

DATE OF DETERMINATION	23 November 2023
DATE OF PANEL DECISION	22 November 2023
DATE OF PANEL MEETING	22 November 2023
PANEL MEMBERS	Chris Wilson (Chair), Grant Christmas, Graham Rollinson
APOLOGIES	Juliet Grant
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 14 November 2023.

MATTER DETERMINED

PPSSTH-257 – Shellharbour – DA0272/2023 at Lot 4023 DP 1254658 & Lot 4024 DP 1254658, 2 Waterfront Promenade, Shell Cove – Shell Cove Waterfront Centre (Community Facilities, Information and education facility) (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 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*.

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 the matters raised in its briefing were satisfactorily addressed.

The Panel was satisfied that the development was consistent with Concept Approval MP07_027 (Mod 1) and acknowledged that it will deliver an important community asset.

CONDITIONS

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

- **Condition 4 - Compliance with Notations on Drawings**

Amend to clarify that further notations cannot be made to the approved plans after the determination as follows:

Works must comply with any notations on the approved plans and specifications at the time of the determination.

- **Condition 43 - CCTV Requirements**

To enable flexibility regarding the implementation and operation of CCTV in and around the development, amend as follows:

Prior to the issue of an Occupation Certificate CCTV cameras are to be installed. CCTV Surveillance cameras shall be strategically installed, operated and maintained with particular regard to coverage as per the

following:

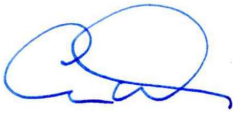


- a) principal entrance/s and exits;
- b) all areas within the premise occupied by the public (excluding toilets);
- c) staircases in multilevel premises; and
- d) Coverage of all external areas within a 10m radius of the proposed development, particularly covering areas where public seating is proposed and at the external entry doors to the public amenities.

Suitable and clearly visible signage be displayed at the principal entrance(s) to the premise and in a prominent position on each floor accessible to the public, in lettering not less than 50mm in height with the words "Closed Circuit Television in use on these premises".

The decision was unanimous.

CONSIDERATION OF COMMUNITY VIEWS

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

PANEL MEMBERS	
 Christopher Wilson (Chair)	 Grant Christmas
 Graham Rollinson	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSTH-257 – Shellharbour – DA0272/2023
2	PROPOSED DEVELOPMENT	Shell Cove Waterfront Centre (Community Facilities, Information and education facility)
3	STREET ADDRESS	Lot 4023 DP 1254658 & Lot 4024 DP 1254658, 2 Waterfront Promenade, Shell Cove
4	APPLICANT/OWNER	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 (Industry and Employment) 2021 State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 Shellharbour Local Environmental Plan 2013; Local Infrastructure Contributions Plan 2019 (9th Review – Amendment 1) Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Shellharbour Development Control Plan 2017 Planning agreements: Nil Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</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: 14 November 2023 Concept Approval MP07_0027 Mod 1 Shell Cove Precinct D Urban Design Guidelines - Amendment 2 Written submissions during public exhibition: 0 Total number of unique submissions received by way of objection: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Applicant / Council Briefing: 12 September 2023 <ul style="list-style-type: none"> <u>Panel members</u>: Chris Wilson (Chair), Juliet Grant, Grant Christmas <u>Council assessment staff</u>: Mathew Rawson, Jasmina Micevski <u>Applicant representatives</u>: Jason Webster (Frasers Property), Wayde Peterson (Shellharbour City Council), Bailey Angeloski (Shellharbour City Council), Nicole Leuning (Smart Design Studio), Juliet Wittenoom Louw (Ethos Urban) <u>Other</u>: Amanda Moylan (DPE), Tracey Gillett (DPE) Final briefing to discuss council's recommendation: 22 November 2023 <ul style="list-style-type: none"> <u>Panel members</u>: Chris Wilson (Chair), Grant Christmas, Graham Rollinson. <u>Council assessment staff</u>: Madeline Cartwright, Mathew Rawson, Jasmina Micevski.

		<ul style="list-style-type: none">○ <u>Applicant representatives:</u> Jason Webster (Fraser's Property), , Christopher Curtis (Ethos Urban), Daniel Brilsky (Shellharbour City Council), Anne Peden (Shellharbour City Council), Bailey Angeloski (Shellharbour City Council)○ <u>Other:</u> Amanda Moylan (DPE), Tracey Gillett (DPE)
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report