



# Report of Meeting

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## Sutherland Shire Local Planning Panel

Tuesday, 21 May 2019

6:00pm

Black Box

Sutherland Entertainment Centre

30 Eton Street, Sutherland

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SUTHERLANDSHIRE

**PANEL:** Grant Christmas (Chair), Julie Savet Ward, Charles Hill and Mark Carleton

**STAFF IN ATTENDANCE:** Manager, Development Assessment and Certification (Simone Plummer)

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**DISCLOSURES OF INTEREST**

**File Number: 2015/14239**

There were no declarations of interest.

<b>SSLPP022-19</b>	<b>Proposal:</b>	<b>DA18/1157 - Alterations and Additions to Existing Dwelling</b>
	<b>Property:</b>	<b>Lot 82 DP576623 (No. 24) Goldfinch Place, Grays Point</b>
	<b>Applicant:</b>	<b>Donna Michelle Halpin</b>
	<b>File Number:</b>	<b>DA18/1157</b>

Speaking against the proposal were Glen Simpson and Danielle Simpson.

Speaking for the proposal were Paul Halpin (owner), Donna Halpin (owner) and Les Dickson (draftsman).

PANEL DECISION:

THAT:

1. Pursuant to the provisions of clause 4.6 of Sutherland Shire Local Environmental Plan 2015 ("the LEP"), the Panel was satisfied that the written request in relation to the contravention of the height development standard in clause 4.3 of the LEP adequately addressed the required matters in clause 4.6(3) of the LEP. The Panel agreed that the clause 4.6 request demonstrated that compliance with the development standard was unnecessary because it would be a minor non-compliance when viewed from adjoining land. Further, the Panel considered that the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.
2. Pursuant to the provisions of clause 4.6 of the LEP, the Panel was satisfied that the written request in relation to the contravention of clause 6.9 of the LEP adequately addresses the required matters in clause 4.6(3) of the LEP. The Panel agreed that the clause 4.6 request demonstrated that compliance with the development standard was unreasonable in the circumstances of the case and that there are sufficient environmental planning grounds to justify contravening the development standard. Further, the Panel considered that the proposed

development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

3. Pursuant to the provisions of clause 4.6 of the LEP, the Panel was satisfied that the written request in relation to the contravention of the landscaped area development standard in clause 6.14 of the LEP adequately addresses the required matters in clause 4.6(3) of the LEP. The Panel agreed that the clause 4.6 request demonstrated that compliance with the development standard was unnecessary in the circumstances of the case and that there are sufficient environmental planning grounds to justify contravening the development standard. Further, the Panel considered that the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.
4. That Development Application No. 18/1157 for alterations and additions to the existing dwelling at Lot 82 DP 576623 24 Goldfinch Place, Grays Point be approved, subject to the conditions contained in **Appendix "A"** of the Council officer's report with the following amendments to the conditions:
  - (a) There be a deferred commencement condition requiring the northern elevation of the garage and gymnasium to be moved in a southerly direction by 1 metre. The Applicant is to provide amended plans and turning circles to the Council to demonstrate compliance with this requirement. The amended plans are also to provide for Window 3W1 in the western wall of the gymnasium to have a sill window height of 1.6m above floor level.
  - (b) The new windows on the western elevation of the dwelling are to be opaque glass.

#### **REASON FOR THE DECISION:**

The Panel considered that the written requests to the non-compliance with the development standards contained in clauses 4.3, 6.9 and 6.14 of the LEP were satisfactory. The Panel agreed that the clause 4.6 requests should be upheld so as to permit the granting of consent to the application.

The Panel considered that the proposal was generally satisfactory on its merits and had been well designed having regard to a difficult sloping site.

The Panel considered that the proposed modified roof ridge was acceptable because the design incorporated a change in the slope of the new roof line so as to reduce the view impact and to accommodate the change in roofing materials.

**VOTES:** The decision was 3-1. Mr Hill considered that the Council officer's recommendation should be adopted.

<b>SSLPP023-19</b>	<b>Proposal:</b>	<b>DA18/0846 - Alterations and additions to a dwelling</b>
	<b>Property:</b>	<b>Lot 4 DP 259700, (No. 222) Gannons Road, Caringbah South</b>
	<b>Applicant:</b>	<b>Bowerman Design</b>
	<b>File Number:</b>	<b>DA18/0846</b>

Speaking for the proposal was Colin Nicholson (owner) and Glen Bowerman (draftsman).

**PANEL DECISION:**

THAT:

1. Pursuant to the provisions of clause 4.6 of Sutherland Shire Local Environmental Plan 2015 (“the LEP”), the Panel was satisfied that the written request in relation to the contravention of clause 6.9 of the LEP adequately addressed the required matters in clause 4.6(3) of the LEP. The Panel agreed that the clause 4.6 request demonstrated that compliance with the development standard was unnecessary in the circumstances of the case and that there were sufficient environmental planning grounds to justify contravening the development standard. Further, the Panel considered that the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.
2. That Development Application No. 18/0846 for alterations and additions to a dwelling at Lot 4 DP 259700 (No. 222) Gannons Road, Caringbah South be approved, subject to the conditions contained in **Appendix “A”** of the Council officer’s report except that proposed condition 2A(i) be deleted.

**REASON FOR THE DECISION:**

The Panel considered that the written request to the non-compliance with the development standard in clauses 6.9 of the LEP was satisfactory. The Panel agreed that it should be upheld so as to permit the granting of consent to the application. The Panel noted that there were no objections to the application.

The Panel considered that it was unnecessary to reduce the width of the western side terrace because the result of the reduction would significantly impact on the usability of the terrace which is on the more protected western side of the property.

**VOTES:** The decision was unanimous.

<b>SSLPP024-19</b>	<b>Proposal:</b>	<b>DA18/1108 - Alterations and additions to existing dwelling and construction of a swimming pool</b>
	<b>Property:</b>	<b>Lot 1 DP 222627, (No. 102B) Lilli Pilli Point Road, Lilli Pilli</b>
	<b>Applicant:</b>	<b>Timothy Joseph Weston</b>
	<b>File Number:</b>	<b>DA18/1108</b>

Speaking for the proposal was Warren Long (Town Planner for the Applicant).

#### **PANEL DECISION:**

THAT:

1. Pursuant to the provisions of clause 4.6 of Sutherland Shire Local Environmental Plan 2015 (“the LEP”), the Panel was satisfied that the written request in relation to the contravention of the development standard for building height in clause 4.3 of the LEP adequately addressed the required matters in clause 4.6(3) of the LEP. The Panel agreed that the clause 4.6 request demonstrated that compliance with the development standard was unnecessary and unreasonable in the circumstances of the case and that there were sufficient environmental planning grounds to justify contravening the development standard. Further, the Panel considered that the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.
2. That Development Application No.18/1108 for alterations and additions to the existing dwelling and construction of a swimming pool at Lot 1 DP 222627 (No.102B) Lilli Pilli Point Road, Lilli Pilli be approved, subject to the conditions contained in **Appendix “A”** of the Council officer’s report.

#### **REASON FOR THE DECISION**

The Panel considered that the written request to the non-compliance with the height of buildings development standard contained in clause 4.3 of the LEP was satisfactory. The Panel agreed that the clause 4.6 request should be upheld so as to permit the granting of consent to the application.

The Panel considered that the proposal was satisfactory on its merits for the reasons outlined in the Council officer’s report. The Panel noted that there were no objections to the application.

**VOTES:** The decision was unanimous.

**SSLPP025-19            PLANNING PROPOSAL - WATTLEBIRD BUSHLAND RESERVE -  
22 RAWSON PARADE, CARINGBAH SOUTH  
File Number: 2019/334055**

Refer to SSLPP026-19 in relation to this matter.

**SSLPP026-19            Planning Proposal - Rezoning and reclassification of 153R Gannons Road  
Caringbah (Lot 1 108 DP1248818) - Wattlebird Bushland Reserve  
File Number: 2019/334055**

There were no public addresses with respect to this matter.

**PANEL DECISION:**

The Sutherland Shire Local Planning Panel advises Council that:

1. The Panel supports the Council officer's recommendation that the Planning Proposal proceed to Gateway. However, the Panel considers that the land should be zoned E2 to be consistent with the adjoining existing reserve land.
2. The Panel was also of the view that the strategic and local merit of the proposal could be strengthened given that the landscape character and open space provision of the Shire are very important aspects of the character of the Shire and are reflected in the local planning instruments.

**REASON FOR THE DECISION:**

The proposal is an appropriate measure to preserve the land and its natural environmental character and to achieve the intention of the previous owner that the land be available for the future benefit of the community as bushland reserve.

**VOTES:** The decision was unanimous.

The Meeting closed at **7.01pm**.