail are able to be considered and addressed during and following the gateway, public exhibition and detailed processes that will follow. However, Council and Council staff should consider:

- Adding the word “demonstrate” prior to “reasonable effort” in relation to improving the landscape outcome and also add reference to “tree cover” to criteria for flexibility, so the onus lies with the applicant to demonstrate reasonable effort and the landscaped tree character of the LGA and strategic directions of the Greater Sydney Commission are considered.
- Some wording to recognise the need to scrutinise closely the sites which are in Environmental Zones or subject to a Foreshore Building Line.
- Providing statistics on the number of Clause 4.6 Variations related to landscaped area and pre-existing landscaped area non-compliance when the matter is referred to DPE and the public.

**REASON FOR THE ADVICE:**

This is implicit in the advice above. The current process requires an inflexible approach to existing non-complying landscaped area and reporting to the local Planning Panel for relatively minor proposal, adding unnecessary time and complexity.

**VOTES:** The advice was unanimous.

**SSLPP007-19            Planning Proposal –  
                                 Low Rise Medium Density Housing Code and SSLEP2015  
                                 File Number: 2019/334705**

There were no speakers registered.

**PANEL ADVICE:**

**Sutherland Shire Local Planning Panel advises Council**

THAT:

The Panel supports the Planning Proposal proceeding to Gateway, noting that issues of detail are able to be considered and addressed during and following the gateway, public exhibition and detailed processes that will follow.

The Panel notes Council's previous requests for exemption from the Code. If the Government's position does not change in relation to this request, the draft Planning Proposal provides a practical way to reconcile differing application of key development standards in the Sutherland Shire.

Council staff consider strengthening the justification in the Planning Proposal, including arguments within the report to the Panel.

**REASON FOR THE ADVICE:**

The Panel notes and generally supports the report by Council staff and rationale to support the proposal.

**VOTES:** The advice was unanimous.

**SSLPP008-19            Planning Proposal – Minor Amendments – Heritage Items 2019**  
**File Number: 2018/323729**

There were no speakers registered.

**PANEL ADVICE:**

**Sutherland Shire Local Planning Panel advises Council**

THAT:

The Panel supports the Planning Proposal proceeding to Gateway, noting the reasons for the changes to the heritage listing appear to have followed a standard process involving: independent advice by a heritage expert engaged by Council, corrections to errors, removing items since demolished or advice from NSW Office of Environment and Heritage.

**REASON FOR THE ADVICE:**

The process followed is not unusual and is generally administrative. The Panel notes and generally supports the report by Council staff regarding consistency with the planning and legislative framework.

**VOTES:** The advice was unanimous.

**SSLPP009-19            Planning Proposal –  
Schedule 5 'Environmental Heritage' of SSLEP2015 - List the house at 65  
Hotham Road Gymea as a Local Heritage Item by adding it to Schedule 5  
File Number: 2018/319322**

Registered speaker: David Wenkart (land owner, 65 Hotham Rd, owner/operator President Private Hospital). Paul Rappoport and Stephen Phillips also addressed the Panel or answered questions on behalf of the land owner.

**PANEL ADVICE:**

**Sutherland Shire Local Planning Panel advises Council**

THAT:

The Panel supports the Planning Proposal proceeding to Gateway, noting the proposed listing has been subject to independent advice by a heritage expert engaged by Council.

**REASON FOR THE ADVICE:**

The process followed is not unusual. It is common for a proposed heritage listing of a property or properties to follow an expert review/advice and the final decision to follow community consultation with all affected and interested parties. This includes the owner being able to analyse and refute any analysis made. The Panel notes and supports the report by Council staff regarding consistency with the planning and legislative framework.

**VOTES:** The advice was unanimous.

The Meeting closed at **4:44pm**.