

**RECORD OF DEFERRAL
Decision Review Panel of the
SYDNEY EASTERN CITY PLANNING PANEL**

DATE OF DEFERRAL	29 June 2023
DATE OF PANEL DECISION	29 June 2023
DATE OF PANEL MEETING	29 June 2023
PANEL MEMBERS	Carl Scully – Chair, Amelia Thorpe, Alice Spizzo, Joanne McCafferty, Marea Wilson
APOLOGIES	Nil
DECLARATIONS OF INTEREST	Nil

Public meeting held by teleconference on 29 June 2023, opened at 2.30pm and closed at 3.30pm.

MATTER DEFERRED

PPSSEC-196 - DA/199/2022 – Randwick - 509-511 Bunnerong Road, Matraville, St Agnes educational establishment, child-care centre development, Alterations to existing educational establishment, child-care centre and ancillary signage (as described in Schedule 1).

REASONS FOR DEFERRAL

The Panel considered the matters listed at item 6, the material listed at item 7 and the material presented at meetings and briefings listed at item 8 in Schedule 1.

The Panel determined to defer the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The panel was not able to determine this matter, given the conflicting information from both Council and applicant in respect of the traffic impact of the development. With the traffic impacts unresolved, the Panel decided to defer further consideration of the application until the following additional information is provided:

- Supplementary Traffic Impact Assessment that:
 - identifies the total number of current students and the additional number of students proposed by the development;
 - includes a traffic impact assessment of the total development (being the total number of students as proposed by the development), with particular regard the use of the kiss and drop area in Norfolk Lane; and
 - includes a Green Travel Plan.

The panel resolved that the Supplementary Traffic Impact Assessment is to be undertaken by a person appointed by agreement between the Council and Applicant and at the cost of the Applicant.





The Panel agreed to undertake a briefing to consider the final Supplementary Traffic Impact Assessment on the 7th September 2023, from the person engaged to undertake the Supplementary Traffic Impact Assessment, Council and Applicant to the panel.

The Panel resolved that the issues of concern to Council expressed in its assessment report, other than traffic and parking issues, can all be resolved by appropriate drafting of conditions.

The Panel requests Council to provide a Supplementary Assessment Report by 21st September 2023, that includes an assessment of the Supplementary Traffic Impact Assessment and the resolution of the

remaining issues of concern expressed in the Council assessment report. The Panel will then reconvene on the 5th October 2023 to further consider the proposal. The Panel will determine the matter electronically.

The decision to defer the matter was unanimous. The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

PANEL MEMBERS	
 Carl Scully	 Amelia Thorpe
 Alice Spizzo	Endorsed by email 6 July 2023 Marea Wilson
 Joanne McCafferty	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSEC-196 - DA/199/2022 – Randwick
2	PROPOSED DEVELOPMENT	St Agnes educational establishment, child-care centre development, Alterations to existing educational establishment, child-care centre and ancillary signage
3	STREET ADDRESS	509-511 Bunnerong Road, Matraville
4	APPLICANT/OWNER	Applicant - Sydney Catholic Schools Ltd Owner - Trustees for the Roman Catholic Church in the archdiocese in Sydney
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • State Environmental Planning Policy (Planning Systems) 2021 • SEPP (Transport and Infrastructure) 2021 • SEPP (Industry and Employment) 2021 • SEPP (Resilience and Hazards) 2021 • Randwick LEP 2012 • Randwick DCP 2013 • 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: 16 June 2022 • Applicant response to Council assessment report dated 27 June 2023 • Statement of Environmental Effects • Architectural Plan Set • Traffic Impact Assessment • Submission List • Written submissions during public exhibition: 15 submissions • Verbal submissions at the public meeting: <ul style="list-style-type: none"> • Members of the community – Kenneth Yardy, Josh Ungaro, Stuart, Greg Hadley, Melissa Barnes ○ Council Assessment Officers - Ferdinando Macri, Scott Cox, , Chris Saunders, Tony Lehmann

		<ul style="list-style-type: none"> ○ On behalf of the applicant –
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • 26 May 2022 – Kick off briefing • 6 October 2022 – Council and Applicant Briefing • 29 June 2023 – Site Inspection • 29 June 2023 - Final briefing to discuss council's recommendation: <ul style="list-style-type: none"> ○ <u>Panel members:</u> Carl Scully – Chair, Amelia Thorpe, Alice Spizzo, Joanne McCafferty, Marea Wilson ○ <u>Council assessment staff:</u> Ferdinando Macri, Scott Cox, Chris Saunders, Tony Lehmann, Angela Manahan ○ <u>Applicant:</u> Paul McLean, John Buckley, Carlo L'Aurora, Alan Samsa, Tim Blackall, Simon Romalis, Rosemary Andre, Hayden Drake
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	N/A