

DATE OF DETERMINATION	Friday, 8 July 2022
DATE OF PANEL DECISION	Thursday, 7 July 2022
DATE OF PANEL MEETING	Tuesday, 5 July 2022
PANEL MEMBERS	Chris Wilson (Acting Chair), Renata Brooks and Brian Kirk
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 5 July 2022.

MATTER DETERMINED

PPSSTH-153 – Shoalhaven – RA22/1022 at 44-52 Coomea St Bomaderry – Construction of In-fill Affordable Housing Development comprising Two (2) Residential Flat Buildings (39 Dwellings) (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 briefings and the matters listed at item 8 in Schedule 1.

Development application

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined to approve the application for the reasons outlined in the independent consultant's assessment report subject to minor amendments to the recommended deferred commencement and operational conditions.

The Panel was satisfied that the matters raised at its briefing on 25 May 2022 had been adequately addressed in the independent consultant's report and recommended conditions as amended. The Panel was further satisfied that the development would deliver important affordable housing outcomes for the region, achieve appropriate levels of internal amenity, and respond positively in terms of bulk and scale within the broader context of the site. Consequently, the Panel concurred with the independent consultant's finding that the proposal was in the public interest and should be approved.

CONDITIONS



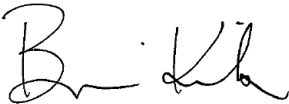
The Panel made several amendments to the recommended conditions to address several minor residual matters. These were as follows:

- An additional Deferred Commencement condition numbered 1 b) was included requiring the submission of a supplementary landscape plan to the Council detailing the type and location of vegetation within the Coomea street road reserve;
- An additional Deferred Commencement condition numbered 1 c) was included requiring the submission of a revised Building A Ground Floor Plan detailing additional glazing along the northern living room wall of Unit 14A and the southern living room wall of Unit 15A;
- Condition 1 of General Conditions being the Schedule of Plans was amended to include the:

- updated Building A Ground Floor Plan;
- Landscape Concept Plans; and
- Arboricultural Impact Assessment.
- Condition 14 (Tree Protection Works) was amended to specify that the recommendations in Sections 7.3, 7.4, and 8 of the Arboricultural Impact Assessment must be implemented;
- Condition 19 (Local Infrastructure Contributions) was updated to amend an anomaly in the calculation;
- Condition 24 (Design Standards – Works Within Road Reserve) was amended to ensure it captured the findings of the Supplementary Landscaping Plan required by Deferred Condition 1 b); and
- Condition 63 was included requiring the submission of an AAAC 5 Star Certificate demonstrating that the development once constructed (including internal party walls) has sufficient acoustic attenuation.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel notes that no written submissions were made during the public exhibition and therefore no issues of concern were raised.

PANEL MEMBERS	
 <p>Chris Wilson (Acting Chair)</p>	 <p>Renata Brooks</p>
 <p>Brian Kirk</p>	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSTH-153 – Shoalhaven – RA22/1002
2	PROPOSED DEVELOPMENT	Construction of In-fill Affordable Housing Development comprising Two (2) Residential Flat Buildings (39 Dwellings)
3	STREET ADDRESS	44-52 Coomea St Bomaderry
4	APPLICANT/OWNER	Southern Cross Community Housing Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Council related development over \$5 million Private infrastructure and community facilities 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 (Planning Systems) 2021; State Environmental Planning Policy (Resilience and Hazards) 2021; State Environmental Planning Policy (Transport & Infrastructure) 2021; State Environmental Planning Policy (SEPP) No 65 - Design Quality of Residential Apartment Buildings; Shoalhaven Local Environmental Plan (SLEP 2014) Shoalhaven Development Control Plan 2014 (SDCP 2014) Draft environmental planning instruments: Nil Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: <ul style="list-style-type: none"> CI 23 – Persons who may make development applications CI 29 – Residential Apartment development CI 75 – BASIX commitments CI 76 - Deferred Coastal zone management plan: [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
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council Assessment Report: 21 June 2022 Written submissions during public exhibition: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: 25 May 2022 <ul style="list-style-type: none"> Panel members: Chris Wilson (Acting Chair), Renata Brooks and Brian Kirk Council assessment staff: Andre Vernez, Rebecca Lockart, Cathy Burn Assessment consultant: Jack Rixon Final Applicant Briefing: 5 July 2022 <ul style="list-style-type: none"> Panel members: Chris Wilson (Acting Chair), Renata Brooks and Brian Kirk Council assessment staff: Andre Vernez, Rebecca Lockart, Cathy Burn Consultant: Adam Coburn Panel Secretariat: Amanda Moylan

		<ul style="list-style-type: none"> ○ Applicant representatives: Alex Pontello, Stephen King, Gabe Reed <p>Note: Applicant briefing was requested to respond to the recommendation in the council assessment report.</p> <ul style="list-style-type: none"> • It should be noted that a site inspection scheduled for 5 July 2022 immediately preceding the determination did not proceed due to inclement weather. The Chair determined that in this instance a site inspection was not required and the matter could be determined using the documents provided, in conjunction with electronic viewing capabilities. • Final briefing to discuss council's recommendation: 5 July 2022 <ul style="list-style-type: none"> ○ Panel members: Chris Wilson (Acting Chair), Renata Brooks, and Brian Kirk ○ Council assessment staff: Andre Vernez ○ Assessment Consultant: Adam Coburn, Rebecca Lockart, Cathy Burn ○ Panel Secretariat: Amanda Moylan
9	RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Independent Consultant's Assessment Report and as amended