

<b>DATE OF DETERMINATION</b>	12 September 2022
<b>DATE OF PANEL DECISION</b>	8 September 2022
<b>DATE OF PANEL MEETING</b>	6 September 2022
<b>PANEL MEMBERS</b>	Garry Fielding (Chair) Sandra Hutton, Graham Brown
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Meeting held by teleconference on 6 September 2022, opened at 2pm and closed at 3.45pm.

Papers circulated electronically on 23 August 2022.

**MATTER DETERMINED**

PPSWES-136 – Central Darling – DA02/2022 at 44 Reid Street, Wilcannia for the Construction of the Baaka Cultural 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 for the reasons outlined in the Council Assessment Report.

The Panel noted the importance of the proposal to the community and the positive contribution of the design to the locality. The Panel acknowledged the applicants’ support of the draft conditions of consent and their verbal agreement to minor amendments to the deferred commencement conditions to reflect the current legislative framework and to clarify the requirements for the commencement of an operational consent.

**CONDITIONS**

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




- **Conditions A1, A2, A3**  
To ensure consistency with current legislation, delete the references to SEPP 55- Remediation of Land to replace with SEPP (Resilience and Hazards) 2021.
- **Conditions (B) and (C)**  
To clarify relevant deferred commencement requirements, where condition (A)(1) is referenced, amend to also include a reference to conditions (A)(2) and(A)(3)

- To ensure compliance with all deferred matters, replace the final paragraph within the deferred commencement provisions with the following text:

*Upon Council giving written notification to the Applicant that deferred commencement consent condition (A) (1), (A)(2) and (A)(3) above have been satisfied, the development consent will become operative from the date of that written notification, subject to the following conditions of consent:*

#### **CONSIDERATION OF COMMUNITY VIEWS**

In coming to its decision, the Panel considered written submissions made during public exhibition. The Panel notes that the one submission was in support of the proposal.

<b>PANEL MEMBERS</b>	
 Garry Fielding (Chair)	 Sandra Hutton
 Graham Brown	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSWES-136 – Central Darling – DA02/2022
2	PROPOSED DEVELOPMENT	Proposed site works including demolition and construction of a new cultural centre and associated works to the existing shed with landscaping, boundary fencing and a new awning.
3	STREET ADDRESS	42 & 44 Reid Street, Wilcannia
4	APPLICANT/OWNER	David Kaunitz for Department of Regional NSW
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 (Biodiversity and Conservation) 2021</li> <li>• State Environmental Planning Policy (Planning Systems) 2021</li> <li>• State Environmental Planning Policy (Resilience and Hazards) 2021</li> <li>• Central Darling Shire Local Environmental Plan 2012</li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: Nil</li> <li>• Planning agreements: Nil</li> <li>• Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i></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> </li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Council Assessment Report: 15 August 2022</li> <li>• Written submissions during public exhibition: 1</li> <li>• Total number of unique submissions received by way of objection: 0</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Briefing: 19 July 2022 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Garry Fielding (Chair), Sandra Hutton</li> <li>○ <u>Council assessment staff</u>: Glenda Dunn, Reece Wilson, Geoff Laan (Central Darling Council), Sandra Bailey, Oliver King and Madeline Thomas (Consultants from City of Ryde Council)</li> </ul> </li> <li>• Final briefing to discuss council's recommendation: 6 September 2022 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Garry Fielding (Chair), Sandra Hutton, Graham Brown</li> <li>○ <u>Council assessment staff</u>: Glenda Dunn, Reece Wilson, Geoff Laan (Central Darling Council), Sandra Bailey, Oliver King and Madeline Thomas (Consultants from City of Ryde Council)</li> <li>○ <u>Applicant representatives</u>: David Kanunitz – Architect, Peter Hughes – Public Works Advisory</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report