

## DETERMINATION AND STATEMENT OF REASONS

### SYDNEY SOUTH PLANNING PANEL

<b>DATE OF DETERMINATION</b>	Friday 26 July 2019
<b>PANEL MEMBERS</b>	Helen Lochhead (Chair), Bruce McDonald, Nicole Gurrán, Michael Forshaw, Steve Simpson
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	No declarations of interest were declared. At the briefing for this matter, Steve Simpson noted that he worked for the Sydney Catholic Education approximately 3 years ago in the role of WHS Manager. This role had no part of properties development management or planning of properties. The Panel Chair agreed it should not be considered a conflict, and that Steve Simpson could remain on the Panel.

Public meeting held at Sutherland Shire Council, 4-20 Eton Street, Sutherland on 26 July 2019, opened at 11.30am and closed at 12:50pm.

#### MATTER DETERMINED

2018SSH051 – Sutherland - DA18/1345 – 551 President Avenue, Sutherland - Alterations and additions to St Patrick's College including partial demolition of building F and construction of a new 5-storey building, tree removal and landscaping and increase of student capacity to 1500 (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 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

- The proposed development will improve and modernise the available facilities of the existing school and provide capacity to accommodate additional students.
- The proposed development adequately satisfies the relevant State Legislation and Environmental Planning Policies including Biodiversity Conservation Act, SEPP 55-Remediation of Land, SEPP (Educational Establishments and Child Care Facilities) 2017, SEPP (Infrastructure 2007) SEPP 54 Advertising and Signage and Regional Environmental Plan No2 – Georges River Catchment.
- With regard to SEPP (Educational Establishments and Child Care Facilities) 2017 it is considered the proposal adequately addresses the relevant design quality principles set out in Part 7 Schedule 4.
- In particular the Panel notes that subject to the conditions imposed the building design, which has been amended to respond to the review of the proposal by Councils Design Review Forum, and the landscape treatment improve the development is consistent with the context in which it is placed.
- The proposal is consistent with relevant provisions of Sutherland Shire LEP 2015 and Sutherland Shire DCP 2015.

- The proposed development subject to the conditions imposed will have no unacceptable adverse impacts on the natural or built environments including the amenity of nearby buildings, the operation of the local road system or the local ecology.

In consideration of these conclusions the Panel considers the proposed development is a suitable use of the site and approval of the proposal, subject to the amended conditions, is in the public interest.

Cllr Steve Simpson and Cllr Michael Forshaw disagreed with the addition to the Design Condition 2Aiv.

## CONDITIONS




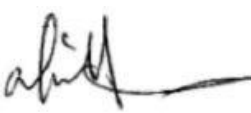

The development application was approved subject to the conditions in the Council Assessment Report with the following amendments.

- Incorporate the amendments to the draft conditions of consent as outlined in the letter from Robinson Urban Planning dated 24 July 2019
- Add to Design Change Condition 2Aiii, ..... to the satisfaction of the Director of Shire Planning.
- Add to Design Change Condition 2Aiv, Materials and colour palette be reviewed to be more compatible with the existing context including the incorporation of darker face brickwork and predominantly muted colours to the satisfaction of the Director of Shire Planning
- Add to Condition 14, additional planting to the Glencoe St frontage in place of the gravel apron to screen the carparking.

## CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered submissions made during public exhibition and heard from all those wishing to address the panel

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. The Panel notes that appropriate conditions have been imposed.

PANEL MEMBERS	
 Helen Lochhead (Chair)	 Bruce McDonald
 Nicole Gurran	 Michael Forshaw
 Steve Simpson	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SSH051 – Sutherland – DA18/1345
2	PROPOSED DEVELOPMENT	Alterations and additions to St Patrick's College including partial demolition of building F and construction of a new 5-storey building, tree removal and landscaping and increase of student capacity to 1500
3	STREET ADDRESS	551 President Avenue, Sutherland
4	APPLICANT/OWNER	Applicant: Sydney Catholic Schools c/- Robinson Urban Planning Pty Ltd Owner: The 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"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy (State and Regional Development) 2011</li> <li>○ State Environmental Planning Policy No. 55 – Remediation of Land</li> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment</li> <li>○ Draft State Environmental Planning Policy (Environment) (draft Environment SEPP)</li> <li>○ Biodiversity Conservation Act 2016</li> <li>○ State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (EESEPP)</li> <li>○ State Environmental Planning Policy No. 64 – Advertising and Signage</li> <li>○ Sutherland Shire Local Environmental Plan 2015 (SSLEP 2015)</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Sutherland Shire Development Control Plan 2015 (SSDCP 2015)</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: 3 July 2019</li> <li>• Written submissions during public exhibition: 1</li> <li>• Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>○ In support – Nil</li> <li>○ In objection – Nil</li> <li>○ Council assessment officer – Evan Phillips, Carolyn Howell, Annette Birchall</li> <li>○ On behalf of the applicant – Jayne Harrison – JDH Architects, Kyeema Doyle – Robinson Urban Planning</li> </ul> </li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Site inspection: 26 July 2019</li> <li>• Briefing: 20 February 2019</li> </ul>

		<ul style="list-style-type: none"> <li>Final briefing to discuss council's recommendation, 10.45am, 26 July 2019. Attendees:               <ul style="list-style-type: none"> <li><u>Panel members</u>: Helen Lochhead (Chair), Nicole Gurrán, Bruce McDonald, Steve Simpson, Michael Forshaw</li> <li><u>Council assessment staff</u>: Evan Phillips, Carolyn Howell</li> </ul> </li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Approval
10	<b>DRAFT CONDITIONS</b>	Attached to the council assessment report