

DATE OF DETERMINATION	30 January 2024
DATE OF PANEL DECISION	30 January 2024
DATE OF PANEL BRIEFING	24 January 2024
PANEL MEMBERS	Dianne Leeson (Chair), Stephen Gow, Michael Wright and Susannah Pearse
APOLOGIES	Brooke Sauer
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 16 January 2024.

MATTER DETERMINED

PPSNTH-256 – Moree Plains – DA2023/65 – 55 Boston Street, Moree – Alterations and additions to existing educational establishment (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 listed at item 8 in Schedule 1.

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 approve the application for the reasons outlined in the Council Assessment Report.

CONDITIONS

The Development Application was approved subject to the conditions in the Council Assessment Report with the following amendments.

- Amend Condition ADM.2 - Development in Accordance with Plans, part (a), to delete the word 'Environment' and replace with 'Environmental'
- Amend Condition ADM.5 to read as follows:
ADM.5 National Construction Code
The work must be carried out in accordance with the requirements of the National Construction Code.
- Insert new Condition, which reads as follows:
BCW.11. Crane Utilisation
Should a crane be utilised that is anticipated to penetrate the Obstacle Limitation Surface, the applicant shall seek prior consent from the Civil Aviation Safety Authority under the Airports (Protection of Airspace) Regulations 1996. Evidence of approval, where required, shall be provided to Council prior to commencement of any works involving usage of the crane.
- Delete Condition BCC.2 Prescribed Conditions of Development Consent

- Amend Condition BCC.13 Car Parking, by inserting the words at the end of the first sentence ' and Australian Standard AS2890.6 Off-street Parking for People with Disabilities'
- Amend Condition DC.11(b) by deleting DFE and inserting 'Defined Flood Event as outlined in the NSW State Flood Plan Glossary dated February 2018.'
- Amend BOC.12 to include the words 'Prior to issue of an occupation certificate' at the start of the first sentence
- Amend Condition BOC .23, to read as follows:

BOC.23. Car Parking Areas:

The car parking areas shall be paved in a bitumen, seal coat, asphaltic or bituminous concrete, cement concrete, or concrete paving blocks. The layout and dimensions of car parking areas shall be accordance with the standards of Moree Plains Shire Council Council's DCP and parking requirements of AS 2890.1-2004 off-street car parking.

The design of off-street parking for people with disabilities shall be as per AS2890.6:2022 – Parking facilities Off Street parking for people with disabilities.


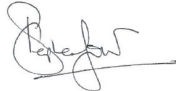
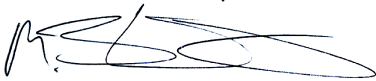

Note: The constructed parking shall be inspected at the by Council's Engineering Department prior to the issue of a Final Occupation Certificate.

(Reason: Council requirement)

- Amend Advisory Note 5 by deleting the word 'Department' at the end of the second sentence and replacing with NSW Environment Protection Authority (EPA).'
- Amend Advisory Note 14 to read as follows:
 14. This development consent does not include approval for any increase in existing student capacity over 540 students as approved by the NSW Department of Education. Should there be any proposed change to the school's current operation (i.e. Registration for full Primary & Secondary School service) or 10% increase to student or staffing numbers, the school should consult Council to address site specific issues such as traffic impact and car parking constraints prior to formalising any changes, which may require the submission of a further development application or a request for modification of consent under the Act, depending on the circumstances.

CONSIDERATION OF COMMUNITY VIEWS

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	
 Dianne Leeson (Chair)	 Stephen Gow
 Michael Wright	 Susannah Pearse

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSNTH-256 – Moree – DA2023/65
2	PROPOSED DEVELOPMENT	Construction of a new administration building, alterations and additions to existing buildings and site works
3	STREET ADDRESS	Lot 1 DP154366, Lot 1 DP221606, Lot 1 DP1113204 at 55 Boston Street, Moree
4	APPLICANT/OWNER	Matthew Rayment Trustees of the Roman Catholic Church for the Diocese of Armidale
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 Moree Plains Local Environmental Plan 2011 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Moree Plains Development Control Plan 2013 Planning agreements: Nil Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> 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: 10 January 2024 Written submissions during public exhibition: 0 Total number of unique submissions received by way of objection: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Applicant Briefing: 24 January 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Dianne Leeson (Chair), Stephen Gow, Michael Wright, Susannah Pearse <u>Applicant representatives</u>: Matthew Rayment, Linda Page and Laszlo Szoboszlai <u>Council assessment staff</u>: Paul Sio <u>Independent Planning Consultant</u>: Lillian Charlesworth <u>Department staff</u>: Carolyn Hunt and Lisa Ellis Final briefing to discuss council's recommendation: 24 January 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Dianne Leeson (Chair), Stephen Gow, Michael Wright and Susannah Pearse <u>Council assessment staff</u>: Paul Sio <u>Independent Planning Consultant</u>: Lillian Charlesworth <u>Department staff</u>: Carolyn Hunt and Lisa Ellis

9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report