

<b>DATE OF DETERMINATION</b>	26 July 2017
<b>PANEL MEMBERS</b>	Hon. Pam Allan (Chair), Renata Brooks, Abigail Goldberg, Cr Rod Kendall, Cr Dan Hayes
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	<p>Cr Kerry Pascoe's building company has been approved through an E.O.I and have subsequently been asked to tender on the project before the panel.</p> <p>Cr Rod Kendall and Cr Dan Hayes declared a non-pecuniary and non-significant interest in ITEM 1, reason being that the Wagga Wagga City Council has ownership of a small portion of land within the subject site. This is not critical to the proposal and both Cr Kendall and Cr Hayes remained in the meeting and participated in the determination.</p>

Public meeting held at City of Wagga Wagga Council, corner of Baylis Street and Morrow Street, Wagga Wagga on 26 July 2017, opened at 11:14 am and closed at 11:52am

#### **MATTER DETERMINED**

2017STH015 – Wagga Wagga – DA17/0244 AT 72 Tasman Rd & 308 Copland St East Wagga Wagga (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 the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

#### **REASONS FOR THE DECISION**

The reasons for the decision of the Panel were:

- The development complies with the requirements of the *Environmental Planning and Assessment Act 1979* and will not compromise the outcomes sought for the *Wagga Wagga Local Environmental Plan 2010*.
- An assessment of the application against the relevant sections of the *Wagga Wagga Development Control Plan 2010* demonstrates that the proposed development will not cause any significant adverse impacts on the surrounding natural environment, built environment, infrastructure, community facilities or local character and amenity.
- The development will provide economic benefit to the community.

#### **CONDITIONS**

The development application was approved subject to the conditions in the Council Assessment Report subject to the amendment of condition number 5 and the inclusion of an additional condition as follows;



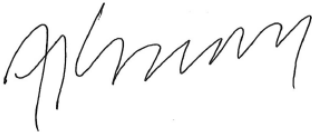


**5. Prior to the release of the Construction Certificate an amended plan shall be provided to the satisfaction of the Director of Commercial Development or delegate that identifies high level windows to the northern elevation of the building where function facilities are provided. In**

**addition, screening and landscaping to the northern elevation of the building is necessary to screen the service areas.**

REASON: It is in the public interest that the building is designed in consideration of user amenity. Section 79c(1)(e) of the *Environmental Planning and Assessment Act 1979*, as amended

**33 (a) If any Aboriginal object is discovered and/or harmed in, on or under the land, all work must cease immediately and the area secured so as to avoid further harm to the Aboriginal object. The Office of Environment and Heritage shall be notified as soon as practicable on 131 555, providing any details of the Aboriginal object and its location, and no work shall recommence at the particular location unless authorised in writing by Office of Environment and Heritage.**

REASON: To ensure that Aboriginal sites are protected. Section 79C (1)(b) of the *Environmental Planning and Assessment Act 1979*, as amended.

PANEL MEMBERS	
 Hon. Pam Allan (Chair)	 Renata Brooks
 Abigail Goldberg	 Cr. Rod Kendall
 Cr. Dan Hayes	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017STH015 – Wagga Wagga – DA17/0244
2	PROPOSED DEVELOPMENT	Function Centre with associated car parking and landscaping with new vehicle access to Copland Street (Clay Target Association)
3	STREET ADDRESS	72 Tasman Road and 308 Copland Street Wagga Wagga
4	APPLICANT/OWNER	Australian Clay Target Association Inc
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 (State and Regional Development) 2011</li> <li>State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>Wagga Wagga Local Environment Plan 2010 (WWLEP)</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Wagga Wagga Development Control Plan 2010 (WWDCP)</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</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: 11 July 2017</li> <li>Written submissions during public exhibition: Nil</li> <li>Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>Support – nil</li> <li>Object – nil</li> <li>On behalf of the applicant – Jared Milne - ICONO</li> </ul> </li> </ul>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Site inspection and public meeting on Wednesday 26 July 2017</li> <li>Final briefing meeting to discuss council's recommendation, 26 July 2017, 10:15 am. Attendees: <ul style="list-style-type: none"> <li><u>Panel members</u>: Hon. Pam Allan (Chair), Renata Brooks, Abigail Goldberg, Cr Rod Kendall, Cr Dan Hayes <ul style="list-style-type: none"> <li><u>Council assessment staff</u>: Amanda Gray, James Bolton, Robert Knight</li> </ul> </li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report