

DATE OF DETERMINATION	10 December 2021
DATE OF PANEL DECISION	9 December 2021
PANEL MEMBERS	Renata Brooks (Acting Chair), Tim Fletcher, Susan Budd
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 2 December 2021.

MATTER DETERMINED

PPSSTH-85 – SNOWY MONARO – 10.2021.78.1 at 16 THREDBO TERRACE JINDABYNE 2627 – Emergency Services Facility - Staged redevelopment of existing police station and accommodation. Demolition of existing buildings and erection of a two storey police station including carport, storage shed and new accommodation building (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 to vary a development standard

Following consideration of a written request from the applicant, made under cl 4.6 (3) of the Snowy River Local Environmental Plan 2013 (LEP), that has demonstrated that:

- a) compliance with cl 4.3 (height of building) is unreasonable or unnecessary in the circumstances; and
- b) there are sufficient environmental planning grounds to justify contravening the development standard

the Panel is satisfied that:

- a) the applicant's written request adequately addresses the matters required to be addressed under cl 4.6 (3) of the LEP; and
- b) the development is in the public interest because it is consistent with the objectives of cl 4.3 (height of building) of the LEP and the objectives for development in the B2 zone; and
- c) the concurrence of the Secretary has been assumed.

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 uphold the Clause 4.6 variation to building height; and approve the application for the reasons outlined in the council assessment report and supplementary reports dated 11 November 2021 and 1 December 2021, noting that matters raised in the Panel's record of deferral dated 19 October 2021 have either been resolved through provision of additional information or can be appropriately addressed through imposition of conditions.

CONDITIONS

The development application was approved subject to the conditions in the supplementary council assessment report dated 1 December 2021 with amendments to the conditions in the original assessment report:

- Requiring the applicant to submit a plan to the satisfaction of Council, prior to the commencement of works, showing additional car parking on site between the proposed car port and accommodation building on the southern boundary to ensure the provision of adequate onsite parking for police officers and support staff
- Requiring an asbestos hazard management strategy to be submitted to Council and an unexpected finds protocol to mitigate risks associated with the presence of asbestos.
- Including an aboriginal heritage unexpected finds protocol to ensure appropriate actions in response to any findings of culturally significant items during works
- Requiring consolidation of both lots or addition of reciprocal rights of way over the access driveways and manoeuvring areas on both lots prior to occupation to remove impediments to management of the site.
- Updating Condition ADM_01 to reference detailed landscaping plans subsequently provided by the applicant.

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	
 Renata Brooks (Chair)	 Tim Fletcher
 Susan Budd	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSTH-85 – SNOWY MONARO – 10.2021.78.1
2	PROPOSED DEVELOPMENT	Emergency Services Facility - Staged redevelopment of existing police station and accommodation. Demolition of existing buildings and erection of a two storey police station including carport, storage shed and new accommodation building
3	STREET ADDRESS	16 Thredbo Terrace Jindabyne 2627
4	APPLICANT/OWNER	BGIS / Police Property Group
5	TYPE OF REGIONAL DEVELOPMENT	CIV > \$5M - Crown Development
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> SEPP (State and Regional Development) 2011 SEPP (Infrastructure) 2007 SEPP 55 – Remediation of Land SEPP 64 – Advertising and Signage SEPP (Vegetation in Non-Rural Areas) 2017 Snowy River Local Environmental Plan 2013 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Snowy River Development Control Plan 2013 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: 20 September 2021 Supplementary Council assessment report: 11 November 2021 Supplementary Council assessment report: 1 December 2021 Clause 4.6 Exceptions to development standards Written submissions during public exhibition: Nil
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Final briefing to discuss council's recommendation: Tuesday, 5 October 2021 <ul style="list-style-type: none"> <u>Panel members</u>: Renata Brooks (Chair), Tim Fletcher, Susan Budd, Peter Beer <u>Council assessment staff</u>: Sophie Ballinger <u>DPIE staff</u>: Sung Pak, Michelle Burns
9	COUNCIL RECOMMENDATION	Approval with conditions
10	DRAFT CONDITIONS	Attached to the council assessment report and as modified in subsequent supplementary reports.