

DATE OF DETERMINATION	12 October 2022
DATE OF PANEL DECISION	11 October 2022
DATE OF PANEL MEETING	5 October 2022
PANEL MEMBERS	Chris Wilson (Acting Chair), Renata Brooks, Tim Fletcher, Michael Mantei, Stephen Leathley
APOLOGIES	Julie Walsh
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 21 September 2022.

MATTER DETERMINED

PPSSTH-161 – Wingecarribee – DA22/1835 at 1 Bowman Road, Moss Vale – Construction and colocation of a community and emergency services facilities for respectively, the Wingecarribee Animal Shelter, and the State Emergency Services (SES) and associated works (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 observed at site inspections 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 Council Assessment Report. The Panel was satisfied that issues raised by the Panel at an earlier briefing relating to the permissibility of the Wingecarribee Animal Shelter, and the potential for noise related impacts from barking dogs, particularly on sensitive receivers had been adequately addressed in Council's AR.






CONDITIONS

The Development Application was approved subject to the conditions in the Council Assessment Report with the following amendments.

- Condition 7 was included requiring the animal shelter to be operated in accordance with any relevant applicable regulations and standards for the keeping of animals.
- Several conditions were amended to explicitly identify the appropriate section within Council that relevant requirements/documentation should be submitted to noting that Council is the Applicant.
- Several conditions were also amended to specify who was responsible (Applicant) for undertaking/submitting the requirements set out in the relevant conditions.
- Condition 20, (now Condition 21) was amended to correctly reference the type of vehicle servicing the site.
- Conditions 15 and 31 relating to approvals required under the Roads Act were duplicates. Condition 31 was subsequently deleted.
- Conditions 16 and 34 relating to the preparation of an Erosion and Sediment Control Plan were duplicates. Condition 34 was subsequently deleted.

CONSIDERATION OF COMMUNITY VIEWS

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

PANEL MEMBERS	
 Chris Wilson (Acting Chair)	 Renata Brooks
 Tim Fletcher	 Michael Mantei
 Stephen Leathley	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSTH-161 – Wingecarribee – DA22/1835
2	PROPOSED DEVELOPMENT	Construction of a community facility and an emergency services facility for the Wingecarribee Animal Shelter and State Emergency Services (SES) and associated works.
3	STREET ADDRESS	1 Bowman Road, Moss Vale (Lot 2 DP 1269526)
4	APPLICANT/OWNER	Adrienne Gibbling – Figgis & Jefferson Tapa Pty Ltd for Wingecarribee Shire 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 (Planning Systems) 2021 ○ State Environmental Planning Policy (Resilience and Hazard) 2021 ○ State Environmental Planning Policy (Transport and Infrastructure) 2021 ○ State Environmental Planning Policy (Industry and Employment) 2021 ○ State Environmental Planning Policy (Biodiversity and Conservation) 2021 ○ Wingecarribee Local Environmental Plan 2010 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Moss Vale Enterprise Corridor Development Control Plan 2008 • Planning agreements: Nil • Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2000</i> • 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 September 2022 • Written submissions during public exhibition: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing: 2 August 2022 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Chris Wilson (Acting Chair), Renata Brooks, Tim Fletcher, Julie Walsh, Stephen Leathley ○ <u>Council Assessment Planner</u>: Jeremy Swan – The Planning Hub ○ <u>DPE representative</u>: Amanda Moylan • Final briefing to discuss council's recommendation: 5 October 2022 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Chris Wilson (Acting Chair), Renata Brooks, Tim Fletcher, Michael Mantei, Stephen Leathley ○ <u>Council assessment staff</u>: Nancy Sample, Adan Davis ○ <u>Council Assessment Planner</u>: Jeremy Swan, Lachlan Rodgers – The Planning Hub ○ <u>Applicant representatives</u>: Jeffrey Chan & Robyn Chee – Figgis & Jefferson Tapa Pty Ltd, Ned Tripkovic & Craig Bennett - Wingecarribee Shire Council (Client) ○ <u>DPE representative</u>: Sung Pak

9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report