

DETERMINATION AND STATEMENT OF REASONS

WESTERN REGIONAL PLANNING PANEL

DATE OF DETERMINATION	22 February 2024
DATE OF PANEL DECISION	22 February 2024
DATE OF PANEL MEETING	20 February 2024
PANEL MEMBERS	Garry Fielding (Chair), Graham Brown, Donna Rygate, Manjit Singh Lally
APOLOGIES	Christine Stead
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 24 January 2024 (Council Assessment Report) and amended conditions on 20 February 2024.

MATTER DETERMINED

PPSWES-194 – DA 138/2023(1) – Griffith – 3/-/DP 123963 82-86 Coolah Street, Griffith, Ancillary development to an educational establishment - Construction of new multi-purpose hall (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 listed at item 8 in Schedule 1.

The Panel notes the following correction to the Council Assessment Report (p12) shown in bold:

Clause 3.58 Traffic-generating development Given that the proposed development is development for the purposes of an educational establishment that will **not** accommodate 50 additional or more students and is a new building that is on a site that has direct vehicular and pedestrian access to a road, written notice is **not** required to Transport for NSW (TfNSW).

Development application

The Panel determined to approve the development application subject to conditions, 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 permissible within the zone under GLEP 2014 and is consistent with the aims, objectives and special provisions of that environmental planning instrument.
- The proposed development is consistent with the provision the relevant SEPPs that apply.
- The proposed development is considered satisfactory with regard to the objectives and controls set down in the relevant development control plans.
- The proposed development is unlikely to have any unreasonable impact on the environment and, where an adverse impact has been identified, appropriate conditions have been imposed to mitigate the effects.
- The subject site is suitable for the proposed development.
- The subject site is not flood liable.
- The proposed development does not raise any matter contrary to the public interest.

CONDITIONS

The Development Application was approved subject to the recommended conditions attached to the Council Assessment Report and accepted by the Crown applicant, with the following amended conditions accepted by the applicant during the Panel meeting:

22. Construction Management Plan (CMP)

Prior to the commencement of work, a Construction Management Plan is to be prepared by a suitably qualified professional detailing the proposed traffic control and traffic management arrangements during the construction of the development. The Construction Management Plan is to address, but not be limited to, the following and is to be submitted to the Council for its information:

- (a) the management of traffic during construction;
- (b) the management of loading and unloading of construction materials on site;
- (c) details of material stockpiling/storage;
- (d) the identification of parking for construction worker vehicles;
- (e) details of dust mitigation measures; and
- (f) complaint management and contingency measures.

The construction and traffic management measures specified in the Construction Management Plan are to be implemented for the duration of construction.

45. Hours of operation

The hours of operation are limited to the hours as set out below:

School Hours:

Monday to Friday – 7:00am to 5:00pm

Weekends, or Special Events:

Monday to Friday – Up to 9:00pm

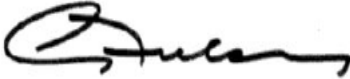



Saturday – 7:00am to 9:00pm

Sunday - 8:00am to 3:00pm

Any alteration to these hours will require a modification to this consent or a separate development application.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel noted no written submissions were made during public exhibition.

PANEL MEMBERS	
 Garry Fielding (Chair)	 Graham Brown
 Donna Rygate	 Manjit Singh Lally

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSWES-194 – DA 138/2023(1) – Griffith
2	PROPOSED DEVELOPMENT	Ancillary development to an educational establishment - Construction of new multi-purpose hall
3	STREET ADDRESS	3/-/DP 123963 82-86 Coolah Street, Griffith
4	APPLICANT/OWNER	Applicant: Dept of Education C/ Urbis Pty Ltd Owners: Murrumbidgee Regional High School Griffith Campus
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">Griffith Local Environmental Plan, 2014State Environmental Planning Policy (Planning Systems) 2021State Environmental Planning Policy (Resilience and Hazards) 2021State Environmental Planning Policy (Transport and Infrastructure) 2021State Environmental Planning Policy (Biodiversity and Conservation) 2021Draft environmental planning instruments: NilDevelopment control plans: Griffith Development Control Plan No. 20 – Off-street ParkingPlanning agreements: NilRelevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i>Coastal zone management plan: NilThe likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the localityThe suitability of the site for the developmentAny submissions made in accordance with the <i>Environmental Planning</i>

		<p><i>and Assessment Act 1979 or regulations</i></p> <ul style="list-style-type: none"> • 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 with recommended conditions of consent. • Written submissions during public exhibition: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Council briefing: 19 September 2023 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Garry Fielding (Chair), Graham Brown, Cr Manjit Singh Lally ○ <u>Council assessment staff</u>: Kerry Rourke, Joanne Tarbit, Leah Smith • 20 February 2024 - Final briefing to discuss council's recommendation: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Garry Fielding (Chair), Graham Brown, Donna Rygate, Cr Manjit Singh Lally ○ <u>Council assessment staff</u>: Kerry Rourke, Leah Smith ○ <u>Applicant</u>: Georgia McKenzie, Andy Watts, David Saunders, Samanta Piatek, Matthew Zeng, Martin Mende, Thomas Suttons
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report