

DATE OF DETERMINATION	21 September 2017
PANEL MEMBERS	Maria Atkinson (Chair), Sue Francis, John Roseth, Michael Megna
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held at Christie Conference Centre 3 Spring Street Sydney on 21 September 2017, opened at 2:15pm and closed at 2:45pm.

MATTER DETERMINED

2017SCL017 – Canada Bay – DA2017/0061 at 2 Lithgow Street Russell Lea (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 the matters observed at site inspections listed at item 8 in Schedule 1.

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*.

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

The decision was unanimous.

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

The Panel undertook a site inspection, was briefed by the council and accepts the council assessment report recommendation to approve the application.

The proposal will provide additional kindergarten and primary education for up to 600 students. The school design contributes to the local amenity and provides much needed additional local education facilities.





CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report, and revised conditions published 21 September 2017 with the following amendment:

- Condition 6 – DAGCA11 – Traffic Management, amended to read as follows:
A separate submission must be made to Councils Traffic Department for installation of traffic and parking restrictions that formed part of the development application. In this regard the scheme shall be generally consistent with Council's concept, "Traffic and Parking Management Plan 21 September
The submission shall include a Traffic Management Plan prepared in accordance with Roads and Maritime Services requirements for the introduction of one-way restrictions. The crossing is subject to RMS guidelines regarding crossings and is subject to further resolution between Council and Department of Education.

There is no guarantee that any changes will be approved to traffic, parking, and/or pedestrian management around the subject site, or that any change will remain in place for the duration of the development use. Approved changes may also vary from Council's concept plan.

Should changes be approved to traffic, parking, and/or pedestrian management around the subject site, they shall be implemented prior to occupation of the site or when deemed appropriate if agreement is reached between the Department of Education and Council. All costs associated with the implementation shall be borne by the applicant.

PANEL MEMBERS	
 Maria Atkinson (Chair)	 John Roseth
 Sue Francis	 Michael Megna

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SCL017 – Canada Bay – DA2017/0061
2	PROPOSED DEVELOPMENT	Demolition of existing school buildings and structures on site, removal of trees and construction of a new 2-3 storey public school for Kindergarten to Year 6 for up to 600 students.
3	STREET ADDRESS	2 Lithgow Street Russell Lea
4	APPLICANT/OWNER	NSW Department of Education & Communities
5	TYPE OF REGIONAL DEVELOPMENT	Crown development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy No.55 Remediation of Land Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP) Canada Bay Local Environmental Plan 2013 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Canada Bay Development Control Plan 2017 Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil [or enter the clauses if relevant] Coastal zone management plan: Nil 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 <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report: 8 September 2017 Updated Conditions of Consent: 21 September 2017 Written submissions during public exhibition: 42 Verbal submissions at the public meeting: <ul style="list-style-type: none"> On behalf of the applicant – David Laybourn
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Site inspection and briefing meeting: 8 June 2017 Final briefing meeting to discuss council's recommendation, 21 September 2017 at 1:30pm. Attendees: <ul style="list-style-type: none"> <u>Panel members</u>: Maria Atkinson (Chair), John Roseth, Sue Francis, Michael Megna <u>Council assessment staff</u>: Samuel Lettice
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report