

**DETERMINATION AND STATEMENT OF REASONS**  
SYDNEY NORTH PLANNING PANEL

<b>DATE OF DETERMINATION</b>	Wednesday 26 June 2019
<b>PANEL MEMBERS</b>	Sue Francis (Chair), John Roseth, Steve Kennedy, Annelise Tuor
<b>APOLOGIES</b>	Peter Debnam
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held at Christie Conference Centre, 100 Walker Street North Sydney, on Wednesday 26 June 2019, opened at 2pm and closed at 4.34pm.

**MATTER DETERMINED**

2018SNH047 – Northern Beaches – MOD2018/0412 at 210 Headland Road Dee Why (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.

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

The Panel determined to approve the modification application pursuant to section 4.55(2) of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

**REASONS FOR THE DECISION**

The Panel notes that the letter from Nolan Planning Consultants dated 24 April 2019 amends the modification before the Panel to include Lot 2112 DP 752035, Lot 1 DP 749109 and Lots 3 and 4 DP 81394. This was confirmed by the applicant's representative at the meeting.

The Panel notes the independent traffic report of TTPP dated 7 May 2019 concludes that the proposed additional enrolments to 1092 students can be accommodated within the existing constraints of traffic and parking.

The applicant's amended Plan of Management dated 24 June 2019 addresses operational practices which are currently in operation and with further amendments will assist in managing the movement of vehicles in the area. Furthermore, the applicant has agreed to seek approval from the Traffic Committee for further road management works relating to an expansion of the pickup zone and the bus zone. This will further improve the traffic conditions around the site.

In the circumstances, the Panel considers that with the POM and the draft conditions of consent (as modified) the additional student numbers can reasonably be accommodated on the site. In this respect the Panel notes that a separate SSD application is in progress on adjoining land and that this will change and potentially improve traffic movement around the site.

**CONDITIONS**

The modification was approved subject to the draft conditions in the Council Supplementary Report dated 4 June 2019 with the following amendments:

- New condition 2A to read as follows:

*The applicant shall submit within 14 days of this consent, an updated traffic management plan for approval by Council. The updated plan is to include:*

- *changes required by condition 3A;*
- *site / parking changes that have occurred as a result of the redevelopment of the Junior School building at the corner of Quirk Street, Tango Avenue and Headland Road; and*
- *the traffic management measures outlined in the School Traffic Warden statement (Mr Bedingfield) dated 3 May 2019 and his supplementary statement dated 24 June 2019.*

- Amend condition 3 “Maximum number of students” to read as follows:  
*The maximum number of students to be enrolled at the school is 1020 at any time and is subject to the traffic management and parking requirements detailed in the St Luke’s Grammar School Traffic Management Plan approved under condition 2A.*

*Following the completion of the works required under condition 3A the maximum number of students to be enrolled at the school is 1092 (generally the number of school students up to year 6 inclusive shall be 396 and the school student in year 7 to 12 inclusive shall be 696).*

- Amend condition 3A to read as follows:  
*“3A Traffic and Parking Zone Works*

*Pursuant to Section 138 of the Roads Act 1993 the applicant is to submit to Council for consideration and approval, concept design plans for the following works within the road reserve adjacent the site:*

- i) *Augmentation works to extend the drop off / pick up indented bays along the school frontages of Tango Avenue eastwards by 12 metres and the Headland Road indented bus bay westward by 6 metres. Details are to include survey detail of existing structures and appropriate changes to landscaping, kerb / services, line-marking and the like.*
- ii) *Change of signage relating to the 2 minute restrictions on Tango Avenue to “No Parking (8:00am-9:30am and 2:30pm-4:00pm School Days)” throughout the length of any indented drop-off / pick-up zone, including any similar parking signage as required by Council’s Traffic Committee adjacent the site.*
- iii) *Provision to construct or widen footpaths to a width of 2.0m on all school frontages where practicable or not already 2.0m.*
- iv) *No vehicles shall park (including buses, trailers and the like) which would obstruct the use of the student pick up and drop off zone.*
- v) *All works approved under Section 138 of the Roads Act 1993 for the modification are to be constructed at the applicant’s expense and completed to the satisfaction of Council within 18 months of the date of the Roads Act approval.*

*Reason: Ensure adequate safety and provision of traffic, parking and pedestrian facilities.*





- Amend condition 17 to read as follows:  
*The school shall operate in accordance with the Traffic Management Plan approved under condition 2A. Any changes to the plan must be made in accordance with current development consent conditions applying to the land.*

## **CONSIDERATION OF COMMUNITY VIEWS**

In coming to its decision, the Panel considered written submissions made during public exhibition and heard from all those wishing to address the Panel. The Panel notes that issues of concern included:

- Parking and drop off zones
- Bus parking
- Student parking
- Pupil numbers generally
- Safety issues

The Panel considers that concerns raised by the community have been adequately addressed by the Traffic Management Plan and the independent traffic report and that no new issues requiring assessment were raised during the public meeting. The Panel notes that in addressing these issues specific conditions of consent have been included to ensure that works to further improve the traffic management are to be completed prior to the student numbers increasing as sought.

PANEL MEMBERS	
 Sue Francis (Chair)	 John Roseth
 Annelise Tuor	 Steve Kennedy

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SNH047 – Northern Beaches – MOD2018/0412
2	PROPOSED DEVELOPMENT	Modification of Development Consent DA2011/0446 granted for Alterations and additions to a school to increase student numbers.
3	STREET ADDRESS	210 Headland Road Dee Why
4	APPLICANT OWNER	Anglican Schools Corporation St Lukes Anglican School Limited
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(2) Modification Application
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 (State and Regional Planning)</li> <li>State Environmental Planning Policy (Infrastructure) 2007</li> <li>State Environmental Planning Policy No.55 – Remediation of Land</li> <li>Warringah Local Environmental Plan 2011</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Warringah Development Control Plan 2011</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</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: 14 January 2019</li> <li>Council supplementary report:</li> <li>Written submissions during public exhibition: 33</li> <li>Written submission received from residents at public meeting 30 January 2019</li> <li>Verbal submissions at the public meeting 30 January 2019: <ul style="list-style-type: none"> <li>In objection – Tricia Kelly, James Bonner, Geoff Harris</li> <li>On behalf of the applicant – Maureen Peatman, Jane Hughes, Robert Varga</li> </ul> </li> <li>Verbal submissions at the public meeting 26 June 2019: <ul style="list-style-type: none"> <li>In objection – Tim Swales</li> <li>On behalf of the applicant – Maureen Peatman, Scott Bedingfield, Robert Varga, Ian Thompson</li> </ul> </li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY	<ul style="list-style-type: none"> <li>Briefing: 18 December 2018</li> <li>Final briefing to discuss council's recommendation, 30 January 2019 at 12.30pm. Attendees: <ul style="list-style-type: none"> <li><u>Panel members</u>: Peter Debnam (Chair), Sue Francis, John Roseth, Steve Kennedy, Annelise Tuor</li> <li><u>Council assessment staff</u>: Alex Keller, James Brocklebank</li> </ul> </li> <li>Final briefing to discuss council's recommendation, 26 June 2019 at 1.30pm. Attendees: <ul style="list-style-type: none"> <li><u>Panel members</u>: Sue Francis (Chair), John Roseth, Steve Kennedy, Annelise Tuor</li> <li><u>Council assessment staff</u>: Alex Keller, Patrick Bastowrous</li> </ul> </li> </ul>

9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	Attached to the council assessment report