

DATE OF DETERMINATION	Wednesday, 18 July 2018
PANEL MEMBERS	Helen Lochhead (Chair), Bruce McDonald, Nicole Gurrán, Nadia Saleh and Bilal El-Hayek
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held at City of Canterbury-Bankstown, Former Bankstown Council Chambers (Roundhouse), corner Chapel Road and The Mall, Bankstown on 18 July 2018, opened at 1.45pm and closed at 3.38pm.

MATTER DETERMINED

2018SSH007 – Canterbury-Bankstown – DA1105/2017 at 425 Hume Highway, Yagoona (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 adjourned during the meeting to deliberate on the matter and formulate a resolution.

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

1. The proposed development will provide additional public school education capacity addressing the need for this service within the Canterbury -Bankstown local government area and the Sydney South District.
2. The proposed development adequately satisfies the relevant State Environmental Planning Policies including SEPP (Educational Establishments and Child Care Facilities) 2017 SEPP 55 -Remediation of Land SEPP (Infrastructure) 2007 and Greater Metropolitan Regional Environmental Plan No2- Georges River Catchment.
3. The Panel has considered the Applicants request to vary the development standard contained in Cl 4.3(2)of Bankstown LEP relating to height and considers that compliance with the standard is unreasonable and unnecessary in the circumstances of this case as the proposed variation will not generate unacceptable impacts on nearby premises, remains consistent with the objectives of the standard and will not result in a development inconsistent in form and scale with that prevailing in this locality. Further insistence on compliance with the standard would require a larger building footprint to accommodate





the facilities proposed which in turn would reduce the onsite space available for playground, landscaping and outdoor learning activities

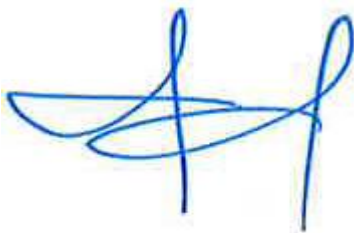
4. The proposed development adequately satisfies the objectives and provisions of Bankstown Local Environmental Plan 2015 and Bankstown Development Control Plan 2015
5. The proposed development subject to the conditions imposed, which have been accepted by the applicant, should ensure that transport arrangements will be appropriately managed via a Traffic Management Plan(TMP), and should have no unacceptable adverse impacts on the natural or built environments including the operation of the local road system or the amenity of nearby residential premises.
6. The proposed development is considered to be of acceptable form and scale consistent with its existing urban context.
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 conditions in the Council Assessment Report with the following amendments, which have been agreed by the applicant:

- Deletion of condition 3
- The amendment of condition 38 to insert, after sentence 1: “The development of the TMP should investigate appropriate options and be prepared in consultation with Council’s traffic engineer and be presented to a meeting of the traffic committee and approved by Council on an annual basis. “; and amendment of 38b), to delete reference to Reynolds Avenue.
- Deletion of conditions 39, 56, 58, 59 and 60.

PANEL MEMBERS	
 Helen Lochhead (Chair)	 Bruce McDonald
 Nicole Gurran	 Nadia Saleh



Bilal El-Hayek

SCHEDULE 1

1	PANEL REF – LGA – DA NO.	2018SSH007 – Canterbury-Bankstown – DA1105/2017
2	PROPOSED DEVELOPMENT	Alterations and additions to Yagoona Public School including a new learning facilities building and landscaped open space area.
3	STREET ADDRESS	425 Hume Highway, Yagoona
4	APPLICANT/OWNER	Bluevisions Management Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Crown development 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 (Infrastructure) 2007○ State Environmental Planning Policy No. 55 – Remediation of Land○ State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017○ Greater Metropolitan Regional Environmental Plan No. 2 - Georges River Catchment○ Bankstown Local Environmental Plan 2015• Draft environmental planning instruments: Nil• Development control plans:<ul style="list-style-type: none">○ Bankstown Development Control Plan 2015• 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: 28 June 2018 • Written submissions during public exhibition: 0 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Support – Nil ○ Object – Nil ○ On behalf of the applicant – William Fehrs, Lucas Crabtree, Jane McGarry, Ian Stewart and Andrew Hulse
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection 18 July 2018 • Briefing meeting 21 March 2018 • Final briefing meeting to discuss council's recommendation, 18 July 2018, 1pm to 1.45pm. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Helen Lochhead (Chair), Bruce McDonald, Nicole Gurran, Nadia Saleh and Bilal El-Hayek ○ <u>Council assessment staff</u>: Priscilla Prakash, Isabelle Albert and Stephen Arnold
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report