

DETERMINATION AND STATEMENT OF REASONS

SYDNEY EASTERN CITY PLANNING PANEL

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| DATE OF DETERMINATION | 13 September 2022 |
| DATE OF PANEL DECISION | 13 September 2022 |
| DATE OF PANEL MEETING | 9 September 2022 |
| PANEL MEMBERS | Jan Murrell (Chair), Chris Wilson, Darcy Byrne, Philippa Scott |
| APOLOGIES | None |
| DECLARATIONS OF INTEREST | None |

Public meeting held by teleconference on 9 September 2022, opened at 12.30pm and closed at 12.50pm. Papers circulated electronically on 2 September 2022.

MATTER DETERMINED

PPSSEC-198 – Inner West Council – DA/2022/281 at 220-252 Holden Street, Ashbury – Construction of a multi-purpose hall (MPH) at Canterbury Boys High School (CBHS) (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 listed at item 8 in Schedule 1.

The Panel commended the Applicant for its positive engagement with Council through the pre-DA process which provided the Panel with clear information on which to make its decision. The Panel was satisfied that all preconditions for the grant of consent were satisfied and that a thorough assessment in terms of Section 4.15 of the *Environmental Planning and Assessment Act, 1979* had been undertaken. .

Development application

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 Panel determined to approve the application for the reasons outlined in the Council Assessment Report. The project is one that will have clear benefits to both the school and the wider community.

CONDITIONS

The Development Application was approved subject to the conditions in the Council Assessment Report with the following minor amendments for clarification:

- Condition 12: to be amended to add the words ‘for the life of the development’,
- Condition 40: to be amended to make it clear that the Plan of Management is to be publicly available, as is also required for the Traffic Management Plan (Condition 37).





CONSIDERATION OF COMMUNITY VIEWS

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

- Removal of trees and loss of canopy,
- Impact upon heritage.

The Panel considers that concerns raised by the community were adequately addressed in the Assessment Report, architectural plans and where necessary, the conditions of consent as imposed.

Two (2) written submissions have been considered by the Panel prior to determination.

| PANEL MEMBERS | |
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|  Jan Murrell (Chair) |  Chris Wilson |
|  Darcy Byrne |  Philippa Scott |

| SCHEDULE 1 | | |
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| 1 | PANEL REF – LGA – DA NO. | PPSSEC-198 – Inner West Council – DA/2022/0281 |
| 2 | PROPOSED DEVELOPMENT | Construction of a multi-purpose hall (MPH) at Canterbury Hoys High School (CBHS) |
| 3 | STREET ADDRESS | 220-252 Holden Street, Ashbury NSW 2193 |
| 4 | APPLICANT/OWNER | Belinda Elogious/Minister of Education |
| 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 (Biodiversity and Conservation) 2021 ○ State Environmental Planning Policy (Resilience and Hazards) 2021 ○ State Environmental Planning Policy (Transport and Infrastructure) 2021 ○ State Environmental Planning Policy (Planning Systems) 2021 ○ Ashfield Local Environmental Plan 2013 (ALEP 2013) • Draft environmental planning instruments: Draft Inner West Local Environmental Plan 2020 • Development control plans: <ul style="list-style-type: none"> ○ Comprehensive Development Control Plan 2016 for former Ashfield LGA (ADCP 2-16) • Planning agreements: Nil • Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> • 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: 2 September 2022 • Written submissions during public exhibition: 2 • Total number of unique submissions received by way of objection: 2 |
| 8 | MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL | <ul style="list-style-type: none"> • Briefing: 11 August 2022 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Jan Murrell (Chair), Chris Wilson, Philippa Scott ○ <u>Council assessment staff</u>: Jai Reid, Ruba Osman, Chirag Bhavan • Final briefing to discuss council's recommendation: 9 September 2022 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Jan Murrell (Chair), Chris Wilson, Darcy Byrne, Philippa Scott ○ <u>Council assessment staff</u>: Jai Reid, Ruba Osman, Chirag Bhavan ○ <u>Applicant representatives</u>: Thu Thanapalasuntheram, Adam Coburn |
| 9 | COUNCIL RECOMMENDATION | Approval |
| 10 | DRAFT CONDITIONS | Attached to the Council Assessment Report |