

STATEMENT OF ENVIRONMENTAL EFFECTS

DATE: 30 April 2024

PREPARED FOR: Mr Mitchell Dewar, NSW Department of Education

SUBJECT SITE: 88 Woore St WILCANNIA NSW 2836

PROPOSED DEVELOPMENT: Demolition works, construction of a Shed.



Subject Site – No 88 Woore Street WILCANNIA

Document Version Control

1. Draft – Client Review

30 Apr 2024

List of Standard Terms

Various abbreviated term/s (commonly used in Planning/Development matters) will be used throughout this document. These abbreviated term/s, and their meaning, are outlined as follows:

Abbreviated Term	Meaning
CMY Planning Services	CMY Planning Services – ABN: 4842 5669 421
Client	The name of the Client (as identified in the Introduction)
The Development	Proposal; project; proposed development; intended development; potential development etc
The Site	The location where The Development is to occur (to be identified by both legal description and street address)
The Neighbour	The location of any relevant neighbour/s (relative to The Site) to be identified as required
Council	The Council of the Local Government Area where The Site is located.
DA	Development Application
CC	Construction Certificate
CDC	Complying Development Certificate
EP&A	Environmental Planning and Assessment – as in EP&A Act 1979; or EP&A Regulation 2021
SEPP	State Environmental Planning Policy
LEP	Local Environmental Plan
DCP	Development Control Plan
FSR	Floor Space Ratio (as defined in the applicable environmental planning instrument)
GFA	Gross Floor Area (as defined in the applicable environmental planning instrument)
s.; Pt.; Cl.; Sch. etc	Section; Part; Clause; Schedule etc (ie common terms for Sections/Parts of legislation or planning documents)
St; Rd; Ave; Cl etc	Street; Road; Avenue; Close etc (ie common terms for road/street types)
N; S; E; W	North; south; east; west

Statement of Environmental Effects

Introduction

CMY Planning Services has been engaged by Mr Mitchell Dewar, NSW Department of Education, to prepare a Statement of Environmental Effects for demolition works, and construction of a new Shed at Wilcannia Central School.

This Statement is in support of a DA to be lodged with Central Darling Shire Council.

This Statement

This Statement has been prepared pursuant to s.4.12 of the EP&A Act 1979, and cl.50 of the EP&A Regulation 2021.

This Statement shall describe the subject site, the existing buildings/infrastructure on the site, the proposed development, and undertake an assessment of the environmental impacts as per the heads of consideration listed in s.4.15 of the EP&A Act 1979.

In summary, the proposed development for demolition works and construction of a new shed is consistent with the objectives and controls for the RU5 – Village zone under Central Darling LEP 2012 in which this site is located, and is also consistent with the existing development on the site.

This assessment of the proposal confirms that the development will have no adverse environmental impacts (in terms of the natural and built environments, and social and economic impacts). It is therefore recommended that the proposal be approved subject to standard conditions deemed appropriate/reasonable by the Council.

It is noted that this DA is *Crown Development* (as per Div. 4.6, s.4.32-4.35 of the EP&A Act 1979), as the owner of the land (NSW Department of Education) is a *public authority*. This will be fully discussed in the body of this Statement.

Subject Site and Surrounds

The site has a legal description of Lot 2 DP196325, and street address of No 88 Woore St, Wilcannia. It is a mid-block site located on the northern side of Woore Street between Myers St (Barrier Hwy) and Cleaton St, Wilcannia. The site is approx. 200m NW of Wilcannia Post Office.

The site has a frontage of 40m to Woore St, and a site area of 2005m². It contains a single-storey dwelling (E side) and several sheds (N and W sides). There are several small trees and shrubs (mostly native) on the site.

The site and surrounds are located in the village of Wilcannia in far-western NSW. The adjoining site (to the W) contains the Wilcannia Central School where most of the School buildings are located. More broadly, this location in Wilcannia has a range of dwelling houses, church buildings, a service station, consistent with the small village location.

A location map, and a photo of the subject site, are provided below:



Location Map – 88 Woore St Wilcannia (red outline)



Subject Site – No 88 Woore St Wilcannia (source: Google streetview)

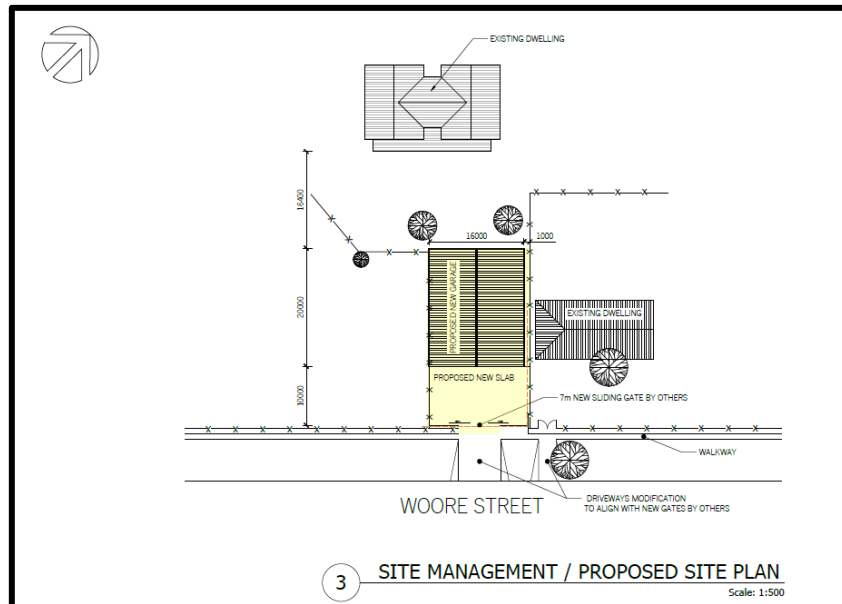
Proposed Development

The DA seeks consent for minor tree removal and demolition works (of the 2 x existing sheds and concrete slab) located on the southern side of the site; and construction of a new corrugated iron shed in the same location.

The new shed is to have dimensions of 16m x 20m, and is to be constructed on a new concrete slab, with a new driveway access from the street.

The new shed is to be constructed of a steel-frame with steel roof cladding and corrugated iron external walls. Internally, it will be divided into 3 “bays” and other storage areas, and it will have 3 x roller doors each to the front (south-east) and rear (north-west) elevations. A new sliding gate will be provided (by others, after completion) along the street frontage of the site.

The proposed works are shown in the site plan below, showing the new shed relative to other buildings on the site. A full set of plans have been prepared and will be submitted with the DA documents.



Site Plan: Proposed Shed – 88 Woore St Wilcannia

Statutory Framework

The legislation and environmental planning instruments applicable to the site and proposed development are identified and discussed below.

Relevant Acts and Regulations

- EP&A Act 1979:
 - S.4.15(1): Matters for Consideration
 - S.4.32 – 4.33: Definitions, and Determination of Crown DAs
- EP&A Regulation 2021

Comments: s.4.15 of the EP&A Act 1979 prescribes the matters for consideration in DA Assessment. A full assessment of the environmental impacts of the proposal is undertaken below.

S.4.32 and 4.33 of the EP&A Act 1979 prescribe the assessment requirements for *Crown DAs*. The proposed development is a *Crown DA* as it has been lodged on behalf of the NSW Department of Education (which is a *public authority* as defined in the EP&A Act 1979 and Regulation 2021).

The consent authority (Council) will need to comply with these requirements in their assessment and determination of this DA. The applicable requirements are also discussed below.

Section 4.15(1)(a) the Provisions of any environmental planning instrument, draft instrument, development control plan, planning agreement, or matter prescribed by the Regulations:

State Environmental Planning Policies (SEPPs)

1. SEPP (Biodiversity & Conservation) 2021

The chapters of this SEPP applicable to the subject site/proposed development include:

(a) Chapter 2 Vegetation in Non-Rural Areas

This chapter of the Biodiversity & Conservation SEPP aims to protect the value of trees and other vegetation in non-rural areas are protected. It applies to various land including land within the RU5 Village zoning of the site – therefore it applies to the proposed development.

The proposal involves removal of 5 small trees/shrubs from the vicinity of the proposed shed. These are individual, isolated trees (not mapped as part of any endangered ecological community) which are in poor shape and form. They are of minimal environmental significance, and the most appropriate outcome is for removal of these trees with suitable replacement planting with endemic species.

The applicant would accept a suitable condition of consent in this respect.

The development is satisfactory in terms of Ch. 2 of the Biodiversity & Conservation SEPP

(b) Chapter 4 Koala Habitat Protection

This chapter of the Biodiversity & Conservation SEPP aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline.

Cl. 4.10 applies to land with an area of less than 1 hectare, and provides that Council able to grant consent to carry out development on land if—

- (a) the land does not have an approved koala plan of management applying to the land, or
- (b) the council is satisfied that the land is not core koala habitat.

The land does not have an approved koala plan of management and is not core koala habitat. As mentioned above, the trees/shrubs proposed for removal are individual/isolated trees.

This development is satisfactory under Ch. 4 of the Biodiversity & Conservation SEPP.

2. SEPP (Resilience & Hazards) 2021

The chapters of this SEPP applicable to the subject site/proposed development include:

(a) Chapter 4 Remediation of Land.

This chapter requires the consent authority to be satisfied that the land is not contaminated or that no remediation is required to make the site suitable for the proposed use.

The subject site has been used for residential purposes, with the specific area of the site being occupied by an existing shed (to be demolished). There is no evidence of potential contamination.

The proposed development involves a new concrete slab for the proposed shed, providing a sealed surface that will also resolve any potential contamination issues.

No further assessment is required in relation to potential contamination issues, and the development satisfies this Chapter of the SEPP.

Local Environmental Plans (LEPs)

Central Darling Local Environmental Plan (CDLEP) 2012

CDLEP 2012 is the environmental planning instrument that applies to the subject site/proposed development.

The applicable clauses in CDLEP 2012 are discussed as follows:

(a) Clause 2.3 Zone Objectives and Land Use Table

The subject site is within the RU5 – Village zone.

In summary, the proposed development is permitted with consent in the RU5 zone, and also it is consistent with the objectives of this zone.

The zone objectives and permissible/prohibited uses are discussed in more detail as follows:

1 Objectives of zone

- To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.
- To retain and facilitate expansion and redevelopment of the existing centres of Menindee and Ivanhoe and to further strengthen the core commercial functions of those areas.
- To ensure that development retains and enhances the existing village character.

Comment – Zone Objectives: The proposal is consistent with the objectives for the RU5 – Village zone. It provides for a community use (ancillary to the existing school), and is of a minor scale and built form so it will retain and enhance the existing village character of Wilcannia.

2 Permitted without consent

Environmental protection works; Home-based child care; Home occupations; Roads; Water reticulation systems

3 Permitted with consent

Centre-based child care facilities; Community facilities; Dwelling houses; Liquid fuel depots; Neighbourhood shops; Oyster aquaculture; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; **Schools**; Tank-based aquaculture; Any other development not specified in item 2 or 4

4 Prohibited

Extractive industries; Forestry; Heavy industrial storage establishments; Heavy industries; Marinas; Open cut mining

Comment – Landuse/Permissibility: “Schools” are permissible with consent in the RU5 zone. The proposal is for an ancillary development (ie a shed to support the school) which is therefore also permissible.

(b) Principal Development Standards

CDLEP 2012 contains several *development standards* applicable to this development. The relevant clauses are outlined in the Table below.

Clause and Standard	Requirement	Proposal	Compliance
2.7 – Demolition requires development consent	Demolition requires development consent	Demolition of existing structures is included in this DA	Yes
4.1 – Minimum Subdivision Lot Size	Minimum lot size 800m ²	Does not involve subdivision	NA

Clause and Standard	Requirement	Proposal	Compliance
4.3 – Building Height	No height requirement for this site.	5.4m to ridge. 3.6m to gutter.	NA
4.4 – Floor Space Ratio	No FSR requirement for this site.	Shed is 16m x 20m = 320m ² additional GFA at the site.	NA
4.6 – Exceptions to Development Standards	Various	Development does not propose variation to any development standard	NA
5.10 – Heritage Conservation	Site is not a heritage item; site is within a heritage conservation area	Proposal is for demolition of existing sheds and construction of a new shed. See detailed comments below.	Yes
5.11 – Bushfire Hazard Reduction	Various	Site is not affected by bushfire hazard	NA
5.12 – Infrastructure development and use of existing buildings of the crown	Various	Subject development is “ <i>crown development</i> ”	Yes
5.21 – Flood Planning	Various	Site is not shown on Council’s mapping as being flood affected	NA
6.1 – Earthworks	Various	The development proposes minimal disturbance to natural ground levels through cut or fill	Yes
6.4 – Essential Services	Provides that essential services (eg water, electricity, sewage disposal, stormwater drainage, vehicle access) is to be made available	All required utilities and essential services are available to the site	Yes

Additional Comments from Table Above:

Clause 5.10 – Heritage Conservation:

Cl. 5.10 in Central Darling LEP 2012 contains a range of objectives and controls regarding heritage conservation. Generally it applies to land listed as a heritage item/s or land within a Heritage Conservation Area.

The subject site is not a listed heritage item however it is located near some listed heritage items and it is within a Heritage Conservation Area. See map below:



Heritage Map – 88 Woore St Wilcannia. Subject site shown with yellow outline, heritage items shown in light brown, heritage conservation areas shown with diagonal red hatched lines.

The Table below outlines the requirements of Clause 5.10 and discusses how the proposal complies with those requirements:

Clause 5.10 Requirement	Comments
<p>(1) Objectives The objectives of this clause are as follows—</p> <ul style="list-style-type: none"> (a) to conserve the environmental heritage of Central Darling, (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views, (c) to conserve archaeological sites, (d) to conserve Aboriginal objects and Aboriginal places of heritage significance. 	<p>The proposed development is consistent with the objectives of Clause 5.10.</p> <p>The proposed shed is to be constructed of corrugated iron, a traditional building material in this location.</p> <p>The proposed shed will also be consistent with building materials used in other modern construction on the remainder of the School site, which is also located in a Heritage Conservation Area.</p> <p>Complies/satisfactory</p>
<p>(2) Requirement for consent Development consent is required for any of the following—</p> <ul style="list-style-type: none"> (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)— <ul style="list-style-type: none"> (i) a heritage item, (ii) an Aboriginal object, (iii) a building, work, relic or tree within a heritage conservation area, (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item, (c) disturbing or excavating an archaeological site while knowing, or having reasonable 	<p>This sub-clause (2) requires development consent for various demolition and construction works relating to heritage items and heritage conservation areas.</p> <p>The requirement for development consent is noted in relation to the proposed development at this site, hence the submission of this DA.</p> <p>Complies/satisfactory</p>

Clause 5.10 Requirement	Comments
<p>cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,</p> <p>(d) disturbing or excavating an Aboriginal place of heritage significance,</p> <p>(e) erecting a building on land-</p> <p>(i) which a heritage item is located or that is within a heritage conservation area, or</p> <p>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,</p> <p>(f) subdividing land—</p> <p>(i) on which a heritage item is located or that is within a heritage conservation area, or</p> <p>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.</p>	
<p>(3) When consent not required However, development consent under this clause is not required if—</p> <p>(a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development—</p> <p>(i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or</p> <p>(ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or</p> <p>(b) the development is in a cemetery or burial ground and the proposed development—</p> <p>(i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or</p> <p>(ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or</p> <p>(c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or</p> <p>(d) the development is exempt development.</p>	<p>Development consent is required for this type of development, therefore sub-clause (3) does not apply.</p> <p>Complies/satisfactory</p>

Clause 5.10 Requirement	Comments
<p>(4) Effect of proposed development on heritage significance The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).</p>	<p>The proposed development will have no adverse effect on the heritage significance of the Heritage Conservation Area in which the site is located; and on the individual heritage item/s located in close proximity to the site.</p> <p>The proposed shed is to be constructed of corrugated iron, a traditional building material in this location.</p> <p>The proposed shed will also be consistent with building materials used in other modern construction on the remainder of the School site, which is also located in a Heritage Conservation Area.</p> <p>Further, the new shed will also be constructed of similar materials to the 2 existing sheds on the site which are to be demolished.</p> <p>Complies/satisfactory</p>
<p>(5) Heritage assessment The consent authority may, before granting consent to any development—</p> <ul style="list-style-type: none"> (a) on land on which a heritage item is located, or (b) on land that is within a heritage conservation area, or (c) on land that is within the vicinity of land referred to in paragraph (a) or (b), <p>require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</p>	<p>The potential requirement for a heritage management document is noted in relation to land affected by Clause 5.10.</p> <p>However, it is not a mandatory requirement (ie this sub-clause states that Council “<i>may</i>” require).</p> <p>It is considered, given the minor nature and scale of the proposed development, that the preparation of a heritage management document should not be required for this development.</p> <p>Complies/satisfactory</p>
<p>(6) Heritage conservation management plans The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.</p>	<p>The potential requirement for a heritage conservation management plan is noted in relation to land affected by Clause 5.10.</p> <p>However, it is not a mandatory requirement (ie this sub-clause also states that Council “<i>may</i>” require).</p> <p>It is considered, given the minor nature and scale of the proposed development, that the preparation of a heritage conservation management plan should not be required for this development.</p> <p>Complies/satisfactory</p>
<p>(7) Archaeological sites The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the Heritage Act 1977 applies)—</p> <ul style="list-style-type: none"> (a) notify the Heritage Council of its intention to grant consent, and (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent. 	<p>All available mapping (eg Council’s mapping system, NSW Planning Portal Spatial viewer etc) indicates that the subject site is not an archaeological site and therefore not subject to these specific requirements in sub-clause (7).</p> <p>Complies/satisfactory</p>
<p>(8) Aboriginal places of heritage significance The consent authority must, before granting consent under this clause to the carrying out of</p>	<p>All available mapping (eg Council’s mapping system, NSW Planning Portal Spatial viewer etc) indicates that the subject site is not an Aboriginal place of</p>

Clause 5.10 Requirement	Comments
<p>development in an Aboriginal place of heritage significance—</p> <p>(a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and</p> <p>(b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.</p>	<p>heritage significance and therefore not subject to these specific requirements in sub-clause (8).</p> <p>Complies/satisfactory</p>
<p>(9) Demolition of nominated State heritage items The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item</p> <p>(a) notify the Heritage Council about the application, and</p> <p>(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.</p>	<p>Not applicable – the subject site is not a nominated State heritage item.</p>
<p>(10) Conservation incentives The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that—</p> <p>(a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and</p> <p>(b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and</p> <p>(c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and</p> <p>(d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and</p> <p>(e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.</p>	<p>This clause generally applies to individual heritage item/s or Aboriginal place/s of heritage significance – and aims to allow for various developments (including those not normally permissible) – if the conservation of the item or place can be facilitated by approving the development.</p> <p>Therefore this clause is not strictly applicable to this development – which is not necessary to facilitate the conservation of any particular heritage item or place of Aboriginal heritage significance.</p>

Consultation with Council's Heritage Advisor:

Prior to lodgement of this DA, contact has been made with Council's Heritage Advisor to discuss the nature of the proposed development and also requirements for submission with the DA.

Generally, the proposal has been supported in principle. There was discussion in terms of the schedule of finishes, where it was requested that the wall cladding be "custom orb", and the colours to be clarified (to be either pale grey or a green, but not a bright colour).

This consultation has resulted in the Schedule of Colours and Finishes which has been submitted as part of the DA documents.

The provisions of any Draft Environmental Planning Instrument

There are no draft Environmental Planning Instruments that apply to the subject site/proposed development.

Development Control Plans (DCPs)

A DCP generally provides more detailed controls than are contained in the LEP or SEPP/s, and can cover matters such as building setbacks, landscaped area, car parking, and drainage requirements.

There are no Council-adopted DCPs applicable to this site or proposed development.

Section 4.15(1)(b) The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

The development will have minimal environmental impacts. In summary:

- A. *Natural environment:* The proposal is for the continued use of the property for purposes related to the Wilcannia Central School. The only significant impacts will be the removal of 5 trees – which (as stated previously) are individual/isolated trees of minimal significance. Generally, the proposal will have acceptable impacts in terms of the natural environment.
- B. *Built environment:* The proposal is for residential alterations and additions that are generally in keeping with the design character of the existing school buildings.
- C. *Social impacts:* The proposal will bring positive social impacts to the Wilcannia Central School and therefore the Wilcannia region more broadly, by enhancing and maintaining the existing use of the property as a School. It will provide a secure building for school property.
- D. *Economic impacts:* The proposal would have no negative economic impacts, again only positive economic impacts through trades' employment (during shed construction) and the continued use of the site as a School.

Section 4.15(1)(c) The suitability of the site for the proposed development

The site is not subject to any natural constraints (eg land slip, flooding, bush fire risk or the like) which would render it as unsuitable for the proposed development.

The various site constraints applicable to this site and proposed development have been reviewed and comments are provided as follows:

Bushfire: The available mapping (eg Council's mapping system, NSW Planning Portal Spatial viewer etc) shows that sites near the subject site are affected by Bushfire, but not the subject site.

Flooding: The available mapping shows that the subject site is not affected by flooding.

Land Slip/Slope Instability: The available mapping shows that the subject site is not affected by land slip/slope instability.

Biodiversity Values Map: The available mapping shows that the subject site is not affected in terms of Biodiversity Values.

The site is suitable for the proposed development, as it is permissible within the RU5 Village zoning of the property, and it will have no external impacts that could not be managed via appropriate standard conditions (noise, vibration, odour, dust etc).

Section 4.15(1)(d) Any submissions received

Neighbour notification is likely to be required for this type of development, and it would be a matter for Council to consider any submissions received.

We would be happy to respond to the issues raised in any submissions received for this development, if required.

Section 4.15(1)(e) The public interest

Given the relatively small scale of the development, it is considered that any impacts would be localised in nature and would be minimal.

The proposal has acceptable impacts as discussed in the preceding assessment.

It can be concluded that the development is in the public interest.

Section 4.32 & 4.33 – Determination of Crown Development Applications

S.4.32 provides the definitions applicable to Crown DAs. Section 4.33 provides the detailed requirements for the Determination of Crown DAs.

The requirements in s4.33, and how this DA needs to be assessed in terms of these requirements, are discussed in the following Table:

Section 4.33 Requirement	Comments
(1) A consent authority (other than the Minister) must not— (a) refuse its consent to a Crown development application, except with the approval of the Minister, or (b) impose a condition on its consent to a Crown development application, except with the approval of the applicant or the Minister.	Given the nature and scale of the proposed development – it is unlikely that the DA would result in refusal. The requirement for the applicant (or the Minister) to approve any conditions of consent is noted, and we look forward to receiving the draft conditions of consent in due course.
(2) If the consent authority fails to determine a Crown development application within the period prescribed by the regulations, the applicant or the consent authority may refer the application— (a) to the Minister, if the consent authority is not a council, or (b) to the applicable Sydney district or regional planning panel, if the consent authority is a council.	Noted. These options available are Noted, however unlikely to be necessary to be pursued given the nature and small scale of the proposal.
(2A) A Crown development application for which the consent authority is a council must not be referred to the Minister unless it is first referred to the applicable Sydney district or regional planning panel.	Noted.
(3) An applicable Sydney district or regional planning panel to which a Crown development application is referred may exercise the functions of the council as a consent authority (subject to subsection (1)) with respect to the application.	Noted.
(4) A decision by a regional panel in determining a Crown development application is taken for all purposes to be the decision of the council.	Noted.
(5) If an applicable Sydney district or regional planning panel fails to determine a Crown	Noted.

Section 4.33 Requirement	Comments
development application within the period prescribed by the regulations, the applicant or the panel may refer the application to the Minister.	These options available are Noted, however unlikely to be necessary to be pursued given the nature and small scale of the proposal.
(6) The party that refers an application under this section must notify the other party in writing that the application has been referred.	Noted.
(7) When an application is referred under this section to an applicable Sydney district or regional planning panel or the Minister, the consent authority must, as soon as practicable, submit to the panel or the Minister— (a) a copy of the development application, and (b) details of its proposed determination of the development application, and (c) the reasons for the proposed determination, and (d) any relevant reports of another public authority.	Noted.
(8) An application may be referred by a consent authority or applicable Sydney district or regional planning panel before the end of a relevant period referred to in subsection (2) or (5).	Noted.

Conclusion

The proposed development is for demolition works and construction of a new shed. The main purpose of which is to provide a secure building for School property.

The preceding assessment has been made in terms of the heads of consideration listed in s.4.15 of the EP&A Act 1979 – and it is concluded that the development is satisfactory when assessed against these criteria.

The proposal fully complies with the applicable planning controls (in Central Darling LEP 2012); and would have minimal impact on adjoining properties, or the surrounding area generally.

It is recommended that Council grant consent to this development, subject to suitable standard conditions of consent. In accordance with the requirements for determination of Crown DAs, we look forward to receiving a set of draft conditions of consent to review in due course.

Chris Young
Principal
CMY Planning Services