

DETERMINATION AND STATEMENT OF REASONS

SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	1 July 2020
PANEL MEMBERS	Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Cheryl Szatow, Martin Smith
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held via teleconference on 1 July 2020, opened at 10.02am and closed at 10.51am.

MATTER DETERMINED

PPSSNH-60 – Ku-ring-gai – DA0528/19 at 60 Burns Road Wahroonga for alterations and additions to St Edmunds College (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.

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 development application is for partial demolition, alterations and additions to an existing school (St Edmund's College) and associated site works. The site has an ongoing use as an educational establishment specifically a co-educational secondary college catering for students in Years 7-12, with a wide range of disabilities, including sensory disabilities, mild to moderate intellectual disabilities and autism.

The school was established in 1951 and has evolved to include male and female students with a broad range of sensory impairments and special needs. The current application does not increase student or staff numbers but rather provides an improvement in educational facilities.

In developing the proposal, the applicant had extensive consultation with Council and amended the proposal and accepted conditions to optimise compliance with planning instruments and minimise community concerns. Council's Heritage Advisor has found the proposal acceptable with regard to its impact on Midhope, the Wahroonga Heritage Conservation Area and the setting of the heritage items within the vicinity of the site. The proposed development also results in a substantial increase in the availability of onsite parking.

The Panel agrees with Council's advice that the proposal has minimised adverse impacts on the surrounding area and the environment and is in the public interest.

CONDITIONS

The development application was approved subject to the conditions in the council assessment report, condition amendments outlined council memo dated 30 June 2020 and the following amendments:

- Condition 36 to be amended to read as follows:
Number of bicycle spaces

The car park shall be adapted to provide 3 bicycle spaces in accordance with the Ku-ring-gai DCP. The bicycle parking spaces shall be designed in accordance with AS2890.3. Details shall be submitted to the satisfaction of the Certifier prior to the issue of any Construction Certificate.

Reason: To provide for alternative modes of transport to and from the site.

- **New condition 98a to read as follows:**

98a Canteen operations

Any deliveries or collections requiring the use of trucks, such as supplies for the canteen and garbage collection from the school, are to occur between the hours of 7am to 6pm Monday to Friday.

Reason: To protect the acoustic amenity of the area

- **New condition to read as follows**

Visitor Parking

Two car parking spaces in the car park adjacent to Wahroonga Avenue are to be marked "Visitor Parking".

Reason: To encourage visitor parking on site.

- **New Condition 2a to read as follows:**

2a Landscaping



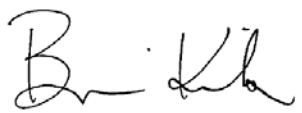

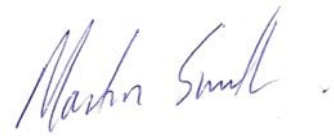
Prior to the issue of a Construction Certificate, the Principal Certifier must be provided with amended landscape plans demonstrating that the area between the school building and the adjoining boundary with No. 62 Burns Road Wahroonga is to contain planting, which is to include trees and shrubs capable of achieving a mature height of at least four metres. A pathway within this area is also permitted if required by the school.

Reason: To provide landscape screening between properties

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 traffic & parking, building height, overshadowing & privacy, heritage, noise, school size & student numbers, hours of operation and landscaping plans.

The Panel notes concerns raised by the community have been adequately addressed in the assessment report, in the conditions and by Applicant and Council responses during the public meeting.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Julie Savet Ward
 Brian Kirk	 Cheryl Szatow
 Martin Smith	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSNH-60 – Ku-ring-gai – DA0528/19
2	PROPOSED DEVELOPMENT	Partial demolition and alterations and additions to existing school and associated site works (St Edmund's College)
3	STREET ADDRESS	60 and 60A Burns Road, Wahroonga
4	APPLICANT/OWNER	The Trustees of Sir Edmund Rice Education Australia C/- DFP Planning
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 (Infrastructure) 2007 State Environmental Planning Policy No. 55 – Remediation of Land State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 Sydney Regional Environmental Plan No. 20 – Hawkesbury Nepean River) Ku-ring-gai Local Environmental Plan 2015 Draft environmental planning instruments: Draft State Environmental Planning Policy (Remediation of Land) Development control plans: <ul style="list-style-type: none"> Ku-ring-gai Development Control Plan Ku-ring-gai S94A Contributions Plan 2015 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: 17 June 2020 Council memo: 30 June 2020 Written submissions during public exhibition: 29 Verbal submissions at the public meeting: <ul style="list-style-type: none"> Members of the community – Richard Chard, Nicola McFarlane Council assessment officer – Scott McInnes On behalf of the applicant – Kendall Clysdale, John Franzin, Mark Glenddening
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: 29 April 2020 <ul style="list-style-type: none"> <u>Panel members</u>: Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Cheryl Szatow, Martin Smith <u>Council assessment staff</u>: Adam Richardson, Scott McInnes Final briefing to discuss council's recommendation, 1 July 2020. Attendees: <ul style="list-style-type: none"> <u>Panel members</u>: Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Cheryl Szatow, Martin Smith <u>Council assessment staff</u>: Shaun Garland, Scott McInnes, Michael Miocic, Adam Richardson, Brian O'Connell, Leona Goldstein

9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report