

<b>DATE OF DETERMINATION</b>	22 November 2024
<b>DATE OF PANEL DECISION</b>	22 November 2024
<b>DATE OF PANEL BRIEFING</b>	20 November 2024
<b>PANEL MEMBERS</b>	Chris Wilson (Chair), Juliet Grant, Grant Christmas
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	Council interest DA

Papers circulated electronically on 31 October 2024.

#### **MATTER DETERMINED**

PPSSTH-303 – Shoalhaven - RA23/1004 at 120 Flatrock Road, MUNDAMIA (Lot 1 DP 1018193) – To construct and operate a waste resource learning centre on land within the Shoalhaven City Council West Nowra Recycling and Waste Depot (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's Independent Assessment Report subject to the recommended conditions of consent. The Panel was satisfied that:



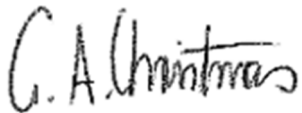
1. The proposal is permissible in the SP Infrastructure (Waste/Resource Management Facilities) zone in the *Shoalhaven Local Environmental Plan 2014* and is consistent with the relevant zone objectives.
2. The development meets all relevant preconditions for the grant of development consent.
3. The development is suitable for the intended use as it has good access, all relevant services are available, and it is compatible with adjoining land uses.
4. The conditions imposed will ensure that residual environmental, amenity and land use planning issues are appropriately managed.
5. The proposal will provide valuable educational facilities for the broader community and will therefore result in social benefits.
6. For the reasons given above the approval of the application is in the public interest.

#### **CONDITIONS**

The Development Application was approved subject to the conditions in the Council's Independent Assessment Report. The applicant confirmed during the final briefing that it agreed to the recommended conditions of consent.

**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-303 – Shoalhaven - RA23/1004
2	PROPOSED DEVELOPMENT	To construct and operate a waste resource learning centre on land within the Shoalhaven City Council West Nowra Recycling and Waste Depot
3	STREET ADDRESS	120 Flatrock Road, MUNDAMIA (Lot 1 DP 1018193)
4	APPLICANT/OWNER	Shoalhaven City Council c/- Terrior Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Council related development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>State Environmental Planning Policy (Resilience and Hazards) 2021</li> <li>State Environmental Planning Policy (Biodiversity and Conservation) 2021</li> <li>Environmental Planning Policy (Planning Systems) 2021</li> <li>Shoalhaven Local Environmental Plan 2014</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Shoalhaven Development Control Plan 2014</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i></li> <li>Coastal zone management plan: Nil</li> <li>The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>The suitability of the site for the development</li> <li>Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Council Assessment Report: 31 October 2024</li> <li>Written submissions during public exhibition: NIL</li> <li>Total number of unique submissions received by way of objection: NIL</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Briefing: 1 November 2023 <ul style="list-style-type: none"> <li><u>Panel members</u>: Chris Wilson (Chair), Juliet Grant, Grant Christmas</li> <li><u>Council assessment staff</u>: Rebecca Lockhart, Cathy Bern</li> <li><u>Council consultant assessment planner</u>: Louise Menday</li> <li><u>Applicant representatives</u>: Anh Nguyen (Terroir), Gerard Reinmuth (Terroir), Joshua Lynch (Terroir)</li> <li><u>DPHI</u>: Amanda Moylan, Tracey Gillett, Tim Mahoney</li> </ul> </li> <li>Site Visit: 1 November 2023 <ul style="list-style-type: none"> <li><u>Panel members</u>: Juliet Grant, Grant Christmas</li> <li><u>Council assessment staff</u>: Rebecca Lockhart</li> <li><u>Applicant representatives</u>: Fiona Schreus, Julia Doyle, Peter Windley</li> <li><u>DPHI</u>: Amanda Moylan</li> </ul> </li> <li>Site inspection: 7 November 2023 <ul style="list-style-type: none"> <li><u>Panel members</u>: Chris Wilson (Chair)</li> </ul> </li> <li>Final briefing to discuss council's recommendation: 20 November 2024 <ul style="list-style-type: none"> <li><u>Panel members</u>: Juliet Grant (A/Chair), Grant Christmas</li> </ul> </li> </ul>

		<ul style="list-style-type: none"><li>○ <u>Apology</u>: Chris Wilson (Chair)</li><li>○ <u>Council assessment staff</u>: Elizabeth Downing, Justin Lamerton, Peter Johnston.</li><li>○ <u>Council independent assessment planner</u>: Louise Munday</li><li>○ <u>Applicant representatives</u>: Joshua Lynch (Terroir), David Lindsay (SCC - Manager Waste Services)</li><li>○ <u>DPHI</u>: Amanda Moylan, Tracey Gillett</li></ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report