

Report to Sydney West Central Planning Panel

Panel reference	2017SWC043
DA number	JRPP-16-03344
Proposed development	Demolition works, alterations and additions to Educational Establishment
Street address	151 Reservoir Road, Blacktown
Applicant/owners	Trustees of the Roman Catholic Church of the Diocese of Parramatta and Mr Brett Anderson, De Angelis Taylor & Associates Pty Ltd Architects (applicant) Trustees of the Roman Catholic Church of the Diocese of Parramatta (owner)
Date of DA lodgement	4 November 2016
Number of submissions	None
Regional development criteria (Schedule 4A of the EP&A Act)	Capital investment value (CIV) over \$5 million (DA has a CIV of \$5,262,727 + GST)
All relevant s79C(1)(a) matters	• Environmental Planning and Assessment Act 1979 • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy No. 55 – Remediation of Land • Draft West Central District Plan • Blacktown Local Environmental Plan (BLEP) 2015 • Blacktown Development Control Plan (BDGP) 2015
Report prepared by	Ruth Bennett, Senior Town Planner
Report date	15 August 2017
Recommendation	Approval subject to conditions

Summary of s79C matters

Have all recommendations in relation to relevant s79C matters been summarised in the Executive Summary of the assessment report? Yes

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments, where the consent authority must be satisfied about a particular matter, been listed and relevant recommendations summarised in the Executive Summary of the assessment report? Yes

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? N/A

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (s94EF)? No

Conditions

Have draft conditions been provided to the applicant for comment? Yes

CONTENTS

1	Executive summary	2
2	Key issues list	2
3	Location	3
4	Site description.....	3
5	Background	4
6	The proposal	4
7	Assessment against planning controls	4
8	Key planning issues assessment.....	5
9	Public comment.....	5
10	External referrals.....	5
11	Internal referrals	6
12	Conclusion	6
13	Recommendation	7

ATTACHMENTS

Attachment 1	–	Location map
Attachment 2	–	Aerial image as of 6 February 2017
Attachment 3	–	Zoning extract
Attachment 4	–	Detailed information about the proposal and DA submission material
Attachment 5	–	Development application plans
Attachment 6	–	Assessment against planning controls
Attachment 7	–	Draft conditions of consent

1 Executive summary

- 1.1 This report considers a proposal for demolition works, alterations and additions to an educational establishment, and associated landscaping, at 151 Reservoir Road, Blacktown.
- 1.2 Assessment of the application against the relevant planning framework and consideration of matters by Council's technical departments has not identified any concerns that cannot be dealt with by conditions of consent.
- 1.3 The application is therefore satisfactory when evaluated against Section 79C of the Environmental Planning and Assessment Act 1979.
- 1.4 This report recommends that the Panel approve the application subject to the recommended conditions.

2 Key issues list

- 2.1 The key issues that need to be considered by the Panel in respect of this application are:
 - a. Asbestos removal: Portions of the 3 buildings to be demolished contain asbestos. The applicant has provided a site investigation report. Risks associated with asbestos removal can be addressed with appropriate conditions.
 - b. Bushfire risk: The site is located east of land zoned E2 Environmental Conservation, known as Harper's Bush which is bushfire prone land, and part of the site is within the 100 m bushfire buffer zone. The applicant has provided a Bushfire

Risk Hazard assessment report, and the DA was referred to the NSW Rural Fire Service, which has provided appropriate conditions.

3 Location

- 3.1 The site is located in South Blacktown, is bounded by Orwell Street and Reservoir Road, and has residential development to the north and south. The Great Western Highway is in relative close proximity.
- 3.2 The site is located within an established area characterised by low density residential development. On the site are 2 existing schools, a church and presbytery, and car parking for 176 motor vehicles.
- 3.3 The 8.077 ha site, which is regular in shape, is located within proximity to woodland vegetation, located west of Reservoir Road, and known as Harper's Bush Reserve. Part of the site falls within the 100 m bushfire buffer zone.
- 3.4 The location of the site is shown in **Attachment 1**.

4 Site description

- 4.1 The site is known as Lot 11 DP 862317, 151 Reservoir Road (alternate 58 Orwell Street, Blacktown).
- 4.2 The site has 2 street frontages, being Reservoir Road to the west and Orwell Street to the east. The main vehicular entry into the school site is from Orwell Street via the established existing single driveway, and via a single driveway off Reservoir Road. The main entry for Nagle College is via the Orwell Street entry. Both driveways connect to the car parking area that services both schools. The site also adjoins 2 parcels of RE1 Public Recreation land to the south. The site also adjoins residential development to the north and the south. There are associated parking facilities and sporting fields servicing the school.
- 4.3 The total area of Lot 11 DP 862317 is 8.077 hectares. The development site within Lot 11 DP 862317 is in the north-west of the site and has an area of 1,654 sqm. The contours of the site show that the ground surface falls approximately 1.2 m to the north.
- 4.4 The site contains the 2 existing schools of St Michael's Primary School and Nagle College (girls' secondary school), a church (St Michael's Church) and a presbytery, and St Michael's Catholic Early Learning Centre. There are associated parking facilities and sporting fields servicing the school. The proposed development will be located within the north-west of the site. An aerial image of the site and surrounding area is at **Attachment 2**.
- 4.5 The site is zoned SP2 Infrastructure – Educational Establishment and Place of Public Worship under the Blacktown Local Environmental Plan (BLEP) 2015. It was previously zoned 5(a) Special Uses – Church and School under BLEP 1988. A number of zonings and height limits surround the site, including:
 - Two land parcels adjoining the south of the site are zoned RE1 Public Recreation
 - The land to the north, south and a portion of the land to the east is zoned R2 Low Density Residential
 - The land to the west of the site is zoned R2 Low Density Residential and E2 Environmental Conservation, known as Harper's Bush. This poses bushfire risks given that the site area is within the 100 m bushfire buffer zone.

The zoning plan for the site and surrounds is at **Attachment 3**.

- 4.6 The site itself is not subject to any maximum height controls. The land adjoining the school to the north, south and east, and to the west on the other side of Reservoir Road, has a height control of 9 m.

5 Background

- 5.1 Nagle College was established on the subject site in 1965 and is the only Catholic girls' secondary school in the Blacktown area. Nagle College has a capacity for up to 850 secondary girl students and 74 staff (60 teaching positions and 14 administrative positions). There have been a number of approvals on the site, the most recent including:
- **MOD-15-562** – approved 4 June 2015 Section 96 modification of DA-09-133.
 - **MOD-14-477** – approved 6 January 2015 – Educational Establishment – Alterations/additions
 - **DA-12-633** - approved 13 September 2012 – Educational Establishment – Alterations/additions
 - **DA-09-133** – approved 3 July 2009 – Change of use to an educational facility to be known as “Pete’s Place”, program for up to 15 young people.

6 The proposal

- 6.1 The DA seeks approval for alterations and additions to the existing college. The works proposed are as follows:
- (a) Demolition of Blocks G, H and J. These 3 educational blocks, which are one-storey and two-storey in height, comprise 949 sqm in floor area. These blocks consist of 8 classrooms, 4 music practice rooms and 2 offices. Demolition works also include associated structures such as ramps, paths and stairs.
 - (b) Construction of Block O, which will provide a total floor area of 1,729 sqm, including ground floor, first floor, balconies, courtyard, and external stairs. This new two-storey building will include 4 learning studios, critical reflection rooms for creative and critical thinking, and areas for small group work, discussion and presentation.
 - (c) No increase in student numbers or parking provision or hours/days of operation are proposed.
- 6.2 A detailed description of the proposal is included at **Attachment 4**, while a copy of the development plans is included at **Attachment 5**.

7 Assessment against planning controls

- 7.1 A full assessment of the DA against relevant planning controls is provided in **Attachment 6**, including:
- (a) Environmental Planning and Assessment Act 1979
 - (b) State Environmental Planning Policy (State and Regional Development) 2011
 - (c) State Environmental Planning Policy (Infrastructure) 2007
 - (d) State Environmental Planning Policy No. 55 – Remediation of Land
 - (e) Rural Fires Act 1997

- (f) Draft West Central District Plan
- (g) Blacktown Local Environmental Plan (BLEP) 2015
- (h) Blacktown Development Control Plan (BDCP) 2015.

8 Key planning issues assessment

8.1 Asbestos contamination and remediation

A site investigation report and a hazardous materials review were submitted with the application which examined the buildings, hardstand pathways and external areas to be demolished. It details the extent of asbestos contamination. The report and the review and their findings are discussed at **Attachment 6**. The DA and the site investigation report were referred to Council's Environmental Health Unit and Building Section, both of whom are satisfied that the contamination can be remediated with appropriate conditions on the consent. This will include the requirement that the site is remediated and validated to the strict residential standard of the National Environmental Protection Measures (NEPM) 2013 standards, following completion of demolition works, and prior to commencement of any new building works, by a site auditor.

8.2 Bushfire prone land

The proposal is 'Integrated Development', given that part of the site is within 100 m of the bushfire buffer zone. A bushfire hazard assessment report was provided which assessed the development as requiring construction standards at a BAL 12.5 rating, and gave recommendations relating to requirements for water, utilities, landscaping, emergency and evacuation planning, to comply with Planning for Bushfire Protection 2006 as a special use. The DA and bushfire report were referred to the NSW Rural Fire Service who provided a Bushfire Safety Authority, subject to conditions. This is discussed in **Attachment 6**.

- 8.3 On the merits of the application the proposal is therefore considered satisfactory.

9 Public comment

- 9.1 The proposed development was notified to property owners and occupiers within the locality between 1 March and 15 March 2017. The DA was also advertised in the local newspapers and signs were erected on the site.
- 9.2 No submissions were received.

10 External referrals

- 10.1 The DA was referred to the following external authorities for comment:

Section	Comments
NSW Rural Fire Service (RFS)	The NSW RFS has reviewed the application and found it acceptable. Conditions have been provided.

11 Internal referrals

11.1 The DA was referred to the internal sections of Council as summarised below:

Section	Comments
Drainage Engineering	Council's drainage engineering section has reviewed the DA. Amended drainage engineering plans were submitted, which are considered acceptable, subject to appropriate conditions.
Engineering & Building	Council's engineering and building sections have reviewed the DA and consider it acceptable, subject to appropriate conditions.
City Architect's Office	Council's senior architect reviewed the DA plans and considers the proposal acceptable. He advised that the project demonstrates an appropriate palette of materials suitable for its intended use. The building form and external appearance is strong and primarily addresses the eastern courtyard, however all sides of the building provide elements of visual interest through its geometries and material application. No conditions were necessary.
Civil and Park Infrastructure	Council's project officer has reviewed the landscape plans and tree removal plan, which are considered acceptable. Compensatory planting of 10 trees within the complex to offset the loss of trees removed will be conditioned.
Traffic Management Services (TMS)	TMS reviewed the DA plans and noted no increase in traffic generation by the proposal.
Waste Services	Council's waste services section reviewed the proposal and noted the existing waste collection arrangements are suitable.
Environmental Health Unit	Council's environmental health unit has reviewed the DA and consider it acceptable, subject to appropriate conditions.
Section 94	Council's Section 94 section has reviewed the DA and has advised contributions are required for stormwater quality. This has been included as a condition on the consent.

12 Conclusion

12.1 The proposed development has been assessed against all matters for consideration and is considered to be satisfactory. The likely impacts of the development have been satisfactorily addressed and the proposal is considered to be in the public interest. The site is suitable for the proposed development subject to conditions.

13 Recommendation

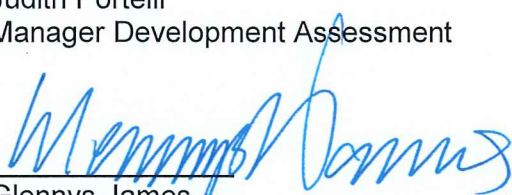
- 13.1 The Development Application be approved by the Sydney West Central Planning Panel subject to the conditions held at Attachment 7.



Ruth Bennett
Senior Project Planner



Judith Portelli
Manager Development Assessment



Glennys James
Director Design and Development