

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

STATEMENT OF REASONS

for decision under the *Environmental Planning and Assessment Act 1979 (NSW)*

The Sydney West Joint Planning Panel (JRPP) provides the following Statement of Reasons for its decision under section 80 of the *Environmental Planning and Assessment Act 1979 (NSW)* (the Act) to:

Grant consent to the development application subject to conditions

Knox Grammar School – alterations and additions to existing science and tutorial building including new brick façade, roof and fit-out, 1499 Pacific Highway, Wahroonga.

Council Reference: DA-0498/13 - JRPP Reference: (2014SYW036)

Applicant: Knox Grammar School (owner), C/-Don Fox Planning Consultants (applicant)

The proposed development is classified as regional development as it is for private infrastructure and has a Capital Investment Value of more than \$5 million.

A. Background

1. JRPP meeting

Sydney West Joint Planning Panel meeting was held on 23 May 2014 at Ku-ring-gai Council, 3.00 pm.

Panel Members present:

Brue McDonald – Acting Chair
Stuart McDonald
Lindsay Fletcher
Elaine Malicki
Christiane Berlioz

Council staff in attendance:

Adam Richardson

Apologies: None

Declarations of Interest: None

2. JRPP as consent authority

Pursuant to s 23G(1) of the Act, the Sydney West Joint Planning Panel (the Panel), which covers the Ku-ring-gai Council area, was constituted by the Minister.

The functions of the Panel include any of a council's functions as a consent authority as are conferred upon it by an environmental planning instrument [s 23G(2)(a) of the Act], which in this case is the *State Environment Planning Policy (State and Regional Development) 2011*.

Schedule 4A of the Act sets out development for which joint regional planning panels may be authorised to exercise consent authority functions of councils.

3. Procedural background

A **site visit** was undertaken by panel on 23 May 2014.

A **final briefing meeting** was held with council on 23 May 2014.

B. Evidence or other material on which findings are based

In making the decision, the Panel considered the following:

s79C (1) Matters for consideration—general

(a) the provisions of:

(i) any environmental planning instrument,

- Ku-ring-gai Planning Scheme Ordinance
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy No. 55 - Remediation of Land
- Sydney Regional Environmental Plan No. 20 - Hawkesbury-Nepean River

(ii) any proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the consent authority

- Draft Ku-ring-gai Local Environmental Plan 2013

(iii) any relevant development control plan

- Development Control Plan 31 – Access
- Development Control Plan 40 - Construction and Demolition Waste Management
- Development Control Plan No. 43 - Car Parking
- Development Control Plan 47 - Water Management

- Development Control Plan No. 56

(iiia) any relevant planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F:

N/A

(a) (iv) Relevant Regulations:

- ***Environmental Planning & Assessment Regulation 2000.***

There were no submissions made in accordance with the Act or the regulations for this application. In making the decision, the Panel considered the submissions.

In making the decision, the Panel considered the following material:

1. Location Sketch
2. Ku-ring-gai Planning Scheme Zoning Extract
3. Survey Plans
4. Architectural Plans
5. Colour Finishes
6. Statement of Heritage Impact
7. Access Review
8. Waste Management Plan

In making the decision, the Panel also considered the following submissions made at the meeting of the Panel on 23 May 2014:

1. Mr John McFadden on behalf of Knox Grammar School addressed the panel in favour of the application.

The Panel has carefully considered the material referred to in Section B.

C. Findings on material questions of fact

(a) Environmental planning instruments. The Panel has considered each of the environmental planning instruments referred to in Section B.

The Panel agrees with and adopts the analysis in Council's Assessment Report in relation to each of the environmental planning instruments referred to in Section B.

(b) Development control plan. The Panel has considered the Ku-ring-gai Development Control Plan 2010 referred to in Section B above.

The Panel agrees with and adopts the analysis in Council's Assessment Report in relation to the Development Control Plan.

(c) Likely environmental impacts on the natural environment. In relation to the likely environmental impacts of the development on the **natural** environment, the Panel's findings are as follows.

The Panel agrees with and adopts the analysis in relation to the likely environmental impacts of the development on the **natural** environment in Council's Assessment Report.

(d) Likely environmental impacts of the development on the built environment. In relation to the likely environmental impacts of the development on the **built** environment, the Panel's findings are as follows.

The Panel agrees with and adopts the analysis in relation to the likely environmental impacts of the development on the **built** environment in Council's Assessment Report.

(e) Likely social and economic impacts. In relation to the likely social and economic impacts of the development in the locality, the Panel's findings are as follows.

The Panel agrees with and adopts the analysis in relation to the likely social and economic impacts of the development in Council's Assessment Report.

(f) Suitability of site. Based on a consideration of all of the material set out in Section B above and given the Panel's findings in this Section C, the Panel's finding is that the site is suitable for the proposed development.

(g) Public Interest. Based on a consideration of all of the material set out in Section B above and given the Panel's findings in this Section C, the Panel's finding is that granting consent to the development application is in the public interest. In particular, the Panel is of the view that the following matters lead to the conclusion that granting consent to the development application is in the public interest.

D. Why the decision was made

The proposed development is considered a suitable use of the site in that it:

1. Is consistent with the existing use of the site as a school and responds to its contemporary requirements.
2. Is compatible with the existing architectural character of the existing school facility.

3. Will not have negative impact on nearby heritage items or the character of the locality in which the premises are placed.
4. Will not adversely impact on the natural or built environments.



JRPP member (chair)
Bruce McDonald



JRPP member
Stuart McDonald



JRPP member
Lindsay Fletcher



JRPP member
Christiane Berlioz



JRPP member
Elaine Malicki