

DETERMINATION AND STATEMENT OF REASONS

SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	10 March 2022
DATE OF PANEL DECISION	10 March 2022
DATE OF PANEL MEETING	9 March 2022
PANEL MEMBERS	Peter Debnam (Chair), Julie Savet Ward, Brian Kirk
APOLOGIES	None
DECLARATIONS OF INTEREST	Councillors Martin Smith and Kim Wheatley did not take part as recommended by Panel Chair due to possible perceptions of conflict.

Public meeting held by teleconference on 9 March 2022, opened at 11.00am and closed at 11:55am.

MATTER DETERMINED

PPSSNH-241 – Ku-ring-gai – DA0288/21 at 60-70 Horace Street, St Ives – Community facility development, Construction of a two-storey sports complex, landscaping and associated works - St Ives High School - Integrated Development - Crown Development.

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.

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 below and in the Independent Assessment Report.

The site is rectangular in shape, has a total area of 7.8 hectares and is owned by the Department of Education. The site has been used as a school since 1963 and has three road frontages (Horace Street, Yarrabung Road and Hunter Avenue) with the northern boundary adjoining St Ives Primary School.

The DA proposes the construction of the St Ives Indoor Sports Complex and is the second stage of development on the site and is to be built directly adjacent to the first stage School Hall. The development is designed to provide an integrated complex of four sports courts connected to the School Hall. The proposed development results from extensive consultation between the Applicant, Council and community over the last two years.

The overall development will be jointly operated and managed by Council and the NSW Department of Education. Outside of school hours, the Council will be permitted to use the facility for the purpose of hiring to members of the community for recreational sport, team and individual sport, competitive sport and training by sporting teams, clubs and individuals.

The Panel concurs with the Independent Assessor that the proposal has been properly assessed in accordance with section 4.15 of the EP&A Act 1979 and is acceptable for the site. The Panel also concurs with the Independent Assessor that the new Sports Complex will provide much needed facilities for the

school and the local community and consequently the Panel believes approval of the DA is in the community interest.



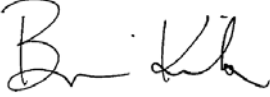
CONDITIONS

The development application was approved subject to the updated draft conditions in Council's email of 9th March with the further deletion of Condition 35 (iv) - which was considered unworkable by the Applicant and Council - and Condition 104 - which was determined to be redundant.

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 public meeting. Issues of concern included: location of access, traffic, parking, loss of view, privacy, hours of operation, construction management. The Panel discussed these issues extensively with the Applicant, Assessor and Council during the meeting and noted that, where possible, changes had been made to the design and conditions to alleviate community concerns.

The Panel considers that concerns raised by the community have been adequately addressed in the project design, in the Assessment Report, by Applicant and Assessor responses during the public meeting and in the conditions as amended.

PANEL MEMBERS	
<div>Peter Debnam (Chair)</div> 	<div>Julie Savet Ward</div> 
<div>Brian Kirk</div> 	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSNH-241 – Ku-ring-gai – DA0288/21
2	PROPOSED DEVELOPMENT	Community facility development, Construction of a two storey sports complex, landscaping and associated works - St Ives High School - Integrated Development - Crown Development.
3	STREET ADDRESS	60-70 Horace Street, St Ives
4	APPLICANT/OWNER	Amy Cropley DFP Planning Pty Ltd / School Infrastructure NSW
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 No.55 State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 Sydney Regional Environmental Planning Policy (Sydney Harbour Catchment) 2005 State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy No. 19 Bushland in Urban Areas State Environmental Planning Policy (State and Regional Development) 2011 Sydney Regional Environmental Plan No. 20 – Hawkesbury Nepean River Ku-ring-gai Local Environmental Plan 2015 (LEP) Draft environmental planning instruments: Draft State Environmental Planning Policy (Remediation of Land) Draft State Environmental Planning Policy Environment Development control plans: <ul style="list-style-type: none"> Ku-ring-gai Development Control Plan (DCP) Planning agreements: Ku-ring-gai S94A Contributions Plan 2015 Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Regulations 93 and 94 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: 1 March 2022 List any council memo or supplementary report received: 28 February 2022 Written submissions during public exhibition: 18 Verbal submissions at the public meeting: 6 <ul style="list-style-type: none"> Sarah Gibbons, Youel Hyman, Cheryl McNamara, Peter McNamara, Eniko Sweeting Council's Independent Planning Consultant- Natalie Richter Council assessment officers – Dean Payne, Andrew Watson, Shaun Garland On behalf of the applicant – Amy Cropley, Ellen Robertshaw, Chris King, Katherine Madden, Kasia Balsam

		<ul style="list-style-type: none"> • Total number of unique submissions received by way of objection: 18
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing: 24 November 2021 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Peter Debnam (Chair), Julie Savet Ward, Brian Kirk ○ <u>Council assessment staff</u>: Scott McInnes, Johnathan Goodwill ○ <u>Independent Planning Consultant</u>: Natalie Richter • Final briefing to discuss council's recommendation: 9 March 2022 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Martin Smith, Kim Wheatley ○ <u>Council assessment staff</u>: Scott McInnes, Jonathan Goodwill, Kerry Frair, Shaun Garland, Ross Nettle, Dean Payne, Andrew Watson ○ <u>Independent Planning Consultant</u>: Natalie Richter
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report