

DETERMINATION AND STATEMENT OF REASONS

SOUTHERN JOINT REGIONAL PLANNING PANEL

DATE OF DETERMINATION	17 March 2017
PANEL MEMBERS	Pam Allan, Alison McCabe, Renata Brooks, Mr Carl Peterson, Cr Ian Scandrett
APOLOGIES	None
DECLARATIONS OF INTEREST	Ian Scandrett declared a non-pecuniary and non-significant interest in the application as he had previously considered as a Councillor a section 96(1)(a) application for the same matter in October 2016 where Council did not support the application (conflict of duties).

Public meeting held at Wingecarribee Shire Council, Civic Centre, 68 Elizabeth St Moss Vale on Friday, 17 March 2017, opened at 12pm and closed at 1pm.

MATTER DETERMINED

2016STH030 - 15/0146 - 67 Elizabeth Street, Moss Vale Moss Vale Police Station (AS DESCRIBED IN SCHEDULE 1)

PANEL CONSIDERATION AND DECISION

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.

The Panel determined to recommend to the Minister to:

- Approve modification to Development Consent 15/0146 to allow for addition of a substation with a new wall and signage
- Refuse modification to Development Consent 15/0146 to delete Condition 53 requiring payment of \$109,449.79 contributions under Council's Section 94 Contributions Plan

The Panel made its determination with reference to approve the development application as described in Schedule 1 pursuant to section 89 and 96 of the *Environmental Planning and Assessment Act 1979*. The decision was unanimous.




REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- The Panel was satisfied that the proposed modifications are of minimal environmental impact and that the development as modified is substantially the same as the development to which the consent was originally granted
- The application has been notified with nil submissions received
- The application does not raise any additional relevant issues under S79C
- The arguments provided in support of deletion of Condition 53 are generic and do not adequately justify why the contribution should be waived.

CONDITIONS

Deletion of the condition from the DA for a section 94A condition is not supported as the argument provided by the Police are generic and do not adequately justify why the contribution should be waived.

PANEL MEMBERS	
 Pam Allan	 Alison McCabe
 Renata Brooks	Approved via email on 22 March 2017 Mr Carl Peterson

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016STH030 - Wingecarribee Shire Council - 15/0146
2	PROPOSED DEVELOPMENT	Modification to delete condition 53 (S94A) and amend proposal to include a padmount substation; Demolition of existing Police Station Facility, residence and associated outbuildings; Construction of a new 2 storey Police Station including partial storey basement level parking
3	STREET ADDRESS	Lot 1 DP 198566, 67 Elizabeth Street, Moss Vale
4	APPLICANT: OWNER:	Brookfields Global Integrated Solutions NSW Police
5	TYPE OF REGIONAL DEVELOPMENT	Crown development referred under section 89 of the EP&A Act
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 SEPP (Infrastructure) 2007 SEPP 55 – Remediation of Land Wingecarribee Local Environmental Plan 2010 Draft environmental planning instruments: Nil <ul style="list-style-type: none"> Development control plans: Moss Vale Town Plan Development Control Plan Planning agreements: Nil <i>Environmental Planning and Assessment Regulation 2000</i>: Nil 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 <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development Whether the application meets the requirements of S96(1A)
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report: 4 January 2017 Written submissions during public exhibition: nil

		<ul style="list-style-type: none"> • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Support – Nil ○ Object – Nil ○ On behalf of the applicant – Nil
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	Briefing meeting on 17 March 2017
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	Attached to the council assessment report