

DETERMINATION AND STATEMENT OF REASONS

WESTERN REGIONAL PLANNING PANEL

DATE OF DETERMINATION	Monday 16 March 2020
PANEL MEMBERS	Garry Fielding (Chair), Andrew Hutton, Heather Warton, Bill Bott
APOLOGIES	Ian Kreutzberger
DECLARATIONS OF INTEREST	Sandra Hutton declared a conflict of interest as panel member Andrew Hutton is her husband. To avoid any perceived conflict of interest, she withdrew from participation on the panel.

Public meeting held at Corowa Civic Centre 100 Edward Street Corowa on 16 March 2020, opened at 4.30pm and closed at 6.43pm.

MATTER DETERMINED

PPSWES-19 – Federation – DA2019/223 at 28 Bridge Street, Corowa for a new Corowa Aquatic Centre, 50m outdoor pool, 25 metre indoor pool, splash pad, swimming club room, Main administration building, Plant rooms and Shade Structures, in association with adjoining existing carpark (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.

The panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

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 proposed Development is satisfactory having regard to the relevant heads of consideration under section 4.15 of the Environmental Planning & Assessment Act 1979.
- The panel considered that the existing adjoining and precinct car parking area was adequate for the proposed development, subject to the provision of 2 additional accessible parking spaces and a suitable bus set down area
- The panel noted the provisions in the Corowa Development Control Plan 2012 at chapter 11 – High Hazard Floodways, but considered that proposed condition 22 was acceptable in the circumstances as it would ensure that any development below the 1%AEP would be constructed of flood compatible materials.
- The panel considered that the hours of construction should comply with Interim Construction Noise Guideline.
- The panel considered that the proposed facility will provide a valuable recreational resource for the Council area and surrounding areas, and therefore its approval was in the public interest.

CONDITIONS

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

Amendment to Conditions of Consent DA2019/223

- Condition 3 - amend to read as follows:

HOURS OF WORK: All construction works are restricted to the following times:

Monday to Friday: 7 am to 6 pm. Saturday: 8 am to 1 pm. No works to be carried out on Sundays and Public Holidays. Noise from the site on Saturdays shall not exceed 5dB(A) above the background noise level when measured at the property boundary.





- Condition 5 is deleted
- Condition 19 amended to read as follows:
ACCESSIBLE CAR PARKING: Provide at least 2 (two) car parking spaces for people with disabilities (BCA,D3.5).
- Condition 22 amended to read as follows:
FLOOD CAPABILITY: Having regard to the Corowa, Howlong & Mulwala Floodplain Risk Management Study & Plan, the portion of the proposed building subject to inundation by a 1 in 100 year flood event shall be built from flood compatible material.
- Condition of 40 is deleted.
- Condition 43 is deleted.

CONSIDERATION OF COMMUNITY VIEWS

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

- Inclusion of improved facilities for the swim club.

The panel considers that concerns raised by the community have been adequately addressed in the assessment report and that no new issues requiring assessment were raised during the public meeting.

PANEL MEMBERS	
 Garry Fielding (Chair)	 Andrew Hutton
 Heather Warton	 Bill Bott

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSWES-19 – Federation – DA2019/223
2	PROPOSED DEVELOPMENT	Development Application (DA) for the construction of new buildings and associated works for the new Corowa Aquatic Centre. 50m outdoor pool, 25m indoor pool, splash pad, swimming club rooms, Main Administration Building, Plant Room, Shade Structures and 30kw Solar Energy System
3	STREET ADDRESS	28 Bridge Road Corowa
4	APPLICANT/OWNER	Federation Council, c/- Habitat Planning
5	TYPE OF REGIONAL DEVELOPMENT	Council related 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 (State and Regional Development) 2011 State Environmental Planning Policy (Infrastructure) 2007 Murray Regional Environmental Plan No. 2 – Riverine Land (deemed SERF) Corowa Local Environment Plan 2012 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Corowa Development Control Plan 2012 Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: <ul style="list-style-type: none"> Practice Note 15 – Water Safety Public Health Act 2010 and Public Health Regulation 2012. 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: 28 January 2020 Written submissions during public exhibition: 1 Verbal submissions at the public meeting: Nil
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Site inspection: 16 March 2020 <ul style="list-style-type: none"> <u>Panel members</u>: Garry Fielding (Chair), Andrew Hutton, Heather Warton, Bill Bott <u>Council assessment staff</u>: Susan Appleyard, Megan Leahy, Kate Larnach & Steve Carmichael Final briefing to discuss council's recommendation, 16 March 2020 at 3.30pm. Attendees: <ul style="list-style-type: none"> <u>Panel members</u>: Garry Fielding (Chair), Andrew Hutton, Heather Warton, Bill Bott <u>Council assessment staff</u>: Susan Appleyard, Megan Leahy, Kate Larnach
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report