

DETERMINATION AND STATEMENT OF REASONS

SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	8 November 2017
PANEL MEMBERS	Deborah Dearing (Chair), Sue Francis and Julie Savet Ward
APOLOGIES	John Roseth
DECLARATIONS OF INTEREST	None

Public meeting held at Christies Conference Centre, 100 Walker Street, north Sydney on 8 November 2017, opened at 12.10 PM and closed at 3:00 PM.

MATTER DETERMINED

2017SNH058 – North Sydney - DA217/17 -149 West Street Crows Nest - Change of use from Crows Nest TAFE to Cammeraygal High School Senior campus, refurbishment of existing building, construction of multi-purpose hall, outdoor covered area, cut and fill, ESD upgrades with solar panels, removal of 60 car spaces, new security fencing. (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 Panel resolves that the applicant's request under Clause 4.6 to vary the height of the development under North Sydney LEP 2013 Clause 4.3 is well founded.

The reasons for the decision of the Panel were:

- The proposal refurbishes an existing educational facility to provide a much needed secondary school with new multipurpose hall and associated playgrounds, parking and landscaping.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report with the following amendments.

- Condition G7 shall read:

"Operational Transport Management Plan

G7. An operational Transport Management Plan for delivery and garbage vehicles, and large vehicles (coaches) for the proposed on-site tandem parking for staff vehicles, and for the operation of the on-site pick-up/ drop-off zone and to address pedestrian access and safety for staff and students walking to the site, shall be prepared and submitted to Council for approval by Council's Traffic Committee prior to the occupation of the school. No buses are to either enter or exit the school grounds before 10:30 am or after 2:30 pm daily."

(Reason: To ensure vehicular and pedestrian safety)

- Condition G8 shall read:

“Parking Sign-Posting

G8. Application shall be made to North Sydney Local Traffic Committee for approval of the following parking signage and extension of the Bus Zone in West Street or Ernest Street. All approved signage shall be installed at the cost of the developer prior to occupation of the school.

- a) “No Parking 7:30am-10:30am and 2:30pm-4:30pm School Days Only” signage for the parking spaces contained in the “kiss and drop” zone on West Street or Ernest Street.
- b) “¼ Hour Parking 7:30am-9:30am and 2:30pm-4:30pm Monday-Friday, 2 Hour Parking 9:30am-2:30pm Monday-Friday” signage for 6 of the 90 degree angle parking spaces on the eastern side of West Street or southern side of Ernest Street.
- c) Parking for buses is to be on Ernest Street between the hours of 7:30 am to 10:30 am. No pick up/drop off is to occur within the school during this time.
- d) Parking for buses between the hours of 10:30 am to 2:30 pm can occur within the site and exit via Rodborough Avenue.
- e) Parking for buses is to be on Ernest Street between the hours of 2:30 pm to 4:30 pm. No pick up/drop off is to occur within the school during this time.
- f) Provision of parking restriction signage to the remaining parking spaces in West Street or Ernest Street as required by the Committee.”

(Reason: To provide for adequate parking and bus access to the school)

- Add new Condition G12:

“Louvres to the multipurpose Hall

G12 Prior to the occupation of the multipurpose hall, the louvres on the northern elevation of the multipurpose hall building are to be installed with a timer system which automatically shuts the louvres from 8:00 pm. These shall only be able to re-open after the building is vacated and after 11:30 pm.”

Reason: to protect the amenity of the neighbourhood.

- Add new Condition G13:

"Fencing to the North, South and the East of the Hall

G13 Prior to the occupation of the multi-purpose hall, the fencing to the northern and eastern boundaries is to be replaced with lapped and capped timber fence at a minimum of 2.3 metres height for the length of the hall and 2.3 metres to the full length of the eastern boundary of the site. The fencing along the southern boundary to 11 Rodborough Avenue will be replaced with lapped and capped timber fence at 2.1 metres height to provide privacy screening. Along this part of the southern boundary the existing hedge is to be retained and allowed to increase in height to approximately 2.3 metres. The cost of the fencing will be borne by the developer.”

Reason: To preserve the visual and acoustic privacy to adjoining properties to the north, south and east of the hall.

PANEL MEMBERS



Deborah Dearing (Chair)



Sue Francis



Julie Savet Ward

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SNH058 – North Sydney - DA217/17
2	PROPOSED DEVELOPMENT	Change of use from Crows Nest TAFE to Cammeraygal High School Senior campus, refurbishment of existing building, construction of multi-purpose hall, outdoor covered area, cut and fill, ESD upgrades with solar panels, removal of 60 car spaces, new security fencing.
3	STREET ADDRESS	149 West Street Crows Nest
4	APPLICANT/OWNER	Department of Education c/o Urbis Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Crown development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - Environmental Planning & Assessment Act 1979 - Disability Discrimination Act 1992 - SEPP (Educational Establishments and Child Care Facilities) 2017 - SEPP 64 (Advertising and Signage) - SEPP (Infrastructure) 2007 - SEPP 55 - Contaminated Lands - SREP (Sydney Harbour Catchment) 2005 - North Sydney LEP 2013 - Draft environmental planning instruments: Nil - Development control plans - North Sydney DCP 2013 - 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	- Council assessment report: 26 October 2017 - Supplementary assessment report: 7 November 2017 - Written submissions during public exhibition: 58 - Verbal submissions at the public meeting: - Support – Srma McQuillan - Object – Gabriel Ciprian Pienescu, Jocelyn Edwards, Simon Elsy (on behalf of himself and Doug Addis), Jenny Bridge (on behalf of herself and Christopher Geraghty and Adel Geraghty), Ivana Rados (on behalf of David Ashbrook and Amanda Ashbrook), Veena Macarty, Marina Blyumin, Philip Ingevics, Andrew Munro, Kevin Lynn, Alison Robson - On behalf of the applicant – Asta Chow, Alaine Roff, Wayne Cooper
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	- Briefing meeting 13 September 2017 - Final briefing meeting to discuss council's recommendation, 8 November 2017, 11:40 am.

		- Attendees: <u>Panel members</u>: Deborah Dearing (Chair), Sue Francis and Julie Savet Ward <u>Council assessment staff</u>: Kim Rothe and David Hoy
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report