

DATE OF DETERMINATION	16 May 2024
DATE OF PANEL DECISION	16 May 2024
DATE OF PANEL BRIEFING	14 May 2024
PANEL MEMBERS	Chris Wilson (Chair), Juliet Grant, Grant Christmas, Amelia Parkins, Michael Henderson
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 7 May 2024.

MATTER DETERMINED

PPSSTH-328 - Wagga Wagga - DA23/0649 - at Lot 4 DP 35910, Lot 5 DP 35910 & Lot 6 DP 35910 34, 36, 38 & 40 South Parade, Wagga Wagga, NSW 2650 – Two 3-storey residential flat buildings to be used as affordable housing; 11 x 1-bedroom apartments and 6 x 2-bedroom apartments, new access arrangements, parking and associated landscape works and consolidation of lots. (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 briefings 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.

In particular, the Panel agreed with Council's assessment that:

- The development is permissible with consent and meets the objectives of the R1 (Residential General) zone;
- The development is consistent with the objects of the *Environmental Planning and Assessment Act 1979*;
- Council's assessment report demonstrated that the relevant prerequisites for the grant of consent had been met; and
- The site is suitable for the development as proposed.

The Panel was satisfied that the impacts associated with the development and use of the land could be adequately mitigated or managed through the imposition of conditions as recommended by Council.

The Panel was further satisfied that the proposal was in the public interest given:

- The site is suitably located and accessible;
- The development would be socially beneficial providing much needed affordable housing;

- The development would create positive economic impacts generating additional employment during construction and operation;
- The development, subject to the conditions as imposed, would not result in any unacceptable, environmental, amenity or land use safety impacts either onsite or on the surrounding urban landscape; and
- An appropriate assessment in terms of Section 4.15 of the *Environmental Planning and Assessment Act, 1979* had been undertaken.

The Panel noted the proposal provided excess car parking and did not provide public bicycle parking facilities. The applicant advised that the application was prepared prior to the amendments to the SEPP (Housing) 2021 which reduced the parking requirements for affordable housing and that housing bicycles within a private area of an apartment, such as the balcony, is considered to be a more practical and secure option for residents rather than providing bicycle parking within the public area. The Panel suggested, and the applicant agreed, to consider any opportunity in the future to provide alternative secure bicycle parking within the public area.

The applicant clarified the process for the approval of the building works through the Crown Certificate process.

CONDITIONS

The draft conditions of consent were provided to the Crown Applicant who requested an amendment to draft Condition C.18 to;

- ensure there is clarity on who will be responsible for the rectification of works described in the condition; and
- remove the requirement to seek further endorsement from council which has the potential to delay construction works.

The Crown applicant sought to amend condition C.18 to read as follows:

*Any damage to Council infrastructure within the public domain must be rectified at full cost to the
Builder and undertaken in accordance with Council standards.*

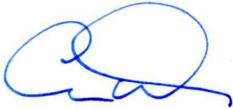




The Panel agreed to the amendment of condition C.18 and the Development Application was approved subject to the conditions in the Council Assessment Report with the above amendment. The Panel requested Council make the above amendments prior to the issue of the Notice of Determination.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered the written submission made during public exhibition. The Panel notes that issues of concern included:

- Increased traffic using the laneway
- Increased noise and disturbance

The Panel considers that the concerns raised in this submission have been adequately addressed in the Assessment Report.

PANEL MEMBERS	
 Chris Wilson (Chair)	 Juliet Grant
 Grant Christmas	 Amelia Parkins
 Michael Henderson	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSTH -328 - Wagga Wagga - DA23/0649
2	PROPOSED DEVELOPMENT	Two 3-storey residential flat buildings to be used as affordable housing; 11 x 1-bedroom apartments and 6 x 2-bedroom apartments, new access arrangements, parking and associated landscape works and consolidation of lots.
3	STREET ADDRESS	Lot 4 DP 35910, Lot 5 DP 35910 & Lot 6 DP 35910 34, 36, 38 & 40 South Parade, Wagga Wagga, NSW 2650
4	APPLICANT/OWNER	NSW Land and Housing Corporation / NSW Land and Housing Corporation
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 (Planning Systems) 2021 State Environmental Planning Policy (Housing) 2021 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 2010 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: 6 May 2024 Written submissions during public exhibition: 1 Total number of unique submissions received by way of objection: 1
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Council / Applicant Briefing: 26 March 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Chris Wilson (Chair), Grant Christmas, Amelia Parkins, Michael Henderson <u>Council assessment staff</u>: Amanda Gray, Kellie Stevens <u>Applicant representatives</u>: Homes NSW: Frances Beasley, Carolyn Howell, Deborah Gilbert, Adam Bower, Craig Smith <u>DPHI</u>: Amanda Moylan, Tracey Gillett Final briefing to discuss council's recommendation: 14 May 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Chris Wilson (Chair), Juliet Grant, Grant Christmas, Amelia Parkins, Michael Henderson <u>Council assessment staff</u>: Amanda Gray, Alyssa Cronk, Victoria Rice <u>Applicant representatives</u>: Homes NSW: Frances Beasley, Carolyn Howell, Deborah Gilbert, Adam Bower, Craig Smith <u>DPHI</u>: Amanda Moylan, Tracey Gillett
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report