

<b>DATE OF DEFERRAL</b>	24 April 2025
<b>DATE OF PANEL BRIEFING</b>	22 April 2025
<b>PANEL MEMBERS</b>	Dianne Leeson (Chair), Stephen Gow, Michael Wright and Anthony McAteer
<b>APOLOGIES</b>	Andy Edwards
<b>DECLARATIONS OF INTEREST</b>	None

Papers circulated electronically on 15 April 2025.

### **MATTER DETERMINED**

PPSNTH-388 - Lismore - 5.2024.183.1 - 65 & 69 Woodlark Street, 21 & 29 Larkin Lane and 7, 15, 15A, 15B & 17 Eggins Lane, Lismore – To undertake alterations and additions to enable an Educational Establishment for the purpose of a school incorporating:

- Change of use to enable an Educational Establishment (School)
- Building works
- Landscaping and greenspace works
- Business identification signage
- Ancillary civil works for the construction of internal stormwater drainage

(as described in Schedule 1).

### **REASONS FOR DEFERRAL**

The Panel considered the matters listed at item 6, the material listed at item 7 and the material presented at the meetings listed at item 8 in Schedule 1.

The Panel agreed to defer the determination of the matter until May 2025. The matter was deferred to allow for the provision and assessment of the following information to enable adequate assessment of the application:

- Emergency Management Plan – NSW SES Business Continuity Plan – updated 2 March 2025, prepared by Living School.
- Schedule of Operational Plans to be relied upon and copies of those plans, addressing but not limited to waste and flooding (noting requirement for clarification and consistent naming of flood evacuation plan documentation).
- Adequacy review of flood-related elements of operational and emergency management plans by the applicant's consultants - BMT Commercial Australia Pty Ltd.
- All plans recommended to be stamped for approval.

The decision to defer the matter was unanimous.


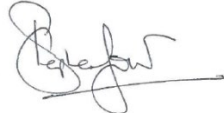


### **ACTIONS**

To allow for the progression of the Development Application to determination, the Panel directed that:

1. The Council shall ensure that all relevant application documentation has been uploaded to the NSW Planning Portal (including the Planning Panel case), including the following:
  - a. Updated plans (Version 6) - dated 25 October 2024
  - b. SES response – dated 16 January 2025
  - c. Newton Denny Chapelle response to request for information – dated 3 April 2025
  - d. Living School response to request for information – prepared by John Stewart

- e. Emergency Management Plan – NSW SES Business Continuity Plan – updated 2 March 2025, prepared by Living School.
2. The Applicant shall provide the required information noted above and upload any additional documentation to the Planning Portal by 13 May 2025.
  3. The Council shall undertake consultation on the relevant Flood Operational Management Plan(s) with the NSW State Emergency Service.
  4. Council is requested to provide a supplementary assessment report responding to the matters above, which is to be uploaded to the Planning Portal by within 2 weeks of the upload by the Applicants required information to the Planning Portal.
  5. When the updated assessment report is received the Panel will undertake a final briefing (preferably in May 2025) and determine the application by way of electronic determination.

If the outstanding information is not provided by 13 May 2025, the Panel may move to determine the DA based on the information at hand at that time.

PANEL MEMBERS	
 Dianne Leeson (Chair)	 Stephen Gow
 Michael Wright	 Anthony McAteer

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSNTH-388 - Lismore - 5.2024.183.1
2	PROPOSED DEVELOPMENT	<p>To undertake alterations and additions to enable an Educational Establishment for the purpose of a school incorporating:</p> <ul style="list-style-type: none"> <li>• Change of use to enable an Educational Establishment (School)</li> <li>• Building works</li> <li>• Landscaping and greenspace works</li> <li>• Business identification signage</li> <li>• Ancillary civil works for the construction of internal stormwater drainage</li> </ul>
3	STREET ADDRESS	65 & 69 Woodlark Street, 21 & 29 Larkin Lane and 7, 15, 15A, 15B & 17 Eggins Lane, Lismore
4	APPLICANT/OWNER	Luke Fittock (on behalf of Newton Denny Chapelle Pty Ltd) John Stewart and Sophie Stewart/ Living School
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities 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 (Resilience and Hazards) 2021</li> <li>○ State Environmental Planning Policy (Transport and Infrastructure) 2021</li> <li>○ Biodiversity Conservation Act 2016</li> <li>○ State Environmental Planning Policy (Industry and Employment) 2021</li> <li>○ State Environmental Planning Policy (Planning Systems) 2021</li> <li>○ Lismore Local Environmental Plan 2012</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Lismore Development Control Plan</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i></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: 12 April 2025</li> <li>• Written submissions during public exhibition: 1</li> <li>• Total number of unique submissions received by way of objection: 1</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Briefing: 21 January 2025 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Dianne Leeson (Chair), Stephen Gow, Michael Wright and Angela Jones</li> <li>○ <u>Council assessment staff</u>: Craig Bradridge, Lucas Myers and Graham Snow</li> <li>○ <u>Department staff</u>: Carolyn Hunt and Lisa Ellis</li> </ul> </li> <li>• Applicant Briefing: 22 April 2025 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Dianne Leeson (Chair), Stephen Gow, Michael Wright and Anthony McAteer</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>○ <u>Applicant representatives</u>: John Stewart, Debbie Clark, Rich Bolus, Chris Brandon, Nici Long and Luke Fittock</li> <li>○ <u>Council assessment staff</u>: Craig Bradridge and Lucas Myers</li> <li>○ <u>Department staff</u>: Carolyn Hunt and Ilona Ter-Stepanova</li> </ul> <ul style="list-style-type: none"> <li>• Briefing to discuss Council's recommendation: 22 April 2025 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Dianne Leeson (Chair), Stephen Gow, Michael Wright and Anthony McAteer</li> <li>○ <u>Council assessment staff</u>: Craig Bradridge and Lucas Myers</li> <li>○ <u>Department staff</u>: Carolyn Hunt and Ilona Ter-Stepanova</li> </ul> </li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Approval
10	<b>DRAFT CONDITIONS</b>	Attached to the Council Assessment Report