

DATE OF DETERMINATION	Thursday 12 July 2018
PANEL MEMBERS	Pam Allan (Chair), Renata Brooks, Alison McCabe, Greg Conkey, Dan Hayes
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Electronic meeting held between 5 July 2018 and 12 July 2018.

MATTER DETERMINED

2018STH011 – Wagga Wagga - DA14/0448.01 at Cooramin Street, Cartwrights Hill, NSW (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 pursuant to section 4.55 (previously section 96) of the *Environmental Planning and Assessment Act 1979* subject to an amendment to condition 85 outlined below.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel approved the modification application will result in the development of a clubhouse with increased capacity for up to 285 persons.

The extended grandstand and new marquee pad will allow for a greater experience of the races from external areas as well as from within the clubhouse.

The impacts of the modified development are not considerably different from those originally assessed including the assessment of noise from the facility and flood impacts.

CONDITIONS






The development application was approved subject to the conditions in the Supplementary Council Assessment Report with the following amendment to Condition 85.

Condition 85 should be amended to allow for two events which exceed background level by more than 5Db(A), with other events to be accommodated within the 5Db(A) allowance.

The Panel did not accept the proposed amendment to condition 85 for the following reasons:

- A likely increase in noise associated with the modification;
- the supplementary assessment report indicates that the applicant and Panel in its previous decision accepted that there were likely to be 2 events which would exceed typical noise criteria;
- the proposed amendment to condition 85 could allow (using the example provided in the supplementary report) 8 events which would exceed typical noise criteria (that is, more than 5Db(A) above background noise), which is inconsistent with the concept of only two extraordinary events;

- the approach of using equivalent event credits is unlikely to be easy for community members to understand.

PANEL MEMBERS	
 Pam Allan (Chair)	 Renata Brooks
 Alison McCabe	 Greg Conkey
 Dan Hayes	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018STH011 – Wagga Wagga - DA14/0448.01
2	PROPOSED DEVELOPMENT	Recreation Facility (Major) – Harness Racing Facility including Earthworks, Track, Clubhouse, Stables and Associated Infrastructure – S4.55(2) [former s96(2)] Modification to Increase Size of Clubhouse, Re-orientate Stables Building, New Elevated Marquee Pad, Minor Site Layout Amendments including increased car parking & Minor Internal & External Alterations
3	STREET ADDRESS	Cooramin Street, Cartwrights Hill, NSW
4	APPLICANT/OWNER	Applicant: Peter Basha Planning and Development on behalf of Harness Racing New South Wales. Owner: Harness Racing New South Wales Racecourse Development Fund
5	TYPE OF REGIONAL DEVELOPMENT	Crown development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> Wagga Wagga Local Environmental Plan 2010 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Wagga Wagga Development Control Plan 2005 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"> Supplementary Council Assessment Report 7 June 2018 Council assessment report: 29 May 2018 Written submissions during public exhibition: six (6)
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Public meeting (deferred) 7 June 2018 Site inspection and briefing meeting 7 June 2018
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report