



DATE OF DETERMINATION	28 September 2023
DATE OF PANEL DECISION	21 September 2023
DATE OF PANEL BRIEFING	27 July 2023
PANEL MEMBERS	Steve Murray (Acting Chair), Susan Budd, Elizelle Cilliers
APOLOGIES	None
DECLARATIONS OF INTEREST	Abigail Goldberg & David Ryan both have declared a conflict of interest as they are currently working with Schools Infrastructure on projects.

Papers circulated electronically on 28 August 2023.

MATTER DETERMINED

PPSSCC-469 – Blacktown – DA-23-00722 – Elara Boulevard, Melonba - Construction of a temporary public high school to accommodate up to 400 students (being 250 year 7 students and 150 year 8 students) with 35 full time equivalent staff to operate for a maximum period of 24 months.

PANEL CONSIDERATION AND DECISION

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at briefings and the matters 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.




- Condition 3.9.2 shall read: Final construction plans must confirm that minimum floor levels are consistent with Council's Engineering Guide for Development 2005. School floor levels are to be at or above RL 20.10 metres to the Australian Height Datum (AHD) for the western wing and RL 20.60 (AHD) for the remainder of the buildings.
- Condition 3.10.5 shall read: Prior to Crown Certification a Tree Protection Plan (drawing) is required to be supplied to the Certifier.
- Condition 4.1 shall read: Should the development work:
 - a) be likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - b) involve the enclosure of a public place,

a hoarding or protective barrier shall be erected between the work site and the public place. Such hoarding or barrier shall be designed and erected in accordance with Council's current Local Approvals Policy under the Local Government Act 1993.

- Condition 2.1.2 shall read: This consent permits the use of the site and approved buildings as an educational establishment (temporary school) for a period concluding 31 December 2026

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel noted that no written submissions were made during public exhibition.

PANEL MEMBERS	
Steve Murray (Acting Chair) 	Susan Budd 
Elizelle Cilliers 	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-469 – Blacktown – DA-23-00722
2	PROPOSED DEVELOPMENT	Construction of a temporary public high school to accommodate up to 400 students (being 250 year 7 students and 150 year 8 students) with 35 full time equivalent staff to operate for a maximum period of 24 months.
3	STREET ADDRESS	Elara Boulevard, Melonba
4	APPLICANT/OWNER	Applicant: Jim Lewis Owner: Blacktown City Council
5	TYPE OF REGIONAL DEVELOPMENT	Council related development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ Environmental Planning and Assessment Act 1979. ○ State Environmental Planning Policy (Biodiversity and Conservation) 2021. ○ State Environmental Planning Policy (Planning Systems) 2021 ○ State Environmental Planning Policy (Precincts - Central River City) 2021 ○ State Environmental Planning Policy (Resilience and Hazards) 2021. ○ State Environmental Planning Policy (Transport and Infrastructure) 2021 ○ State Environmental Planning Policy (Industry and Employment) 2021 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Blacktown City Council Growth Centre Precincts Development Control Plan 2010 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2021</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"> • Council assessment report: 25 August 2023 • Written submissions during public exhibition: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Kick Off Briefing: 3 August 2023 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Steve Murray (Acting Chair), Susan Budd, Elizelle Cilliers ○ <u>Council assessment staff</u>: Ryleigh Lewis, Alan Middlemiss ○ <u>Applicant representatives</u>: Jim Lewis, Karissa Kendall, Sonia Mallos, Jason Maslen, Piers Hemphill, Adam Howard, James Knight, Drew Bewsher
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to Council Report