

DATE OF DEFERRAL	9 November 2023
DATE OF PANEL DECISION	9 November 2023
DATE OF PANEL MEETING	25 October 2023
PANEL MEMBERS	Chris Wilson (Chair), Susan Budd, Amber Schutz
APOLOGIES	Lindsay Usher
DECLARATIONS OF INTEREST	None

Public meeting held by videoconference on 25 October 2023, opened at 10:30am and closed at 11:57am. Papers circulated electronically on 6 October 2023.

MATTER DEFERRED

PPSSTH-169 – Eurobodalla - DA0078/23 - 61 Train Street, Broulee – Alterations and additions to existing educational establishment ‘St Peter’s Anglican College’ Broulee (as described in Schedule 1).

REASONS FOR DEFERRAL

The Panel agreed to defer the determination of the matter until further information and an addendum assessment report had been provided by Council for the Panel’s consideration. Matters to be addressed included the following:

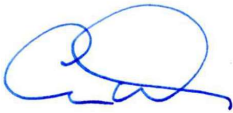
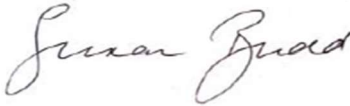

1. Revised NSW Rural Fire Service, ‘General Terms of Approval’ confirming APZ requirements for building P10 are wholly located within the site (in particular, clarification that the requirements for the 38m APZ to the east of building P10 should be amended to require the APZ to the eastern boundary of the site).
2. Confirmation that the updated traffic arrangements provided by the applicant were referred to TfNSW and that any comments provided by TfNSW have been addressed.
3. Consideration of the safety and manoeuvrability aspects for vehicles entering the staff car park (P4) from the east, using the roundabout, and clarification of traffic control arrangements for this intersection.
4. A statement confirming that the precondition to the grant of consent established by Chapter 4: Koala Habitat Protection 2021, Clause 4.9(2) of SEPP Biodiversity and Conservation (2021) has been satisfied with regard to the likely impact the development on koalas and/or koala habitat.
5. Details of the location of mechanical plant for P10 and justification for the proposed acoustic wall. Consideration in this regard should be given to;
 - a. options and alternative mitigation measures available to negate the need for the acoustic wall; and
 - b. any amendments required to the acoustic report and other relevant plans in response to any changes or updated provisions relating to the need for the acoustic wall and ongoing monitoring of noise from mechanical plant.
6. Consideration of the potential glint and glare impacts from proposed building P10 on residential receptors particularly to the east.
7. Consideration of opportunities for additional landscaping to provide a more sympathetic outlook for residents located to the east of building P10 taking into consideration the need to establish the APZ.
8. Further detail relating to proposed landscaping treatments including location, species type, maturity and maintenance.

9. In the event that the Panel is of a mind to determine to approve the application, the provision of updated draft conditions of consent which include:
- Various administrative amendments throughout the document to ensure clarity of the intent, timing and operation of the recommended conditions.
 - Clarification of the intent and content of the required Plan of Management for the facility with a focus on the out of school hours use of P10;
 - The provision of a dilapidation report to provide a reference point for any public asset rectification works; and
 - The inclusion of any updated reports (i.e. acoustic report) and approved landscape plans in the appropriate schedule.

The Panel expects the revised information referred to above to be submitted to Council within 4 weeks from the date of this deferral record. Council is requested to update its updated assessment report and amended recommended conditions of consent within 2 weeks of the receipt of revised information. Should the revised information from the applicant not be provided within 4 weeks, the Panel may move to determine the DA based on the information currently at hand.

When this information has been received, it will be uploaded to the Department of Plannings website, and the Panel will determine the matter electronically.

The decision to defer the matter was unanimous. The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

PANEL MEMBERS	
 Christopher Wilson (Chair)	 Susan Budd
 Amber Schutz	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSTH-169 – Eurobodalla - DA0078/23
2	PROPOSED DEVELOPMENT	Alterations and additions to existing educational establishment ‘St Peter’s Anglican College’ Broulee
3	STREET ADDRESS	Lot 1 DP1037342 [61 Train Street Broulee]
4	APPLICANT/OWNER	Iain Davidson / COLLIERS INTERNATIONAL HOLDINGS (AUSTRALIA) LTD
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 (Resilience and Hazards) 2021 State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 Eurobodalla Local Environmental Plan 2012 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Eurobodalla Residential Zone Development Control Plan 2011 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: 6 October 2023 Clause 4.6 request seeking to contravene the development standard in relation to Height of Building Written submissions during public exhibition: 17 Verbal submissions at the public meeting: <ul style="list-style-type: none"> Darren McPartland (St Peter’s Anglican College), Mandy McNeill (St Peters Anglican College), Kristy Dorney, Kathy Onstenk. Council assessment officer – Catherine Watkins On behalf of the applicant – Michael Taurasi, Iain Davidson, John Clague, Heather Walsh Total number of unique submissions received by way of objection: 10
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: 7 December 2022 <ul style="list-style-type: none"> <u>Panel members</u>: Chris Wilson (Acting Chair), Renata Brooks, Tim Fletcher, Amber Shutz, Lindsay Usher <u>Council assessment staff</u>: Catherine Watkins, David Meagher, Garry Bruce <u>DPE</u>: Sung Pak Site inspection: 3 May 2023 <ul style="list-style-type: none"> <u>Panel members</u>: Chris Wilson (Chair), Susan Budd, Amber Schutz, Lindsay Usher

		<ul style="list-style-type: none"> ○ <u>Council assessment staff</u>: Catherine Watkins, David Meagher, Gary Bruce, Alistair Robinson • Council / Applicant Briefing: 3 May 2023 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Chris Wilson (Chair), Susan Budd, Amber Schutz, Lindsay Usher ○ <u>Council assessment staff</u>: Catherine Watkins, David Meagher, Gary Bruce, Alistair Robinson ○ <u>Applicant representatives</u>: Ian Davidson (Colliers), Michael Taurasi (Colliers), John Clague (Rygate and West), Chris Coath (Stantec), Ingrid Bissaker (Stantec) ○ <u>Other</u>: Amanda Moylan (DPE), Chris Millett (TfNSW) • Final briefing to discuss council's recommendation: 25 October 2023 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Chris Wilson (Chair), Susan Budd, Amber Schutz ○ <u>Council assessment staff</u>: Catherine Watkins, Gary Bruce ○ <u>DPE</u>: Amanda Moylan, Tracey Gillett, Tim Mahoney
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report