




## Relevant JOINT REGIONAL PLANNING PANEL

Meeting held at Nowra School of Arts on Thursday 12 November at 3.00 pm		
Panel Members: Pam Allan (Chair), Allen Grimwood, Alison McCabe, Michelle Bishop, Ernie Royston		
Apologies: None    Declarations of Interest: Michelle Bishop – Member of Tourism Advisory Board		
<b>Determination and Statement of Reasons</b>		
<b>2014STH025 – SHOALHAVEN – DA14/1004 [801 Kangaroo Valley Road Bellawongarah] as described in Schedule 1.</b>		
<b>Date of determination:</b> 12 November 2015		
<b>Decision:</b> The panel determined to refuse the development application as described in Schedule 1 pursuant to section 80 of the <i>Environmental Planning and Assessment Act 1979</i> . Allen Grimwood voted against the motion to refuse the development application.		
<b>Panel consideration:</b> 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.		
<b>Reasons for the panel decision:</b> The Panel refused the development application for the following reasons: <ol style="list-style-type: none"> <li>1. The proposed function centre is considered to be prohibited and inconsistent with the objectives of the zone.</li> <li>2. The proposed development has failed to satisfy the provisions of clause 5.13 Eco Tourist Facilities of Shoalhaven LEP 2014.</li> <li>3. The proposed development will result in unreasonable noise impacts.</li> <li>4. The reasons contained in the Council officer's report.</li> </ol>		
<b>Conditions:</b> Not applicable as development application was refused		
<b>Panel members:</b>		
 <b>Pam Allan (Chair)</b>	 <b>Allen Grimwood</b>	 <b>Alison McCabe</b>
Approved by email <b>Michelle Bishop</b>	Approved by email <b>Ernie Royston</b>	

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### SCHEDULE 1

1	<b>JRPP Reference – LGA – Council Reference:</b> 2014STH025 – SHOALHAVEN – DA14/1004
2	<b>Proposed development:</b> Construction of an Eco Tourist Resort comprising: 42 accommodation units, 100 car spaces, function centre, restaurant, onsite sewage treatment plant, pool/gym facilities building, wildlife centre, day spa, bushfire refuge building, managers residence, associated infrastructure (landscaping, creek crossings, etc) and a new dwelling house.
3	<b>Street address:</b> 801 Kangaroo Valley Road, Bellawongarah
4	<b>Applicant/Owner:</b> Camberlee Investments Pty Ltd
5	<b>Type of Regional development:</b> CIV>\$5 Million, Eco-tourism
6	<b>Relevant mandatory considerations:</b> <ul style="list-style-type: none"> <li>• Environmental Planning and Assessment Act 1979</li> <li>• Environmental Planning and Assessment Regulation 2000</li> <li>• State Environmental Planning Policy (State and Regional Development) 2011</li> <li>• State Environmental Planning Policy (Infrastructure) 2007</li> <li>• State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011</li> <li>• State Environmental Planning Policy 55 – Remediation of Land</li> <li>• State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> <li>• Shoalhaven Local Environmental Plan 2014</li> <li>• Development Control Plan No.18 – Car Parking Code</li> <li>• Development Control Plan No.63 – Tourist Development in Rural Areas</li> <li>• Development Control Plan No.78 – On-site Sewerage Management</li> <li>• Development Control Plan No.91 – Single Dwellings and Ancillary Structures</li> <li>• Development Control Plan No. 93 – Waste Not (Site Minimisation and Management)</li> <li>• Shoalhaven Contribution Plan 2010</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality.</li> <li>• The suitability of the site for the development.</li> <li>• Any submissions made in accordance with the EPA Act or EPA Regulation.</li> <li>• The public interest.</li> </ul>
7	<b>Material considered by the panel:</b> Council Assessment Report Dated 30 October 2015 Written submissions during public exhibition: 292 and two petition signed by 1,777 people in total. Verbal submissions at the panel meeting: Support- 0; Against- 14 – Dr Keith Houstin, Martin Earp, Fred Owen, Ian Goss, Ernst Hesse, Martin Earp, Marianne Starkey, Bob Ashford, Mauri Bloom, Max Warren, Charles Gibbon, Peter Wilkins, Neville Gordon, Stuart Coughlan On behalf of the applicant- 3 - Tom Good (JBA Planning on behalf of Applicant), Matthew Norman (JBA Planning on behalf of Applicant), David Hamilton - Applicant
8	<b>Meetings and site inspections by the panel:</b> Site inspection: 18 February and 26 March 2015 Public Briefing: 26 March 2015 Briefing Meeting: 24 June 2015, 27 August 2015
9	<b>Council recommendation:</b> Refusal
10	<b>Draft conditions:</b> N/A