

## SYDNEY NORTH PLANNING PANEL

<b>SNPP No</b>	2017SNH057
<b>DA Number</b>	LDA 2017/0237
<b>Local Government Area</b>	City of Ryde
<b>Proposed Development</b>	Construction of a single storey school building, alterations and additions to the existing administration building, removal of 19 trees and landscape work.
<b>Street Address</b>	No. 47 Lovell Road, Denistone East; and No. 35 Brabyn Street, Denistone East
<b>Applicant/Owner</b>	Applicant: NSW Department of Education Owner: NSW Department of Education
<b>Date Lodged</b>	27 June 2017
<b>Number of Submissions</b>	<u>Public Exhibition 1</u> (6 July 2017 to 2 August 2017) No submissions were received.  <u>Public Exhibition 2</u> (28 July 2017 to 11 August 2017) One (1) submission was received objecting to the proposal.
<b>Regional Development Criteria (Schedule 4A of the Act)</b>	The proposal is listed within Schedule 4A of the Environmental Planning and Assessment Act 1979, being Crown development (educational establishment) with a CIV over \$5 million.
<b>List of All Relevant s79C(1)(a) Matters</b>	<b>Environmental planning instruments: s79C(1)(a)(i)</b> <ul style="list-style-type: none"> <li>State Environmental Planning Policy No.55 – Remediation of Land).</li> <li>State Environmental Planning Policy (Infrastructure) 2007.</li> <li>State Environmental Planning Policy (State and Regional Development) 2011.</li> <li>Ryde Local Environmental Plan 2014.</li> </ul> <b>Development Control Plan: s79C(1)(a)(iii)</b> <ul style="list-style-type: none"> <li>Ryde Development Control Plan 2014.</li> </ul>
<b>List all documents submitted with this report for the Panel's consideration</b>	Appendix A - Plans; and Appendix B - Conditions.
<b>Recommendation</b>	Approval with Conditions
<b>Report by</b>	Tony Collier – Acting Senior Coordinator Major Development
<b>Date</b>	7 November 2017

## Assessment Report and Recommendation

### EXECUTIVE SUMMARY

Development consent is sought for demolition works, alterations and additions to the existing Administration building, the construction of new Home Base building and landscape works at the Denistone East Public School.

The application was lodged by the NSW Department of Education (DoE) on 27 June 2017 involves Crown development (educational establishment) with a capital investment value over \$5 million.

Therefore, the application is referred to the Sydney North Planning Panel (SNPP) for determination pursuant to Part 4 (Regional Development) of *State Environmental Planning Policy (State and Regional Development) 2011* and Schedule 4A of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The site is located within a SP2 (Infrastructure – Educational Establishment) zone and the development is ordinarily incidental or ancillary to development for the purpose of an Educational Establishment and is therefore permitted with consent.

The zone is not subject to any Development Standards prescribed by the *Ryde Local Environmental Plan 2014*. Notwithstanding, the development provides for a modest double and single storey scale commensurate to existing school buildings on the site and surrounding residential development.

The site is not subject to any particular built form controls prescribed by the *Ryde Development Control Plan 2014*. The setbacks for the development (particularly from Brabyn Street) are generally considered to be in keeping with the unique purpose of the school and do not offend the character of the streetscape or surrounding development.

The total student capacity following the addition of the permanent classrooms is to remain at around 800, the equivalent of the enrolment levels in 2009.

Car parking for up to 42 vehicles is already provided on the site which exceeds compliance with the relevant provisions of the *Ryde Development Control Plan 2014*.

The application was publicly exhibited twice since lodgement. One (1) submission against the proposal was received during the second public exhibition period.

The development has been assessed under Section 79C of the EP&A Act 1979 and is considered to be satisfactory and in the public interest. Accordingly, it is recommended that the application be approved subject to the conditions of consent contained in Appendix B.

## **APPLICATION DETAILS**

Applicant: NSW Department of Education

Owner: NSW Department of Education

Estimated value of works: \$8,800,000

Disclosures: No disclosures with respect to the Local Government and Planning Legislation Amendment (Political Donations) Act 2008 have been made by any persons.

## **THE SITE**

The school straddles nine (9) allotments which are contained within two (2) distinct groups being No. 47 Lovell Road and No. 35 Brabyn Street.

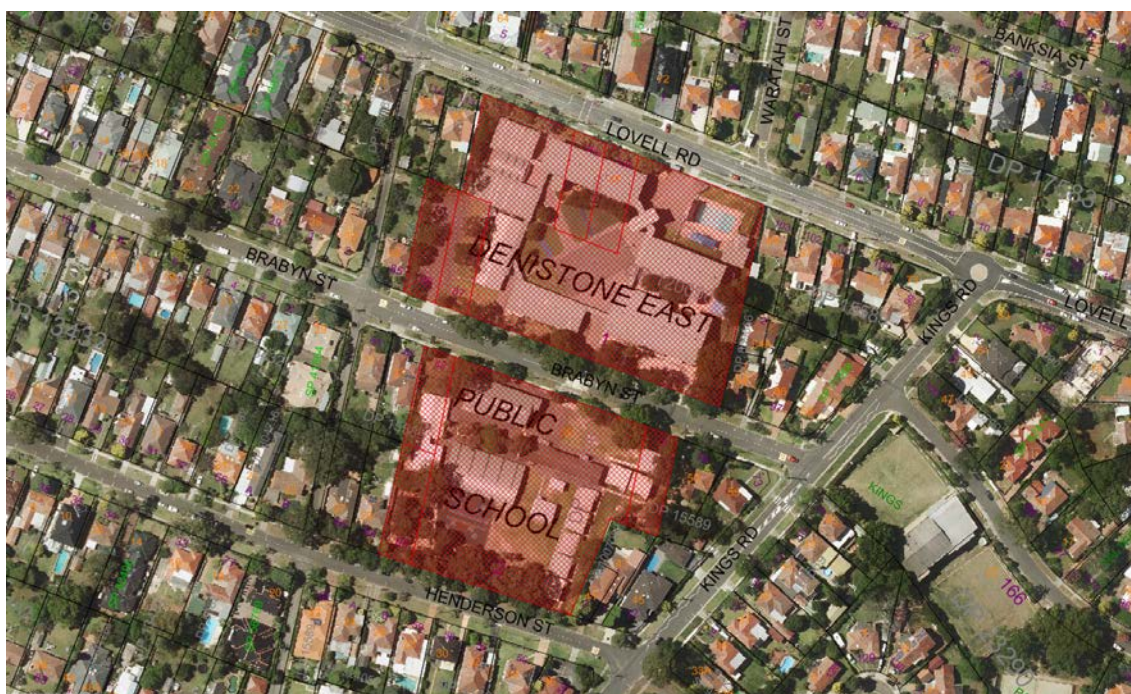
The school site includes the following lots (all of which are owned by the NSW Department of Education):

- Lot 1 in DP 120096, No. 47 Lovell Road, Denistone East;
- Lot 86 in DP 15589, No. 47 Lovell Road, Denistone East;
- Lot 87 in DP 15589, No. 47 Lovell Road, Denistone East;
- Lot 108 in DP 15589, No. 47 Lovell Road, Denistone East;
- Lot 109 in DP 15589, No. 47 Lovell Road, Denistone East;
- Lot 2 in DP 120096, No. 35 Brabyn Street, Denistone East;
- Lot 65 in DP 15589, No. 35 Brabyn Street, Denistone East;
- Lot 75 in DP 15589, No. 35 Brabyn Street, Denistone East; and
- Lot 82 in DP 15589, No. 82 Brabyn Street, Denistone East.

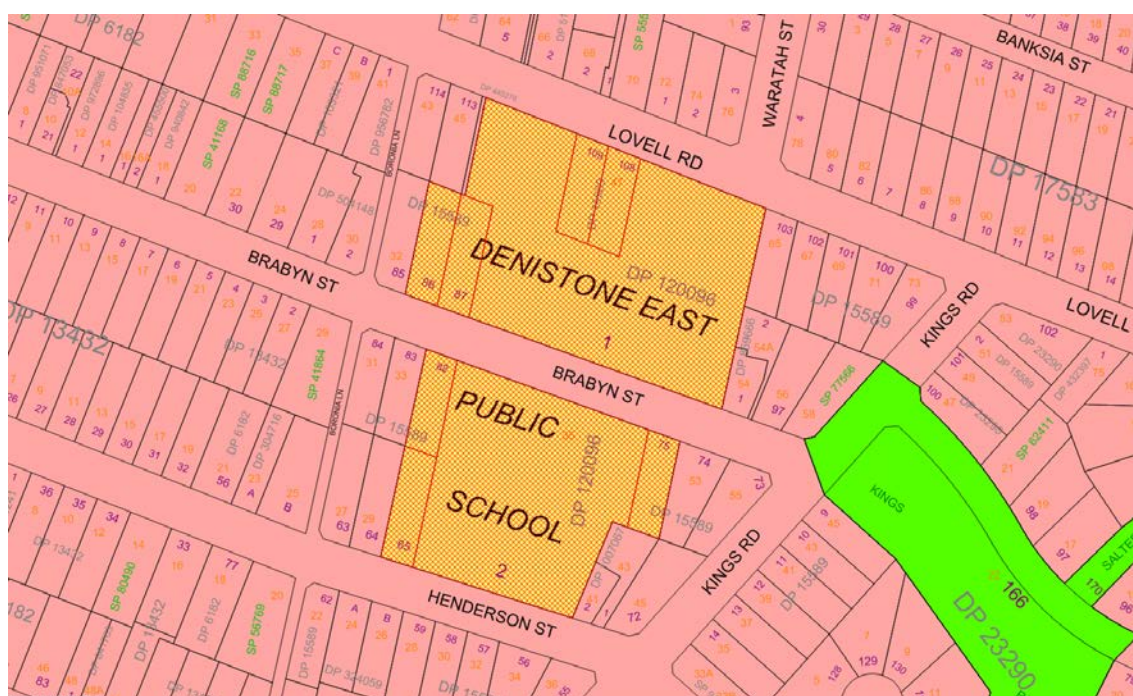
Despite the above, the development (the subject of this application) occurs on the following lots only:

- Lot 1 in DP 120096, No. 47 Lovell Road, Denistone East;
- Lot 2 in DP 120096, No. 35 Brabyn Street, Denistone East; and
- Lot 75 in DP 15589, No. 35 Brabyn Street, Denistone East.

Figures 1 and 2 below show the site in its built and zoning context respectively.



**Figure 1** – Aerial view of the subject site



**Figure 2** – Zoning of the site and its surrounds

The site has a total area of 24,280m<sup>2</sup> and accommodates a variety of single and double storey school buildings and associated support facilities.

According to the information provided by the applicant (see Table 1 below), enrolment at the school has dropped from 865 students in 2013 to 752 students in 2017 (almost equivalent to enrolment in 2006). The school employs 75 staff.

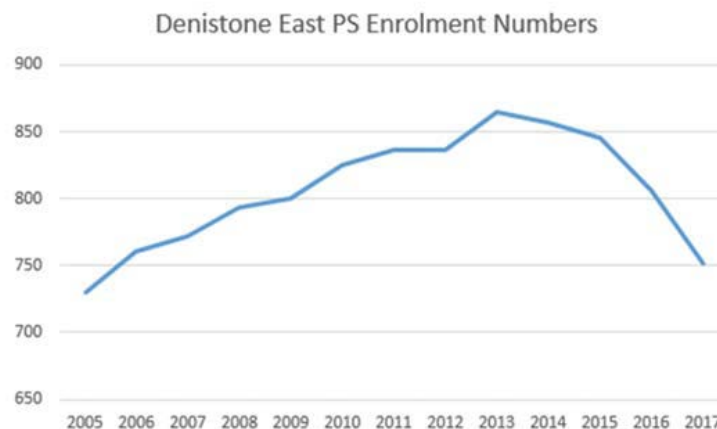
Year	Enrolment
2005	730
2006	761

Year	Enrolment
2007	772
2008	793
2009	800
2010	825
2011	836
2012	836
2013	865 (peak)
2014	857
2015	845
2016	806
2017	752

**Table1** – Student numbers.

**Source** – Letter from applicant dated 3 October 2017

The decline in student numbers following the peak enrolment of 2013 is represented in Figure 3 below:



**Figure 3** – Graph representation of student numbers

**Source** – Letter from applicant dated 3 October 2017

The applicant advises that the total student capacity following the addition of the permanent classrooms is to remain at around 800, the equivalent of the enrolment levels in 2009.

Car parking for a total of 42 vehicles is provided on-site. A 10 space car park is accessed from Lovell Road and a 32 space car park is accessed from Brabyn Street.

Two boom gates are located within Brabyn Street and at opposite ends of the school. The boom gates are operated by school staff and close off Brabyn Street to through-traffic during school hours.

The site is located within a SP2 (Infrastructure – Educational Establishment) zone and is surrounded by the R2 Low Density Residential zone.

The Kings Park Reserve is located approximately 77m to the east along Brabyn Street and across Kings Road. The Reserve is zoned RE1 Public Recreation.

Surrounding development is reflective of the R2 zone and consists of single and double storey detached dwellings in domestic landscaped settings.



## THE PROPOSAL

### Crown Development

The subject application was lodged by NSW Department of Education and is classified as Crown Development under the provisions of Part 4, Division 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Section 89(1) and (2) of the EP&A Act are relevant to the processing and determination of Crown Development and states:

- 1) *"A consent authority (other than the Minister) must not:*
  - a) *refuse its consent to a Crown development application, except with the approval of the Minister, or*
  - b) *impose a condition on its consent to a Crown development application, except with the approval of the applicant or the Minister.*
- 2) *If the consent authority fails to determine a Crown development application within the period prescribed by the regulations<sup>1</sup>, the applicant or the consent authority may refer the application:*
  - a) *to the Minister, if the consent authority is not a council<sup>2</sup>, or*
  - b) *to the applicable regional panel, if the consent authority is a council."*

Section 89(5) is also relevant and states:

- 5) *"If an applicable regional panel fails to determine a Crown development application within the period prescribed by the regulations, the applicant or the panel may refer the application to the Minister."*

Notes:

1. For the purposes of Section 89(2) and 89(5), the periods prescribed by Section 113B of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) is 70 days after the application is lodged with the consent authority or 50 days after the application is referred to the Sydney North Planning Panel.
2. The consent authority for this application will be the Sydney North Planning Panel.

The conditions included under Appendix A of this report have been reviewed and agreed upon by the applicant in accordance with s.89(1)(a) of the EP&A Act, 1979.

### Description of the Development

The applicant seeks consent for:

- Alterations and additions to the existing administration building (located on the Lovell Road site);
- Construction of a new Home Base building (located on the Brabyn Street site); and
- Landscape works.

Figure 4 below details the location of the Administration Building and the proposed new building:



**Figure 4** – Location of buildings on the site.

**Source:** Cover Sheet Landscape Architectural Package dated 16 June 2017 as prepared by Conrad Gargett Ancher Mortlock Woolley.

The application aims to provide students with learning spaces that comply with the Educational Facilities Standards and Guidelines (EFSG).

There will be no change to the current school population as a result of the development.

#### Administration Building

The alterations and additions to the existing Administration Building involves:

- Demolition of Internal partitions and south-western external corner wall, steps and deck (which currently forms the entry);
- Construction of a new single storey extension along the southern side of the existing building (facing Brabyn Street); and
- Installation of new internal partitions to provide for a reconfigured office layout.

The new extension will include an entry, staff room and roof overhang across the pedestrian link into the school grounds from Brabyn Street.

Figure 5 below depicts the view of the extended Administration Building from Brabyn Street.



**Figure 5 – Montage of the Administration Building**

**Source:** Plan No. DA310 dated 29 May 2017 as prepared by Conrad Gargett Ancher Mortlock Woolley.

### Home Base Building

The construction of the new Home Base building involves:

- A two storey building abutting the existing two storey building facing Brabyn Street and the single storey building to the west; and
- A single storey building abutting the new two storey building facing Brabyn Street and the existing single storey building to the west.

The new building will be constructed on a slab which will become suspended as the building extends to the south.

The building will accommodate the following rooms and areas:

- 1 x Special Programmes Room;
- 4 x Collaborative Learning Areas;
- 2 x Practical Activities Areas;
- 7 x Withdrawal Zones;
- 1 x Shared Withdrawal Area; and
- 1 x Covered Outdoor Learning Area.

The building is designed to respond to the traditional architecture of the existing school and to the low scale residential area which surrounds the site.

Figure 6 below depicts the view of the Home Base Building from Brabyn Street.





**Figure 6 – Montage of the Home Base Building**

**Source:** Plan No. DA310 dated 29 May 2017 as prepared by Conrad Gargett Ancher Mortlock Woolley.

### Landscape works and tree removal

Of the 41 trees inspected on the site, the application proposes the removal of 19 trees as a result of the development and replacement planting.

The majority of trees to be removed are concentrated within the northern and eastern side of the Brabyn Street site (immediately adjacent to the proposed Home Base building).

The Arboricultural Impact Assessment lists the trees scheduled for removal as follows:

Tree No.	Tree Species	Reason for Removal
4	Queensland Brushbox	Unacceptable impact from building construction, new surfacing and/or proximity.
16	Narrow Leaved Apple	Removal of existing surfacing/structures and/or installation of new surfacing/structures.
19	Blue Jacaranda	Removal of existing surfacing/structures and/or installation of new surfacing/structures.
20	Bauhinia	Removal of existing surfacing/structures and/or installation of new surfacing/structures.
21	Old Man Banksia	Removal of existing surfacing/structures and/or installation of new surfacing/structures.
22	Coastal Banksia	Removal of existing surfacing/structures and/or installation of new surfacing/structures.
22A	Weeping Bottlebrush	Removal of existing surfacing/structures and/or installation of new surfacing/structures.
22B	Weeping Bottlebrush	Removal of existing surfacing/structures and/or installation of new surfacing/structures.
22C	Weeping Bottlebrush	
22D	Weeping Bottlebrush	
23	Camphor Laurel	Unacceptable impact from building construction, new surfacing and/or proximity.
23A	Eucalypt	Removal of existing surfacing/structures and/or installation of new surfacing/structures.

Tree No.	Tree Species	Reason for Removal
24	Swamp Oak	Unacceptable impact from building construction, new surfacing and/or proximity.
25	Sydney Blue Gum	Unacceptable impact from building construction, new surfacing and/or proximity.
26	Sydney Blue Gum	Unacceptable impact from building construction, new surfacing and/or proximity.
26A	Lilly Pilly	Unacceptable impact from building construction, new surfacing and/or proximity.
27	Red Ironbark	Removal of existing surfacing/structures and/or installation of new surfacing/structures.
27A	Blueberry Ash	Removal of existing surfacing/structures and/or installation of new surfacing/structures.
27B	Lemon Scented Tea Tree	Removal of existing surfacing/structures and/or installation of new surfacing/structures.

**Table 2** – List of trees to be removed.

**Source:** Arboricultural Impact Assessment dated 9 May 2017 and referral response from Council's Consultant Landscape Architect.

Council's Consultant Landscape Architect advises that the two Sydney Blue Gums are not remnant.

### Replacement Planting

The applicant has provided an amended Surface Finishes Plan which includes a planting schedule proposing the planting of 19 replacement trees around the northern and eastern perimeter of the Brabyn Street site.

The replacement trees consist of the following:

Tree Species	Number of Trees	Pot Size	Height & Spread
She Oak	6	100ltr	2.0m x 100mm
Euomundi Quondong	4	400ltr	3.5m x 1.5m
Jacaranda	4	400ltr	4.0m x 2.0m
Brush Box	6	400ltr	3.5m x 1.5m

### **APPLICABLE PLANNING CONTROLS**

The development is subject to consideration under the following planning instruments and controls:

- Environmental Planning and Assessment Act, 1979;
- Environmental Planning and Assessment Regulation, 2000;
- State Environmental Planning Policy No. 55 –Remediation of Land;
- State Environmental Planning Policy (Infrastructure) 2007;
- State Environmental Planning Policy (State and Regional Development) 2011; and
- Ryde Local Environmental Plan 2014; and
- Ryde Development Control Plan 2014.

### **PLANNING ASSESSMENT**

## **Environmental Planning and Assessment Act, 1979 (EP&A Act)**

The relevant matters for consideration under Section 79C of the EP&A Act, are:

### **Section 79C(1)(a)(i) – Provisions of any environmental planning instrument**

#### ***State Environmental Planning Policy No. 55 – Remediation of Land***

Clause 7(1)(a) of State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) states that a consent authority must not consent to the carrying out of any development on land unless:

- *It has considered whether the land is contaminated, and*
- *If the land is contaminated, it is satisfied that the land is suitable in its contaminated state for the purpose for which the development is proposed to be carried out, and*
- *If the land requires remediation to be made suitable for the development proposed to be carried out, it is satisfied that the land will be remediated before the development is carried out.*

The application includes a *Hazardous Materials Risk Assessment* dated February 2017 and a *Soil Contamination Investigation* dated October 2017 as prepared by Greencap.

#### **Hazardous Materials**

The Hazardous Materials Risk Assessment examined 14 buildings which (with exception to Block O – Special Purpose – Ground Level) were identified as containing low levels of Non-Friable asbestos, Synthetic Mineral Fibre (SMF) and or Ozone Depleting Substances (ODS).

The Assessment includes a number of recommendations (short and medium term) to monitor, manage and/or remove the afore-mentioned contaminants.

#### **Soil Contamination**

The Soil Contamination Investigation sank seven (7) boreholes in and around the location of the proposed works.

The Investigation concludes:

*“Based on a review of the available desktop search data, observations made during the site walkover and the soil sampling. Greencap consider the site to be suitable is for the intended land use consistent with NEPM (NEPC, 2013) Recreational C - Developed Open Space Land Use. It is noted, that no soil samples have been collected from under buildings nor the bitumen covered areas onsite, from which the potential remains for contamination to be present.*

*It is recommended an Unexpected Findings Protocol (UFP) be developed as part of the construction planning for implementation during Site activities primarily associated with demolition, excavation and civil activities. Preparation of an UFP is to recommended ensure appropriate management of fill (and natural soils) which*

*may contain wastes or undefined levels of chemical or asbestos contamination should they be encountered during site works."*

Both reports were referred to the Council's Environmental Health Officer who raised no objection to the proposal subject to the imposition of conditions which address contaminated land requirements and a requirement to notify Council about any new contamination evidence during works.

Therefore, given the above findings and recommendations, it is considered that, subject to appropriate conditions, the site can be made suitable for the proposed development.

See **Conditions 25, 35 to 44, 47 and 59.**

### ***State Environmental Planning Policy (Infrastructure) 2007***

#### **Ausgrid**

Clause 45 of the SEPP requires the Consent Authority to consider any development application (or an application for modification of consent) for any development carried out:

- *Within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists);*
- *Immediately adjacent to an electricity substation; or*
- *Within 5m of an exposed overhead electricity power line.*

#### Comment

The two components of the development are not located within or immediately adjacent to an easement for electricity purposes.

It is noted that an exposed overhead electricity power line runs along the eastern side of Brabyn Street adjacent to the proposed Home Base building. However, the new building will be setback approximately 8.5m from the power line.

An electricity substation kiosk is located approximately 33m to the south of the proposed Administration Building extension and 26m west of the proposed Home Base building.

The development does not occur within any of the criteria listed under Clause 45. Therefore, the application was not referred to Ausgrid for their consideration.

#### **Roads & Maritime Service (RMS)**

Pursuant to Clause 106(1) (a) the clause applies to new premises of the relevant size or capacity. (2) In this clause, "relevant size or capacity" means:

*"in relation to development on a site that has direct vehicular or pedestrian access to any road - the size or capacity specified opposite that development in Column 2 of the Table to Schedule 3".*

Clause 106 'Traffic generating development' of the SEPP requires the application be referred to the RMS within 7 days, and take into consideration any comments made within 21 days, if the development is specified in Schedule 3 of the SEPP.



Schedule 3 of the SEPP requires that the following educational establishments are referred to the RMS as Traffic Generating Development:

Purpose of Development (The development may be the erection of new premises or the enlargement or extension of existing premises)	Size of Capacity Site with access to any road	Size or Capacity Site with access to classified road or to a road that connects to a classified road if access is within 90m of connection, measured along the alignment of the connecting road
<b>Educational Establishments</b>	50 or more students	This column is left blank under Schedule 3

### Comment

Although the development does not propose to increase the school population, it does involve the extension of existing premises. As such, the application was referred to the RMS under Schedule 3 of the SEPP as Traffic Generating Development.

In their response, the RMS states:

*“Roads and Maritime has reviewed the submitted application and notes that proposed works include replacing existing temporary demountable units with a new permanent home building and an extension to the existing administration building.*

*It is further noted that the student numbers are not proposed to increase as a result of the proposed works. Furthermore the development will have minimal traffic impact on the classified road network, therefore Roads and Maritime raises no objection to the proposed development.”*

### **State Regional Environmental Plans (SREPS)**

#### ***Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005***

This Plan, now a deemed State Environmental Planning Policy, applies to the whole of the Ryde local government area.

The aims of the Plan are to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways by establishing planning principles and controls for the catchment as a whole.

The site is over 3km from the nearest point of Sydney Harbour. As such, it is not considered the proposed development will have a significant visual impact on Sydney Harbour and the catchment and there are no specific controls that directly apply to this proposal.

### **Local Environmental Plans**

#### ***Ryde Local Environmental Plan 2014 (RLEP 2014)***

The following is an assessment of the proposed development against the applicable provisions from the Ryde Local Environmental Plan 2014.

### Clause 2.2 - Zoning

The site is zoned SP2 (Infrastructure – Educational Establishment) under the RLEP 2014.

### Clause 2.3 – Zone Objectives

The Objectives of the zone are:

- *To provide for infrastructure and related uses.*
- *To prevent development that is not compatible with or that may detract from the provision of infrastructure.*
- *To ensure the orderly development of land so as to minimise any adverse effect of development on other land uses.*

The proposed development is ordinarily incidental or ancillary to development for the purpose of an Educational Establishment and is therefore permitted with consent.

### Development Standards

The site is not subject to any development standard prescribed under Part 4 of the RLEP 2014.

## **Other provisions**

### 5.12 - Infrastructure development and use of existing buildings of the Crown

The development, for the use of existing and new buildings of the Crown, is proposed to be carried out by the Crown. Therefore, the RLEP 2014 does not:

- a) restrict or prohibit, or enable the restriction or prohibition of, the carrying out of any development, by or on behalf of a public authority, that is permitted to be carried out with or without development consent; or
- b) restrict or prohibit, or enable the restriction or prohibition of, the use of existing buildings of the Crown by the Crown.

### 6.1 - Acid Sulfate Soils

Development consent is required for the carrying out of works described in Acid Sulfate Soil Class 1 to 5 land.

The site is not located in Class 1 to 5 land and is therefore not affected by acid sulphate soils.

### 6.2 - Earthworks

The RLEP 2014 Dictionary defines Earthworks as excavation or filling.

Consent is required for earthworks unless the earthwork is exempt development or ancillary to development that is permitted without consent.

The development proposes to construct:

- a) the extension of the Administration building over a pad which is at grade to the existing ground level; and
- b) the Home Base building on a suspended slab at the southern end due to the slope of the land. The Geotechnical Investigation submitted with the application notes that *“at this stage it appears that the floor will be fully suspended and that extensive earthworks will not be carried out to achieve design floor levels”*.

Therefore, the development does not propose any significant earthworks on the site which would:

- a) have any likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development;
- b) adversely impact upon the likely future use or redevelopment of the land;
- c) adversely impact upon the existing and likely amenity of adjoining properties;
- d) disturb any relics; and/or
- e) adversely impact on any waterway, drinking water catchment or environmentally sensitive area.

### 6.3 – Flood Planning

It is noted on Council's Flood Planning Map that the site is not located within an identified flood planning area.

### 6.4 - Stormwater Management

Clause 6.4 only applies to land within the residential, business and industrial zones and does not include any Special Purpose (SP) zones within which this site is situated.

### **Section 79c(1)(A)(li) – Provisions of any Draft Environmental Planning Instrument**

None applicable.

### **Section 79C(1)(a)(iii) – Provisions of any development control plan**

#### ***City of Ryde Development Control Plan 2014 (RDCP 2014)***

The site is not subject to any built form controls under the RDCP 2014.

The following sections of the DCP are applicable:

- Part 7.2 - Waste Minimisation and Management;
- Part 8.1 - Construction Activities;
- Part 8.2 - Stormwater Management;
- Part 9.2 - Access for People with Disabilities;
- Part 9.3 – Parking; and

- Part 9.5 – Tree Preservation.

## Part 7.2 - Waste Minimisation and Management

Part 7.2 aims to:

### Waste minimisation:

1. *Minimise resource requirements and construction waste through reuse and recycling and the efficient selection and use of resources.*
2. *Minimise demolition waste by promoting adaptability in building design and focussing upon end of life deconstruction.*
3. *Encourage building designs, construction and demolition techniques which minimise waste generation.*
4. *Maximise reuse and recycling of household waste and industrial/commercial waste.*
5. *Assist in achieving Federal and State Government waste minimisation targets in accordance with regional waste plans.*
6. *Minimise the overall environmental impacts of waste and foster the principles of ecologically sustainable development (ESD).*

### Waste management:

1. *Assist applicants in planning for sustainable waste management, through the preparation of a site waste minimisation and management plan.*
2. *Assist applicants to develop systems for waste management that ensure waste is transported and disposed of in a lawful manner.*
3. *Require source separation, design and location standards which complement waste collection and management services offered by the relevant service providers.*
4. *Provide guidance in regards to space, storage, amenity and management of waste management facilities.*
5. *Ensure waste management systems are easy to use and access.*
6. *Minimise risks associated with waste management at all stages of development.*

The application includes a Site Waste Minimisation and Management Plan which has been referred to Council's Environmental Health Officer for review. It was found that the Plan did not meet the requirements of Section 7.2 of the RDCP 2014 and an appropriate condition has been imposed to ensure that compliance is achieved. See **Conditions 11, 28 and 68**.

As the proposal does not involve any increase to the school population, no additional waste facilities are required for the site nor is any change is required to the existing On-Site Waste Management Strategy.

## Part 8.1 - Construction Activities

Part 8.1 aims to:

1. *Encourage consideration of Ecologically Sustainable Development and Site Management when developing a site;*
2. *Ensure adequate controls are in place on or near a site to minimise the impact of construction activities on adjoining properties;*



3. *Provide requirements and advice to applicants in regard to site management;*
4. *Improve water quality of creeks and receiving waters (Lane Cove River & Parramatta River); and*
5. *Ensure public health and safety is maintained.*

The development is appropriately conditioned to ensure that the construction phase of the development complies with the above objectives in addition to the self-certifying mechanisms currently in effect for Crown Development.

#### Part 9.2 - Access for People with Disabilities

Part 9.2 aims to:

1. *Ensure that builders, developers and others provide access for people with disabilities in new and refurbished premises as required by the Disability Discrimination Act 1992 and the new Commonwealth Disability (Access to Premises-Buildings) Standards;*
2. *Provide design criteria that achieve access for people with disabilities; and*
3. *Promote the concept of an accessible environment for the whole community.*

The Access Review submitted with the application (dated 5 May 2017 as prepared by Morris Goding Accessibility Consulting) notes:

*"The development has been reviewed to ensure that ingress and egress, paths of travel; circulation areas, toilets comply with relevant statutory guidelines.*

*In general, the development has accessible paths of travel that are continuous throughout. In line with the report's recommendations, the proposed development has demonstrated an appropriate degree of accessibility. The Development Application drawings indicate that compliance with statutory requirements, pertaining to site access, common area access and accessible sanitary facilities, can be readily achieved".*

The Review includes recommendations which are imposed as conditions.

#### Part 9.3 - Parking

Part 9.3 aims to:

1. *Minimise traffic congestion and ensure adequate traffic safety and management;*
2. *Ensure an adequate environmental quality of parking areas (including both safety and amenity);*
3. *Minimise car dependency for commuting and recreational transport use, and to promote alternative means of transport - public transport, bicycling, and walking;*

4. *Provide adequate car parking for building users and visitors, depending on building use and proximity to public transport;*
5. *Minimise the visual impact of car parking when viewed from the public domain and adjoining sites;*
6. *Maximise opportunities for consolidated areas of deep soil planting and landscaping; and*
7. *Reduce congestion in the Macquarie Park Corridor by restricting parking for commercial and industrial development to work towards achieving a target of a 70% private vehicle mode share by 2031.*

Part 9.3 of the DCP requires that primary and secondary schools provide on-site car parking at the following rates:

- 1 space per two employees; and
- 1 space per 10 students over 17 years of age.

The facility is a primary school which employs 75 staff. Therefore, the use would be required to provide 37.5 (38) on-site parking spaces for staff only.

The facilities currently provides on-site car parking for a total of 42 vehicles and therefore complies with the requirements of the Part 9.3 of the RDCP.

#### Part 9.5 - Tree Preservation

Part 9.5 aims to:

1. *Maximise a sustainable Urban Forest canopy across the City of Ryde;*
2. *Conserve trees of ecological, heritage, aesthetic and cultural significance;*
3. *Protect and manage individual trees as an important community asset;*
4. *Establish the procedural framework and requirements governing the pruning, removal and subsequent replacement of trees within the City of Ryde;*
5. *Ensure all new development considers existing trees on the development site and provides opportunity for the healthy growth of large trees.*

The application includes the removal of nineteen trees as a result of the development. Of those trees, twelve trees are identified as having a higher Category 'A' retention value. The remaining six (6) trees are identified as having a lower Category 'Z' retention value. The majority of trees to be removed are concentrated within the northern and eastern side of the Brabyn Street site (immediately adjacent to the proposed Home Base building).

The Arboricultural Impact Assessment Report submitted with the application (dated 9 May 2017 as prepared by Priority Tree Services) was referred to Council's Consultant Landscape Architect who did not raise any objection to the proposal.

## **Section 94 Development Contributions Plan 2007**

The proposal is exempt from Council's Section 94 Development Contributions Plan.

### **Section 79C(1)(a)(iv) – Provisions of the regulations**

Division 8A of the EP&A Regulation 2000 requires the consent authority to consider "Prescribed conditions" of development consent. These matters have been addressed via a condition of consent.

The EPA Regulations 2000 requires the consent authority to consider the provisions of the Building Code of Australia. This matter is to be addressed via a condition of consent.

Clause 92 of the EPA Regulations 2000 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This matter is to be addressed via a condition of consent.

### **Section 79C(1)(b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality.**

#### Environmental Impact

The development occurs within an established urban environment which does not include any threatened species or notable natural environmental features which could otherwise be adversely impacted.

The scale of the development is of a moderate scale that it is not out of character with the unique nature of the school within the R2 Low Density Residential zone.

In both instances, the development will not have any unreasonable adverse impact upon the immediate natural or built environment.

#### Social Impact

The upgrading of existing and ageing school facilities is considered to have a positive social impact in that it will provide for an improved learning environment for students.

#### Economic Impact

The school is a State owned public asset and no adverse economic impact is attributed to the upgrading of the existing school facilities.

Most of the impacts associated with the proposed development have already been addressed in the report. The additional impacts associated with the development or those requiring further consideration are discussed below.

#### Context and setting

The proposed alterations and additions to the school will not have any adverse visual or operational impact upon the context and setting within which the school sits.

The scale of the development is such that it respects the existing moderate scale of the school which, in turn responds to the neighbouring residential zone.

#### Built Form

The proposed built form responds to the traditional built forms of the existing school and is of a scale which respects development within the neighbouring residential zone.

#### Access and Traffic

The development does not propose to increase the student or staff population and will therefore not introduce any additional impact upon the local road network.

#### Overshadowing and Solar Access

The application includes shadow diagrams which details shadows cast at 9.00am, Noon and 3.00pm on 21 June.

The scale and location of the alterations and additions are such that minimal additional shadow is cast over the roadway (Brabyn Street) or over any neighbouring residential property.

#### Visual Privacy

The development has been designed to provide sufficient setbacks and tree screening to enhance the visual privacy of neighbouring residential properties.

#### Construction Impacts

The demolition and construction stages of the development are appropriately addressed through the imposition of conditions which control the times of works and the movement of works related traffic.

See **Conditions 3, 4, 5, 7, 11, 15, 17, 21, 29, 45 and 46.**

#### **Section 79C(1)(c) – the suitability of the site for the development**

The site has been used continuously for educational purposes since the early 1960s and the upgrading of the school facilities will not increase the intensification of the school population such that the school becomes a burden on local infrastructure.

The Soil Contamination Investigation submitted with the application confirms that the site is environmentally suitable for the development.

The site is not subject to any identifiable threats associated with bushfire or flooding nor is the site affected by acid sulphate soils or contamination which cannot be readily remediated to a safe standard.

The development will not intensify the use such that it has any unreasonable impact upon the surrounding residential area.



Therefore, given the above considerations, the site is considered to be suitable for the proposed development.

## **REFERRAL RESPONSES**

### **External Referrals**

#### **NSW Roads & Maritime Services (RMS)**

The application was referred to the RMS under Schedule 3 of the State Environmental Planning Policy (Infrastructure) 2007 as Traffic Generating Development.

The following comments were received on 21 August 2017:

*“Roads and Maritime has reviewed the submitted application and notes that proposed works include replacing existing temporary demountable units with a new permanent home building and an extension to the existing administration building.*

*It is further noted that the student numbers are not proposed to increase as a result of the proposed works. Furthermore the development will have minimal traffic impact on the classified road network, therefore Roads and Maritime raises no objection to the proposed development.”*

Therefore, no objection was raised and no conditions were imposed.

### **Internal Referrals**

#### **Development Engineering**

The application was referred to Council’s Development Engineer for consideration.

No objection was raised and the following comments were received:

#### **“Stormwater Management**

*The submitted concept stormwater management plans has proposed that the drainage system of the refurbished administration building will discharge to the existing drainage system (discharging to Brabyn Street). Given that there is a relatively minor difference in hardstand area this does not warrant concern.*

*The proposed works on the southern side of the school grounds will result in a net increase in impervious area approximating 930m<sup>2</sup>. The proposed stormwater management system has included OSD however the consultants design rationale is incorrect. They have estimated the net increase in impervious area of the site (accounting for the removal of the demountable buildings) and nominated an OSD system with PSD and SSR designed on the net area difference. The approach is flawed in that the proposed catchment discharging to the system is far greater and, if constructed would result in the system surcharging.*

*Considering the nature of the works, community benefit and Council’s OSD policy – the following rationale is considered appropriate for the proposed works:*

- *The provision of OSD to treat the proposed administration building will significantly increase the scope of works in this region. Considering this element presents a relatively minor increase in hardstand (and correspondingly little difference to the degree of runoff discharged from the property) it would be reasonable for OSD to be exempt from this component.*
- *The removal of the demountable buildings is subject to a separate application and not guaranteed. Accordingly any reduction in impervious area related to this is disregarded.*
- *The proposed new building (south side of Brabyn Street) presents an increase in impervious area of some 845m<sup>2</sup>. It would therefore appropriate that OSD be implemented to treat the additional impervious area.*
- *A review of the plans notes the roof area of the new building predominantly falls either north (towards Brabyn Street) or to the south. The area falling to the south is noted to be some 930m<sup>2</sup> in area and would be broadly equivalent to the increase in hardstand.*
- *As such, it would be appropriate that OSD be implemented to treat the south facing roof areas and the remainder to discharge to the Brabyn Street. This would require a minor amendment to the proposed system to accommodate.*

*Accordingly the matter is addressed in the standard conditions concerning the design of the stormwater management system and marked accordingly on the approved plans.*

#### Vehicle Access and Parking

*Despite the applicant's statement that the application is not to increase the level of school enrolment / staff demand, the comments from Council's City Works and Infrastructure – Traffic section are to be noted.*

*In regards to the parking capacity, section 3.1 of the applicants Traffic and Parking report has reviewed the current staff and child enrolment levels, noted that 38 parking spaces would be required under the Council's DCP requirements and that given the 42 parking spaces currently provided on the site, addresses this requirement.*

#### Recommendation

*Should the proposed development be approved, the following conditions are to be applied to the development consent."*

Conditions were included in the referral response which have been agreed upon by the applicant and are contained under **Conditions 13, 16, 17, 20, 21, 24, 27, 45, 46, 49, 60, 61, 62, 63, 64, 65 and 67.**

#### **Landscape**

The application was referred to Council's Consultant Landscape Architect for consideration.

No objection was raised and the following comments were received:

*“Tree removal proposed on the subject site has been supported given those to be removed are either to suffer unsustainable levels of encroachment from the new building footprint or are more minor trees to be removed to better improve sightlines and casual surveillance in accordance with CPTED principles. Whilst it is acknowledged that there will be some loss of amenity due to the removal of a number of mature trees, appropriate replacement planting will be capable of compensating for this loss of amenity in the medium term. With regards to trees to be retained on the subject site and street frontage, this is supported provided appropriate and detailed tree protection is undertaken. As such, a suite of detailed conditions has been provided to ensure appropriate protection and is carried out.*

*The submitted landscape plan is generally considered to be satisfactory with appropriate replacement planting, species selection and embellishment of the existing garden areas and forecourt entries. It is noted that a condition has been recommended relating to additional tree planting be provided on site to ensure trees are replaced at a 1:1 ratio as well as appropriate shrub/groundcover planting is carried out.”*

The Arboricultural Impact Assessment lists the trees scheduled for removal as follows:

Tree No.	Tree Species	Reason for Removal	Council's Landscape Response
4	Queensland Brushbox	Unacceptable impact from building construction, new surfacing and/or proximity.	Agreed – replacement tree provided of same species in similar location
16	Narrow Leaved Apple	Removal of existing surfacing/structures and/or installation of new surfacing/structures.	Agreed – major encroachment, impact not sustainable, replacement planting recommended
19	Blue Jacaranda	Removal of existing surfacing/structures and/or installation of new surfacing/structures.	Agreed – major encroachment, impact not sustainable, replacement planting recommended
20	Bauhinia	Removal of existing surfacing/structures and/or installation of new surfacing/structures.	Agreed – major encroachment, impact not sustainable, replacement planting recommended
21	Old Man Banksia	Removal of existing surfacing/structures and/or installation of new surfacing/structures.	Agreed – major encroachment, impact not sustainable, replacement planting recommended
22	Coastal Banksia	Removal of existing surfacing/structures and/or installation of new surfacing/structures.	Agreed – minor tree capable of replacement
22A	Weeping Bottlebrush	Removal of existing surfacing/structures and/or installation of new surfacing/structures.	Agreed – minor tree capable of replacement
22B	Weeping Bottlebrush	Removal of existing surfacing/structures and/or installation of new surfacing/structures.	Agreed – minor tree capable of replacement
22C	Weeping Bottlebrush		
22D	Weeping Bottlebrush		

Tree No.	Tree Species	Reason for Removal	Council's Landscape Response
23	Camphor Laurel	Unacceptable impact from building construction, new surfacing and/or proximity.	Agreed – exempt species under Part 9.5 of Ryde DCP 2014
23A	Eucalypt	Removal of existing surfacing/structures and/or installation of new surfacing/structures.	Agreed – Immature tree capable of replacement
24	Swamp Oak	Unacceptable impact from building construction, new surfacing and/or proximity.	Agreed – major encroachment, impact not sustainable, replacement planting recommended
25	Sydney Blue Gum	Unacceptable impact from building construction, new surfacing and/or proximity.	Agreed – major encroachment, impact not sustainable, replacement planting recommended
26	Sydney Blue Gum	Unacceptable impact from building construction, new surfacing and/or proximity.	Agreed – major encroachment, impact not sustainable, replacement planting recommended
26A	Lilly Pilly	Unacceptable impact from building construction, new surfacing and/or proximity.	Agreed – major encroachment, impact not sustainable, replacement planting recommended
27	Red Ironbark	Removal of existing surfacing/structures and/or installation of new surfacing/structures.	Agreed – major encroachment, impact not sustainable, replacement planting recommended
27A	Blueberry Ash	Removal of existing surfacing/structures and/or installation of new surfacing/structures.	Agreed – major encroachment, impact not sustainable, replacement planting recommended
27B	Lemon Scented Tea Tree	Removal of existing surfacing/structures and/or installation of new surfacing/structures.	Agreed – minor tree capable of replacement

The applicant has provided a revised Surface Finishes Plan (Revision E) which includes the planting of 19 replacement trees. The revised plan was referred back to Council's Consultant Landscape Architect who provided the following comments:

*“As part of the original landscape referral comments, conditions were recommended in relation to providing additional canopy tree planting on site to ensure tree removals were replaced at a minimum ratio of 1:1 therefore maintaining the existing canopy cover.*

*A review of the amended plans submitted indicates that additional tree planting has been provided both along the Brabyn Street frontage and eastern boundary adjoining No.53 Brabyn Street. A review of the proposed quantities, species, pot sizes and locations has revealed the proposal is generally acceptable and now includes a satisfactory level of replacement planting.*

*Conditions relating to tree protection of those trees to be retained are still relevant and should be imposed as part of any consent granted.”*



Conditions were included in the referral response which have been agreed upon by the applicant and are contained under **Conditions 12, 23, 31, 32, 33, 50, 51, 52, 53, 54, 55, 56, 57, 58 and 66.**

## **Environmental Health**

The application was referred to Council's Environmental Health Officer for consideration.

No objection was raised and the following comments were received:

### "Site Contamination"

*A report prepared by Greencap Pty Ltd dated March 2017 was submitted in draft format to Council being "Soil Contamination Investigation NSW Department of Education C/o Conrad Gargett Pty Ltd". Following a discussion with Ian McLennan from Greencap, on Thursday 5 October 2017, a revised report was to be submitted with the "draft" watermark removed and a revision to the section referring to the submission of the "Dangerous Goods Search", as this search was not conducted.*

*Subsequently a revised contamination report dated October 2017 prepared by GreenCap for the subject site has been submitted, which removes the "draft" watermark and states that no dangerous good search was conducted. The conclusions and recommendations of the said revised report shall be adopted for this proposal.*

### Hazardous Materials Risk Assessment

*I note that a report prepared by Greencap titled "Hazardous Materials Risk Assessment NSW Department of Education Denistone East Public School Lovell Road, Eastwood, NSW 2122" Report Reference C121445:J146932-01 dated February 2017 has reviewed the buildings within Denistone East Public School and considered which buildings contain hazardous materials. This report has noted that the General Learning and Administration Building which is proposed to be partly demolished and altered with additional extensions as part of this application, was found to contain non friable asbestos, synthetic mineral fibres and ozone depleting substances.*

*Therefore, all precautions are required when undertaking any work on this building and the waste is required to be appropriately classified. Conditions have been included to meet the requirements of the Protection of Environment Operations Act, 1997 and the Work Health and Safety Act and Regulations.*

*It should also be noted that under the Protection of Environment Operations Act, 1997, the Appropriate Regulatory Authority for State Government and Public Authorities, hence the Department of Education and therefore all public primary/high schools is the Environment Protection Authority, not Council.*

### Waste Management Plan

*The waste management plan submitted to Council has not appropriately considered the waste generated by the demolition of the existing building, for which hazardous substances have been identified. The waste management plan shall therefore be revised, where the hazardous wastes shall be incorporated into the waste management plan and comply with the requirements of Council's DCP. The demolition waste shall be*

*appropriately classified and any waste containing asbestos waste even if only one fibre of asbestos is contained within the waste, shall be classified as being asbestos/hazardous waste and shall be disposed of as such at a facility licensed to receive such waste.*

*A revised waste management plan shall be submitted to Council, prior to the demolition of any buildings and prior to any excavation.*

#### Waste Classification

*According to the report prepared by Greencap Pty Ltd dated March 2017 was submitted in draft format to Council being "Soil Contamination Investigation NSW Department of Education C/o Conrad Gargett Pty Ltd", the excavated material can be classified as "General Solid Waste non putrescible, the fill can be classified as Excavated Natural Material (ENM) and the Natural soils are likely to be classified as virgin excavated natural material (VENM), subject to final waste classification in accordance with the NSW EPA's Waste Classification Guidelines.*

*In addition, the waste from the demolition of any existing structures will also need to be classified by a suitably qualified and experienced contaminated land consultant. A report (or a copy of a report) regarding the classification of wastes shall be submitted to Council along with a copy of all weighing and tipping dockets verifying the appropriate disposal of all wastes generated by the project.*

*There are no proposed changes to the existing garbage facilities for the school.*

#### Acid Sulfate Soils

*There are no known acid Sulfate Soils in the vicinity of the subject site.*

#### Groundwater

*The geotechnical report prepared by JK Geotechnics dated 5 May 2017 titled "Report to Connor Gargett Ancher Mortlock Wooley on Geotechnical Investigation for Proposed Alterations and Additions at Denistone East Public School, 38 Brabyn Street Denistone NSW" Report No 30313Lrpt, undertook groundwater observations in boreholes soon after completion of drilling works. No long-term groundwater monitoring was conducted as part of the report and no contamination sampling or testing of soils was conducted. Groundwater was measured to a depth of 4.5m in BH2, 2 hours post drill and all boreholes were found to be dry."*

#### Comment

The applicant has advised that the reference to the 'General Learning and Administration Building' under the Hazardous Materials Risk Assessment section of the referral response was incorrect and that no works are proposed to that building. Rather, works are proposed to the Administration Building only (referred to in the Hazardous Materials Risk Assessment report prepared by Greencap as Block R) and identified in the report as unlikely to have asbestos containing building materials.

The conditions imposed by Council's Environmental Health Officer were forwarded to the applicant for review and the agreed upon conditions are imposed under **Conditions 25, 35 to 44, 47 and 59.**

## **City Works & Infrastructure (Traffic)**

The application was referred to the Traffic Department of Council's City Works & Infrastructure Directorate for consideration.

Additional information was received on 12 September 2017 and forwarded to Traffic for consideration. The following comments have been provided:

*"It should be noted that generally demountable buildings are not required to be approved by Council as the development site is part of Crown Land.*

*Notwithstanding the above, it is recognised that there will be no increase in student and staff levels with regard to the removal of all demountable buildings and construction of permanent facilities within the School Grounds.*

*Therefore there are no anticipated traffic impacts above what is currently being produced by the school."*

Conditions were included in the referral response which have been agreed upon by the applicant and are contained under **Conditions 16, 17 and 45**.

## **Structural Engineer (Cardno)**

The application was referred to Cardno for consideration with respect to structural integrity of the existing buildings.

Cardno have verbally advised that no response is required as the site is not located within a landslip risk area.

## **Section 79C(1)(d) – any submissions made in accordance with the EPA Act or EPA Regs**

### **PUBLIC NOTIFICATION & SUBMISSIONS**

#### Public Exhibition 1

The application was advertised on 12 July 2017 in the Northern District Times. Notification of the proposal was from 6 July 2017 until 2 August 2017.

During this period no submissions were received.

#### Public Exhibition 2

Subsequent to identifying that the address used in the public exhibition period to identify the site omitted to include No. 35 Brabyn Street, it was considered that the application should be re-notified for a period of not less than 14 days.

Re-advertising in the Northern District Times was not considered to be necessary in this particular instance. Therefore, letters were sent to the same postal addresses as those under the first public exhibition period advising of the inclusion of No. 35 Brabyn Street only.

The re-notification of the proposal was from 28 July 2017 until 11 August 2017.

During this period one (1) submission was received from the following:

Name	Address
Resident	41 Kings Road, Denistone East

The submission raises the following issues:

- **Student numbers;**
- **Traffic and parking; and**
- **Removal of trees.**

The above issues are addressed as follows:

- **Student numbers**

The submission questions an increase in student numbers and queries if the development is due to such an increase in student numbers.

#### Comment

As noted earlier in this report, the current level of student numbers as indicated in the table provided by the applicant (752) are generally around the same as that of 2006 (761).

It is acknowledged that, since 2005 the school population has fluctuated from 730 in 2005 to 865 in 2013. However, it is noted that the development proposed by this application is not the result of any further increase in school population.

The applicant advises that the total student capacity following the addition of the permanent classrooms is to remain at around 800, the equivalent of the enrolment levels in 2009.

This issue does not form a justifiable reason to recommend refusing the application.

- **Traffic and parking**

The submission notes that parking during drop off and pick up times creates traffic congestion in surrounding streets.

#### Comment

The application has been referred to Council's Development Engineer and Traffic Engineer both of which acknowledge that the subject development does not propose an increase in student and/or staff numbers such that any existing traffic situation would be exacerbated.

Given that the development does not exacerbate the situation, the operational traffic management during drop off and pick up times is a matter for the school to address in their Operational Traffic Management Plan.

This issue does not form a justifiable reason to recommend refusing the application.

- **Removal of trees**

The submission raises concern that the development will result in the removal of 19 trees.

Comment

Whilst the proposal will result in some loss of amenity on site, compensatory planting is provided in a similar location on site in order to offset the tree removal taking place. The new landscape scheme proposes replacement planting of 19 trees (13 of which are super advanced 400 litre pot sized canopy trees) along the Brabyn Street frontage as well as the boundary interface between the adjoining residential allotments to the east.

The species are generally considered to be acceptable and will provide a high level of screening and greening to the new built form on site once mature. It is noted that the proposed pot sizes being 400 litre will ensure some immediate impact is provided at the time of planting. Additionally, the species of trees to be provided are generally larger growing and will provide a higher level of canopy cover to the site once mature.

This issue does not form a justifiable reason to recommend refusing the application.

**Section 79C(1)(e) – the public interest**

This assessment has found the development to be consistent with the scale and intensity of development that the community can reasonably expect to be provided on this site.

Furthermore, the development will provide an upgraded educational facility for the current and future school population which is considered to be in the immediate and long term public interest.

**CONCLUSION**

After consideration of the development against section 79C of the Environmental Planning and Assessment Act 1979 and the relevant statutory and policy provisions, the proposal is considered suitable for the site and is in the public interest.

The proposal provides an opportunity to upgrade the school facilities which will respond to the current Educational Facilities Standards and Guidelines (EFSG) and the on-going zoning for the site as an Educational Facility under Council's RLEP 2014.

The development occurs within an established urban environment which does not include any threatened species or notable natural environmental features which could otherwise be adversely impacted.

The scale of the development is of a moderate scale that it is not out of character with the unique nature of the school within the R2 Low Density Residential zone.

In light of the above, it is recommended that the application be approved subject to conditions.

**RECOMMENDATION**

Pursuant to Section 80 of the Environmental Planning and Assessment Act, 1979 the following is recommended:

- a) That the Sydney North Planning Panel grant consent to development application LDA2017/237 for alterations and additions to the existing administration building, the construction of a new Home Base building and landscape works at No. 47 Lovell Road and No. 35 Brabyn Street, Denistone East (known as Denistone East Public School) subject to the conditions of consent in **Attachment B** of this report.
- b) That a copy of the development consent be forwarded to DPI.