

DATE OF DETERMINATION	8 May 2019
PANEL MEMBERS	Mary-Lynne Taylor (Acting Chair), Paul Mitchell, Mark Grayson, Cr Sameer Pandey and Cr M Zaiter
APOLOGIES	Nil
DECLARATIONS OF INTEREST	Nil

Public meeting held at Rydalmere Operations Centre, City of Parramatta Council on 8 May 2019, opened at 2.00pm and closed at 2.44pm.

MATTER DETERMINED

Panel Ref – 2018CCIO12 – LGA – City of Parramatta – DA/89/2017/C at 50 Oxford Street, Epping (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 briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application pursuant to section 4.55 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

- The Panel is satisfied that the development as modified is substantially the same as the originally approved development and that the reasons given for the originally approval remain relevant.
- The modified development is consistent with relevant objectives of the two zones in which it is situated and substantially complies with applicable standards and guidelines, including the Educational Establishments SEPP.
- The Panel has carefully considered all matters raised by objectors and concludes that most have been addressed by the conditions imposed or are not of sufficient consequence to warrant refusal of the application.
- The amended proposal remains consistent with both the future character of the locality and the public interest.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report with amendment to Condition No. 7 to read as flows –

Condition 7 – no approval is granted for school buses to pick up/drop off students along Essex Street.
Reason – to ensure Essex Street is not used by Arden Anglican School to pick up/drop off purposes.


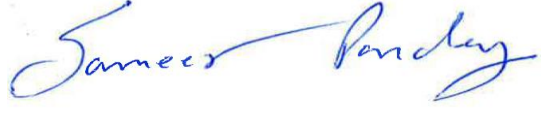

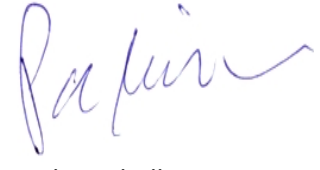

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition and heard from all those wishing to address the panel. The Panel notes that issues of concern included:

- Unacceptable impacts on nearby buildings and Rockleigh Park;

- Traffic congestion and inadequate parking;
- Noise and privacy impacts;
- Inadequate waste management arrangements;
- Loss of sunlight; and
- Stress caused to adjoining residents

The Panel considers that concerns raised by the community have been adequately addressed in the assessment report and that no new issues requiring assessment were raised during the public meeting.

PANEL MEMBERS	
	
Mary-Lynne Taylor (Acting Chair)	Sameer Pandey
	
Mark Grayson	Paul Mitchell
	
Martin Zaiter	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	Panel Ref – 2018CCI012 – LGA – City of Parramatta – DA/89/2017/C
2	PROPOSED DEVELOPMENT	Section 4.55(2) Modification to approved DA/89/2017 for alterations and additions to an educational establishment (Arden Anglican School) including part demolition, tree removal, earthworks and construction of a five (5) storey school building with roof terrace, basement car parking for 31 vehicles and associated infrastructure works and upgrades to include changes to the basement level, sprinkler booster to Essex Street, changes to front fence along Essex Street, reduction of the width landscaping along southern boundary from 2m to 1.2m, internal and external reconfigurations and changes to approved Conditions 7 (buses on-site) and Conditions 28 & 88 (Acoustic Report).
3	STREET ADDRESS	50 Oxford Street, Epping (Lots 2, 3, 13 & 14 in DP 758390)
4	APPLICANT/OWNER	Applicant – DFP Planning Owner – Arden Anglican School Council
5	TYPE OF REGIONAL DEVELOPMENT	Clause 5 of Schedule 7 of the State Environmental Planning Policy (State and Regional Development) 2011 as the development has a Capital Investment Value (CIV) in excess of \$5 million. The original proposed development had a CIV of \$21,838,300.
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> • Environmental Planning and Assessment Act 1979

		<ul style="list-style-type: none"> • Environmental Planning and Assessment Regulation 2000 • State Environmental Planning Policy 55 – Remediation of Land • State Environmental Planning Policy 64 – Advertising and Signage • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 • Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 • Hornsby Local Environmental Plan 2013 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Hornsby Development Control Plan 2013 • Planning agreements: Nil • Provisions of the Environmental Planning and Assessment Regulation 2000 • 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 report – 18 April 2019 • Written submissions during public exhibition: 11 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Support – Nil ○ Object – Joanne Paige and Keith Buckley ○ Council assessment officer – Shaylin Moodliar ○ On behalf of the applicant – Paul Watkins, Graham Anderson, David Kettle and Shayne Evans
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site Inspection and Briefing – 6 February 2019 • Final briefing to discuss council's recommendation, 8 May 2019, 12.30pm. • Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Mary-Lynne Taylor (Acting Chair), Mark Grayson, Paul Mitchell, Martin Zaiter and Sameer Pandey ○ <u>Council assessment staff</u>: Shaylin Moodliar
9	COUNCIL RECOMMENDATION	Approval

10	DRAFT CONDITIONS	Included with Council report
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