

DATE OF DETERMINATION	14 November 2017
PANEL MEMBERS	Bruce McDonald (Acting Chair), Nicole Gurran, Lindsay Fletcher, George Greiss and Darcy Lound
APOLOGY	Nil
DECLARATIONS OF INTEREST	Nil

Public meeting held at Campbelltown City Council on Tuesday 14 November 2017 opened at 11.10am and closed at 11.30 am.

MATTER DETERMINED

Panel Ref – 2017SSW030 - LGA – Campbelltown, DA-2882/2016, Address – Bardia Public School, Lot 1 DP 831150 and Lot 106 DP 1200781, Macdonald Road, Bardia (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 meeting 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 decision was unanimous.

REASONS FOR THE DECISION

1. The proposed development will add to the provision of public education facilities within the Sydney Western City District and the Campbelltown local government area which will assist in addressing the growing demand for such facilities in the rapidly developing Edmondson South Precinct of the Sydney Western City District.
2. The Panel has considered the applicant's request to vary the development standard contained Clause 18 of Part 31 of Schedule 3 of SEPP (State Significant Precincts) 2005 relating to maximum building height and considers that compliance with the standard is unreasonable and unnecessary in the circumstances of this case as the proposed variations will not generate unacceptable impacts on nearby premises, remain consistent with the objectives of the standards and will provide for buildings on site optimising the demand for additional contemporary school accommodation.
3. The proposed development adequately satisfies the relevant State Legislation and State Environmental Planning Policies including the Rural Fires Act 1977, SEPP (State Significant Precincts) 2005, SEPP 55 Remediation of Land and SEPP (Infrastructure) 2007.
4. The proposal adequately satisfies the objectives and provisions of Edmondson Park South DCP 2012.
5. The proposed development, subject to the conditions imposed will have no unacceptable adverse impacts on the natural or built environments including the local ecology or the amenity of nearby existing and future residential premises.
6. The proposed development, subject to the conditions imposed, the effective implementation of a sustainable travel plan and the development of the Bardia precinct road

and traffic network as planned will have no unacceptable adverse traffic or on street parking impacts.

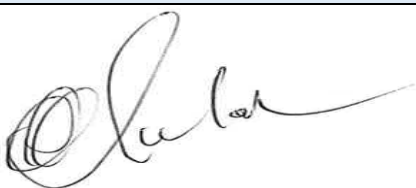
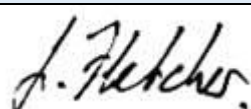



7. In consideration of conclusions 1-6 above the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

CONDITIONS

The development application was approved subject to the revised conditions presented at the meeting with agreement to modification of Condition 51A to read as follows –

Condition 51A – Deed of Agreement

Prior to occupation, the Memorandum of Understanding between Council and the Department of Education (document no. DOC 17/8263030) shall be converted to a Deed of Agreement for the provision of infrastructure associated with the school and shall be executed by the Department and Council in counterpart.

PANEL MEMBERS	
 Bruce McDonald (Acting Chair)	 Lindsay Fletcher
 Nicole Gurran	 George Greiss
 Darcy Lound	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SSW030 - LGA – Campbelltown, DA-2882/2016
2	PROPOSED DEVELOPMENT	Demolition of all existing school buildings and removal of trees at Bardia Public School and construction of new school buildings, a sports field, games court, play areas and landscaping.
3	STREET ADDRESS	Bardia Public School, Lot 1 DP 831150 and Lot 106 DP 1200781, Macdonald Road, Bardia
4	APPLICANT/OWNER	NSW Department of Education
5	TYPE OF REGIONAL DEVELOPMENT	Crown development with a capital investment value of over \$5million.
6	RELEVANT MANDATORY	<ul style="list-style-type: none"> Environmental planning instruments:

	CONSIDERATIONS	<ul style="list-style-type: none"> • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy No. 55 – Remediation of Land • State Environmental Planning Policy (State Significant Precincts) 2005 • Rural Fires Act 1997 • Campbelltown Local Environmental Plan 2015 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> • Edmondson Park South Development Control Plan 2012 • Planning agreements: Nil • <i>Environmental Planning and Assessment Regulation 2000</i>: 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, recommended conditions, zoning map, site plan, elevation plans, perspective drawings, landscaping plans, proposed car parking arrangement, Old Macdonald Road and written submissions. • Written submissions during public exhibition: 1 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Support – Nil ○ Object – Nil ○ On behalf of the applicant – Maureen Peatmand, Martin Mende and Dan Smith ○ On behalf of Council – Luke Joseph
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing Meeting – 08 May 2017 • Site Inspection – 08 May 2017 • Final Briefing Meeting – 18 September 2017 • Public Meeting – 18 September 2017 • Final Briefing Meeting – 14 November 2017 from 10.45 am to 11.00 am • Public Meeting – 14 November 2017 <p>Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Bruce McDonald (Acting Chair), Nicole Gurran, Lindsay Fletcher, George Greiss and Darcy Lound ○ <u>Council assessment staff</u>: Luke Joseph

9	COUNCIL RECOMMENDATION	Approval
10	CONDITIONS	Revised conditions submitted at the meeting