

DETERMINATION AND STATEMENT OF REASONS

SYDNEY EASTERN CITY PLANNING PANEL

DATE OF DETERMINATION	29 October 2020
PANEL MEMBERS	Carl Scully (Chair), Jan Murrell, Roberta Ryan, Christie Hamilton, Murray Matson
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held via Microsoft Teams on 29 October 2020, opened at 9.30am and closed at 11am.

MATTER DETERMINED

PPSSEC-42 – Randwick – DA/40/2020 at 18 Stanley Street Randwick – Emanuel School (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 after the meeting to deliberate on the matter and formulate a resolution.

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 4:1 in favour; against the decision was Murray Matson.

REASONS FOR THE DECISION

- The Panel has carefully considered the issues raised by submitters and has augmented the conditions as recommended in the Council Officer's report to enable the school to co-exist harmoniously with the residential area. These include: the establishment of a Community Consultative Committee (CCC) with a Register of Complaints to provide a mechanism for residents concerns to be addressed; and an additional requirement, as set out below, for the Operational Transport Management Plan (OTMP).
- The Panel considers the improved school facilities will be an asset to the community and unreasonable impacts can be mitigated and managed.
- The issues relating to stormwater are to be addressed through Condition 53 which requires plans to be approved by both the Council and the PCA.
- The Panel has also imposed a Condition to require the planting of trees in the verge of Stanley Street to filter views to this elevation of the school.
- The Panel considers that there are no outstanding issues that would warrant refusal of the application and the CCC will facilitate ongoing discussion to resolve residents' concerns with the school that may arise from time to time.

Murray Matson disagreed with the majority decision for the following reasons:

That a better consensus between stakeholders might possibly be achieved by a deferral to allow for a formal mediation process between the applicant and relevant stake holders including neighbouring residents to attempt to find agreement on:

- Parking issues and finalisation of Parking plans including the Green Travel Plan:
- Traffic flow issues;
- Stormwater issues; and
- Options for sending components of the school's activities to other sites.

CONDITIONS

The development application is approved subject to the conditions in the Council Officer's assessment report with the following amendments.

- Condition 2. b) shall be amended to read as follows: the detailed design of the bridge linking the Adler building to the adjacent D+T Building is to incorporate fine steel detailing to minimise bulky solid edge beams. The roof detailing shall avoid large gutters and bulky downpipes so as not to result in unreasonable obstruction to views from the public domain and nearby properties. The bridge and roof structure must be non-reflective and use recessive colours that allow for the articulation of each building.
- All references to a "Community Liaison Committee (CLC)" be amended to read "Community Consultative Committee (CCC)". The School is to maintain a 'Register of Complaints' and the action taken to resolve issues as they occur. The register is to be available for Council inspection at any time.
- Condition 24. to be amended with the additional point (d) that the OTMP is to require the school to have no students driving to school Monday to Friday.
- Condition 53- Stormwater and drainage plans to be amended to require the approval of both Council's Engineer and the Certifier.
- Condition 50 shall be amended to require "the applicant is to amend its landscape plan to provide suitable trees on the verge of Stanley Street, adjacent to the schools boundary. The location and species to be approved by Council's Manager Development Assessment prior to the issuing of the 'construction certificate' and maintained, and replaced if necessary, for the life of the development






CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition and heard from all those wishing to address the Panel. The Panel notes that issues of concern included:

- Increase in enrolment numbers
- Compliance with the cap
- Drop off and pick up impacts
- Students and teachers driving to school
- Number of existing car parks
- Role of resident parking
- Vegetation
- Traffic report
- Traffic and parking impacts
- Stormwater and drainage impacts

- Visual impacts
- Community Liaison Committee

The Panel considers that concerns raised by the community have been addressed in the assessment report and no new issues requiring assessment were raised during the public meeting. The Panel notes that in addressing these issues appropriate conditions have been imposed.

PANEL MEMBERS	
 Carl Scully (Chair)	 Jan Murrell
 Roberta Ryan	 Murray Matson
 Christie Hamilton	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSEC-42 – Randwick – DA/40/2020 at 18 Stanley Street Randwick – Emanuel School
2	PROPOSED DEVELOPMENT	Integrated development for concept plan approval to redevelop the Emanuel School site including increase in students from 785 to 920, Stage 1 works involving retention and reuse of the existing Adler building, alterations and additions including a new second floor level, foot-bridge connection, changes to building facades, landscaping and associated works (State Heritage Item & Heritage Conservation Area).
3	STREET ADDRESS	18-20 Stanley Street, Randwick
4	APPLICANT/OWNER	Owner: Emanuel School Applicant: Emanuel School c/- City Plan
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 (State and Regional Development) 2011 ◦ State Environmental Planning Policy No. 55 – Remediation of Land ◦ State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 ◦ Randwick Local Environmental Plan 2012 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ◦ Randwick Development Control Plan 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: 15 October 2020 • Written submissions during public exhibition: 84 • Council resolution received as a written submission: 28 October 2020 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ◦ Cathy Berry, Tracy Ong, Dirk Klaus, Tara Roach, Jill Webb, Robert Crissani, Connie Aloisio, Megan Madden ◦ Council assessment officer – Frank Ko ◦ On behalf of the applicant – Stephen Kerr, Ben Liddell, Andrew Watt
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing: [date] <ul style="list-style-type: none"> ◦ <u>Panel members</u>: Carl Scully (Chair), Jan Murrell, Roberta Ryan, Murray Matson, Christie Hamilton ◦ <u>Council assessment staff</u>: Angela Manahan, William Jones • Site inspection: Due to Coronavirus precautions, the Panel visited the site independently, prior to 29 October

		<ul style="list-style-type: none"> • Final briefing to discuss council's recommendation, 29 October 2020, 8.15am. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Carl Scully (Chair), Jan Murrell, Roberta Ryan, Christie Hamilton, Murray Matson ○ <u>Council assessment staff</u>: Angela Manahan, William Jones, Frank Ko
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report