

DATE OF DETERMINATION	Monday, 8 March 2021
PANEL MEMBERS	Tim Fletcher (A/Chair), Renata Brooks, Susan Budd, Dan Hayes
APOLOGIES	Tim Koschel
DECLARATIONS OF INTEREST	Gordon Kirkby - I have a conflict of interest with this matter as my company, Ethos Urban prepared the Statement of Environmental Effects.

Papers circulated electronically on 12 February 2021.

MATTER DETERMINED

PPSSTH-64 – Wagga Wagga – DA20/0408 at 260 Edward Street, Wagga Wagga NSW 2650 – Educational Establishment – UNSW Biomedical Science Centre (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. The panel noted:

1. The site is located at the front of the existing Wagga Wagga Base Hospital campus and is on the eastern side of the intersection of Edward Street (Sturt Highway) and Lewis Drive immediately adjacent to the main entry. The development will adjoin the proposed and recently approved Multi Level Carpark (MLC) development (subject to DA 20/0708).
2. Under the provisions of the WWLEP2010, the subject site is within the SP2 Infrastructure (hospital) zone. Development for an 'educational establishment' is not permitted in the SP2 Infrastructure (Hospital) zone, however the development is permitted under Clause 45(1) of the Education SEPP.
3. The application has been referred to Essential Energy and Transport for NSW under the provisions of the infrastructure SEPP. Submissions received from Essential Energy and TfNSW have been considered in accordance with the requirements of the SEPP.
4. Having regard to the provisions of SEPP 55 and the findings of a submitted Preliminary Site Investigation, the Panel is satisfied the site is suitable for the proposed purpose.
5. The application proposes signage (building identification signage) which has been assessed against the provisions of SEPP 64 and deemed satisfactory.
6. Matters raised in the submission by TfNSW have been considered and addressed in the conditions of consent recommended by Council. The submission included concerns regarding proposed waste collection from the Sturt Highway (Edward Street). Appropriate conditions have been recommended to require waste to be collected from Doris Roy Lane at the rear of the development.

7. The development will result in the loss of 71 carparking spaces as a result of the removal of the existing on grade carpark located on the subject site. These spaces will be replaced and supplemented by the additional carparking that is proposed and approved under Development Application DA20/0708.
8. The educational establishment will generate a need for an additional 38 carparking spaces, these spaces will be provided via the additional parking provided within the proposed adjoining MLC as well as the other at grade parking areas existing and approved under DA20/0708.
9. The hospital campus site is identified under Schedule 5 of the LEP 2010 as containing an item of environmental heritage (Item number I261 - Wagga Wagga Base Hospital (c1960 building)). The item was demolished in 2018 as part of the overall hospital redevelopment project. The development will not result in any detrimental impact on the significance of the item.
10. The DCP 2010 identifies educational establishments as 'critical utilities' which are not suitable on the land as it is subject to flood inundation during the PMF. The Panel is satisfied that the proposed tertiary institution proposed (UNSW) and the function that it will perform is not a critical utility with respect to a major flood incident and, for this reason, the Panel is satisfied that the development is not contrary to the intent of the DCP control and that the site is suitable for the development.
11. No public submissions have been received in relation to the development.
12. The development was recommended for approval, subject to conditions by Wagga Wagga City Council.

CONDITIONS





The development application was approved subject to the conditions in the original council assessment report provided (12/2/21) as amended via the Addendum report (16/2/21) with the following amendments.

- Deletion of condition C33
- Addition of the following note, after condition C51:

The subject consent has been approved on the basis that adequate parking for the Biomedical Educational Facility has been provided in the proposed adjoining multi-storey carpark and existing adjacent at grade parking. With any approval of a subdivision to excise the subject development from the existing parent allotment, Wagga Wagga City Council will need to satisfy itself that adequate arrangements have been put in place to ensure the proposed educational facility will have unfettered access to sufficient student, staff and visitor parking for the facility.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel considered written submissions made during public exhibition and heard from all those wishing to address the panel. There were no public submissions received.

PANEL MEMBERS	
 Tim Fletcher (A/Chair)	 Renata Brooks
 Susan Budd	 Dan Hayes

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSTH-64 – Wagga Wagga – DA20/0408
2	PROPOSED DEVELOPMENT	Educational Establishment – UNSW Biomedical Science Centre
3	STREET ADDRESS	260 Edward St WAGGA WAGGA NSW 2650
4	APPLICANT/OWNER	University of NSW / Health Administration Corporation
5	TYPE OF REGIONAL DEVELOPMENT	CIV > \$5M - Crown Development
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy No. 55 - Remediation of Land ○ State Environmental Planning Policy No 64 - Advertising and Signage ○ 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 • 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 assessment report: 5 February 2021 plus the addendum report provided on the 16th February 2021 • Written submissions during public exhibition: 3
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing: 11 November 2020 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Tim Fletcher (A/Chair), Renata Brooks, Dan Hayes, Susan Budd ○ <u>Council assessment staff</u>: Cameron Collins • Briefing: 8 December 2020 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Tim Fletcher (A/Chair), Renata Brooks, Dan Hayes, Susan Budd ○ <u>Council assessment staff</u>: Cameron Collins, Paul O'Brien, Lani Hudson • Final briefing to discuss council's recommendation: 17 February 2021 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Tim Fletcher (A/Chair), Renata Brooks, Susan Budd, Dan Hayes ○ <u>Council assessment staff</u>: Cameron Collins, Paul O'Brien ○ <u>Applicant representatives</u>: Emily LaVigne, Kate Tudehope, Karen McNatty

9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report