

SOUTHERN JOINT REGIONAL PLANNING PANEL

Meeting held at 3:00 pm on Monday 20 October 2014 at Shellharbour Club, Shellharbour

Panel Members: Pam Allan (Chair), Alison McCabe, Allen Grimwood and Graham Rollinson

Apologies: None Declarations of Interest: Graham Rollinson - Council employee from 1975 – 1998.

Determination and Statement of Reasons

2014STH014 – Shellharbour City Council – DA 205/2014 [at cnr College and Cygnet Aves, Shellharbour City Centre] as described in Schedule 1.

Date of determination: 20 October 2014

Decision:

The panel determined to approve the development application as described in Schedule A pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*, as a deferred commencement consent.

Panel consideration:

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.

Reasons for the panel decision:

- The development has been designed with a view to providing an iconic administrative building with architectural excellence.
- The proposal is in the public interest providing for positive cultural and economic impacts inclusive of employment opportunities.
- The proposal is consistent with the strategic framework for the locality which envisages a public/civic administration building.
- The development will accommodate the future needs for local government administration in the Shellharbour Local Government Area.

Conditions: The development application was approved subject to the conditions in Appendix A of the Council Assessment Report as amended at the meeting as follows:

1. That consent be a deferred commencement consent with the addition of the following condition as a deferred commencement condition, and additional and amended conditions as follows:

DEFERRED MATTER

A. The proposed development is to provide car parking in accordance with *Shellharbour Development Control Plan 2013*. This requires an additional 24 car parking spaces. These spaces shall be provided within the existing building envelope through additional excavation and/or reduction in floor area of the administration building. Amended plans shall be submitted within a 12 month period (from the date of this approval).

B. Amended and Additional Conditions:

a. Condition B11 being amended as follows: delete paragraph c.

b. Condition G4 being amended as follows:

i. delete all references to hours and notes in brackets

ii. the hours of operation for the café being amended to permit trading until 7.00pm on Saturday and Sunday

iii. No approval is granted to uses after 8.00pm at night other than the Council Chambers.

c. An additional condition be included **before condition E14 as follows:**

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Prior to occupation of the development, the intersection of Cygnet Avenue and College Avenue is to be signalised to achieve appropriate pedestrian management at this location.

- d. An additional condition be included (before condition B30 as follows):

The intersection of Cygnet Avenue and Minga Avenue shall be realigned to allow right turn movements from Cygnet Avenue to Minga Avenue. Full details of this reconfiguration shall be submitted with the Construction Certificate application.

- e. Condition E10 Footpath be amended as follows:





The area between the building line and the kerb and gutter along both street frontages must be paved for the full width of the site. This work must be carried out by Council, or a Council approved contractor, at the developer's expense in accordance with Council's standards and specifications for the Shellharbour City Centre.

- f. Condition B34 a. Construction Access be amended as follows:

A single construction access is permitted to service the site for construction from the existing roundabout in Cygnet Avenue. The construction access should be constructed as a full-width, heavy-duty concrete vehicular crossing across the footpath and subject to approval by Council's Engineer.

2. The Panel has only supported the variation to height of the building development standard as it involves a redistribution of height and that the building demonstrates architectural design excellence.
3. The Panel notes that Council's Section 94 Contributions Plan does not apply as the proposed development falls within the definition of a Public Administration Building.
4. That the Precinct Development Strategy (PDS) be provided as a consolidated document incorporating the additional information referenced in the report and adopted as a guideline for future development of the precinct.

Panel members:

 Pam Allan (Chair)	 Allen Grimwood
 Alison McCabe	 Graham Rollinson

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SCHEDULE 1

1	JRPP Reference – LGA- Council Reference: 2014STH014 – Shellharbour City Council – DA 205/2014
2	Proposed development: Construction of a new “civic hub” comprising Council chamber, administrative offices, meeting rooms, auditorium, library, local history museum, café and small retail premises; basement parking and loading facilities; civic square; associated site works and landscape treatment.
3	Street address: Lot 2 DP 1091265 Cygnet Avenue, Shellharbour City Centre
4	Applicant/Owner: Shellharbour City Council
5	Type of Regional development: Capital investment value over \$5m where Council is the applicant and landowner
6	Relevant mandatory considerations <ul style="list-style-type: none"> • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy No. 55 – Remediation of Land • Shellharbour Local Environmental Plan 2013 • Shellharbour Development Control Plan 2013 • Shellharbour Section 94 Contributions Plan • 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 EPA Act or EPA Regulation. • The public interest.
7	Material considered by the panel: Council Assessment Report Dated 7 October 2014 Written submissions during public exhibition: 88 submissions and petition with 11,500 signatures Verbal submissions at the public briefing meeting: Support: Marianne Saliba and John Murray; against: Diane Quinlin, Paul Hockey, Kenneth Stratton, Max Clay, Nigel Holmes, Peter Moran, Donald Briggs, Dennis Chalker, Kellie Marsh, Nathan Marsh, Kristy Rowlands, Harry Gooden, Stuart Greenaway, Ray Clay, Russell Hannah, Lyndall Kirchmajer, Robert Connell, Adam Thomson, John Hartcher, Sonya McKay, Mairi Petersen, Barry Milliken, Steve Doyle, Mark Jones and Rod Aleckson. Verbal submissions at the panel meeting 20 October 2014: Support - Nil; Against- 11; On behalf of the applicant- Nil
8	Meetings and site inspections by the panel: Site visit on 25 July 2014; Public briefing meeting on 28 August 2014; Public Meeting on 20 October 2014.
9	Council recommendation: Approval
10	Draft conditions: as attached to assessment report