

DETERMINATION AND STATEMENT OF REASONS

SOUTHERN JOINT REGIONAL PLANNING PANEL

DATE OF DETERMINATION	18 July 2017
PANEL MEMBERS	Hon. Pam Allan, Renata Brooks, Graham Rollinson
APOLOGIES	Alison McCabe
DECLARATIONS OF INTEREST	Marianna Saliba – Non pecuniary interest as Mayor, as Council is the owner of the property. John Murray – Non pecuniary interest as a Councillor, as Council is the owner of the property.

Electronic meeting held between 11 July 2017 and 18 July 2017

MATTER DETERMINED

2017STH014 – Shellharbour – DA205/2014 (Part 5) at 76 Cygnet Avenue, Shellharbour City Centre (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 approve the development application as described in Schedule 1 pursuant to section 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 are satisfied that the Modification Application to delete Condition B30 from Development Consent No. 205/2014 has been appropriately justified and endorsed by an independent expert traffic consultant as set out in the Conclusion at 4.2.4.
- The Panel are satisfied that the statutory requirements in S96(2) of the Environmental Planning & Assessment Act have been met.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report.

PANEL MEMBERS	
 Hon. Pam Allan (Chair)	 Renata Brooks
 Graham Rollinson	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017STH014 – Shellharbour – DA205/2014 (Part 5)
2	PROPOSED DEVELOPMENT	Section 96(2) modification application which seeks an amendment to the deferred commencement development consent granted by the JRPP at its meeting of 20 October 2014, specifically: B30 Realignment of Cygnet / Minga Avenue Intersection
3	STREET ADDRESS	Cygnet Avenue, Shellharbour City Centre
4	APPLICANT/OWNER	Applicant: Savills Project Management / Owner: Shellharbour City Council
5	TYPE OF REGIONAL DEVELOPMENT	Staged DA - DA forms part of Staged DA that meets Schedule 4A criteria
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ Shellharbour Local Environmental Plan 2013 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Shellharbour Development Control Plan 2013 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil <p>Coastal zone management plan: Nil</p> <ul style="list-style-type: none"> • 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
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report: 11 July 2017 • Written submissions during public exhibition: Nil
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection on 3 July 2017 • Final briefing meeting to discuss council's recommendation, 3 July 2017 at 3:00 pm: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Hon. Pam Allan (Chair), Alison McCabe, Renata Brooks, Graham Rollinson ○ <u>Council assessment staff</u>: Jasmina Micevski, Madeline Cartwright
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report