

DATE OF DETERMINATION	Thursday, 20 June 2019
PANEL MEMBERS	Pam Allan (Chair), Renata Brooks, Susan Budd and Graham Rollinson
APOLOGIES	Marianne Saliba
DECLARATIONS OF INTEREST	John Murray declared a conflict of interest as he is a Councillor of the landowner and applicant, Shellharbour City Council

Public meeting held at Shellharbour City Council on 20 June 2019, opened at 1.28pm and closed at 2.05pm.

MATTER DETERMINED

2018STH028 – Shellharbour – DA 0523/2018 at Lot 10, DP 1157377, Airport Road, Albion Park Rail – additions to and upgrade of Illawarra Regional Airport (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 meeting and briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

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

The decision was unanimous.

REASONS FOR THE DECISION

- The Panel generally agreed with the assessment and balance of considerations in the Council Officer's Assessment Report.
- The application complies with relevant controls subject to application of conditions recommended in the assessment report, as amended by the Panel.
- The Panel is satisfied that the application meets the requirements of SEPP 55 for the remediation of land and that the site is compatible with the proposed future uses as an airport terminal and associated car park.

CONDITIONS

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

- Amendment to **condition 8 – Landscape Plan Required**, amendment shown in red as follows:

Prior to the issue of a Construction Certificate a landscape plan including the following details must be submitted to and approved by the Principal Certifying Authority:

Details must include:

- Landscape bays planted with trees, shrubs and groundcovers with a mature height of no more than 27 metres AHD.

The plan must be prepared by a Landscape Architect or Landscape Designer whom possesses a Diploma in Landscape Design and extensive postgraduate experience in landscape design (minimum five years) and prepared in accordance with Council's Development Control Plan, particularly Section 20.10 (p.266) and Appendix 7 (pp.396-411), available from Customer Service or Council's website.

Reason for amendment is to reiterate the airport restrictions detailed in condition 28 relating to vegetation height.





- Amendment to **condition 46 – Acoustic Attenuation** , amendment shown in red as follows:

Prior to the issue of an Occupation Certificate an acoustic report prepared by a suitably qualified acoustic consultant is required to be submitted to the Principal Certifying Authority. This report must verify that the noise mitigation measures have been constructed according to the requirements of Condition No. 11 of this consent.

Reason for amendment is to correct a numbering error which referred to condition 10.

CONSIDERATION OF COMMUNITY VIEWS

No submissions were made by the public.

PANEL MEMBERS	
 Pam Allan (Chair)	 Renata Brooks
 Susan Budd	 Graham Rollinson

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018STH028 – Shellharbour – DA 0523/2018
2	PROPOSED DEVELOPMENT	Two stage development consisting of the construction of a new passenger terminal building and upgrade of the short term and long term car parks (Passenger Transport Facility)
3	STREET ADDRESS	Lot 10, DP 1157377, Airport Road, Albion Park Rail
4	APPLICANT/OWNER	Shellharbour City Council
5	TYPE OF REGIONAL DEVELOPMENT	Council related development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ State Environmental Planning Policy (Coastal Management) 2018 ○ State Environmental Planning Policy No 55 – Remediation of Land ○ State Environmental Planning Policy No 64 – Advertising and Signage ○ Shellharbour Local Environmental Plan 2013 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Shellharbour Development Control Plan 2013 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Division 8A Prescribed conditions of development consent

		<ul style="list-style-type: none"> 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 <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report: 22 May 2019 Douglas Partners <i>Report on Detailed Site Investigation for Contaminated Land-Proposed Long Term Car Park, Illawarra Regional Airport, Albion Park Rail Project 78505.04</i> dated May 2019 Douglas Partners <i>Report on Detailed Site Investigation for Contaminated Land-Proposed Passenger Terminal Illawarra Regional Airport, Albion Park Rail, Project 78505.04</i> dated May 2019 Written submissions during public exhibition: Nil Verbal submissions at the public meeting: <ul style="list-style-type: none"> In support – none In objection – none Council assessment officer – Madeline Cartwright On behalf of the applicant – Ms Dharini Collaguazo (GHD), Mr Nathan McColl (SCC – Projects)
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Site inspection and briefing: 28 November 2018 Final briefing to discuss council's recommendation, 20 June 2019, 10.30am. Attendees: <ul style="list-style-type: none"> <u>Panel members</u>: Pam Allan (Chair), Renata Brooks, Susan Budd, Graham Rollinson. <u>Council assessment staff</u>: Madeline Cartwright, Jasmina Micevski, Melissa Boxall, Joel Sinclair, Luke Preston, Justin McKinnon and Vicki Walker.
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report