

SOUTHERN JOINT REGIONAL PLANNING PANEL

Meeting held electronically between Thursday 19 February 2015 and Sunday 22 February 2015

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

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: 22 February 2015

Decision: The panel determined to approve the development application as described in Schedule 1 pursuant to section 96 of the *Environmental Planning and Assessment Act 1979*.

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 approve the determination of the development application for the following reasons:

1. The development is substantially the same as the development which has been previously approved for this site
2. With the proposed conditions of consent, the proposed works for the flood mitigation wall will not have any detrimental environmental impacts.

Conditions: The development application was approved subject to the conditions attached to the Supplementary Council Assessment Report dated 6 February 2015, with the following change:

The sentence "The access point is not to be used by construction vehicles associated with Stage 1" is to be added to condition B5

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 23 December 2014 Written submissions during public exhibition: 25 Submissions Verbal submissions at the panel meeting on 20 January 2015: Against: Mr Gary Sandgren On behalf of the applicant- Graham Fielden Supplementary Council Assessment Report dated 6 February 2015
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
10	Draft conditions: as attached to supplementary assessment report