

<b>DATE OF DETERMINATION</b>	18 August 2020
<b>PANEL MEMBERS</b>	Garry Fielding (Chair), Sandra Hutton, Marcia Doheny, Mark Dicker
<b>APOLOGIES</b>	Andrew Hutton
<b>DECLARATIONS OF INTEREST</b>	Councilor Anthony Durkin declared a perceived conflict of interest as Council is the landowner of the site.

Papers circulated electronically on 27 July 2020.

#### **MATTER DETERMINED**

PPSWES-32 – Cabonne – DA2020/0171 at 94 Bank Street Molong for the Molong Community 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, subject to the condition amendments noted below, 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.

- New condition to read as follows:

##### **Heritage Interpretation Plan**

*Prior to the release of the construction certificate, a Heritage Interpretation Plan is to be prepared and approved by Council. The HIP is to identify methods of how the existing building can be interpreted in the new community facility. The HIP should be in place prior to the release of the Occupation Certificate. The HIP should include, but not be limited to:*

- *Preparation of an archival photographic and other archival record to be prepared. Prior to demolition, an archival photographic record be made of the building, and during the course of demolition, photographic records and details are taken that explains the construction of the building. The photographic record/details, supplemented with a record made of any records, plaques or memorials from the hall and any historical images from the public, should be completed prior to Occupation Certificate, and a copy retained within the library;*
- *The display of suitable or selected relics if found on the site (including those within the time capsule if salvageable);*
- *A permanent display within the facility that tells the history of the site.*

*(Reason: To document the heritage significance of the Community Facility)*

- New condition to read as follows:

**Waste Management Plan**

*Prior to the release of the Occupation Certificate, a Waste Management Plan is to be submitted to, and approved by Council. The waste management plan is required to detail how all waste generated by the facility will be managed, including the collection of waste from the site.*

*Once the plan is approved, the plan forms part of the development consent, and the site is required to be managed in accordance with the Waste Management Plan in perpetuity.*

*(Reason: Amenity and Public Health)*

- New condition to read as follows:

**EVENT AND PARKING MANAGEMENT PLAN**

*An Event Parking Management Plan shall be prepared and submitted to Council for approval prior to the issue of an Occupation Certificate. The plan shall detail measures to be implemented during larger events or when uses within the facility operate to a level where on-site parking capacity is likely to be reached, to limit impacts to the surrounding residential streets and identify car parking availability and location (on site and off site) and any related management measures. . Once approved, the plan forms part of the development consent, and the site is required to be managed in accordance with the Vehicle Management Plan in perpetuity.*

*(Reason: Amenity and traffic safety)*

- New condition to read as follows:

**Noise**

*Prior to the release of any Construction Certificate, an Operational Noise Management Plan be prepared, for Council approval, that assesses and identifies any building noise attenuation measures and any operational requirements to be incorporated to comply with the Protection of Environmental Operations Act 1997 so that the development, including any live music or amplification if intended, is capable of operating to not interfere with the amenity of the neighbourhood by reason of noise. Construction plans shall be certified as being designed to meet requirements. Once approved, the plan forms part of the development consent, and the site is required to be managed in accordance with the Operational Noise Management Plan in perpetuity.*

*(Reason: Amenity)*

- Condition 17 amended to read as follows:

**LANDSCAPE PLAN**

*A landscape plan prepared to a scale of 1:100 or 1:200, conforming to all relevant conditions of consent is to be submitted to, and approved by, Council prior to the release of the Construction Certificate.*

*The plan must include the following information:*

- *location of all existing and proposed landscape features including materials to be used.*
- *delineate and identify all trees to be retained, removed or transplanted.*
- *existing and proposed finished ground levels.*
- *top and bottom wall levels for both existing and proposed retaining and free standing walls; and*
- *detailed plant schedule which includes proposed species listed by botanical (genus and species) and common names, quantities of each species, pot sizes and the estimated size at maturity.*
- *details of the height and levels of the shipping container and retaining wall that it sits on as well as the adjacent waste/garbage area with appropriate landscaping included to soften and/or screen the structure.*

*Consideration within the design should be given to the scale of planting in proportion to the proposed development, consistency with the existing landscape character of the area, potential views, solar access and privacy for neighbouring development.*

*During site work and construction, protective measures will be required around trees to be retained. Details illustrating these measures shall be in accordance with AS4970-2009 and are required with the landscape plan at the development application stage.*

*(Reason: Landscape quality)*

- Condition 21 amended to read as follows:





**VEHICLE MANAGEMENT PLAN**

*A Vehicle Management Plan is required to be prepared and approved by Council prior to the any Construction Certificate for the development. The plan is to detail all vehicle movements entering and leaving the site post construction. The VMP should detail measures taken for vehicles larger than small-rigid vehicles to visit the site and for events likely to require carparking above that provided on the subject site. Once approved, the plan forms part of the development consent, and the site is required to be managed in accordance with the Vehicle Management Plan in perpetuity.*

*(Reason: Public Safety)*

**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	
 Garry Fielding (Chair)	 Sandra Hutton
 Marcia Doheny	 Mark Dicker

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSWES-32 – Cabonne – DA2020/0171
2	PROPOSED DEVELOPMENT	Demolition of existing building and construction of a Community Facility
3	STREET ADDRESS	94 Bank Street Molong
4	APPLICANT/OWNER	Cabonne Council
5	TYPE OF REGIONAL DEVELOPMENT	Council related development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>State Environmental Planning Policy No. 55 (Remediation of Land)</li> <li>State Environmental Planning Policy No. 64 (Advertising and Signage)</li> <li>State Environmental Planning Policy (Koala Habitat Protection) 2019</li> <li>State Environmental Planning Policy (Infrastructure) 2007</li> <li>Cabonne Local Environmental Plan 2012</li> </ul> </li> <li>Draft environmental planning instruments: Draft Remediation of Land State Environmental Planning Policy</li> <li>Development control plans: Nil</li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Clause 92</li> <li>Coastal zone management plan: Nil</li> <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: 24 July 2020</li> <li>Written submissions during public exhibition: nil</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	Nil
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report