

DETERMINATION AND STATEMENT OF REASONS
SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	17 October 2024
DATE OF PANEL DECISION	17 October 2024
PANEL MEMBERS	Abigail Goldberg (Chair), David Johnson, Steve Murray
APOLOGIES	None
DECLARATIONS OF INTEREST	David Ryan declared a perceived conflict of interest as the company he works for is currently involved in several other public school projects.

Papers circulated electronically on 3 October 2024.

MATTER DETERMINED

PPSSCC-522 - Blacktown - DA-24-0001 - Nabthorpe Parade, Nirimba Fields - This application seeks approval for construction and operation of permanent school facilities at the Nirimba Fields Public School. The permanent school is intended to be operational from day 1, term 1 2026 and will accommodate 1,000 students.

PANEL CONSIDERATION AND DECISION

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented in Schedule 1.

Development application

The panel determined to approve the development application pursuant to section 4.55 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 below:

1.1 The site is within the former Department of Defence Schofields Aerodrome, at which per- and polyfluoroalkyl substances (PFAS) were historically used. The former Aerodrome has undergone earthworks and development, which included the relocation of PFAS contaminated soil to a material emplacement area (MEA). A portion of the subject site is located directly above the MEA.

The Panel is satisfied that appropriate conditions of consent can be imposed to mitigate risk during construction and for the subsequent use of the site.

1.2 Assessment of the application against the relevant planning framework and consideration have not identified any issues of concern that cannot be dealt with by conditions of consent.

1.3 The application is considered to be satisfactory when evaluated against Section 4.15 of the Environmental Planning and Assessment Act 1979.




1.4 The provision of new school facilities in a growth area is in the public interest.

CONDITIONS

As the proposal is Crown development the applicant’s agreement to the conditions is required. The applicant’s agreement was advised on 14 October 2024 following negotiations with Council regarding the draft conditions which resulted in amended final conditions that are attached.

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	
Abigail Goldberg (Chair) 	David Johnson 
Steve Murray 	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-522 - Blacktown - DA-24-0001
2	PROPOSED DEVELOPMENT	This application seeks approval for construction and operation of permanent school facilities at the Nirimba Fields Public School. The permanent school is intended to be operational from day 1, term1 2026 and will accommodate 1,000 students.
3	STREET ADDRESS	Nabthorpe Parade, Nirimba Fields
4	APPLICANT/OWNER	Applicant: Department of Education Owner: Minister for Education and Early Learning
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"> State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Industry and Employment) 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 (Sustainable Buildings) 2022 Draft State Environmental Planning Policy (Environment) Draft State Environmental Planning Policy (Remediation of Land) Draft environmental planning instruments: Nil Development control plans 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: 3 October 2024 Written submissions during public exhibition: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Final briefing to discuss council's recommendation: 10 October 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Abigail Goldberg (Chair), Steve Murray, David Johnson <u>Council assessment staff</u>: Dennis Bagnall, Jenny Rodger, Thang Ma, Peter Papapostolou, Jake Doyle Cashman, Samuel Vance, Shakeeb Mushtaq, Judith Portelli, Alex Kwok, Kirisha Turnbull <u>Applicant representatives</u>: Barry Hayes, Amanda Hill, Ben Porges, Chloe Kennedy, Jacob Dwyer, Lakshmi Viswanathan, Mike Kavanagh, George Gayed, Melissa Porter, Mahmoud Hammad, Johnny Nguyen

9	COUNCIL RECOMMENDATION	Approval – deferred commencement consent
10	DRAFT CONDITIONS	Attached to the council assessment report