

DETERMINATION AND STATEMENT OF REASONS
SOUTHERN REGIONAL PLANNING PANEL

DATE OF DETERMINATION	Monday, 12 October 2020
PANEL MEMBERS	Tim Fletcher (Acting Chair), Renata Brooks, Stuart McDonald, Dallas Tout
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 2 October 2020.

MATTER DETERMINED

PPSSTH-33 – Wagga Wagga – DA20/0080 at 1 Simmons Street, Wagga Wagga – Change of Use to 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 and briefings and the matters observed at site inspections 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 as well as the following:

- The proposed development is permissible under Wagga Wagga Local Environmental Plan 2010.
- Subject to the recommended conditions of consent as modified in the Council's revised Addendum Report of 1/10/20, the proposed development can operate in conformity with the relevant environmental criteria. In this regard, the panel notes that the updated Ground Doctor Pty Ltd report (1/10/20) related to on-site contamination concluded that the subject site was suitable for the proposed land use.
- The Council is satisfied that the applicant has met all the requirements of SEPP 55.
- The panel was satisfied that traffic, parking and acoustic impacts can be properly managed by way of a conditional consent requiring on-site operational management procedures and design noise attenuation measures as recommended in the Noise Impact Statement (JHA).

CONDITIONS





The development application was approved subject to the conditions in the Council assessment report and as modified in the revised Council Addendum Report of 1/10/20.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel carefully considered the 3 written submissions made during public exhibition. The panel notes that issues of concern included:

- Loss of parking
- Noise assessment and disturbance
- Remediation Works

The panel considers that concerns raised by the community have been adequately addressed in the original assessment report and the supplementary Addendum report. The panel notes that in addressing these issues relevant mitigation conditions have been imposed to limit the impact of the operations of the Educational Establishment and to preserve the amenity of nearby residents.

PANEL MEMBERS	
 Tim Fletcher (Acting Chair)	 Renata Brooks
 Stuart McDonald	 Dallas Tout

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSTH-33 – Wagga Wagga – DA20/0080
2	PROPOSED DEVELOPMENT	Change of Use to Educational Establishment (Riverina Conservatorium of Music) with internal and external alterations and signage.
3	STREET ADDRESS	1 Simmons Street, Wagga Wagga
4	APPLICANT/OWNER	Applicant: NSW Public Works Owner: Government Property NSW
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"> Wagga Wagga Environmental Plan 2010 SEPP 55 – Remediation of Land Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Wagga Wagga Development Control Plan 2010 Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</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 response received: 8 October 2020 Council supplementary report received: 1 October 2020 Council assessment report received: 10 September 2020 Written submissions during public exhibition: 3
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Site Visit: Tuesday, 21 July 2020 <ul style="list-style-type: none"> <u>Panel member</u>: Renata Brooks Final briefing to discuss council's recommendation: Tuesday, 22 September 2020 <ul style="list-style-type: none"> <u>Panel members</u>: Tim Fletcher (Acting Chair), Renata Brooks, Stuart McDonald and Dallas Tout <u>Council assessment staff</u>: Amanda Gray <u>Applicant representatives</u>: Amanda Gray, Paul O'Brien and Jessica Facey
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report