

DETERMINATION AND STATEMENT OF REASONS
WESTERN REGIONAL PLANNING PANEL

DATE OF DETERMINATION	10 December 2024
DATE OF PANEL DECISION	9 December 2024
PANEL MEMBERS	Garry Fielding (Chair), Donna Rygate, Graham Brown
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 26 November 2024.

MATTER DETERMINED

PPSWES-216 – Murray River – 10.2024.5.1 at Lot 76 DP751159 Lignum Road (corner of Kiely Road), Moama – Educational Establishment (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.

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.



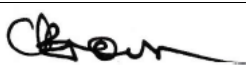
CONDITIONS

The Development Application was approved subject to the conditions in the Council Assessment Report with the following amendments:

- The deletion of the full contents of “*Conditions of development consent—the Act*” on page 1 of the Draft Conditions for the reason that such references are unnecessary as any such requirements relevant to the proposed development are statutorily imposed.
- The editing of Condition 77 to refer to “*public address and school bell systems*”.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel noted that one written submission was received in support of the application.

PANEL MEMBERS	
 Garry Fielding (Chair)	 Donna Rygate
 Graham Brown	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSWES-216 – Murray River – 10.2024.5.1
2	PROPOSED DEVELOPMENT	Educational Establishment – construction of a K-6 Catholic school
3	STREET ADDRESS	Lot 76 DP751159 Lignum Road (corner of Kiely Road), Moama
4	APPLICANT OWNER	Malcolm Goodwin Trustees of the Roman Catholic Church for the Diocese of Wilcannia Forbes
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities 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 (Planning Systems) 2021 State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 State Environmental Planning Policy (Sustainable Buildings) 2022 Murray Local Environmental Plan 2011 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Murray River Development Control Plan 2012 Planning agreements: Nil Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> 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: 26 November 2024 Written submissions during public exhibition: 1
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Assessment Briefing: 4 June 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Donna Rygate (Acting Chair), Susan Budd, Brian Kirk, Thomas Weyrich <u>Council staff</u>: Jessica MacFarlane, Christopher O'Brien <u>Applicant</u>: Malcolm Goodwin, Oswaldo Marcelo, Patrice Mullen, Jordan Curran, Crystal Graham <u>Department staff</u>: Adam Iskander, Suzie Jattan <u>Department Assessor</u>: Lillian Charlesworth Final briefing to discuss council's recommendation: 3 December 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Garry Fielding (Chair), Donna Rygate, Graham Brown <u>Council assessment staff</u>: Jessica McFarlane, Christopher O'Brien, Ash Pidgeon, Joshua McKay, Leeyana Thokala, Mitchell MacKenzie <u>Department Assessor</u>: Lillian Charlesworth

		<ul style="list-style-type: none"> ○ <u>Department representatives:</u> Joel Burgess, Jade Buckman • Applicant briefing: 3 December 2024 <ul style="list-style-type: none"> ○ <u>Panel members:</u> Garry Fielding (Chair), Donna Rygate, Graham Brown ○ <u>Council assessment staff:</u> Jessica McFarlane, Christopher O'Brien, Ash Pidgeon, Joshua McKay, Leeyana Thokala, Mitchell MacKenzie ○ <u>Department Assessor:</u> Lillian Charlesworth ○ <u>Department representatives:</u> Joel Burgess, Jade Buckman ○ <u>Applicant representatives:</u> Malcolm Goodwin, Jordan Curran, Oswaldo Marcelo, David Hunter, Emily Hewitt, Patrice Mullen <p>Note: Lillian Charlesworth assessed the DA on behalf of Murray River Council. Lillian was the Case Manager for the Sydney Western Planning Panel at the time of determination, although an alternative Case Manager was utilised for the duration of this DA.</p>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report.