

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Meeting held at Francis Greenway Centre, 170 George Street, Liverpool

Panel Members: Mary-Lynne Taylor (Chair), Bruce McDonald, John Griffin, Cllr Sabrina Mamone and
Cllr Peter Ristevski

Apologies: None Declarations of Interest: None

Determination and Statement of Reasons

JRPP Reference – 2016SYW109, LGA – Liverpool City Council, Reference – DA725/2015, Address – 201 Carmichael Drive, West Hoxton, Lot 1013 DP 1079422, Alterations and additions to an existing school, carrying out of after-hours events within school grounds, increase in the number of students and staff and associated landscape and drainage works. Liverpool City Council is the consent authority and the Sydney West Joint Regional Planning Panel has the function of determining authority (proposal is identified as Integrated Development pursuant to s100B of Rural Fires Act 1997)

Date of determination: 3 August 2016

Decision:

The panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

Panel consideration:

The panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

Reasons for the panel decision:

1. The proposed development will add to the supply of education facilities and service within the South Western Metropolitan Subregion and Liverpool local government area on an established school site.
2. The Panel has considered the applicant's request to vary the development standard contained in Clause 4.3 (Height of Buildings) Liverpool LEP 2008 and the additional explanation provided to the Panel at the meeting by the Design Architect and considers that compliance with the standard is unreasonable and unnecessary in the circumstances of this case as the proposed building is located on a large isolated site developed for a non-residential use, the variation will not generate impacts on the nearby residential premises and will facilitate a sports building allowing basketball which is an element of the schools program and allow an arrangement of buildings with floors on a common plane to facilitate mobility between buildings, and so providing a sound design and functional outcome. It is considered the development remains consistent with the objectives of the standard and the applicable R2 Low Density zoning of the subject site.
3. The proposed development adequately satisfies the relevant State Environmental Planning Policies including SEPP 55 Remediation of Land and SEPP (Infrastructure) 2007. However, the Panel requires 3 additional car parking spaces to be located on the school site without limiting the use of the open space provided for student.
4. The proposal adequately satisfies the provisions and objectives of Liverpool LEP 2008 and Liverpool DCP 2008.
5. The proposed development, subject to the conditions imposed, will have no unacceptable adverse impacts on the natural or built environments including the amenity of nearby residential premises or the operation of the local road system and local ecology.
6. In consideration of conclusions 1-5 above the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

Conditions: The development application was approved subject to the conditions in Appendix A of the Council Assessment Report with amendments to Condition 3 and Condition 99. A new condition is added in relation to construction management plan, access of students and 3 parking spaces on site.

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

Condition 3 Plan to Management to read as follows:

Prior to the issue of a Construction Certificate a comprehensive Noise and Traffic Plan of Management is to be submitted to Council's Manager Development Assessment for approval. The Plan of Management is to detail traffic and noise management practices that will be implemented in respect to:

- a) The after-hours school events and the events that are to take place during school hours as stipulated in the approved traffic report. The Plan of Management is to be consistent with all the recommendations stipulated in the approved acoustic report and traffic impact assessment.
- b) **The day to day operations of the school including;**
 - **The parking of students on the surrounding streets**
 - **Management of the pickup and drop off practices**

The Plan of Management is to specifically detail methods that will be implemented during the after school events and the day to day operations of the school that will alleviate the traffic or noise impact on the surrounding residents. Particular emphasis is to be placed on the measures to be implemented during the peak pickup and drop off periods of the school and the times the school will be at a maximum occupancy during the after-hours school events.






Condition 99 to read as follows: Any after-school event or event that is to be undertaken at the educational establishment that does not involve education of the students of the approved curriculum by rostered staff is not to take place more than 30 times within a calendar year. **A maximum occupancy of 1400 people for any after-school event or event that is to be undertaken at the educational establishment that does not involve education of the students of the approved curriculum by rostered staff is permitted only once per year.**

New Condition 1a – 3 parking spaces on site: Prior to the issue of a Construction Certificate amended architectural plans shall to be provided to Council's Manager Development Assessment that detail an additional 3 parking spaces to be provided on site.

New Condition 26 - Construction Management Plan to read as follows: **A comprehensive construction management plan is to be submitted to Council's Manager Development Assessment for approval. The Construction Management Plan is to detail methods that are to be implemented to ensure the safety of students within the school and the surrounding residents during construction of the proposed development. This shall include location of construction vehicle parking and where deliveries are to be received on site**

New Condition 38 - Access of Students to read as follows: Areas of construction on site are to be appropriately cordoned off to prevent access to the construction areas by students. All barriers are to be in place until construction of the building/structures are completed.

Panel members:

 Mary-Lynne Taylor (Chair)	 Bruce McDonald	 John Griffin
 Sabrina Mamone	 Peter Ristevski	

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

SCHEDULE 1	
1	JRPP Reference – 2016SYW109, LGA – Liverpool City Council, Reference: DA725/2015
2	Proposed development: Alterations and additions to an existing school, carrying out of after-hours events within school grounds, increase in the number of students and staff and associated landscape and drainage works. Liverpool City Council is the consent authority and the Sydney West Joint Regional Planning Panel has the function of determining authority (proposal is identified as Integrated Development pursuant to s100B of Rural Fires Act 1997).
3	Street address: 201 Carmichael Drive, West Hoxton, Lot 1013 DC 1079422
4	Applicant/Owner: Fulton Trotter Architects, Trustee of the Roman Catholic Archdiocese
5	Type of Regional development: The proposal is an Educational Establishment with a Capital Investment Value of over \$5million.
6	Relevant mandatory considerations: <ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy No.55 – Remediation of Land Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment State Environmental Planning Policy (Infrastructure) 2007 Liverpool Local Environmental Plan 2008 Draft environmental planning instruments: No draft Environmental Planning Instruments apply to the site. Development control plans: <ul style="list-style-type: none"> Liverpool Development Control Plan 2008 Part 1 – General Controls for all Development Part 3.8 – Non Residential Development in Residential Zones. Planning agreements: No planning agreement relates to the site or proposed development. Regulations: <ul style="list-style-type: none"> Environmental Planning and Assessment Regulation 2000 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> and EPA Regulation. 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 with recommended conditions of consent dated August 2016; The applicant's request to vary the development standard contained in Clause 4.3 (Height of Buildings) Liverpool LEP 2008; Written submissions. <p>Written submissions during public exhibition: 1</p> <p>Verbal submissions at the panel meeting:</p> <ul style="list-style-type: none"> Michael Bonanno Andrew Minto on behalf of the applicant
8	Meetings and site inspections by the panel: 3 August 2016 – Site Inspection and Final Briefing Meeting.
9	Council recommendation: Approval
10	Draft conditions: Attached to Council assessment report