

DETERMINATION AND STATEMENT OF REASONS

SYDNEY EASTERN CITY PLANNING PANEL

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

2018SCL039 – Canada Bay – DA 2017/0466 at 35 Tranmere St Drummoyne (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 in the Council Assessment Report with the following amendments:

- Delete Condition 15
- Delete Condition 66
- Modify Condition 1 so that the reference to Plan DA 210 and Plan DA 211 are changed to refer to Plan DA 210 Rev 2 (6.8.2018) and Plan DA 211 Rev 2 (6.8.2018)
- In Condition 14 change “prior to any Construction Certificate” to “prior to any Occupation Certificate”.

PANEL MEMBERS	
 Carl Scully (Chair)	 John Roseth
 Sue Francis	 Michael Megna
 Kevin Hoffman	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SCL039 – Canada Bay – DA 2017/0466
2	PROPOSED DEVELOPMENT	Demolition of demountable buildings along south eastern side boundary, alterations and substantial two storey addition to existing education facility, St Mark's Catholic Primary School
3	STREET ADDRESS	35 Tranmere St Drummoyne
4	APPLICANT/OWNER	St Mark's Primary School and 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 ○ 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: four (4) • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ On behalf of the applicant – Robert Puflett and Paul Gibson
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection and briefing meeting on 22 May 2018 • Final briefing meeting to discuss council's recommendation, 16 August 2018, 9:45 am. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Carl Scully (Chair), John Roseth, Sue Francis, Michael Megna and Angelo Tsirekas ○ <u>Council assessment staff</u>: Stuart Ardlie and Shannon Anderson
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report