



Report of Meeting

Sutherland Shire Local Planning Panel

eDetermination

22 March 2019

SUTHERLANDSHIRE

PANEL: Jason Perica (Chair), Jan Murrell, Grant Christmas, Mark Carleton

The following application was determined electronically as per decision at the Local Planning Panel meeting of 5 March 2019.

Disclosures of Interest

File Number: 2015/14239

There were no declarations of interest.

Apologies

There were no apologies

SSLPP017-19	Proposal:	DA18/0192 - Addendum Report - Demolition of existing Structures and construction of a new dwelling
	Property:	Lot 41 DP 702934 (No. 7) Baliga Avenue, Caringbah South
	Applicant:	MSB Design Pty Ltd
	File Number:	DA18/0192

DECISION:

That Development Application No. 18/0192 for demolition of existing structures and construction of a new dwelling at 7 Baliga Avenue Caringbah South be approved, subject to the conditions contained in **Appendix "A"** of the report to the Panel meeting of 5 March 2019.

REASON FOR THE DECISION:

The above application was reviewed at the Local Planning Panel meeting of 5 March 2019. At this meeting the Panel resolved:

That Development Application No. 18/0192 for the demolition of an existing dwelling and construction of a new 3 level dwelling at Lot 41 DP 702934 (No. 7) Baliga Avenue Caringbah South be deferred and the applicant be invited to submit details, and any associated amended plans, to demonstrate compliance with the FSR development standard. In that event, the application is delegated for determination to the Manager of Development Assessment and Certification. In the event the proposal does exceed the FSR and a Clause 4.6 Variation is needed, the application shall be determined by the Panel, following a revised assessment by Council staff, which may be determined by electronic means.

Following the above, the applicant provided a Clause 4.6 request to contravene the development standard for Floor Space Ratio, which has been assessed by Council as satisfactory.

This was subject to review and determination by the Panel, by electronic means as foreshadowed in the Panel decision of 5 March 2019.

The Panel has had regard to the applicants' Clause 4.6 variation request regarding the floor space ratio standard within Clause 4.14 of Sutherland Shire LEP 2015. The site has a pre-existing non-compliance with the minimum landscape requirement. The site is of modest size and the development proposal is contextually appropriate. The proposal provides an improved environmental outcome as it sits further behind the Foreshore Building Line than the existing dwelling and enables a greater area at the waterfront for landscaping. The proposed development exceeds the FSR by a minor amount of 2% or 8.3m². The Panel formed the view the proposal and the applicant's written request satisfactorily addressed the required matters within Clause 4.6 of the LEP. The Panel was satisfied the proposal was consistent with the zone objectives and the objectives of the development standard, notwithstanding the non-compliance, and granting consent was in the public interest.

The Panel generally agreed with the Council staff assessment(s). In terms of considering community views, it was noted no submissions were received.

VOTES

The decision was unanimous

Meeting was by eDetermination.