

DATE OF DETERMINATION	14 July 2023
DATE OF PANEL DECISION	14 July 2023
DATE OF PANEL MEETING	12 July 2023
PANEL MEMBERS	Peter Debnam (Chair), Brian Kirk, Sue Weatherly, Mark McCrindle
APOLOGIES	Nicole Gurran
DECLARATIONS OF INTEREST	Nil

Papers circulated electronically on 7 July 2023.

MATTER DETERMINED

PPSSNH-379 - DA/233/2023 – Hornsby, Lot 101 DP 833207, Northholm Grammar School, No. 79-81 Cobah Road, Fiddletown, Alterations and additions to an educational establishment (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 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 Panel's decision was unanimous.

REASONS FOR DECISION

The Panel approved the development application for the reasons below and in Council's Assessment Report.

Specifically, the proposal seeks consent for the removal of four single level demountable classroom and construction of a teaching building and two storey change room pavilion. The proposal also includes updating the approved Master Plan for the site.

The Panel notes the site is zoned part RU1 Primary Production and part C3 Environmental Management and educational establishments are prohibited in both the RU1 Primary Production zone and C3 Environmental Management zone. However, the proposal relies on existing use rights and State Environmental Planning Policy (Transport and Infrastructure) 2021 prevails with regard to permissibility in the zone. While the site is not within a prescribed zone under State Environmental Planning Policy (Transport and Infrastructure) 2021, Clause 3.36(3) of the SEPP, allows for development consent for works on land that is not in a prescribed zone if it is carried out on land within the boundaries of an existing or approved school.

The site is bushfire prone and therefore the application is integrated development and concurrence was received from NSW Rural Fire Service.

The proposal does not increase staff or student numbers and the replacement of existing demountable buildings with a new teaching building and change-room pavilion will improve the operation and efficiency of the school, as well as its internal and external appearance.



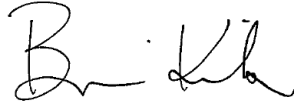

The Panel concurs with Council that the application was properly assessed in accordance with relevant planning controls and believes approval of the proposal is in the public interest as it will provide important educational facilities and recreational facilities and not result in adverse impacts for the community.

CONDITIONS

The development application was approved subject to the conditions in Council's Assessment Report.

CONSIDERATION OF COMMUNITY VIEWS

The Panel noted there were no submissions during public exhibition of the proposal.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Mark McCrindle
 Brian Kirk	 Sue Weatherly

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSNH-379 - DA/233/2023 – Hornsby
2	PROPOSED DEVELOPMENT	Alterations and additions to an educational establishment
3	STREET ADDRESS	Lot 101 DP 833207, Northholm Grammar School, No. 79-81 Cobah Road, Fiddletown
4	APPLICANT/OWNER	Applicant - Caladines Town Planning Pty Ltd Owner - Northholm Grammar School Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Section 2.19(1) and Clause 5(a) of Schedule 6 of State Environmental Planning Policy (Planning Systems) 2021 declares the proposal regionally significant development as a private community facility (educational establishment) having a capital investment value in excess of \$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 (Planning Systems) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 Hornsby Local Environmental Plan 2013 Draft environmental planning instruments: Nil Development control plans: Hornsby Development Control Plan 2013 Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation</i>

		<p>2000:</p> <ul style="list-style-type: none"> • Coastal zone management plan: Nil • Other relevant plans: 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 with draft conditions of consent. • Architectural Plans • Staging Plan • Waste Management Plan • Civil Stormwater Report • Civil Engineering Plans • Statement of Environmental Effects • Landscape Concept Plan and Tree Protection Plan • Ecological Assessment Report • Bushfire Assessment Report • Arboriculture Impact Assessment Report • Access Review • Construction Management Plan • Written submissions during public exhibition: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • 07 June 2023 –Briefing • 12 July 2023 - Final briefing to discuss council's recommendation: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Peter Debnam (Chair), Brian Kirk, Sue Weatherly, Mark McCrindle ○ <u>Council assessment staff</u>: Caroline Maeshian, Rodney Pickles, Katrina Maxwell
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report