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Independent Planning Commission NSW
Level 3, 201 Elizabeth Street
SYDNEY, NSW, 2000

Attention: Jane Anderson

**STATE SIGNIFICANT DEVELOPMENT APPLICATION – 9210
SAINT PETER AND PAUL ASSYRIAN SCHOOL - BUILT FORM APPROVAL**

Jane,

This Planning Submission (the Submission) has been prepared by Willowtree Planning write on behalf of their client, Saint Peter and Paul Assyrian School, in relation to State Significant Development Application 9210 (SSD 9210), for the Site located at 17-19 Kosovitch Place, Cecil Park, legally defined as Lot 2320 and Lot 2321 in DP 1223137. The application seeks approval for the construction and operation of a new primary school in six (6) construction stages to accommodate up to 630 students and 35 staff members. Notification is currently open until 19th February 2021.

The Independent Planning Commission (IPC) has reviewed SSD 9210 submission documentation, the Department of Planning, Industry and Environment (DPIE) Assessment Report and undertaken meetings with the Applicant, DPIE and Fairfield City Council.

Following on from the briefing meeting, Willowtree Planning would like to take the opportunity to provide a written submission to the IPC in relation to the proposed draft conditions of consent. The subject of the submission will be to provide specific commentary on the draft conditions of consent that will form part of any future determination.

In principle we are in agreeance with the assessment report and recommended conditions.

Our concern remains particularly with the wording of conditions where Fairfield City Council and/or Transport for NSW (TfNSW) are to endorse aspects of the proposed development and the lack of accountability for both the aforementioned parties to provide their endorsement within a reasonable timeframe.

In recognition of the history of the application and the significant push back from Council and subsequent delay from TfNSW, our client is concerned that as there is no prescribed timeframe to which either Council or TfNSW are to provide feedback and/or endorsement to the applicable condition of consent. Therefore, there is no accountability and the matter may only be further dragged out and no certainty is provided the applicable works, that are instrumental to the delivery of the project, will in fact be approved.

We request that the IPC review the conditions and impose either a timeframe for either Council or TfNSW to respond/provide sign-off and if this is not achieved, the planning secretary is to step in and be the moderator in the process.

It is acknowledged Condition A15 states the following:

In the event of a dispute between the Applicant and a public authority, in relation to an applicable requirement in this approval or relevant matter relating to the Development, either party may refer the matter to the Planning Secretary for resolution. The Planning Secretary's resolution of the matter must be binding on the parties.

In light of the above, we formally request where endorsement is required from either Fairfield City Council and/or Transport for NSW, the nominated authority must provide a response within **28 days**. If the request is not adequately acknowledged the planning secretary will become the moderator to resolve the matter at hand.

In addition to the above, it is formally requested Condition B13(b)(iv) be deleted, as works are required on both the western and eastern side of the centre line (refer to **Appendix A**). Presently, Condition B13(b)(iv) states:

B13. Prior to the issue of the construction certificate for the intersection upgrade works to Wallgrove Road and Kosovich Place intersection proposed in Stage 1 of the development, the Applicant must:

(b) submit plans that are generally in accordance with concept plans "Figure 2 – Proposed Intersection Layout" provided in the Supplementary Traffic Modelling prepared by McLaren Engineering dated 9/11/2020, unless alternate design is agreed with TfNSW, and include (but not limited to and altered as agreed with TfNSW):

(iv) details to demonstrate that all works within Wallgrove Road are restricted to the western side of its centre line;

As identified in **Appendix A**, the following works will be required to Wallgrove Road:

- New linemarking along Wallgrove Road;
- Centreline of Wallgrove Road not proposed to be moved to minimise disruption to existing road formation;
- Typically, works north of Kosovich Place will constitute line marking only;
- Works to the south of Kosovich Place will include road widening to the west of the centreline and line marking on both sides of the road.

As works are proposed to both the eastern and western side of the centre line of Wallgrove Road, it is formally requested Condition B13(b)(iv) is deleted.

Once again, we would like to commend the IPC as well as the DPIE for preparing the assessment of **SSD 9210** in a timely manner in order to reach a favourable determination.

To further discuss the proposed response, please do not hesitate to contact Ashleigh Smith on 0499 888 691 or via email asmith@willowtp.com.au.

Yours faithfully,



Ashleigh Smith
Associate
Willowtree Planning Pty Ltd
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Enclosed:

Attachment 1: Kosovich Place/Wallgrove Road Intersection Concept