

## DETERMINATION AND STATEMENT OF REASONS

### SYDNEY EASTERN CITY PLANNING PANEL

<b>DATE OF DETERMINATION</b>	2 December 2021
<b>DATE OF PANEL DECISION</b>	2 December 2021
<b>DATE OF PANEL MEETING</b>	25 November 2021
<b>PANEL MEMBERS</b>	Carl Scully (Chair), Jan Murrell, Chris Wilson, Christie Hamilton, Murray Matson
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held by videoconference on 25 November 2021, opened at 2pm and closed at 3pm.

#### MATTER DETERMINED

PPSSEC-151 – Randwick - DA/40/2020/A - 18 Stanley St, Randwick (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.

#### Modification application

The Panel determined to approve in part the modification application pursuant to section 4.55(2) of the *Environmental Planning and Assessment Act 1979*.

The decision was 3:2 in favour of part approval. Neither Murray Matson nor Christie Hamilton were in favour.

#### REASONS FOR THE DECISION

The Panel determined to approve in part the modification application having regard to the reasons: outlined in the Council Officer's assessment report; and as discussed below.

The Panel notes the location of the site, its constraints, and the number of students and staff. Given these and the fact that the school is well served by public transport, the Panel considers that the school must actively discourage Year 12 students from driving to school, Monday to Friday. . Accordingly, and on balance, the Panel has determined to amend the condition the subject of the modification application to ameliorate adverse impacts on the amenity of residents.

The Panel in making its decision is satisfied: the development is substantially the same as that originally approved; the modification has been notified; and assessed under s4.56 of the Act. The Panel has considered submissions and taken into account the reasons given when the consent was originally granted. Murray Matson and Christie Hamilton disagreed with the majority decision for the following reason:

- Failing to enforce a Year 12 ban undermines the intent of the Randwick City Council parking scheme for the area which is to restrict the availability of eligible parking permits.

#### CONDITIONS

The modification application is approved in part and Condition 24(d) is amended as follows:

The school is to actively discourage students from driving to school Monday to Friday and is to ensure that:






1. the number of students driving to school does not exceed 20 students at any one time until the end of term four (4) 2026; and
2. the number of students driving to school does not exceed 10 students at any one time thereafter. The OTMP and the Green Travel Plan shall include provisions to this effect.

#### CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during the public exhibition of the modification application and those who addressed the Panel. The Panel notes that issues of concern included:

- Traffic and Parking
- Safety

The Panel considers that concerns raised by the community have been appropriately addressed and that no new issues requiring assessment were raised during the public meeting. The Panel has amended the condition having regard to these community concerns.

PANEL MEMBERS	
 Carl Scully (Chair)	 Jan Murrell
 Chris Wilson	 Murray Matson
 Christie Hamilton	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSEC-151 – Randwick – DA/40/2020/A
2	PROPOSED DEVELOPMENT	S4.55 (2) Modification Application of approved development to amend condition 24 (d) so that the school is required to discourage students driving to school on weekdays rather than prohibiting it.
3	STREET ADDRESS	18-20 Stanley Street Randwick
4	APPLICANT/OWNER	The Emanuel School
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(2) Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• State Environmental Planning Policy (Educational Establishments and Child Care Centres) 2017</li> <li>• Randwick Local Environmental Plan 2012</li> <li>• Randwick Development Control Plan 2013</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Council assessment report: 11 November 2021</li> <li>• Addendum report and attachments received: 25 November 2021</li> <li>• Written submissions during public exhibition: 12</li> <li>• Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>○ Dirk Klaus, Cathy Berry, Tara Roach</li> <li>○ Council assessment officer – Angela Manahan, John Flanigan</li> <li>○ On behalf of the applicant – Stephen Kerr, Nathan Waller, Ben Liddell</li> </ul> </li> <li>• Total number of unique submissions received by way of objection: 12</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Briefing: 21 October 2021 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Carl Scully (Chair), Jan Murrell, Chris Wilson, Christie Hamilton, Murray Matson</li> <li>○ <u>Council assessment staff</u>: Angela Manahan, John Flanigan</li> </ul> </li> <li>• Final briefing to discuss council's recommendation: 25 November 2021 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Carl Scully, Jan Murrell, Chris Wilson, Murray Matson, Christie Hamilton</li> <li>○ <u>Council assessment staff</u>: Angela Manahan, John Flanigan</li> <li>○ <u>Applicant representatives</u>: Stephen Kerr, Nathan Waller, Ben Liddell, Belinda Barrie, Andrew Watt, Andrew Delany, Warwick Smith</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report