

2016HCC029 (DA 13-1109) EDUCATIONAL ESTABLISHMENT (INT DEV)

Briefing paper - 8th September 2016

Regional Development Criteria: Cl6(b), Sch4A *Environmental Planning & Assessment Act 1979* (NSW)
- Private infrastructure and community facilities over \$5 million, *educational establishments*

SITE DESCRIPTION

Lot 1 DP 1220220, 24 Heritage Drive CHISHOLM

The subject lot was recently identified as Lot 1717 in DP1206108 at 24 Heritage Drive Chisholm, on the 16th August 2016, the lot became registered as Lot 1 in DP1220220. The land is zoned R1 General Residential under the Maitland LEP 2011. The lot is a corner lot with frontage to Heritage Drive and Tigerhawk Drive, primary distributor roads within the wider developing residential subdivision known as Waterford County Estate.

The subject site contains the partly constructed and operating St Aloysius Primary School. Stage 1 of the Educational Establishment has been constructed on the southern proportion of the site with four buildings constructed to cater for the currently enrolled 383 students. The site has existing consent for a two staged development, with up to 420 students and 27 full time equivalent staff. Tigerhawk Drive, is operating as the bus bay and Stage 1 of the onsite carpark, and Kiss and ride lanes have been constructed internally providing 18 parking spaces, plus one additional accessible parking space onsite. (*Note Grasshawk Drive has been renamed Tigerhawk Drive*)



This modification application seeks to increase the development to allow a 3 staged development, increase the number of students to 630, increase full time equivalent staff to 42 staff, and increase onsite parking to 42 spaces, plus the additional accessible space. This proposal requires a Section 100b authorisation under the *Rural Fires Act 1997* (NSW). Consideration under the provisions of the SEPP (Infrastructure) 2007 is required for Traffic Generating Development, and referral to the RMS who have provided their comments accordingly. An aerial photograph of the subject site is provided below.

The original consent was approved by the Joint Regional Planning Panel on 16th September 2013. Since this time two modification applications were considered under delegated authority to minor changes to the original consent such as street elevation, relocation of pedestrian entry etc.

PROPOSAL

Development Cost: \$9,190,500 (Inc. GST).

The modification seeks an amended consent for:

- Allowing a Three-Stream School;
- An Increase of the total capacity of students to 630 (an additional 210 students);
- An increase of staff to 42 x full-time equivalent staff (an additional 15 staff) ;
- An increase to the floor area of the second Block A, and addition of a second storey increasing the floor area by a minimum of 350sqm;
- An increase to onsite parking to 42 car parking spaces (an additional 14 spaces) , plus 1 x accessible space as already provided onsite;
- Removal of selected trees;
- Amend one of the sporting courts to an artificial turf court;
- An increase to the gross floor area by a minimum of 350sqm for Wing B and maintaining the maximum building height of 9.4 meters.

The internal road loop and Kiss and ride-Off Zone remains unchanged.

This application was advertised and notified from 9th May 2016 to 23 May 2016, and during this time **no** submissions were received.

DOCUMENTATION

Application To Modify A Consent	27 April 2016	Maitland City Council Form, Completed by Applicant and owners signature
Cover Letter	19 March 2016	QOH Architects Pty Ltd
Owners Consent	15 August 2011	Diocese of Maitland and Newcastle
	-	Site Photos
Bushfire Assessment Report	15 April 2016	Newcastle Bushfire Consulting
Traffic and Parking Assessment	April 2016	Intersect Traffic Pty Ltd
Plans		
Architectural Plans - Job No. 128ON	• DA001, DA101, DA102, DA911 - Rev 8, 02.08.16 • DA206, DA207, DA900, DA910 - Rev 7, 20.04.16 • DA910 - Rev 7, 02.08.16 • DA200, DA201-205, DA231-234, DA300-307, DA350-351 - Rev 6, 20.04.16 • DA100 - Rev 9, 02.08.16 • DA230 - Rev 5, 20.04.16 • DA940-941 - Rev 1, 02.08.16	
Landscape Plans - Job No. 955	• DA800 - Rev 3, 20.04.16 • DA801-804 - Rev 2, 20.04.16 • DA805 - Rev 3, 20.04.16	
Stormwater Management	• DA01 - DA04 - Issue B, 12.04.16	

Plans – NE150350	• DA00 - Issue A, 21.04.16 • DA05 - Issue A, 08.04.16	
Additional Information Traffic Assessment	7 July 2016	Intersect Traffic
Additional Information Response to Council's request for information	13 July 2016	Documents comprising: • Letter dated 11 July 2016; • DD0910 Bus Parking Plan dated 30 June 16. (superseded)
Additional Information Response to Council's request for information	2 August 2016	Documents comprising: • Letter dated 2 August 2016; • Amended Architectural Plans, DA001, DA100-102, DA910-911, DA 940-941 (previous plans superseded)
Additional Information Full copy set of amended plans	17 August	Documents comprising: • A full set of architectural development plans

PROCESS

22 April 2016	Modification lodged
9 May 2016 to 23 May 2016	Advertising and Public notification
4 May 2016	Referral to NSW RFS
6 May 2016	Referral to NSW RMS
27 June 2016	RMS response to the application received
29 June 2016	Council issued a letter for additional information, requesting generally: ○ Confirming specific details of the modification(s); ○ Update of plans to show current lot boundaries, at that time; ○ Raised concerns over Traffic impacts due to increase in students with no road treatments, or an increase in internal kiss and drop facilities onsite. ○ Provision of an estimate of traffic distribution anticipated as a result of the increase and this impact to the local road network; ○ Treatment of the existing intersection to cater for the increase in Primary School vehicular traffic entering and existing the site, and potential queuing impacts on the locality; ○ Provision of a traffic management plan for the Primary School that will be implemented onsite to manage onsite traffic and parking, and minimise on street queuing, and a flowing kiss and ride facility.
30 June 2016	Meeting with Applicant to discuss the proposal and outstanding concerns.
13 July 2016	Additional information provided by the applicant, included: • Additional Information – Traffic Assessment • Letter dated 11 July 2016; • DD0910 Bus Parking Plan dated 30 June 16. (was superseded)
25 July 2016	Council issued letter for further additional information: • Requesting further detail on the traffic factors and Council requested amendments; ○ To the intersection of School driveway to provide a median strip within Heritage Drive as per the DCP to cater for the increase in traffic movements and prevent Right Hand Turning of traffic into and out of the school access drive; ○ Amendment to the Bus Parking; ○ Further justification of estimated traffic volumes to enter and exit the site, and functioning of the Kiss and Ride facility; and ○ Amendments to plans to only show development subject of this consent and not future development proposed onsite separate to the Primary School.

26 July 2016	Rural Fire Service provided General Terms of Approval
2 August 2016	Additional information provided by the applicant relating to request for additional information. Provided: - Letter dated 2 August 2016; - Amended Architectural Plans, DA001, DA100-102, DA910-911, DA 940-941
17 August 2016	Applicant provided a full copy set of DA Architectural plans
08 September 2016	JRPP Briefing and Determination

General Terms of Approval from the NSW Rural Fire Service have been received. Comment has also been received from NSW RMS. No significant matters have been raised in this correspondence.

CONDITIONS TO BE MODIFIED AS A RESULT OF THIS APPLICATION

It is noted the applicant provided no reference to conditions of consent, specifically requested to be modified or amended as part of this application. Detail as to the proposed changes were provided in the submitted covering letter dated 19th March 2016. Hence, Council assessed the proposal, and modified the consent and the relevant conditions as required to cater for the proposed amendment of the original Development Consent. Updates were also applied to the amended Schedule of Conditions to reflect previous modification application changes to the original conditions and dated accordingly for reference.

Below is a table giving a summary of conditions that were respectively deleted, amended or added to cater for the modified development, the reasons for the change, and the section of the Assessment Report which deals with each change.

Condition Number	Modification	Reason	Relevant Section of the Assessment Report
<i>COC. 1</i>	Amended Condition	Plans associated with the development proposal have been amended and replaced	No relevant section. Items detailed within the body of the report.
<i>COC. 4</i>	Amended Condition	Amended to allow the additional construction staging as requested	" <u>Proposal</u> " section of the report
<i>COC. 5</i>	Amended Condition	Amended to allow the additional construction staging as requested	No relevant section. Items detailed within amended plans
<i>COC. 6</i>	Condition Amended	Amended to allow the additional construction staging as requested	No relevant section applicable.
<i>COC. 7</i>	Condition Deleted	Deleted as the subdivision certificate subject of this condition has been completed	No relevant section applicable within the assessment report.
<i>COC. 7A</i>	Condition Added	New condition added to satisfy compliance under the SEPP (Infrastructure) in relation to building and landscaping, design and specification standards required for educational facilities	' <u>SEPP (Infrastructure) 2007</u> ' section of the report.
<i>COC. 7B</i>	Condition Added	Condition added in response to RMS and Council assessment to provide a maximum limit on student numbers to ensure compliance onsite. This also is the benchmark that site specific studies or assessments are based on and is applicable to the valid consent for this application.	Items detailed within the body of the report.
<i>COC. 11</i>	Condition Amended	Condition updated to specify the increase in onsite parking for full time employees as per the DCP requirements.	Chapter C.11 Assessment relating to Vehicular Access and Parking, pg.17

COC. 21A	Condition Added	Upon request from the applicant this is a condition applied, to assess the traffic management onsite and appropriate development options as the residential subdivision and the school increases in size. It is intended as a variable condition.	Review sections: - Section 79C(1)(b), Access, Transport and Traffic. - Item 10 of Applicants response - Section 79C(1)(a)(iii), Vehicle Access and Car Parking
COC. 21B	Condition Added	As a continuation of the above, the request by the applicant was for a condition to be applied, to ensure appropriate compliance and management of traffic, and enforcement of this at a later date as required via the variable condition.	Same as above for COC. 21A
COC. 22	Condition Amended	Condition amended to update road name from Grasshawk Drive to Tigerhawk Drive, as it has since been renamed	No relevant section applicable within the assessment report.
COC. 23	Condition Amended	Condition amended to update road name from Grasshawk Drive to Tigerhawk Drive, as it has since been renamed	No relevant section applicable within the assessment report.
COC. 24	Condition deleted	Condition was deleted previously as part of Modification no.1 and was deleted on 12 th February 2014.	No relevant section applicable within the assessment report.
COC. 25.A	Condition Added	Condition was added in response to the applicants request to potentially in the future consider additional on-street, kerbside parking or "no stopping" for pick up and drop of students. This would be a standard Council procedure for any on-road dynamic changes to assess impacts to Councils local road network if proposed.	Review sections: - Section 79C(1)(b), Access, Transport and Traffic. - Item 6(d) of Applicants response - Section 79C(1)(a)(iii), Vehicle Access and Car Parking
COC. 28	Condition Amended	Condition has been amended in response to additional stormwater concept plans provided to cater for the amended building Block A and Wing B which have a greater site coverage than previously proposed. These buildings will connect into the existing and constructed system onsite.	Review sections: Section 79C(1)(b), Water and Soils (pg.24)
COC. 48	Condition Amended	Condition was amended in response to the Rural Fire Service's General Terms of Approval.	No relevant section applicable within the assessment report.
COC. 48	Condition Deleted	Condition was deleted in response to the Rural Fire Service's General Terms of Approval.	No relevant section applicable within the assessment report.
COC. 49	Condition Deleted	Condition was deleted in response to the Rural Fire Service's General Terms of Approval.	No relevant section applicable within the assessment report.
COC. 50	Condition Deleted	Condition was deleted in response to the Rural Fire Service's General Terms of Approval.	No relevant section applicable within the assessment report.

<i>COC. 51</i>	Condition Amended	Condition was amended in response to the Rural Fire Service's General Terms of Approval.	No relevant section applicable within the assessment report.
<i>COC. 53</i>	Condition Amended	Condition was amended in response to the Rural Fire Service's General Terms of Approval.	No relevant section applicable within the assessment report.
<i>Advice H</i>	Advice Deleted	Advice was deleted as the Previous RMS recommended advice in 2013, was incorrectly applied, with reference to a High School, and should have been applied to the Primary School development proposed. Accordingly, this matter has been requested as part of this amended DA assessment and consequently has been removed from the advices schedule, given it has been addressed in the report and new incorporated Conditions of Consent.	Review sections: - Section 79C(1)(b), Access, Transport and Traffic. - Item 6(d) of <i>Applicants response</i> Section 79C(1)(a)(iii), Vehicle Access and Car Parking
<i>Advice I</i>	Advice Added	This Advice was added in response to Councils assessment of potential traffic impact, to ensure future traffic investigation specifically consider the installation of a median strip to accord with Council's, DCP, Chapter C.11 – Vehicular Access & Car Parking, 3.1 Access to the site, which provides road treatment recommendations such as the installation of a median strip, where its perceived that traffic that has right hand turning to a facility, and may result in obstructing through traffic. This aims to lessen on-street congestion.	Review sections: - Section 79C(1)(b), Access, Transport and Traffic. - Item 6(d) of <i>Applicants response</i> Section 79C(1)(a)(iii), Vehicle Access and Car Parking.