

DETERMINATION AND STATEMENT OF REASONS
SOUTHERN REGIONAL PLANNING PANEL

DATE OF DETERMINATION	20 February 2024
DATE OF PANEL DECISION	19 February 2024
PANEL MEMBERS	Chris Wilson (Chair), Juliet Grant, Grant Christmas
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 15 February 2024.

MATTER DETERMINED

PPSSTH-283 – Shoalhaven – DS23/1276 at 120 Flatrock Road, Mundamia 2540 - Section 4.55(2)
Modification of the approved Materials Recycling 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 and the matters observed at site inspections listed at item 8 in Schedule 1.

Application for modification of consent

The Panel determined to approve the development application pursuant to section 4.55 (2) of the *Environmental Planning and Assessment Act 1979*. As relevant the Panel was satisfied that:

1. The development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted;
2. Council notified the modification application in accordance with the applicable requirements noting there were no submissions;
3. The matters referred to in section 4.15(1) of relevance to the development the subject of the modification application had been fully considered; and
4. The reasons given by the consent authority for the grant of the consent to be modified had been fully considered.

The decision was unanimous.

REASONS FOR THE DECISION

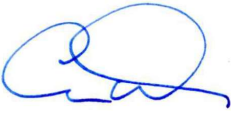


The Panel determined to approve the application for the reasons outlined in the Council Assessment Report.

CONDITIONS

The Modification Application was approved subject to amendments to Conditions 1 and 7 of the Conditions of Consent attached to the Council Assessment Report.

CONSIDERATION OF COMMUNITY VIEWS

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

PANEL MEMBERS	
 Christopher Wilson (Chair)	 Juliet Grant
 Grant Christmas	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSTH-283 – Shoalhaven – DS23/1276
2	PROPOSED DEVELOPMENT	Section 4.55(2) Modification of the approved Materials Recycling Facility.
3	STREET ADDRESS	120 Flatrock Road Mundamia
4	APPLICANT/OWNER	Shoalhaven City Council
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(2) Modification Application
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 Shoalhaven Local Environmental Plan 2014 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Shoalhaven Development Control Plan 2014 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: 1 February 2024 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"> Briefing: 31 October 2023 <ul style="list-style-type: none"> <u>Panel members</u>: Chris Wilson (Chair), Juliet Grant, Grant Christmas <u>Council assessment staff</u>: Cathy Bern, Rebecca Lockart <u>Council Consultant Assessment Planner</u>: Louise Munday <u>Applicant representatives</u>: Kristin Holt (SCC), David Hojem (SCC) <u>Other</u>: Amanda Moylan (DPE), Tracey Gillett (DPE) Site inspection: 31 October 2023 <ul style="list-style-type: none"> <u>Panel members</u>: Juliet Grant, Grant Christmas <u>Council assessment staff</u>: Rebecca Lockart <u>Other</u>: Amanda Moylan (DPE)
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report