

<b>DATE OF DETERMINATION</b>	23 November 2021
<b>DATE OF PANEL DECISION</b>	23 November 2021
<b>DATE OF PANEL MEETING</b>	16 November 2021
<b>PANEL MEMBERS</b>	Tim Fletcher (A/Chair), Renata Brooks, Louise Camenzuli
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	Gordon Kirkby declared a conflict of interest in this matter as Schools Infrastructure is a client of the company Gordon works for.

Papers circulated electronically on 16th November 2021.

#### **MATTER DETERMINED**

– the proposed development comprises (as described in Schedule 1):

- Demolition of basketball court with shade structure and seven (7) demountable classrooms;
- Removal of four (4) trees;
- Site excavation;
- Construction of new multi-purpose hall; and
- Associated landscaping, stairwell and circulation works

#### **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 4.16/4.55 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

#### **REASONS FOR THE DECISION**

- The site is zoned R1 General Residential, consequently development for the purpose of a school is permissible with development consent pursuant to the provisions of the *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017*.
- The proposed works involve the demolition of a covered outdoor basketball court, four trees and the construction of a new multi-purpose hall. The construction of the hall will have minimal environmental impacts, will not result in adverse acoustic, traffic, heritage, flooding or landscape outcomes and can be adequately serviced to meet the needs of the development.
- The proposal was notified in accordance with Council's Community Engagement Strategy; no submissions were received.
- The development is exempt from paying a developer contribution in accordance with the provisions of Council's Development Contributions Plan.
- The proposal is considered to be suitable for the site and in the broader public interest; it is therefore unlikely to result in adverse impacts in the locality.




#### **CONDITIONS**

The development application was approved subject to the conditions in the council assessment report with the following amendments.

- Modifications to Condition 1 to include references to approved plans and documentation
- Modifications to Condition 18 to include alternate Council approval mechanism
- Deletion of Conditions 67 & 68 as they lacked legal basis
- Modification to Condition 37 to exclude heavy vehicle movements during drop-off and pick-up times

#### **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	
 Tim Fletcher (Chair)	 Renata Brooks
 Louise Camenzuli	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSTH-87 – Yass Valley – DA-210076
2	PROPOSED DEVELOPMENT	The proposed development comprises of demolition of basketball court with shade structure and seven (7) demountable classrooms; removal of four (4) trees; site excavation, construction of new multi-purpose hall; and associated landscaping, stairwell and circulation works.
3	STREET ADDRESS	39 Grampian Street, Yass 2582
4	APPLICANT/OWNER	Anthony Manning - School Infrastructure New South Wales / Department of Education and Training.
5	TYPE OF REGIONAL DEVELOPMENT	Crown development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<p>Environmental planning instruments:</p> <ul style="list-style-type: none"> <li>• <i>State Environmental Planning Policy No. 55 – Remediation of Land</i> (SEPP 55)</li> <li>• <i>State Environmental Planning Policy No. 64 – Advertising and Signage</i> (SEPP 64)</li> <li>• <i>State Environmental Planning Policy (State and Regional Development) 2011</i> (SRD SEPP)</li> <li>• <i>State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017</i> (Education SEPP)</li> <li>• <i>Yass Local Environmental Plan 2013</i> (YVLEP)</li> </ul> <p>Draft environmental planning instruments:</p> <ul style="list-style-type: none"> <li>• <i>Draft Remediation of Land State Environmental Planning Policy</i> (Draft Remediation SEPP)</li> <li>• <i>Draft Education and Childcare State Environmental Planning Policy</i> (Draft Education SEPP)</li> </ul> <p>Development control plans and relevant Council Policies:</p> <ul style="list-style-type: none"> <li>• Yass Valley Council Community Engagement Strategy 2017</li> <li>• Yass Valley Development Contributions Plans 2018</li> <li>• Under the provisions of s.2.8 of the Yass Valley Development Contributions Plan 2018, the development of facilities on behalf of a public authority is exempt from paying a contribution under the plan.</li> </ul> <p>Planning agreements: Nil</p> <p>Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</p> <ul style="list-style-type: none"> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>• The suitability of the site for the development</li> <li>• Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Council assessment report: <b>5 November 2021</b></li> <li>• Final Draft Conditions: <b>18 November 2021</b></li> <li>• Written submissions during public exhibition: Nil</li> </ul>

8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Briefing: 7 September 2021               <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Tim Fletcher (Chair), Renata Brooks, Michael McManus</li> <li>○ <u>Council assessment staff</u>: Kate Baker</li> <li>○ <u>DPIE</u>: Sung Pak, Michelle Burns</li> </ul> </li> <li>• Final briefing to discuss council's recommendation: 16 November 2021               <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Tim Fletcher (Chair), Renata Brooks, Louise Camenzuli</li> <li>○ <u>Council assessment staff</u>: Kate Barker</li> <li>○ <u>Applicant representatives</u>: Ellen Robertshaw, Aryan Qayumi, Martin Mende, Neil Hogan</li> <li>○ <u>DPIE</u>: Sung Pak, Holly McCann</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report