

## DETERMINATION AND STATEMENT OF REASONS

### SOUTHERN JOINT REGIONAL PLANNING PANEL

<b>DATE OF DETERMINATION</b>	20 February 2018
<b>PANEL MEMBERS</b>	Renata Brooks (Chair), John Griffin, Mark Grayson, Cr Rod Kendall
<b>APOLOGIES</b>	Kerry Pascoe
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held at Wagga Wagga City Council at 243 Baylis St, Wagga Wagga on 20 February 2018, opened at 1:15 PM and closed at 2:20 PM.

#### MATTER DETERMINED

2017STH030 – Wagga Wagga – DA17/0663 at 50 Edward St, 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 (4:4).

#### 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*. The Panel was satisfied that the minor exceedance of the height standard has been justified and is in the public interest, and that the development will maintain the primacy of Zone B3 Commercial Core as the principal business, office and retail hub of Wagga Wagga.
- 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.
- The design of the hotel and commercial precinct respects the heritage significance of the site whilst ensuring that the proposed adaptive re-use of the buildings allows for the whole of the site to be successfully redeveloped.
- The Panel was also satisfied that requirements in relation to potential for site contamination have been met.

#### CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report with the following amendments to conditions 9, 54 and 87.

**9. Prior to the issue of the Construction Certificate, sufficient information must be forwarded to the certifying authority illustrating compliance with the relevant requirements of the Building Code of Australia (and a copy forwarded to Council where Council is not the certifying authority).**

**NOTE 1: Any design amendment required for the purpose of the BCA compliance must be submitted with the construction certificate. Significant amendments may require an application under section 96 of the EPA Act 1979 to be lodged with Council.**

REASON: To ensure that the development complies with the requirements imposed under Clause 98 of the Environmental Planning and Assessment Regulations 2000, as amended, and Section 80A(11) of the Environmental Planning and Assessment Act 1979, as amended.

**54. Prior to release of Occupation Certificate for the hotel and entertainment elements of the proposed development, a Venue & Security Management Plan shall be prepared in consultation with the Wagga Wagga Local Area Command. The plan must be signed and approved by the Local Area Commander or the Commander's Delegate, a copy of which must be lodged with Wagga Wagga City Council prior to operation.**

The management plan must include a range of measures which include but are not limited to, patron safety and security, engagement of security guards, noise control, management of crime scenes, recording and reporting incidents of violence, the installation and maintenance of digital HD closed circuit television (CCTV), the quiet and good order of the neighbourhood, safe transport options, clearing of rubbish, addressing complaints relating to the operation of the premise and reviews, amendments and updates to the plan.

The consent holder, a licensee (if a premise is licensed under the Liquor Act 2007) or any other person in control of the premise whilst trading must comply with each condition of the plan at all times.

It is the responsibility of the consent holder to initiate contact with the Wagga Wagga Local Area Command to commence the consultative process for the plan.

REASON: To ensure development does not reduce the amenity of the area. Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, as amended.





**87. This approval is for a development to be undertaken in Stages. The approval of the subject application replaces the originally approved Stage 5 (under DA11/0568.09) with Stage 5 and Stage 6 detailed as follows:**

**Stage 5 - Hotel development, conversion of Murrumbidgee Flour Mill and silos, function centre, basement car-park, Completion of signalised junction with Edward Street, Mill Avenue and car park and associated landscaping.**

**Stage 6 – Two-storey Interlink Building and associated landscaping to Edward Street.**

In accordance with the approved staging plan, Stage 5 must be completed prior to Stage 6. Unless otherwise expressly stated, the conditions must be read as being applicable to all Stages.

REASON: So that the development proceeds in a planned manner in accordance with the approved plans. Section 79C(1)(b) and (c) of the *Environmental Planning and Assessment Act 1979*, as amended.

PANEL MEMBERS	
 Renata Brooks (Chair)	 John Griffin
 Mark Grayson	 Cr Rod Kendall

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017STH030 – Wagga Wagga – DA17/0663 at 50 Edward St, WAGGA WAGGA
2	PROPOSED DEVELOPMENT	Mixed use development comprising hotel accommodation (156 rooms) to include one 6 storey building and the re-use of the former Murrumbidgee Flour Mill (heritage item), function centre, adaptive re-use of grain silos for storage purposes, two storey commercial building for office and retail use, associated access and car parking (including basement car park), landscaping, signage and 3 lot stratum subdivision
3	STREET ADDRESS	50 Edward Street, Wagga Wagga, Lot 12 DP1178547
4	APPLICANT/OWNER	Interlink Wagga Central Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 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>State Environmental Planning Policy (Infrastructure) 2007</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 Environmental Planning and Assessment Regulation 2000</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>Clause 4.6 Height Variation request</li> <li>Council assessment report: 2 February 2018</li> <li>Written submissions during public exhibition: One (1)</li> <li>Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>On behalf of the applicant – Michael Stokes (Project Manager)</li> </ul> </li> <li>Council Memo dated 14 February 2018</li> <li>Applicant request to amend draft conditions</li> </ul>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Site inspection 20 February 2018</li> <li>Final briefing meeting to discuss council's recommendation 20 February 2018 at 11:30 Attendees: <ul style="list-style-type: none"> <li><u>Panel members</u>: Renata Brooks (Chair), John Griffin, Mark Grayson, Rod Kendall.</li> <li><u>Council assessment staff</u>: Cameron Collins, Amanda Gray</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report