

RECORD OF DEFERRAL

SYDNEY EASTERN CITY PLANNING PANEL

DATE OF DEFERRAL	19 November 2020
PANEL MEMBERS	Carl Scully (Chair), Jan Murrell, Sue Francis, Mary-Lou Jarvis, Toni Zeltzer
APOLOGIES	Roberta Ryan
DECLARATIONS OF INTEREST	Toni Zeltzer declared she is familiar with Mr Burroughs and Mr Blanket who addressed the Panel at the public meeting and have both sent in submissions regarding the application; but the interest is non-significant and non-pecuniary.

Public meeting held by teleconference on Thursday, 19 November 2020, opened at 9.30am and closed at 11.15am.

MATTER DEFERRED

PPSSEC-18 – Woollahra – DA390/2019/1 at 29-53 Victoria Road Bellevue Hill – The Scots College (as described in Schedule 1)

REASONS FOR DEFERRAL

- The Panel notes that had this matter proceeded to determination today it would have accepted the Council Consultant's recommendation for refusal. This is because of the paucity of information from the applicant to allow for an informed decision.
- Rather, the Panel decided to defer the determination of the matter to allow the applicant the opportunity to submit the necessary information prior to determination. The Panel considers that the traffic report requires further information, in particular, a Green Travel Plan, and an Operational Traffic Management Plan and the employment of a traffic warden for morning and afternoon peak times.
- Furthermore, the school needs to provide independently verified student and staff numbers and the history of the change in those numbers since the year 2003. This is to include all school campuses. This is a prerequisite input for an updated traffic impact assessment. Given that the traffic survey was done on 11 April 2018, the traffic consultant is asked to advise if those numbers can still be relied upon and if so, why.
- The certification of the student and staff numbers is to be provided to Council by 10 December 2020 and an updated traffic report by no later than 15 February 2021, with an addendum assessment report. The Council staff is requested to provide a draft set of conditions for the Panel's consideration by no later than the end of March 2021.
- In preparing the additional traffic information the applicant is to engage with Council's Traffic and Transport Team Leader. In preparing the amended traffic report, the traffic engineer is to have regard to the verified student numbers together with the relevant student number variations that impact upon traffic generation and parking such as the role of Y9 Glengarry participation, boarding numbers and those boarders that have cars and where they are parked, absentees and the registered users of the school bus. The report is to consider the traffic impacts of the 'approved' maximum student capacity, the 'existing' student capacity and the 'proposed' student capacity (incorporating the 'variations' referenced above). As well as the evidence of residents in relation to current conditions that exist around the road network especially at drop off and pickup times.

- Further, the amended traffic report is to consider any road infrastructure improvements or parking restrictions that would not only benefit the proposal but would also address the existing road network functionality, of which the school operation is a significant contributor.

The Panel will hold another public determination meeting, unless the Chair decides the matter can be dealt with electronically.

The decision to defer the matter was unanimous.






For the record there was a divergence of opinion on the two matters below:

Consideration for relocating the entrance to the car park to Cranbrook Road was supported by Toni Zeltzer and Mary-Lou Jarvis who proposed that the applicant make serious consideration to the entrance and exit being relocated to Cranbrook Road which has a wider carriage way. This was put forward firstly because the traffic consultant for the applicant responded during the hearing, that relocating the entrance of the car park to Cranbrook Road was not an absolute impediment to delivering the car park. Additionally the proposed location of the entrance on Cranbrook Lane, which is a narrow street, could potentially lead to the loss of at least 5 on-street parking spaces along the length of Cranbrook Lane and an additional two at the corner of Cranbrook Lane and Cranbrook Road, to improve sight lines. This loss of on-street car spaces impacts on the amenity of local residents.

In the matter relating to the updated traffic impact assessment, the Councillors proposed that a new traffic survey be conducted with a new traffic count, because figures in the 2018 survey were now almost 3 years old.

The majority of the Panel voted against the access from Cranbrook Road because this would require the removal of a significant mature Fig Tree located on Council's property and greater excavation, given the steep gradient. The removal of the Fig Tree would have significant adverse environmental impacts that would outweigh any traffic benefits.

In relation to the issue of the need for an additional traffic report, the majority of the Panel agreed with the expert advice that the date of the report was at a time when the school was fully operational and pre COVID. As such, this would lead to unnecessary delays.

PANEL MEMBERS	
 Carl Scully (Chair)	 Jan Murrell
 Sue Francis	 Mary Lou Jarvis
 Toni Zeltzer	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSEC-18 – Woollahra – DA390/2019/1
2	PROPOSED DEVELOPMENT	Demolition of the existing tennis courts at The Scots College, excavation to create underground car parking and associated facilities with new tennis courts above and new (re-located) entry from Cranbrook Lane, and an increase in the approved student numbers from 1,120 to 1,520
3	STREET ADDRESS	29-53 Victoria Road, Bellevue Hill
4	APPLICANT/OWNER	Applicant: The Scots College c/o Mr Steven Adams Owner: The Presbyterian Church NSW Property
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 No. 55 – Remediation of Land ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 ○ Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 ○ Woollahra Local Environmental Plan 2014 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Woollahra Development Control Plan 2015 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Clause 92 • 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: 9 November 2020 • Written submissions during public exhibition: 37 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Tim Burroughs, Perry Rabin, Adam Cornell, Brett Daintry, Paul Blanket (on behalf of Concerned Scots Neighbours Inc), Ken Hollyoak, Lyn Kidson ○ On behalf of the applicant – Bob Chambers, Andrew Morse, Paul Oates, David Fleeting, Steven Adams

8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing: 14 May 2020 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Carl Scully (Chair), Roberta Ryan, Mary-Lou Jarvis, Toni Zeltzer ○ <u>Council assessment staff</u>: Philippa Frecklington • Site inspection: 18 November 2020 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Carl Scully (Chair), Sue Francis, Jan Murrell, Mary-Lou Jarvis ○ <u>Council assessment staff</u>: Philippa Frecklington, Max Moratelli, Nick Economou • Final briefing to discuss Council's recommendation, 19 November 2020, 8.30am. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Carl Scully (Chair), Jan Murrell, Sue Francis, Mary-Lou Jarvis, Toni Zeltzer ○ <u>Council assessment staff</u>: Philippa Frecklington, Max Moratelli, Emilio Andari
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	Not supplied