

SOUTHERN JOINT REGIONAL PLANNING PANEL

Meeting held at 12:05 pm on Tuesday 20 January 2015 at Shellharbour City Council

Panel Members: Alison McCabe (Chair), Allen Grimwood, Mark Grayson, Marianne Saliba and Graham Rollinson

Apologies: Pam Allan

Declarations of Interest: Marianne Saliba declared a non-pecuniary conflict of interest in that her mother is a resident of a Warrigal Care facility.

Determination and Statement of Reasons

2014STH016 - Shellharbour - DA 104/2012 (part 2) [Lot 8201, DP 1153225, Cutter Parade, Shell Cove] as described in Schedule 1.

Date of determination: 20 January 2015

Decision: The panel determined to defer the development application as described in Schedule A.

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 panel voted unanimously to defer the determination of the development application subject to additional information to be provided as follows:

1. The applicant is to submit to Council:
 - a. A justification under clause 96(2) of the Environmental Planning and Assessment Act, 1979 that the proposed modification is substantially the same development as approved by the Panel on 7 December 2012, and
 - b. evidence of how flood management can be satisfactorily addressed within the development site. This information is to include details of any necessary works on adjoining land including any owner's consent if required.
2. A supplementary report to the Panel addressing:
 - a. An assessment of the proposal against Clause 96(2) of the Environmental Planning & Assessment Act,
 - b. Further details of how flooding will be managed at the northern boundary of the site, and
 - c. consistent conditions relating to traffic management, flood management and the staging of development.
3. Upon receipt of the supplementary report the application is to be dealt with by the Panel electronically.

Panel members:

 Alison McCabe (Chair)	 Allen Grimwood	 Mark Grayson
 Marianne Saliba	 Graham Rollinson	

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SCHEDULE 1

1	JRPP Reference – LGA- Council Reference: 2014STH016 - Shellharbour - DA 104/2012 (part 2)
2	Proposed development: S96(2) modification application
3	Street address: Lot 8201, DP 1153225, Cutter Parade, Shell Cove
4	Applicant/Owner: General Infrastructure Group
5	Type of Regional development: Capital investment value > \$20M
6	Relevant mandatory considerations <ul style="list-style-type: none"> • State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 • State Environmental Planning Policy No. 65 Design Quality of Residential Flat Building • Shellharbour Local Environmental Plan 2013 • Shellharbour Development Control Plan 2013 • Shellharbour City Council Section 94 Contributions Plan 2013 • 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 09 January 2015 Written submissions during public exhibition: 25 Submissions Verbal submissions at the panel meeting: Against: Mr Gary Sandgren On behalf of the applicant- Graham Fielden
8	Meetings and site inspections by the panel: Site visit and Briefing Meeting: 25 June 2014. Final Briefing Meeting: 20 January 2015
9	Council recommendation: Approve, subject to modified condition
10	Draft conditions: as attached to assessment report