



SYDNEY CENTRAL CITY PLANNING PANEL

COUNCIL ASSESSMENT REPORT

Panel Reference	2017SWC118
DA Number	DA/848/2017
LGA	City of Parramatta
Proposed Development	Alterations and additions to an existing educational establishment including demolition of an existing building, construction of a new 3 storey classroom building, internal alterations to the existing administration building
Street Address	22 Prospect Street, Rosehill
Applicant	Blue Visions Management
Owner	NSW Department of Education
Date of DA lodgement	29 September 2017
Number of Submissions	No Submissions
Recommendation	Approval subject to conditions
Regional Development Criteria (Schedule 4A of the EP&A Act)	Pursuant to Clause 5 of Schedule 4A of the Environmental Planning and Assessment Act 1979, Crown development that has a capital investment value of more than \$5 million.
List of all relevant s79C(1)(a) matters	<ul style="list-style-type: none">• Environmental Planning and Assessment Act 1979• Environmental Planning and Assessment Regulations 2000• SEPP (Educational Establishments and Child Care Facilities) 2017• SEPP Infrastructure 2007 (No longer applies to educational establishments)• SEPP 55 Contaminated Lands• SEPP (Vegetation in Non-Rural Areas) 2017• Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP)• State Environmental Planning Policy (State and Regional Development) 2011• Parramatta Local Environmental Plan 2011
List all documents submitted with this report for the Panel's consideration	<ul style="list-style-type: none">• Statement of Environmental Effects• Clause 4.6 Variation• Architectural Drawings• Traffic Impact Assessment Report• Arboricultural Impact Assessment Report• Contamination Assessment Report• Waste Management Plan• Statement of Heritage• Civil and Stormwater Design Report and Plans• Acoustic Assessment Report

	<ul style="list-style-type: none"> • BCA Report • Aboriginal Due Diligence Report
Report prepared by	Anthony Blood Senior Planner, Development Services
Report date	1 March 2018

Summary of s4.15 matters

Have all recommendations in relation to relevant s4.15 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 summarized, 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? **Yes**

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**

**City of Parramatta Council**

File No: DA/848/2017

**SECTION 4.15 ASSESSMENT REPORT – EDUCATIONAL ESTABLISHMENT–
PARRAMATTA LEP
Environmental Planning & Assessment Act 1979**

SUMMARY

DA No:	DA/848/2017
Property:	Lot 6-15 Sec I DP 1249, 1-2 Sec X DP 1249, Lot 20 Sec 1 DP 1775, Lot 4 & 8 DP 6355 & Lot 1 DP 572480, 22 Prospect Street, ROSEHILL NSW 2142
Proposal:	Alterations and additions to an existing educational establishment including demolition of an existing building, construction of a new 3 storey classroom building, covered basketball court and internal alterations to the existing administration building.
Date of receipt:	29 September 2017
Applicant:	Blue Visions Management
Owner:	Nsw Department of Education
Property owned by a Council employee or Councillor:	The site is not known to be owned by a Council employee or Councillor
Political donations/gifts disclosed:	None disclosed on the application form
Submissions received:	Nil
Recommendation:	Approval
Assessment Officer:	Anthony Blood

Legislative requirements

Environmental Planning Instruments	<ul style="list-style-type: none"> • SEPP (Educational Establishments and Child Care Facilities) 2017 • SEPP Infrastructure 2007 (No longer applies to educational establishments) • SEPP 55 Contaminated Lands • SEPP (Vegetation in Non-Rural Areas) 2017 • Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP) • State Environmental Planning Policy (State and Regional Development) 2011 • Parramatta Local Environmental Plan 2013
Zoning	R4 – High Density Residential
Bushfire Prone Land	No
Heritage	Yes
Heritage Conservation Area	No
Integrated development	No
Clause 4.6 variation	Yes – Height
Crown Development	Yes
Delegation	Sydney Central City Planning Panel

SITE DESCRIPTION AND CONDITIONS

The subject site is situated at 22 Prospect Street, Rosehill, legally described as Lot 1 on DP 572480, Lot 1 & 2 on DP1249, Lot 4 & 8 on DP63554, Lot 6 & 15 on DP1249 and Lot 20 on DP1775.

The site is regular shaped collection of individual allotments with 216m frontage to both Prospect Street and Virginia Street. The eastern and western boundaries are 100m respectively. The locality is characterised by short term accommodation, medium and high density residential development.

The locality of Rosehill is characterised by a mix of residential, commercial, industrial and recreation developments.

- North: Medium and high density residential development, commercial development and Elizabeth farm recreation land.
- East: Medium and high density residential development, Rosehill train station on the adjacent side of James Ruse Drive, Rosehill racecourse and industrial land;
- South: Medium and high density residential development, industrial land, Western Motorway, Granville train station and Granville Memorial Park; and
- West: Medium and high density residential development, Harris Park train station, Westfield Parramatta and Parramatta shopping precinct.

The site was inspected on 9 October 2017

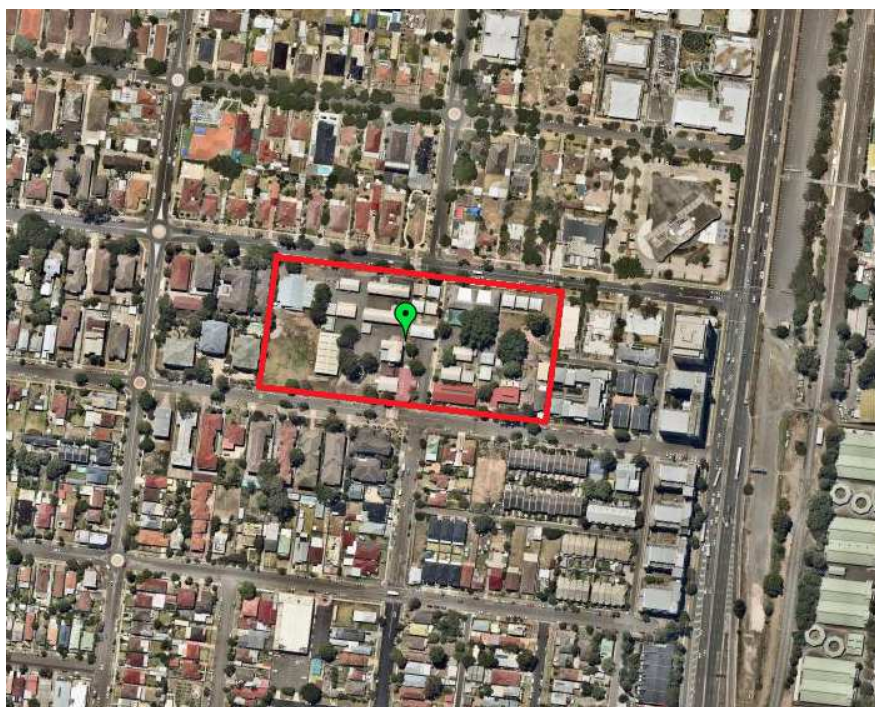


Figure 1: Aerial image of the site.

Site History:

Date	Comments
31 August 2017	<p>PL/108/2017 – A pre-lodgement meeting was held to discuss the potential development of the site. A 3 storey educational establishment was proposed. The subject site is identified as heritage item 570 as per Schedule 5 of PLEP2011.</p> <p>The scale of the proposal should be kept to a minimum and reflect the scale of the heritage item and existing built form. A full and proper assessment of the proposal could not be undertaken due to the lack of scaled architectural plans including floor plans, elevations, roof plans and materials.</p>

SECTION 4.15 EVALUATION

EXECUTIVE SUMMARY

The proposal seeks approval for alterations and additions to an existing educational establishment including demolition of an existing building, construction of a new 3 storey classroom building, covered basketball court and internal alterations to the existing administration building.

The subject site is zoned R4 High Density Residential under Parramatta Local Environmental Plan 2011. The proposed development is permissible as an Educational Establishment.

The application is made pursuant to State Environmental Planning Policy (Educational Establishments and Child Centre Facilities) 2017. The Crown development application has a Capital Investment Value (CIV) of more than 5 million, as such the Sydney Central City Planning Panel has the function of determining the application in accordance with Section 23G of the Environmental Planning and Assessment Act 1979.

The proposed development was advertised in the local newspaper and notified to the owners and occupiers of adjoining and nearby properties for a period of 21 days between 11 October 2017 to 1 November 2017, with no submission received.

The proposed development is in accordance with the relevant provisions of the environmental planning instruments pertaining to the land. An assessment of the proposed development under the Environmental Planning and Assessment Act 1979 has been undertaken and the proposal has been found to be satisfactory.

A variation of 256mm is sought with respect to the height of the building, which on balance is considered acceptable. The proposed development is unlikely to have a negative impact on the surrounding environment. The site is suitable for the proposed development and is in the public interest.

The proposal is therefore worthy of support. This report recommends that the application be approved subject to recommended conditions of consent.

THE PROPOSAL

The application is made pursuant to State Environmental Planning Policy (Educational Establishments and Childcare Facilities) 2017, gazetted 1 September 2017. The proposal involves the following aspects:

- Demolition works to remove existing covered play area, two (2) demountable buildings and internal refurbishments to the existing administration building reference as B-018;
- Proposed extension to the existing administration building B-018;
- Construction of a three (3) storey L-shaped learning centre and covered basketball court with a total GFA of 7808.13sqm;
- Increase student numbers from 667 to 874 (207) or 23.7%;
- Existing playground to be relocated within the site;
- Eight (8) trees are proposed to be removed;
- No additional car parking is proposed.



Figure 2: Photomontage

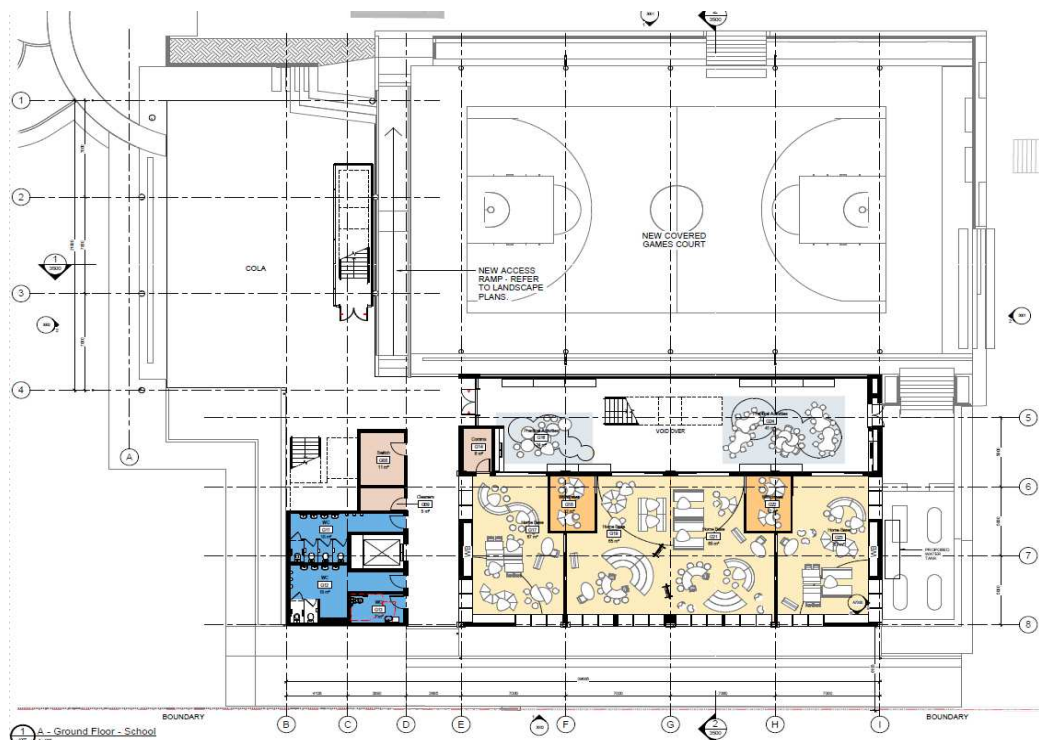


Figure 3: Ground floor

ENVIRONMENTAL PLANNING INSTRUMENTS

STATE ENVIRONMENTAL PLANNING POLICY 55 – REMEDIATION OF LAND

The site is not identified in Council's records as being contaminated. A Site inspection reveals the site does not have an obvious history of a previous land use that may have caused contamination and there is no specific evidence that indicates the site is contaminated.

STATE ENVIRONMENTAL PLANNING POLICY (VEGETATION IN NON-RURAL AREAS) 2017

The application has been assessed against the requirements of State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017. This Policy seeks to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

The application proposes the removal of non-native vegetation from the site and the replacement of native vegetation as part of the landscape plan. Council's Tree and Landscape Officer has raised no objections to the removal of the vegetation from the site subject to conditions of consent requiring sensitive construction methods used to protect adjacent vegetation.

STATE ENVIRONMENTAL PLANNING POLICY (STATE AND REGIONAL DEVELOPMENT) 2011

This application is captured by Part 4 of this SEPP which provides that the SCCPP is the consent authority for this application.

SYDNEY REGIONAL ENVIRONMENTAL PLAN (SYDNEY HARBOUR CATCHMENT) 2005 (DEEMED SEPP)

The site is not located on the foreshore or adjacent to a waterway and therefore, with the exception of the objective of improved water quality, the objectives of the SREP are not applicable to the proposal. The proposal is consistent with the controls contained with the deemed SEPP.

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

State Environmental Planning Policy (Infrastructure) 2007 no longer applies to the proposal due to the introduction of State Environmental Planning Policy (Education Establishments and Child Care Facilities) 2017, which is addressed below.'

STATE ENVIRONMENTAL PLANNING POLICY (EDUCATIONAL ESTABLISHMENTS AND CHILD CARE FACILITIES) 2017

The Development Application seeks consent for an *Educational Establishment*, pursuant to SEPP (EECCF) 2017. Below is an assessment against Part 4 Schools – specific development controls;

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017		
Requirement	Proposal	Compliance
Part 4 – Schools – Specific Development Controls		
33 Definition of “prescribed zone”	The site is zoned R4 High Density Residential, which is identified as a prescribed zone within the definition.	Yes
34 Development for the purpose of student accommodation	Not applicable	N/A
35 Schools – Development permitted with consent	Schools are permissible with consent in any prescribed zone (including R4). Clause 35(9) advises that any requirement, standard or control included in a DCP is of no effect when related to a school.	Yes
36 Schools – Development permitted without consent	The proposal is increasing student and staff numbers in excess of 10%.	Development consent is required
37 Notification of carrying out	Not applicable	N/A

of certain development without consent		
38 Existing schools – exempt development	The proposal is not considered to be exempt development.	N/A
39 Existing schools – complying development	Not applicable	N/A
40 School-based child care – complying development	Not applicable	N/A
41 Complying development certificates – additional conditions	Not applicable. The proposed development is not State significant.	N/A

Part 7 General development controls		
57 Traffic Generating development	The proposed development application seeks to increase student numbers by 207. As a result, the development application was referred to RMS for comment as traffic generating development. RMS provided a response 3 November 2017, stating no objection subject to a condition relating to a Road Safety Evaluation for pick up/drop off points along Virginia and Prospect Street.	Yes

The proposal therefore satisfies the standards contained in SEPP (Educational Establishments and Child Care Facilities) 2017.

SEPP (Educational Establishments and Child Care Facilities) 2017 - Schedule 4 Schools – Design Quality Principles

The table below summaries Conrad Garget AMW's response to the SEPP (Education Establishments and Child Care Facilities) 2017 - Schedule 4 Schools - Design Quality Principles the outcomes set out within the Design Guide for Schools by the Government Architect NSW.

Principle 1 – context, built form and landscape	The design of the proposed development responds to the qualities and identity of the area with respect to its relationship to adjoining sites, streetscape and neighbourhood. The development contributes to the context of the area, in particular, the desired future character of the area. The bulk and scale of the development is suitable for
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	<p>the context of the area.</p> <p>The proposed new building street setback is consistent with the schools existing buildings and is not considered to result in an undue negative impact of the surrounding built form, but rather will appear as a three storey building in a garden setting.</p> <p>Landscape has been integrated into the design of school development to enhance on-site amenity, contribute to the streetscape and mitigate negative impacts on neighbouring sites. Consideration of the existing built form, vegetation and significant trees has been considered. New landscape planting around the site at a ratio of 1:6 trees will enhance opportunities for play within shaded areas.</p>
Principle 2 – Sustainable, efficient and durable	<p>The building is designed to maximise natural ventilation and in accordance with the Department of Education policy does not incorporate air-conditioning. The design for the subject site has an obligation to establish a positive benchmark in terms of the interpretation of planning objectives for a public benefit (i.e. new school infrastructure).</p> <p>The development incorporates solar panels on the roof of the building that will assist to reduce the schools demand for electricity. The building is constructed of durable materials that are low maintenance and utilise the Department of Education's experience in minimising on-going maintenance costs.</p> <p>The internal planning of the school building ensures that it is adaptable and contains opportunities for break out spaces and group learning that is consistent with modern educational practices rather than only incorporating traditional class rooms.</p>
Principle 3 – Accessible and inclusive	<p>The new building incorporates a lift that provides shared accessible and ambulant access throughout the building. Existing shared accessible and ambulant pathways of travel are integrated with the existing campus access points and allow visual surveillance from existing and new school facilities. This considers the impact of circulation times on timetables and pedagogical models, particularly when accessing core learning spaces.</p> <p>The development will incorporate appropriate wayfinding signage to assist visitors and first time users with identifying key areas within the site. Safe access has been maintained within the existing development, the new building will be accessed from within the school grounds and existing entry gates along Virginia Street.</p>

<p>Principle 4 – Health and safety</p>	<p>The design aims to provide a healthy and safe environment for all school users. The design utilises multiple strategies including:</p> <p>The proposal has reviewed the CPTED principles and provides delineation through a combination of landscaping and fencing to the ‘public’ areas of the site when the school is operating. Building and façade window design have been adequately located to optimise natural ventilation and direct solar access. Toilet facilities have been provided on all levels of the new school building. Clear transition and boundaries between public and private space are provided from Virginia Street and within the school grounds.</p>
<p>Principle 5 – Amenity</p>	<p>The school provides a variety of internal and external learning places that are suitable for formal and informal educational opportunities for students. The new building incorporates appropriate storage spaces for teachers, students the school and for community users.</p> <p>The proposal has been located to minimise the visual impact on surrounding buildings, and incorporate adequate landscaping that will assist in partially screening the new buildings and provide a landscaped outlook from both within the site and for views into the site.</p> <p>The building maximises natural light penetration through the appropriate use of glazing and facilitate natural cross ventilation. The buildings incorporate acoustic absorbing materials and is appropriately setback from boundaries to reduce excessive noise transmission.</p> <p>Consideration and amenity of adjacent development and the local neighbourhood has been considered within massing and integration of the building into the current topography of the site and street frontage.</p>
<p>Principle 6 – Whole of life, flexible and adaptive</p>	<p>The design of the building considers the future needs of the school and the new learning centre has been designed to incorporate both formal learning areas and informal learning spaces, allow for combined educational opportunities and maximise the opportunities for the adaptive use of the building as technology is increasingly used in classrooms by both educators and students.</p> <p>A masterplan analysis was conducted by the applicant that investigated the school site to allow siting options for future potential growth. Assessment of site in-ground conditions, contamination, flora and fauna, flooding, drainage and erosion, noise and traffic generation has been considered in the design.</p>
<p>Principle 7 - Aesthetics</p>	<p>The proposed built form is appropriate with regard to the composition of building elements, textures, materials and</p>

	colours which reflect the use, internal design and structure of the building. The proposed building responds aesthetically to the environment and context, and appropriately contributes to the desired future character of the area.
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PARRAMATTA LOCAL ENVIRONMENTAL PLAN 2011

PERMISSIBILITY

The site is zoned R4 – High Density Residential under the provisions of Parramatta Local Environmental Plan (PLEP) 2011. The proposed use is defined as a '*educational establishment*' which is permissible with development consent in the R4 zone. The proposal is consistent with the following zone objectives;

Zone Objectives

- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide opportunities for people to carry out a reasonable range of activities from their homes if such activities will not adversely affect the amenity of the neighbourhood.



Figure 4: R4 High Density Residential Zoning (Red), R3 (Dark Pink), R2 (Light Pink) and B4 (Purple).

Clause 2.7 Demolition requires development consent

Clause 2.7 of PLEP 2011 states that the demolition of a building or work may be carried out only with development consent. The application seeks consent for demolition works. Council's standard conditions relating to demolition works are included in the recommendation.

Clause 4.3 Height of Building

A maximum building height of 13m metres applies to the R4 High Density Residential. The proposed building has a height of 13.256m or 1.9%, as a result the applicant has lodged a Clause 4.6 Variation to Building Height, which has been justified below.

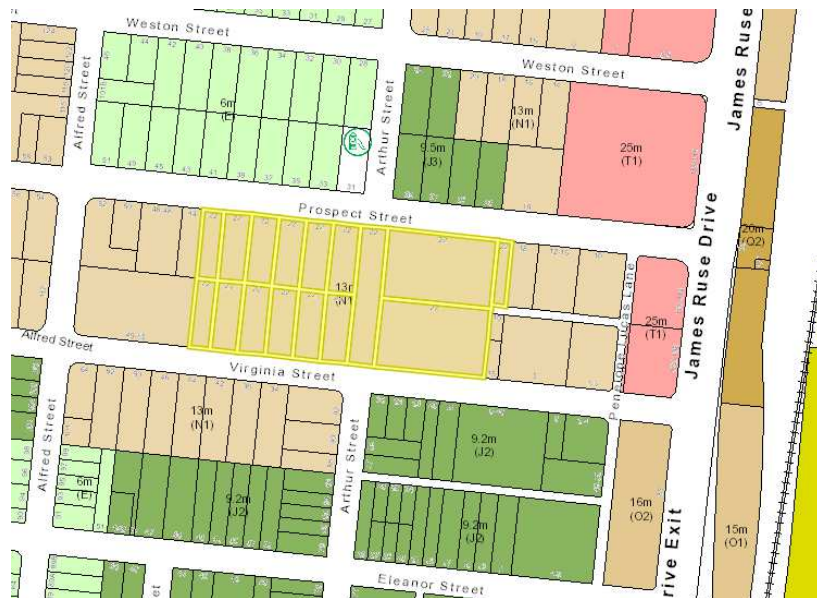


Figure 5: Height of Buildings 13m = N1 Light Brown, 6m = E Light Green, 9.5m = J3 Dark Green, 9.2m = J2 Green, 25m = T1 Pink.

Clause 4.4 Floor Space Ratio

The subject site has a Floor Space Ratio of 0.8:1. Whilst, the site has undergone alterations and additions since its establishment, it is unlikely that the proposed development will result in a floor space ratio that exceeds the maximum control for the site.



Figure 6: Floor Space Ratio 0.8:1 = J Green, No FSR = White

Clause 4.6 Exceptions to development standards

Objectives of Clause 4.6 of the PLEP 2011

1. *The objectives of this clause are as follows:*
 - (a) *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
 - (b) *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

A request for an exception under Clause 4.6 was lodged with the application as the proposed development exceeds the maximum height for the site permitted by Clause 4.3 of PLEP 2011. The variation sought is as follows:

Maximum height under PLEP 2011	Proposed	Degree of variation and merit
13 metres	13.256m	256mm or 1.9% of the standard.

The applicant has provided the following justification for the non-compliance with the development standard:

- *The variation is sought to accommodate solar panels;*
- *There are no adverse impacts of the proposal on the school, streetscape or amenity of the area;*
- *The height of the building will present as an architectural element to the school;*
- *The variation does not represent habitable floor space.*

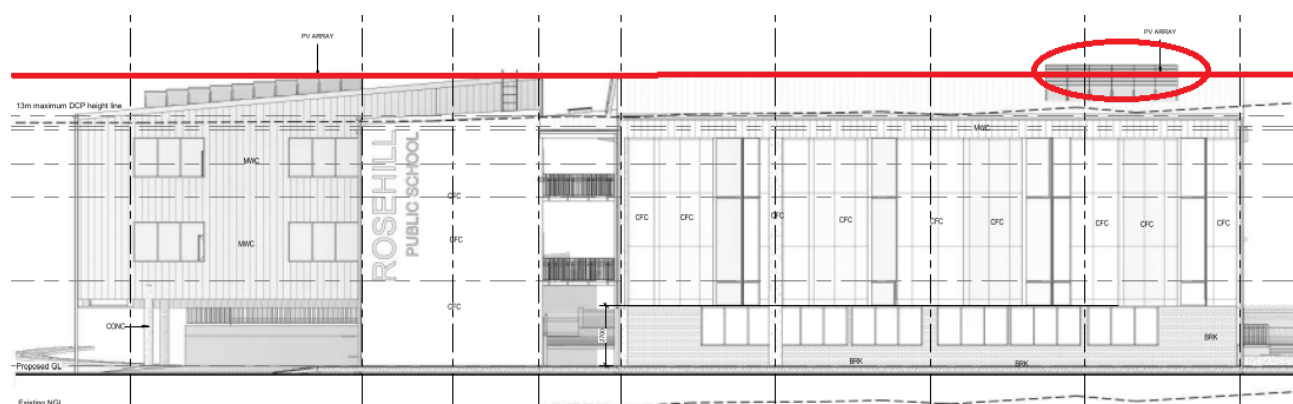


Figure 7 – Clause 4.6 Height Variation

Assessment of the exception under clause 4.6:

In assessing an exception to vary a development standard, the following needs to be considered:

1. Is the planning control a development standard?

Yes, Clause 4.3 *Height of Buildings* is a development standard.

2. What is the underlying object or purpose of the standard?

The objectives of Clause 4.3 of PLEP 2011 is to nominate heights that will provide a transition in built form and land use intensity whilst minimising visual impact, disruption to views, loss of privacy and solar access to existing development.

3. Is compliance with the development standard consistent with the aims of the Policy, and in particular does compliance with the development standard tend to hinder the attainment of the objects specified in section 5(a)(i) and (ii) of the EPA Act?

Compliance with the development standard would be inconsistent with the EPA Act, which aims to provide planning controls that encourage sustainable development, being development which satisfies the principles of ecological (environmental, economic and social) sustainability.

The non-compliance is considered to be acceptable. A variation of up to 1.9% (256mm) in height for the roof area is proposed to accommodate solar panels. The shadow diagrams illustrate that the proposed building will not cast shadows over any adjoining residential properties and therefore will not unduly diminish solar access.

4. Is compliance with the development standard unreasonable or unnecessary in the circumstances of the case?

It is considered that it would be unreasonable to require the development to comply with the maximum height of buildings for development in the R4 High Density Residential zone as the proposal is consistent with the built form in the vicinity of the site and generally complies with the development provisions. The departure to the standard will accommodate solar panels on the roof structure and in this instance does not, result in any adverse impacts to adjoining properties with regards to privacy, acoustic amenity and over shadowing.

5. Is the exception well founded?

In *Wehbe v Pittwater Council* [2007] NSW LEC 827 Chief Justice Preston of the NSW Land and Environment Court provided further guidance to consent authorities as to how variations to the standards should be approached. Justice Preston expressed the view that there are 5 different circumstances in which an objection may be well founded:

1. The objectives of the standard are achieved notwithstanding non-compliance with the standard;
2. The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary;
3. The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable;

4. The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable;
5. The zoning of the particular land is unreasonable or inappropriate so that a development standard appropriate for that zoning is also unreasonable and unnecessary as it applies to the land and compliance with the standard would be unreasonable or unnecessary. That is, the particular parcel of land should not have been included in the particular zone.

Given the proposed development;

- Does not cause any adverse impacts on the school, streetscape or amenity of the area;
- Responds to the site topography and does so without adversely compromising the relationship with adjoining properties;
- The height variation will present as an architectural roof element to accommodate solar panels with no habitable classroom space encroaching the height limit.

That the Clause 4.6 exception to the development standards of Clause 4.3 Height of Buildings in the Parramatta LEP 2011, is considered to be well founded and worthy of support.

Clause 5.10 Heritage Conservation

The subject site contains Local Heritage Item 570 Rosehill School and is located within close proximity of the Elizabeth Farm Conservation Area. The applicant has provided a Heritage Impact Assessment as supporting information. Council's Heritage Advisor is satisfied that the proposal will not impact upon the existing heritage item 570.



Figure 7: Heritage Item 570

As noted above, Section 35 subclause (9) of the SEPP (Educational Establishments and Child Care Facilities) 2007, states that any requirement, standard or control included in a DCP is of no effect when related to a school.

REFERRALS

Parramatta Design Excellence Advisory Panel (DEAP)

The proposal was considered by DEAP at the formal DA stage at its meeting of 7 December 2017. In summary, DEAP noted the following matters;

DEAP	Applicant	Planner
<p>The intended location for the new additions to the school are currently occupied by two Tallowood trees and two other trees. The Panel Notes that the two Tallowood trees are healthy and provide extensive shading and amenity to the area. The removal of these trees is not supported by the Panel and they recommend that the proposed location of the basketball court be moved further north to where the current small canteen is.</p>	<p>There has been careful consideration of the siting of the building on the constricted site. Retention of the existing trees is not possible due to the change in level across the site and the modification to the levels to achieve equitable access and continuous connectivity between the oval and the wider school grounds. The development has proposed to replace each of these trees in a ratio of 1:6. Shaded play will be provided by the roof of the basketball court in this area.</p> <p>The suggested relocation of the court to the north would impact the existing heritage buildings and reduce the connectivity to the classroom building and is not supported by the Heritage Architect. Alternative orientations of the court also do not enable the retention of the trees whilst maintaining the amenity and size of the court without reduction to the oval size. We would like to mention that two significant fig trees on the east of the site will remain untouched.</p>	<p>It is acknowledged that the site is highly constrained and the scale of the proposed building allows limited opportunity for an alternative location.</p> <p>The proposed building envelope slopes from north to south. As a result, earthworks will be required to establish a level building pad, which will have a direct impact upon the retention of the two (2) Tallowood trees.</p> <p>It is noted that the proposed development will replace the removal of each tree in a ratio of 1:6 to ensure adequate shaded play areas are provided.</p>
<p>The Panel recommends incorporating the removed canteen as part of the new</p>	<p>We appreciate the intent in proposing a new canteen to the site. However, the</p>	<p>Replacing the existing toilets and canteen does not form part of the project scope. As</p>

building or re-located outside, affording the opportunity to plan a more spacious area for food and snack purchases.	canteen currently satisfies the requirements of the school and whilst not ideally placed, it is not identified as a part of the current works. The project has a finite budget and the priority of this project is to replace demountable classrooms with permanent teaching spaces.	a result, the applicant's response is deemed to be satisfactory.
To accommodate the Tallowwood trees efficiently within the development, the Panel recommends moving the L-shaped building further south towards Virginia Street but allowing enough setback to enable trees to be planted along the street edge as screening between the classrooms and the residential apartments across the road	The placement of the building is in keeping with the existing street frontages and compliant with the Council LEP. Relocation of the building further forward does not benefit the retention of the trees for the reasons outlined above.	As discussed above the proposed building pad will require earthworks to be undertaken and therefore retention of the Tallowwood trees is not possible.
The signage with the school's name is located on the corner toilet block. The Panel considers its setting to be misleading and maybe misinterpreted as a possible entrance location.	The NSW Department of Education's policy is that the largest building on the site is provided with signage that can provide a district presence. The proposed development is the largest building on site and has been designed with the appropriate signage. We believe that the existing raised brick wall and two-metre-high security fence that bounds the site will prevent potential misinterpretation of the building as the entry to the site. The fence leads visitors along to the entry point further to the east where the administration building abounds the street frontage and appropriate signage indicates the schools' entry.	The applicant's response is noted.
The articulation of the south elevation does not take into	The design team have reviewed the articulation of	The applicant has provided an amended South & West

consideration the visual connectivity and impact upon the streetscape. The Panel recommends adding long vertical windows or surface treatments, or both, to increase verticality in the corner toilet block however, these should have frosted glass and details (e.g.: louvres) to maintain the occupant's privacy. The aim is to create better proportions and a better connection to the streetscape.	the fenestration on the toilet block and provided an update as attached. The vertical windows will be provided to enhance the verticality of the façade and have an opaque film to maintain privacy. The horizontal windows are maintained as openable louvered windows to provide adequate ventilation to the amenities. Amended South & West Elevation drawing RH-01-SD-AR-DR-3001 – B is attached for information. On this drawing we have also indicated where louvres are used to provide natural ventilation along the facades.	Elevation drawing RH-01-SD-AR-DR-3001 – Rev B which addresses this matter.
The Panel supports the 'Proposed Extension to Administration' building located east of the school's internal street.	Acknowledged.	Noted.
Solar panels could be included along the southern roof scape to highlight ESD.	As a part of the Detailed Design stage, the location of the PV panels will be reviewed. The design team will be guided by the engineer as to their most efficient placement.	Noted.
Other active ESD provisions in the whole development such as rainwater re-cycling, solar power and solar hot water were not discussed at the meeting, however it is assumed that as a minimum these measures will be included in the development.	The PV panels are intended to offset electricity consumption on the site as a whole for such things as power and hot water. The rainwater harvesting will be utilised for the purposes of irrigation of the gardens.	Noted.
The Panel recommends that annotated 1:20 scale cross-sections and details of all proposed façade types and materials are included with the DA submission and form part of the consent	The development proposal has provided the information required by the Council DA Checklist. 1:20 Sections are normally required at the CDC stage by the certifying authority. In this instance the	The applicant response is considered satisfactory.

documentation.	NSW Department of Education will be employing a private certifier to complete this role.	
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INTERNAL REFERRALS

Social Outcomes	Social Outcomes raised no objection to the proposal
Environmental Health	<p><u>Waste Management</u></p> <p>The proposal satisfies the requirements of Council's controls and can be supported, subject to standard conditions of consent.</p> <p><u>Contamination</u></p> <p>The site has a substantial historical use as a school and the proposed development will increase hardstand areas, therefore reducing exposure pathways to any potential hazards associated with the area. The proposal satisfies the requirements of Council's controls and can be supported, subject to standard and/or special conditions of consent.</p> <p><u>Acoustic</u></p> <p>The noise levels generated should not exceed the thresholds set and any addition of mechanical plant will require another assessment of the condenser units to determine acoustic suitability. The proposal satisfies the requirements of Council's controls and can be supported, subject to standard conditions of consent.</p>
Traffic and Transport	<p>Traffic and transport made the following comments;</p> <ul style="list-style-type: none"> • No additional parking is proposed despite an increase in staff from 46 to 64. A Green Travel Plan would assist in encouraging staff to use alternate transport modes and limit the impact on street parking; • No consideration has been given to providing secure bicycle parking for staff. Given that no increased car parking is being provided for additional staff at the school provision of a minimum of 2 bicycle parking in an AS2890.3 security level B facility for staff to encourage non car travel; • Part 7 Clause 57(3)(c) of the SEPP (Educational Establishments and Child Care Facilities) 2017, allows Council to consider potential traffic safety, road congestion or parking implications of the development. As such, a condition which relates to the preparation of a Green Travel Plan has been imposed to encourage alternate options for travel to the school as suggested in the traffic report; <p>Given that the applicable car parking rates cannot be applied under the Parramatta DCP 2011 due to Clause 35(9) of SEPP (Educational Establishments and Child Care Facilities) 2017, the proposal is supported subject to standard conditions.</p>
Heritage Advisor	Given the nature of the proposal, the separation between significant buildings and the new development, and the nature of significance of the item, it is assessed that impact on heritage

	values of the item and the area will be within acceptable limits.
Development Engineer	The proposal satisfies the requirements of Council's controls and can be supported, subject to conditions of consent.
Landscape Officer	The proposal satisfies the requirements of Council's controls and can be supported, subject to conditions of consent.

EXTERNAL REFERRAL

Roads and Maritime Services	<p>Roads and Maritime raises no objections to the proposed development, subject to Council's approval, Roads and Maritime and the following conditions being included in any issued consent:</p> <p><i>1. Prior to commencement of works, a Road Safety Evaluation (RSE, refer to NSW Centre for Road Safety Guidelines for Road Safety Audit Practices) shall be undertaken of Virginia Street, Prospect Street and any streets utilised for pick-up/drop-off during the morning drop-off and afternoon pick-up period.</i></p> <p><i>Appropriate road safety measures shall be implemented based on the outcomes of the RSE in consultation with the City of Parramatta Council.</i></p>
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PUBLIC CONSULTATION

The application was notified in accordance with Council's notification procedures contained within Parramatta DCP 2013 between 11 October 2017 to 1 November 2017. In response no submissions were received.

DEVELOPMENT CONTRIBUTIONS

Advice was sought from Council's Strategic Land Use Planning section with regards to applicable development contributions for Crown development.

- The relevant plan is City of Parramatta (Outside CBD) S94A Plan;
- Under Circular D6, contributions for educational services under a crown DA are generally limited to drainage works, and in some cases roads / traffic management;
- The cost of works being \$16,326,328.20, a 1% levy of \$163,263.28 would ordinarily apply to the development;
- Only drainage applies in this case;
- The apportionment to drainage works under the plan is 7.28% of the total levy. Therefore, a contribution of \$11,889.48 would apply;
- Strategic Planning recommend the contribution be levied.
- The applicant must agree to the conditions of consent for Crown Development. In this instance the applicant does not wish to pay the applicable contribution.

BONDS

In accordance with the Council's Schedule of Fees and Charges, the developer will be obliged to pay Security Bonds to ensure the protection of civil infrastructure located in the public domain adjacent to the site.

EP&A REGULATION 2000

Applicable Regulation considerations including demolition, fire safety, fire upgrades, compliance with the Building Code of Australia, compliance with the Home Building Act, PCA appointment, notice of commencement of works, sign on work sites, critical stage inspections and records of inspection have been addressed by appropriate consent conditions, refer to Appendix 4.

SUMMARY & CONCLUSION

Social & Economic Impact

It is considered that the proposed development will complement the locality. The proposed development is not expected to have an adverse social or economic impact.

ESD & The Cumulative Impact

The development satisfactorily responds to ESD principals. The proposal is not expected to have any cumulative impacts. The proposal is not considered to inhibit the ability of future generations to use or further develop the subject site.

Suitability of the Site

The potential constraints of the site have been assessed and it is considered that the site is suitable for the proposed development.

Submissions & Public Interest

No submissions were received in response to the advertisement/notification of the application. The proposed development is not contrary to the public interest.

Conclusion

After consideration of the development against Section 4.15 of the Environmental Planning and Assessment Act 1979, and the relevant statutory and policy provisions, the proposal is suitable for the site and is in the public interest. Therefore, it is recommended that the application be approved subject to the imposition of appropriate conditions.

RECOMMENDATION A – APPROVAL SUBJECT TO CONDITIONS

Pursuant to Section 4.16(1) of the Environmental Planning and Assessment Act, 1979 that the Sydney Central City Planning Panel as the consent authority is of the opinion that the following variations under Clause 4.6 of Parramatta Local Environmental Plan 2011 are supportable:

(i) Maximum height under Clause 4.3 of Parramatta Local Environmental Plan 2011

That the Sydney Central City Planning Panel is also of the opinion that strict compliance with the development standards is unreasonable and unnecessary in the circumstances of this case as the proposal satisfies the objectives of the development standard and will not compromise the amenity of the locality.

AND

That the Sydney Central City Planning Panel (SWCPP), as the consent authority, being satisfied that the variation under Clause 4.6 of Parramatta Local Environmental Plan 2011 is supportable, it grants consent to Development Application DA/848/2017 for alterations and additions to an existing educational establishment including demolition of an existing building, construction of a new 3 storey classroom building, covered basketball court, internal alterations to the existing administration building. pursuant to SEPP (Educational Establishments and Childcare Facilities) 2017 at 22 Prospect Street, Rosehill as shown on approved plans, for a period of five (5) years from the date on the Notice of Determination for physical commencement to occur subject to the conditions of consent.