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| DATE OF DETERMINATION | Thursday, 16 August 2018 |
| PANEL MEMBERS | Carl Scully (Chair), John Roseth, Sue Francis, Michael Megna and Kevin Hoffman |
| APOLOGIES | Angelo Tsirekas |
| DECLARATIONS OF INTEREST | None |

Public meeting held at Frasers Suites on 16 August 2018, opened at 10:30 am and closed at 10:45 am.

MATTER DETERMINED

2018SCL025 – Canada Bay - DA2018/0076 at 121 First Ave Five Dock (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 pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.






REASONS FOR THE DECISION

- The proposal adds much-needed new facilities to the school.
- The Panel accepts the variation of the height control in response to a submission by the applicant under cl 4.6 of the Canada Bay LEP 2013 on the grounds that the additional height required by the educational building does not cause any material impact on the surroundings.
- The scale of the new facilities is in keeping with the existing school buildings.

CONDITIONS

The development application was approved subject to the conditions provided by Council on 15 August 2018 with the following amendment:

- Condition 20 to be amended to change the reference from 'prior to Construction Certificate' to 'prior to Occupation Certificate'.
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| PANEL MEMBERS | |
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|  Carl Scully (Chair) |  John Roseth |
|  Sue Francis |  Michael Megna |
|  Kevin Hoffman | |

| SCHEDULE 1 | | |
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| 1 | PANEL REF – LGA – DA NO. | 2018SCL025 – Canada Bay - DA2018/0076 |
| 2 | PROPOSED DEVELOPMENT | Demolition of two existing buildings, ancillary structures and removal of select vegetation. Relocation of existing carpark and construction of a new two-storey building and shade cover with three temporary demountable buildings to be provided on site during construction |
| 3 | STREET ADDRESS | 121 First Ave Five Dock |
| 4 | APPLICANT OWNER | Sydney Catholic Schools c/- Urbis Domremy College & Trustees of the Roman Catholic Church for the Archdiocese of Sydney |
| 5 | TYPE OF REGIONAL DEVELOPMENT | Private infrastructure and community facilities 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 (Educational Establishments and Child Care Facilities) 2017 State Environmental Planning Policy No 55 – Remediation of Land Canada Bay Local Environmental Plan 2013 <ul style="list-style-type: none"> Clause 4.6 Variation to 8.5m maximum building height control of Canada Bay LEP, 2013 Locally listed Heritage Item 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 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: 31 July 2018 Written submissions during public exhibition: nil Verbal submissions at the public meeting: <ul style="list-style-type: none"> On behalf of the applicant – Elaine Roff |
| 8 | MEETINGS AND SITE INSPECTIONS BY THE PANEL | <ul style="list-style-type: none"> Site inspection and briefing meeting 22 May 2018 Final briefing meeting to discuss council's recommendation, 16 August 2018, 9:30 am. Attendees: <ul style="list-style-type: none"> <u>Panel members</u>: Carl Scully (Chair), John Roseth, Sue Francis, Michael Megna and Kevin Hoffman <u>Council assessment staff</u>: Stuart Ardlie and Shannon Anderson |
| 9 | COUNCIL RECOMMENDATION | Approval |
| 10 | DRAFT CONDITIONS | Provided by Council on 15 August 2018 |