

DETERMINATION AND STATEMENT OF REASONS

SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	19 August 2024
DATE OF PANEL DECISION	18 August 2024
DATE OF PANEL MEETING	14 August 2024
PANEL MEMBERS	Nicole Gurrán (Chair), Brian Kirk, Susan Budd, Cedric Spencer and Kim Wheatley
APOLOGIES	None
DECLARATIONS OF INTEREST	None (<i>must include reason for declaration and whether the member participated or not</i>)

Papers circulated electronically on 1 August 2024.

MATTER DETERMINED

PPSSNH-487 – Ku-ring-gai – eDA0134/24 – 1-3 Billyard Ave, Wahroonga - Alterations and additions to the Ewan House building at Knox Grammar Preparatory School - Heritage Item in a Heritage Conservation Area (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.

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.

In particular, the Panel notes that the application has been assessed against and is generally consistent with the objectives and requirements of the relevant environmental planning instruments and development controls. It will enhance learning and administrative areas of the Knox Grammar School, allowing them to be more aesthetically appealing and engaging whilst maintaining the heritage values of the Ewan House Building.

CONDITIONS

The Development Application was approved subject to the conditions in the Council Assessment Report with one amendment to condition 8, as highlighted below; to ensure that the final Construction Traffic Management Plan addresses accurate school pick-up and drop off times:

8. Construction traffic management plan

A construction traffic management plan (CTMP) is to be submitted to Council and approved prior to the commencement of any works.

The plan is to consist of a report with traffic control plans attached.

The report is to contain commitments which must be followed by the demolition and excavation contractor, builder, owner and subcontractors. The CTMP applies to all persons associated with demolition, excavation and construction of the development. The report is to contain the following:

- construction vehicle routes for approach and departure to and from all directions, showing loaded and empty vehicles
- a site plan showing entry and exit points
- swept paths on the site plan showing access and egress for a 12.5 metres long heavy rigid vehicle
- swept path analysis plans showing the existing trees being retained and their tree protective fencing requirements (consistent with this Development Consent) these plans shall be to scale to ensure that truck access and tree fencing requirements do not conflict
- show locations for site offices and materials storage areas which are to be located outside the tree protection zones

The traffic control plans are to be prepared by an RMS accredited consultant. One traffic control plan must be provided to Council for each of the following stages of the works:

- demolition
- excavation
- concrete pour
- traffic control for vehicles reversing into or out of the site

Traffic controllers must be in place at the site entry and exit points to control heavy vehicle movements in order to maintain the safety of pedestrians and other road users.



For safety and amenity, no construction vehicle movements are to occur in Cleveland Street, Billyard Avenue and Sutherland Avenue during school drop-off and pick up times on school days (these times are to be determined by Council, in consultation with surrounding schools and the applicant, when approving the CTMP).

When a satisfactory CTMP is received and the relevant fees paid in accordance with Council's adopted fees and charges, a letter of approval will be issued with conditions attached. Traffic management at the site must comply with the approved CTMP as well as any conditions in the letter issued by Council. No works may be carried out unless Council has approved the CTMP.

Reason: To ensure that appropriate measures have been made to minimise impacts upon surrounding roads during the construction phase.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered the written submission made during public exhibition and considers that concerns raised have been adequately addressed in the Assessment Report and conditions as modified.

PANEL MEMBERS	
 Nicole Gurran (Chair)	 Cedric Spencer



Brian Kirk



Kim Wheatley



Susan Budd

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSNH-487 – Ku-ring-gai – eDA0134/24
2	PROPOSED DEVELOPMENT	Alterations and additions to the Ewan House building at Knox Grammar Preparatory School - Heritage Item in a Heritage Conservation Area
3	STREET ADDRESS	1-3 Billyard Ave, Wahroonga
4	APPLICANT/OWNER	Applicant: Lachlan Rodgers - APP CORPORATION PTY LIMITED Owner: Knox Grammar School Property Limited
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 (Transport & Infrastructure) 2021 State Environmental Planning Policy (Resilience & Hazards) 2021 State Environmental Planning Policy (Sustainable Buildings) 2021 Ku-ring-gai Local Environmental Plan 2015 Ku-ring-gai Contributions Plan 2023 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Ku-ring-gai Development Control Plan 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: 31 July 2024 Written submissions during public exhibition: 1
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: 10 July 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Peter Debnam (Chair) and Brian Kirk <u>Council assessment staff</u>: Johnathan Goodwill, Shanika Kappagoda, Angus Donald, Joanna Assad, Vincent Ooi and Ross Gurrera Applicant Briefing: 10 July 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Peter Debnam (Chair) and Brian Kirk <u>Applicant representatives</u>: Lachlan Rodgers, Stella Durranr, Anthony Harrigan, Taha Quershi Final briefing to discuss council's recommendation: 14 August 2024 <ul style="list-style-type: none"> <u>Panel members</u>: [Nicole Gurran (Chair), Brian Kirk, Susan Budd, Cedric Spencer and Kim Wheathley <u>Council assessment staff</u>: Johnathan Goodwill, Shanika Kappagoda, Angus Donald, Joanna Assad, Vincent Ooi and Ross Gurrera <u>Applicant representatives</u>: Lachlan Rodgers, Stella Durranr, Anthony Harrigan, Taha Quershi

9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report