

## SOUTHERN JOINT REGIONAL PLANNING PANEL

Meeting held at Shellharbour City Council on Wednesday 8 September 2016 at 11:35 AM

Panel Members: Alison McCabe (acting chair), Renata Brooks and Mark Grayson

Apologies: Graham Rollinson and Pam Allan

Declarations of Interest: Marianna Saliba and John Murray declared a conflict of interest, as Shellharbour City Council owns the land and both are elected councillors (Cr Saliba is also Mayor)

### Determination and Statement of Reasons

**2015STH027 Shellharbour DA647/2015 [at Braemar St, Tullimbar] as described in Schedule 1.**

**Date of determination:** 8 September 2016

#### Decision:

The panel resolved to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979* subject to the conditions contained in the Council supplementary report and amendments to condition A3 and B14 as outlined below

#### Panel consideration:

The panel considered: the matters listed at item 6 as addressed in the Council Assessment Report, 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. The panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

#### Reasons for the panel decision:

1. The proposed development will provide for a necessary growth of residential housing supply in the local area.
2. With the imposition of the recommended conditions of consent, as amended by the panel, there will be no unacceptable negative impact on the social, economic or natural environment.
3. The panel was satisfied that the outstanding matters which prompted deferral at the July meeting were adequately addressed by information in the supplementary Council Assessment report and provided at the meeting.

#### Conditions:

The development application was approved subject to the conditions in Attachment 1 of the Supplementary Council Assessment Report with the following amendments made at the meeting:

1. Amend Condition A3 to reference the retaining wall plan as per Revision G of 20/05/2016.
2. Add to Condition B14 (e) the following words: and that the form of planting shall be endemic species in accord with Council's DCP.

#### Panel members:



**Alison McCabe (chair)**



**Renata Brooks**



**Mark Grayson**

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### SCHEDULE 1

1	<b>JRPP Reference – LGA- Council Reference:</b> 2015STH027 Shellharbour City DA647/2015
2	<b>Proposed development:</b> Staged residential subdivision comprising of 146 residential lots, 6 superlots, 1 public reserve and 2 residue lots
3	<b>Street address:</b> Lots 1, 2 & 3 DP 1214606, Braemar Street, Tullimbar
4	<b>Owner:</b> Lot 1 is owned by Balmoral Parade Pty Ltd; Lots 2 & 3 are owned by Shellharbour City Council.
5	<b>Type of Regional development:</b> General development where the Capital Investment Value is more than \$5 million and Council owns part or all of the land
6	<b>Relevant mandatory considerations</b> <ul style="list-style-type: none"> <li>• State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>• State Environmental Planning Policy (State and Regional Infrastructure) 2011</li> <li>• Shellharbour Local Environmental Plan 2000</li> <li>• Draft Shellharbour Local Environmental Plan 2011</li> <li>• Shellharbour Development Control Plan</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, including the principles of ecologically sustainable development.</li> </ul>
7	<b>Material considered by the panel:</b> Council Assessment Report dated 11 July 2016 Written submissions during public exhibition: five (5) Supplementary Council Assessment Memorandum to amend plan list, dated 19 July 2016 Verbal submissions and subsequent answers to questions at the panel meeting on 26 July 2016: Against – Lance Jenkins; on behalf of the applicant – George Lopez Supplementary Council Assessment Report received on 23 August 2016 Verbal submissions and subsequent answers to questions at the panel meeting on 8 September 2016: Against – Lance Jenkins on behalf of Tullimbar LandCare; On behalf of the applicant – George Lopez
8	<b>Meetings and site inspections by the panel:</b> Alison McCabe took part in a site visit and briefing meeting on Thursday 11 February 2016 with the panel members current at that time; Alison McCabe, Renata Brooks and Mark Grayson participated in a site visit and briefing meeting on 26 July 2016. Public meetings were held on 26 July 2016 and on 8 September 2016.
9	<b>Council recommendation:</b> Approval
10	<b>Recommended conditions:</b> Attached to Supplementary Council Assessment Report received on 23 August 2016.