

SYDNEY EAST JOINT REGIONAL PLANNING PANEL

Meeting held at Christies Conference Centre on Wednesday 4 November 2015 at 10.30am

Panel Members: John Roseth (chair), David Furlong, Julie Savet-Ward, Toni Zeltzer and Luise Elsing

Apologies: None - Declarations of Interest: None

Determination and Statement of Reasons

2015SYE080 Woollahra DA315/2015: Alterations and additions to existing Bellevue Hill Public School including the demolition of buildings, the construction of a new school building and the refurbishment of the existing building to provide accommodation for an additional 450 students. The location of temporary demountables within Bellevue Hill Park during the construction period at 163A Victoria Road Bellevue Hill (Bellevue Hill Public School) 19A Bellevue Park Road (Bellevue Park), Bellevue Hill as described in Schedule 1.

Date of determination: 4 November 2015

Decision:

The majority of the Panel (John Roseth, David Furlong and Julie Savet-Ward) did not accept the recommendation of the assessment report to refuse the application and 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 as addressed in the Council Assessment Report, the material listed at item 7 and the material presented at meetings listed at item 8 in Schedule 1.

Reasons for the panel decision:

While the Panel did not accept the assessment report's recommendation to refuse the application, it commends the report for presenting a clear and unbiased explanation of all the issues, on the basis of which it was possible to reach an informed decision.

The principal reason for the Panel's decision to approve the application is that the Panel placed major weight on the public benefit of providing for the educational needs of the area, which has a growing demand for school places, primarily as a result of past planning decisions that resulted in increased residential densities and a growing population. The Panel notes that the applicant has stated, at previous meetings, that the Bellevue Hill Public School provides the best possibility for increasing school capacity in the Eastern Suburbs and that other school sites in the area are even more constrained. In the Panel's view, not to meet these educational needs would be such a major public disbenefit, that it outweighs the negative impacts of the proposal.

The four major issues on which the council's recommendation to refuse is based are: the adverse impact on traffic of queuing during the afternoon pick-up period; the lack of on-site parking; excessive pruning and the loss of trees; and heritage issues related to visual dominance of the new building in relation to the existing Block A Building.

As regards the impact of afternoon pick-up queues on traffic flow, the Panel notes that the original figures of the existing school population given to the council were wrong and that the proposed increase is less than originally assumed. This alone, however, does not mitigate the impact sufficiently. The applicant has offered to supervise the pick-up period with an increased number of wardens and to put a Green Travel Plan into effect. The Panel accepts that on a constrained site it is more important to use land for educational purposes than for on-site pick-up. As concerns the council's suggestion for underground pick-up and parking, the Panel accepts that this is not a feasible solution.

As regards the lack of parking, the Panel notes again that the wrong assumption regarding the existing school population means that the impact on street parking of the school expansion is less than anticipated in the assessment report. There should also be some lessening of the impact as a result of the Green Travel Plan. Despite these ameliorative actions, the Panel accepts that the school will not accommodate all the demand for parking that the proposed expansion of the school will generate.

As regards pruning and the removal of three Hills Weeping Fig trees, the Panel notes that the applicant has redesigned the proposed amphitheatre and that two of the trees will not need to be removed. As regards

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Tree No 6, the applicant has accepted a condition to retain the tree and to explore all practical means to support its long-term survival.

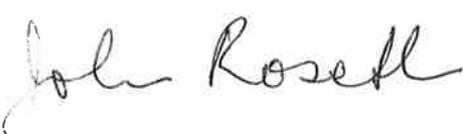
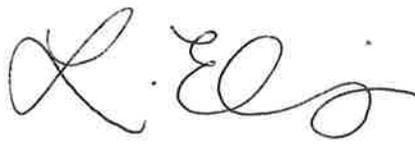
Finally, as concerns the visual dominance of the new building over the existing Block A building, the Panel does not consider that this issue justifies refusal.

Conditions: The development application was approved subject to the conditions recommended in the assessment report as “without prejudice conditions”, amended by the memorandum of City Plan Services dated 2 November 2015 further amended by the deletion of Tree No 6 from the list of trees to be removed and its addition to the Trees on council land, and the addition of the following:

“Tree No 6 Ficus rubiginosa (Port Jackson Fig). Before any works being undertaken, a tree pruning methodology should be developed by a qualified arborist, in conjunction with Council’s team leader for trees and open space, to explore all practical means for retention of Tree 6. If appropriate, this should include mechanical support of the tree prior to and during the pruning of the Port Jackson Fig tree. All attempts should be made to minimise the loss of canopy and to support the long-term survival.”

The following should be added at the end of condition F8: “The applicant shall liaise with Council and the Police as to what additional measures can be considered. These include opening the access road for parent departure and reduced long-term parking on the other side of the access road.”

Panel members:

 John Roseth (chair)	 David Furlong	 Julie Savet-Ward
 Toni Zeltzer	 Luise Elsing	

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SCHEDULE 1

1	JRPP Reference – LGA- Council Reference: 2015SYE080 Woollahra DA315/2015
2	Proposed development: Alterations and additions to existing Bellevue Hill Public School including the demolition of buildings, the construction of a new school building and the refurbishment of the existing building to provide accommodation for an additional 450 students. The location of temporary demountables within Bellevue Hill Park during the construction period
3	Street address: 163A Victoria Road Bellevue Hill (Bellevue Hill Public School) 19A Bellevue Park Road (Bellevue Park), Bellevue Hill
4	Applicant/Owner: NSW Department of Education and Communities (Bellevue Hill Public School)/NSW Department of Primary Industries-Crown Lands (Bellevue Park)
5	Type of Regional development: General development with a Capital Investment Value of more than \$20 million
6	Relevant mandatory considerations: <ul style="list-style-type: none"> • SEPP 55–Remediation of Land • SREP (Sydney Harbour Catchment) 2005 and accompanying DCP • SEPP (Infrastructure) 2007 • WOOLAHRA DCP 2015 • 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: 16 October 2015 Written submissions during public exhibition: 19 Verbal submissions at the panel meeting: Support- Kim Shmuel; On behalf of the applicant- David Ryan of City Plan (planner), Tony McCabe Department of Department of Education and Community, Sue Bennet Principal of Bellevue Hill Public School, Wendy Balafoutis – parent & local resident, Laura Ruvinsky – School P&C member, Julie Bindon of JBA (Urban Design/Planning, Michael Mandl of Group GSA (architect),
8	Meetings and site inspections by the panel: Briefing Meeting on 2 September 2015
9	Council recommendation: Refusal
10	Draft conditions: Attached to council assessment report