

<b>DATE OF DEFERRAL</b>	19 March 2019
<b>PANEL MEMBERS</b>	Peter Debnam (Chair), John Roseth, Sue Francis, Steve Kennedy, Annelise Tuor
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Papers circulated electronically between 15 March 2019 and 19 March 2019.

#### **MATTER DEFERRED**

2018SNH047 – Northern Beaches – MOD2018/0412 at 210 Headland Road Dee Why (as described in Schedule 1)

#### **REASONS FOR DEFERRAL**

On 30 January 2019, the Panel considered an amendment application under section 4.55(2) of the EPA Act 1979 in respect of the St Luke's Anglican School. It deferred its determination in order to seek legal advice whether it had the power to determine it, given that the amendment application referred to the whole of the school site (consisting of 4 allotments) while the original consent referred to only one of those allotments (Lot 2112 in DP 752038). On 14 March 2019 the Panel received legal advice from the Council as well as the Applicant. Both were in agreement that the Panel had the power to amend the site so as to include all four allotments.

Following that advice, the Panel held an electronic meeting between 15 and 19 March 2019 at which it agreed to defer the determination for a second time in order to seek further action/advice from the parties.

The Panel requests the Applicant to provide Council assessment staff, by the end of School Term 1, the following information:

1. A formal request to change, as part of the amendment application, the site of the original application so as to include all four allotments (Lot 2112 in DP 752038, Lot 1 in DP749109 and Lots 3 and 4 in DP 81394) in the school's ownership.
2. A traffic and parking survey of the area in the vicinity of the school and affected by school traffic, extending over five week-days and carried out by an independent consultant agreed to by the Council and the Applicant.
3. A written response by the school's traffic warden to the concerns indicated by the objectors both in writing and orally during the public meeting of 30 January 2019. This should include any suggestions by the traffic warden to ease those concerns and should also deal with the question whether further staggering of school starting and finishing times would reduce the impact.
4. A response to the question whether the school could prohibit its students parking within 500 metres of the school during school hours. The Panel is aware that such parking is legal; however, the school would have some authority over its students' actions if these actions are damaging to the amenity of residents near the school.






The Panel requests the Council to provide a supplementary report to it, by 30<sup>th</sup> April, with advice on the following and any other matters it considers appropriate:

1. The effect of extending the drop-off bay by 2 metres.

2. The effect of removing 2 parking bays to allow the school bus to more easily turn at the corner of Headland Road.
3. The effect of installing 2 minute limit and parking prohibition along the school's frontage.
4. Widening the footpath in all or some of the surrounding streets.

When the Panel receives the above information, it will determined the application by communicating by electronic means, unless the Chair considers a further public meeting necessary.

The decision to defer the matter was unanimous.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Sue Francis
 John Roseth	 Steve Kennedy
 Annelise Tuor	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SNH047 – Northern Beaches – MOD2018/0412
2	PROPOSED DEVELOPMENT	Modification of Development Consent DA2011/0446 granted for Alterations and additions to a school to increase student numbers.
3	STREET ADDRESS	Lot 2112 DP 752038, 210 Headland Road Dee Why
4	APPLICANT OWNER	Anglican Schools Corporation St Lukes Anglican School Limited
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(2) Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>State Environmental Planning Policy (State and Regional Planning)</li> <li>State Environmental Planning Policy (Infrastructure) 2007</li> <li>State Environmental Planning Policy No.55 – Remediation of Land</li> <li>Warringah Local Environmental Plan 2011</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Warringah Development Control Plan 2011</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</li> <li>Coastal zone management plan: Nil</li> <li>The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>The suitability of the site for the development</li> <li>Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Council assessment report: 14 January 2019</li> <li>Written submissions during public exhibition: 33</li> <li>Written submission received from residents at public meeting 30 January 2019</li> <li>Verbal submissions at the public meeting 30 January 2019: <ul style="list-style-type: none"> <li>In objection – Tricia Kelly, James Bonner, Geoff Harris</li> <li>On behalf of the applicant – Maureen Peatman, Jane Hughes, Robert Varga</li> </ul> </li> <li>Supplementary Report: 12 March 2019 <ul style="list-style-type: none"> <li></li> </ul> </li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY	<ul style="list-style-type: none"> <li>Briefing: 18 December 2018</li> <li>Final briefing to discuss council's recommendation, 30 January 2019 at 12.30pm. Attendees: <ul style="list-style-type: none"> <li><u>Panel members</u>: Peter Debnam (Chair), Sue Francis, John Roseth, Steve Kennedy, Annelise Tuor</li> <li><u>Council assessment staff</u>: Alex Keller, James Brocklebank</li> </ul> </li> <li>Electronic meeting: 15 – 19 March 2019</li> </ul>
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	Attached to the council assessment report