

SYDNEY EAST JOINT REGIONAL PLANNING PANEL

Meeting held at Christies Conference Centre on Wednesday 17 December 2014 at 3.30pm

Panel Members: John Roseth (chair), David Furlong and Sue Francis

Apologies: None - Declarations of Interest: None

Determination and Statement of Reasons

2014SYE082 – Rockdale DA-2015/4 [at 50A Francis Avenue, BRIGHTON LE SANDS] as described in Schedule 1.

Date of determination: 17 December 2014

Decision:

The panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

Panel consideration:

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

Reasons for the panel decision:

The proposal responds to an important social need without having unacceptable impact on surrounding development.

Conditions: The development application was approved subject to the conditions in Appendix A of the Council Assessment Report as follows:

Condition 27 is deleted and replaced by the following condition:

"a) Any area affected by flooding directly from the Muddy Creek shall have a minimum 500mm freeboard above the 1% AEP flood level.

b) Other areas (if any) affected by local catchment via overland flooding may have a freeboard between 200mm and 500mm.

c) All internal electrical switches, power points or similar utilities liable to flood damage shall be set to a minimum of 500mm above the 1% AEP flood or flow level. Details shall be provided to and approved by the Crown Authority before commencement of works."

Condition 33 is amended so that the Flood Management Plan is required before the lodgement of the Crown Works Certificate of Occupation, and the Condition is relocated to an appropriate position within the conditions.

Condition 33(d) is deleted on the grounds that the Panel considers that the requirement is more onerous than is justified.

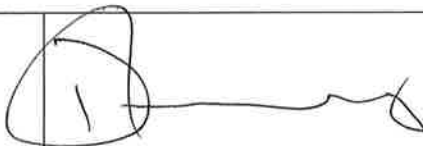
Conditions 25(2), 28, 31, second paragraph of Condition 32, Conditions 36 are deleted.

In Condition 90 "natural ground level" is replaced by "1% AEP flood".


Panel members:



John Roseth (chair)



David Furlong



Sue Francis

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SCHEDULE 1

1	JRPP Reference – LGA- Council Reference: 2014SYE082 – Rockdale DA-2015/4
2	Proposed development: Demolition of existing structures and the construction of an educational establishment for special needs students (Cainsfoot School) comprising seven detached buildings, swimming pool, play areas, boundary fencing and associated car park and lot consolidation.
3	Street address: 50A Francis Avenue, BRIGHTON LE SANDS
4	Applicant/Owner: The Department of Education and Communities (DEC)
5	Type of Regional development: Development with a CIV over \$5 million which is council related, lodged by or on behalf of the Crown (State of NSW), private infrastructure and community facilities or eco-tourist facilities.
6	Relevant mandatory considerations <ul style="list-style-type: none"> • State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) • State Environmental Planning Policy (State and Regional Development) 2011 • Rockdale Local Environmental Plan 2011 (RLEP 2011) • Development Control Plan 2011(DCP 2011) • The relevant matters prescribed by the Regulations which are applicable to this matter are contained in Clause 226. The application is a Crown application: Regulations s79C(1)(a)(iv). • 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 EPA Act or EPA Regulation. • The public interest.
7	Material considered by the panel: Council Assessment Report dated 5 December 2014 Written submissions during public exhibition: nine (9) Verbal submissions at the panel meeting: On behalf of the applicant- Mike Kavanagh and Lesley Bruce
8	Meetings and site inspections by the panel: Briefing Meeting on 14 August 2014
9	Council recommendation: Approval
10	Draft conditions: Attached to council assessment report