

DATE OF DETERMINATION	20 August 2021
PANEL MEMBERS	Gordon Kirkby (Chair), Renata Brooks, Tim Fletcher, Henk van der Ven
APOLOGIES	David Thurley
DECLARATIONS OF INTEREST	None

MATTER DETERMINED

PPSSTH-76 – ALBURY CITY – DA10.2020.38113.1 at 229 North Street Albury – Alterations and additions to the Lauren Jackson Sports 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 proposed development is permissible with consent in the RE1 Public Recreation Zone under Albury LEP 2010 and consistent with the zone objectives
- The proposed development is an upgrade and extension of an existing recreational facility, the scale of which is appropriate in the context of the locality
- The Panel was satisfied that, subject to the preparation and implementation of an Operational Management Plan, required by the amended conditions of consent, the facility could be operated in a manner that minimises potential impacts on the amenity of the neighbourhood.

CONDITIONS





The development application was approved subject to the amended conditions provided by Council at the Panel's direction.

The amended conditions addressed the following matters raised by the Panel:

- to specifically make reference to revised plans, the Statement of Environmental Effects and appendices;
- to require disabled parking to comply with DCP requirements;
- to specify the number of required motorcycle parks;
- to ensure the access driveway and bin enclosure area within the DA site will be constructed with bitumen seal or equivalent surface on a suitable hardstand pavement;
- to require a landscape plan showing that trees removed are replaced at a ratio of 3:1;
- to require an operational management plan for the centre;
- to implement the recommendations of the flora and fauna assessment with regard to inspections of hollow limbs during tree removal.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel considered the one written submissions made during public exhibition. The panel notes that issue of concern related to potential use of the neighbouring PCYC land for access to the site for construction workers. The panel considers that concern raised by the member of the community has been addressed through the inclusion of a condition of consent requiring construction workers to only access the site through the formalised entry and exit points.

PANEL MEMBERS	
 Gordon Kirkby (Chair)	 Renata Brooks
 Tim Fletcher	 Henk van der Ven

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSTH-76 – ALBURY CITY – DA10.2020.38113.1
2	PROPOSED DEVELOPMENT	Alterations and additions to the Lauren Jackson Sports Centre
3	STREET ADDRESS	229 North Street Albury
4	APPLICANT/OWNER	Applicant: Centrum Architects Owner: Albury City Council
5	TYPE OF REGIONAL DEVELOPMENT	CIV > \$5M - Private infrastructure and community facilities
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy No. 64 (Advertising and Signage) State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 State Environmental Planning Policy (State and Regional Development) 2011 State Environmental Planning Policy No. 55 (Remediation of Land) 1998 Environmental Planning and Assessment Act 1979 Biodiversity Conservation Act Murray Regional Environmental Plan No.2 – Riverine Land 1994 Albury Local Environmental Plan 2010 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Albury 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 May 2021
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Final briefing to discuss council's recommendation: 9 June 2021 <ul style="list-style-type: none"> <u>Panel members</u>: Gordon Kirkby (Chair), Renata Brooks, Tim Fletcher, Henk van der Ven <u>Council assessment staff</u>: Terri O'Brien, Matthew Wilson <u>Applicant representatives</u>: Matthew Yeomans, David Hunter
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report