

RECORD OF DEFERRAL

SOUTHERN REGIONAL PLANNING PANEL

DATE OF DEFERRAL	26 November 2019
PANEL MEMBERS	Pam Allan (Chair), Alison McCabe, Renata Brooks and Graham Rollinson
APOLOGIES	None
DECLARATIONS OF INTEREST	Marianne Saliba and John Murray declared a conflict of interest as Council owns the development site

Public meeting held at Shellharbour Civic Centre on 26 November 2019, opened at 2.01pm and closed at 3.25pm.



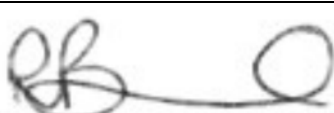

MATTER DEFERRED

2018STH025 – Shellharbour – DA 287/2018 at Old Bass Point Road, Shellharbour – subdivision (as described in Schedule 1)

REASONS FOR DEFERRAL

1. The Panel resolved to defer the determination of DA287/2018 for a supplementary report which addresses the following:
 - i. Details of the amendments to the originally submitted DA documentation;
 - ii. Compliance with the relevant conditions and statement of commitments in the Concept Approval as modified;
 - iii. Compliance with the Urban Design Guidelines and the relevant date of adoption and details of the relevant provisions including minimum lot size;
 - iv. History of relevant previous approvals affecting the site;
 - v. Specific details of:
 - Finished levels;
 - Running total of dwelling yields throughout Shell Cove;
 - Retaining walls and relative height;
 - vi. Further information on any biodiversity outcomes of the Concept Approval and how the current proposal meets them and how it satisfies Clause 6.5 of the LEP, including details of an updated on site visit by Council staff; and
 - vii. Review of the conditions to remove duplications and inconsistencies; edit to remove ambiguities and clarify outcomes sought, and respond to additional information.
2. On receipt of the supplementary report the Panel will determine the matter electronically.

The decision to defer the matter was unanimous. The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

PANEL MEMBERS	
 Pam Allan (Chair)	 Alison McCabe
 Renata Brooks	 Graham Rollinson

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018STH025 – Shellharbour – DA 287/2018
2	PROPOSED DEVELOPMENT	Subdivision of land to include nine (9) superlots – seven (7) of which are designated for future medium density integrated housing development and two (2) for future residential flat buildings, two (2) residual lots, civil infrastructure – road construction, stormwater drainage and water quality treatment devices, earthworks, public domain works including street tree planting and footpaths within the subdivision (Precincts B2/C2 land subdivision)
3	STREET ADDRESS	Lot 4002 in DP 1235539, Harbour Boulevard, Shell Cove
4	APPLICANT OWNER	Australand Corporation (NSW) Pty Ltd (Fraser's Property) Shellharbour City Council
5	TYPE OF REGIONAL DEVELOPMENT	Council related development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (State and Regional Development) 2011 State Environmental Planning Policy (Coastal Management) 2018 State Environmental Planning Policy No 55 – Remediation of Land 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 Coastal zone management plan: gazette in 2017 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: 12 November 2019 Written submissions during public exhibition: nil Verbal submissions at the public meeting: <ul style="list-style-type: none"> Council assessment officer – Nancy Sample, Senior Development Assessment Officer On behalf of the applicant – Chris Randle (Senior Development Manager) and Simone Dyer (Development Director, Shell Cove) from Fraser's Property Australia
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: 30 October 2018 <ul style="list-style-type: none"> <u>Panel members</u>: Pam Allan (Chair), Alison McCabe, Renata Brooks and Graham Rollinson <u>Council assessment staff</u>: Nancy Sample, Jasmina Micevski, Victoria Nicholson, Luke Preston, Tyson Perry, Scott Haylett, David Purvis-Smith and Vicki Walker Briefing: 17 September 2019 <ul style="list-style-type: none"> <u>Panel members</u>: Pam Allan and Alison McCabe <u>Council assessment staff</u>: Grant Meredith, Jasmina Micevski, Nancy Sample, Madeline Cartwright and Vicki Walker Final briefing to discuss council's recommendation, 26 November 2019, 12 pm. Attendees:

		<ul style="list-style-type: none">○ <u>Panel members</u>: Pam Allan (Chair), Alison McCabe, Renata Brooks and Graham Rollinson○ <u>Council assessment staff</u>: Nancy Sample, Jasmina Micevski, Melissa Boxall, Grant Micevski, Andrew Lee, Justin McKinnon, Prabin Kayastha and Vicki Walker
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attachment 1 to the council assessment report