

DATE OF DETERMINATION	20 April 2021
PANEL MEMBERS	Gordon Kirkby (Chair), Renata Brooks, Clare Brown, Carl Peterson, Jim Givarry
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held by teleconference on Wednesday, 14 April 2021, opened at 11am and closed at 1pm.

MATTER DETERMINED

PPSSTH-43 – WINGECARRIBEE – 20/1069 – 1 FOUNTAINDALE ROAD ROBERTSON 2577

Tourist and Visitor Accommodation - Refurbishment of the existing hotel, a four storey addition to the rear of the hotel to accommodate 46 new rooms, an ancillary function centre and new basement car parking. 13 new eco-tourist cabins, 7 new eco-tourist villas, new swimming pool and leisure centre, refurbishment of the workers cottage into an artist studio, a new reception and new internal roads and pedestrian pathways (as described in Schedule 1).

REASONS FOR DEFERRAL

The panel agreed to defer the determination of the matter until required information is provided by Applicant and Council.

A. The following information is required from the Applicant:

1. Confirmation that the calculations for biodiversity offsets in the Biodiversity Development Assessment Report (BDAR) include the Rural Fire Service requirements for asset protection zones in the GTAs issued on 04/03/21. Should the BDAR calculation not address these requirements, revised BDAR calculations for offsets should be submitted.
2. An assessment by a suitably qualified expert, on the potential for Aboriginal cultural heritage to be present on the site. The assessment shall include:
 - a. the results of a search of the Aboriginal Heritage Information Management System (AHIMS) for the presence of any recorded sites on, or in the vicinity of the site; and
 - b. the potential for any areas of cultural significance, and potential impacts of the development these sites.
3. Clarification regarding the traffic generation assumptions used for external users (non-guests) of the facilities at the development;
4. Clarification on required measures to limit and or manage noise generation from outdoor events on at the site.
5. Clarification regarding the location of the dedicated staff accommodation, the number of staff that will reside on the site, and the basis for that accommodation (temporary or permanent).
6. Staging Plan for development of the site.

B. The following is required from Council:






1. Confirmation that the current road categorisation and pavement standard of Fountaindale Road is adequate or requires an upgrade to facilitate service delivery vehicles associated with the development.

2. Clarification on the context of the site and development within the Illawarra Escarpment Thin Green Line project.
3. Assessment of the additional information provided by the Applicant in Section A above. An addendum to the Assessment Report is to be prepared and submitted to the panel.
4. The recommended conditions of consent are to be revised to address any matters arising from the additional information provided. In this regard a review of the conditions should ensure that correct documents are referenced, and that the implementation of management plans is integrated with, and consistent with, the proposed staging of the development.

The information required from the Applicant (Section A) should be submitted to Council within 3 weeks of the date of this notice. The additional information and revised assessment from Council (Section B) should be submitted to the Panel within 2 weeks of receipt of the Section A information from the Applicant.

When this information has been received, the panel will determine the matter electronically.

The decision to defer the matter was unanimous. The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

PANEL MEMBERS	
 Gordon Kirkby (Chair)	 Renata Brooks
 Clare Brown	 Carl Peterson
 Jim Givarry	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSTH-43 – WINGECARRIBEE – 20/1069
2	PROPOSED DEVELOPMENT	Tourist and Visitor Accommodation - Refurbishment of the existing hotel, a four-storey addition to the rear of the hotel to accommodate 46 new rooms, an ancillary function centre and new basement car parking. 13 new eco-tourist cabins, 7 new eco-tourist villas, new swimming pool and leisure centre, Amphitheatre, animal petting area, refurbishment of the workers cottage into an artist studio, a new reception and new internal roads and pedestrian pathways.
3	STREET ADDRESS	The Robertson Hotel, 1 Fountaindale Road, Robertson, NSW 2577.
4	APPLICANT/OWNER	Aea Grand Hotel Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Capital Investment Value > \$30M
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> Environmental Planning and Assessment Act 1979 Biodiversity Conservation Act 2016 State Environmental Planning Policy (Sydney Water Catchment) 2011 State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy No. 55 – Remediation of Land State Environmental Planning Policy (BASIX) 2004 State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development 2002 Wingecarribee Local Environmental Plan 2010 (WLEP) Draft environmental planning instruments: Nil Development control plans: Nil Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil 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: 3 March 2021 Written submissions during public exhibition: 44 Verbal submissions at the public meeting: <ul style="list-style-type: none"> Judith Frisk, Regina Brewster, Janet Turner, Warren Lockwood, Cheryl Pearse, Mark Turner, Mark Pearse, Tim Hewitt (on behalf of the Robertson Business Chamber), Allan Stiles, Hope Waters Council assessment officer – Nancy Sample On behalf of the applicant – George Karavanas, Goran Stojanovic, Con Kotis
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: Wednesday, 14 April 2021 <ul style="list-style-type: none"> <u>Panel members</u>: Gordon Kirkby (Chair), Renata Brooks, Clare Brown, Carl Peterson, Jim Givarry <u>Council assessment staff</u>: Mark Pepping, Nancy Sample, Peter Mallow, Nicholas Wilton

		<ul style="list-style-type: none"> • Site inspection: Monday, 29 March 2021 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Gordon Kirkby (Chair), Renata Brooks, Carl Peterson, Jim Givarry ○ <u>Council assessment staff</u>: Nancy Sample • Final briefing to discuss council's recommendation: Wednesday, 14 April 2021 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Gordon Kirkby (Chair), Renata Brooks, Clare Brown, Carl Peterson, Jim Givarry ○ <u>Council assessment staff</u>: Nancy Sample ○ <u>Applicant representatives</u>: Constantine Kotis, George Karavanas, Goran Stojanovic
9	COUNCIL RECOMMENDATION	Approval subject to conditions
10	DRAFT CONDITIONS	Attached to the council assessment report