

## Assessment Report and Recommendation

### Summary

<b>Applicant</b>	Bluevisions Management
<b>Owner</b>	Department of Education and Training
<b>Application No.</b>	DA-403/2017
<b>Description of Land</b>	Lot 7 to 18 in DP 9688. Lot 1 to 4 in DP 182006. Lot 416 in DP 821067. Lot 2 in DP 706849. Lots 1 and 2 in DP 782325. Lot 1 in DP 631976. Lot 11 and 12 in DP 1127373.  Number 153-159 Parramatta Road Auburn
<b>Proposed Development</b>	Demolition of existing structures, construction of a part 10 and part 11 storey mixed use development with 147 apartments and 3 levels basement car parking including a Voluntary Planning Agreement for the dedication of land to Council to widen an adjoining laneway
<b>Site Area</b>	27,990m <sup>2</sup>
<b>Zoning</b>	Zone B6 - Enterprise Corridor
<b>Disclosure of political donations and gifts</b>	Nil disclosure
<b>Issues</b>	Nil

### Recommendation

That Development Application No. DA-403/2017 for Alterations and additions to the Auburn North Public School including internal demolition, refurbishment and a single storey addition to the administration building, relocation of a demountable building, and construction of a part two (2), part three (3) storey building containing ten (10) classrooms and associated facilities on land at 153-159 Parramatta Road Auburn be approved subject to conditions as shown in the attachment provided.

### History

- Development application Number 403/2017 is seeking approval for Alterations and additions to the Auburn North Public School including internal demolition, refurbishment and a single storey addition to the administration building, relocation of a demountable building, and construction of a part two (2), part three (3) storey building containing ten (10) classrooms and associated facilities.
- The development application was notified between Tuesday 24 October and Tuesday 7 November 2017. There were no submissions to the development works sought.
- An assessment of the development application shows no significant issues arising and the works may be supported.
- This is a Crown application and as such consent has been sought to impose the conditions as per Section 4.33 of the Environmental Planning and Assessment Act 1979 (as amended). Council officers has received such consent from the Crown and dated Thursday 1 March 2018.

### Site and Locality Description

The Auburn North Public School site has a frontage to Adderley Street to the north, Melton Street to the east and Parramatta Road to the south. The site occupies an area of 27,990 square metres and comprises a primary school known as Auburn North Public School.

The school comprises numerous classrooms, a hall, outdoor seating areas, playgrounds for use by children, car parks and associated amenities.

The school is situated in an area dominated by a mixture of land uses ranging from commercial premises, warehouses, established retail uses and bulky good retailers. A small number of residential properties are also found in the locality especially along Melton Street South and along the north east portion of the subject site facing Adderley Street West.

The school is listed as a local heritage item in the Auburn Local Environmental Plan 2010 as Item Number I4 being the school and for the Ficus Macrophylla (Moreton Bay Fig).

The location of the site is shown edged in red below.



Photos of the site are provided below.







### **Description of Proposed Development**

Development application Number 403/2017 is proposing alterations and additions to the Auburn North Public School which includes demolition work and new building work. The works include the following:-

#### Demolition work

- Demolition works associated with the extension of the administration building including the removal of an external wall.
- Demolition works associated with internal building fitout.
- Demolition of a groundsman shed.

#### Removal of trees

Up to 16 trees of various stature will need to be removed to facilitate the works. It is found that the trees will interfere with the new building works.

The works also involve the relocation of the “Lone Pine” memorial tree from its present site to another site within the school being a courtyard area to the south of the administration building.

#### Construction work

Following the demolition and tree removal, internal refurbishments of an existing administration building known as Building B will be undertaken. The administration building will be enlarged to service new staff.

The most significant work is the construction of a new part two / part three storey building comprising 10 new classrooms with storage facilities underneath.

A demountable classroom will be relocated and landscaping undertaken.

The plans show an administration building being refurbished in which internal partition walls will be removed and rebuilt. The administration building will be extended northward

comprising new offices for staff. The extension is single storey in height and occupying an area of 103.2 square metres.

A new part two storey / part three storey building will be constructed on the eastern side of the building cluster within the school playground comprising of 10 new classrooms and toilet facilities. The new building will comprise 1,021.93 square metres of new classrooms and associated facilities across two floors. The new building will feature an undercover walkway and a lift servicing both floors.

The plans show a lower ground floor at the south eastern side of the building which is another floor to be used as a garden store, a bulk store room and a services room. The garden store occupies an area of 28.35 square metres, the bulk store room occupies an area of 92.48 square metres and the services room occupies an area of 56.07 square metres.

A sign will also be placed onto the east elevation that reads "Auburn North Public School".

#### Intensity of use

A traffic study prepared by ARUP on behalf of the Department of Education identifies that there are 759 students enrolled at the school. The report also specifies that there are 50 staff employed at the school including 5 non teaching staff.

The report also identifies that the new works will result in:-

- The number of students attending the school increasing by 115 to 874.
- The number of staff increasing by 10 to 60.

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### **Referrals**

#### **Internal Referrals**

The following internal referrals were made.

#### Development Engineer

As per the memorandum dated 12 February 2018, the stormwater drainage system is compliant with the relevant development control provisions and satisfactory stormwater drainage is achieved from the new works. As such, the development application may be supported subject to conditions.

#### Landscape Architect

The development application was passed before Council's Landscape Architect. The landscape plans submitted are found to be satisfactory and compliant with Council requirements. As such, no objection is raised to the landscaping provided or the removal of trees.

The landscape architect has not recommended any conditions for any consent that may be issued.

#### Heritage Officer

As per the memorandum dated 16 November 2017, the development is satisfactory with respect to heritage and no objection is raised to the works that are sought. The Heritage Advisor has not recommended any conditions for any consent to be issued.

#### Environment and Health

As per the memorandum and advice dated 20 November 2011, the development application is supported. A number of conditions are requested addressing asbestos management, noise generation and noise control and internal ventilation to the new classrooms.

#### **Building Surveyor**

As per the memorandum dated 3 November 2017, no objection is raised to the development. Any Building Code of Australia compliance can be verified during construction phase and no conditions are provided.

#### **External Referrals**

##### **Roads and Maritime Services**

The development application was referred to Roads and Maritime Services for advice. As per the correspondence dated 16 November 2017, the Roads and Maritime Services has advised that it has previously acquired a strip of land for road widening along the Parramatta Road frontage but no further land is required.

Generally no objection is raised to the project subject to conditions which are provided in the condition set.

##### **Sydney Water**

The development application was emailed over to Sydney Water for advice on November 21 2017. Sydney Water responded on Tuesday 13 February 2018 and raised no objection to the works sought subject to two conditions which are attached to the recommendation.

#### **The provisions of any Environmental Planning Instruments (EP& A Act s4.15a(i))**

##### **Section S4.33 - Determination of Crown development applications:**

The Department of Education is a Crown for the purpose of this application. Prior to determination of the development application, the provisions of Clause 4.33 are required to be complied with specific to the placement of any conditions onto any consent issued.

Consent has been sought from the Crown regarding the proposed conditions. In correspondence dated Thursday 1 March 2018, the applicant has agreed to the conditions for approval by the Sydney West Central Planning Panel as shown in the attachment containing the conditions.

##### **State Environmental Planning Policies**

The proposed development is affected by the following State Environmental Planning Policies.

###### **a) State Environmental Planning Policy "Infrastructure" 2007**

The site is situated on Parramatta Road which is a Classified Road. As such, it is appropriate to consider Clause 101 and 102 on the proposed development.

Under Clause 101, Council is required to consider the impact of development on the effective and ongoing operation and function of the Classified Road.

It is identified that the new works do not face onto Parramatta Road and all vehicle access points to the school, position of car parks and location of local bus stops servicing the school will not be changing. It is determined that the proposed works will not have adverse impacts onto the ongoing functions and traffic flows along Parramatta Road.

Under Clause 102, Council is required to consider the impact of road noise or vibration on non road development such as educational establishments.

In relation to this matter, an acoustic report prepared by Wood and Grieve Engineers and dated 8/9/2017 has been submitted addressing acoustic matters. The acoustic report identifies that the local ambient noise environment is generally dominated by traffic noise from the M4 Motorway and Parramatta Road.

The Interim Guidelines for “Development Near Rail Corridors and Busy Roads” has also been used to assist the assessment process. Based on the Interim Guideline, the maximum recommended internal noise level to educational institutions is 40 dB(A).

The acoustic report makes a number of recommendations to address noise impacts from external sources such as:-

- Use of 6 mm float glazing for windows with an acquired acoustic rating of 31 Rw3 for windows facing north, east and west.
- Use of 6.38 mm laminated glazing with an acquired acoustic rating of 32 Rw3 for windows facing south.

Facades with sensitive spaces facing Parramatta Road cannot have windows open while meeting the internal noise levels. Thus far, non openable windows are required to be used for the south facing facade.

Should the development application be supported, the Acoustic report would need to be incorporated into any consent issued due to the recommendations that are made.

b) State Environmental Planning Policy No. 55 - Remediation of Land

The requirement at Clause 7 of SEPP No 55 has been considered in the assessment of the development application.

In 1943, the Auburn North Public School occupied the site. Some of the school buildings shown on the aerial photo of the time still stand today. A large playing field is visible to the east of the school buildings.

Generally, residential areas dominated the wider locality including an area where the M4 Motorway exists today.

A contamination audit prepared by Douglas and Partners and dated 29 August 2017 has been submitted with the development application. The report identifies that the school has been in existence for approximately 125 years. Very low levels of land contamination has been observed in fill in the form of asbestos and lead paint. This has most likely occurred from the deterioration of existing structures or inappropriate demolition, handling and removal of previous structures in the past.

The majority of soil samples recorded low levels of contamination and hence widespread adverse chemical contamination on site has not occurred.

It is recommended that an asbestos management plan be prepared to manage the risk to workers and school users prior to and during site works.

It is determined that subject to appropriate management of asbestos in affected areas, the site is suitable for the continued use being a school.

Council's Environment and Health Department have reviewed the documentation and raised no objection to the works proposed.

c) State Environmental Planning Policy 64 “Advertising and Signage”

The development application includes erection of one building identification sign that reads “Auburn North Public School”. The sign has dimensions of 6 metres x 1.2 metres and occupies an area of 7.2 square metres. The sign has been assessed as being compliant with the relevant provisions of the State Policy and no objections are raised to the proposed sign. A detailed assessment is attached to Council’s file.

d) State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

The development application has been assessed under the relevant provisions of the State Policy. It is concluded that the proposed development is fully compliant with the relevant provisions of the State Policy. A detailed assessment is available on Councils file.

**Design Guide for Schools**

The Design Guide for Schools prepared by the Office of the Government Architect NSW has been considered by the applicant. In particular, the document provides for 7 Design Quality Principles that should be followed. The school has been assessed using the Design Guide and the new works are determined as being compliant with the stated provisions.

A detailed assessment is attached to Council's file.

(e) Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

The site is located within the Sydney Harbour Catchment area and SREP (Sydney Harbour Catchment) 2005 is applicable to the development application. The development application raises no issues as to consistency with the requirements and objectives of the planning instrument and associated development control plan.

**Local Environmental Plans**

**Auburn Local Environmental Plan 2010**

The provisions of the Auburn Local Environmental Plan 2010 are applicable to the development application. An educational establishment or school is a permitted land use within the B6 Enterprise Corridor zone subject to consent.

Alterations and additions to the school is also permitted with consent within the zone.

The development application raises no issues in relation to height or floor space ratio as provided below.

- Clause 4.3 - Height of buildings

A maximum building height is not specified for the site. However a building height limit of 27 metres is specified for offices and hotel or motel accommodation. Such provision is not applicable to the application as neither use is proposed.

The new two storey classroom accommodation reaches a maximum height of 12.3 metres from the natural ground level to the highest point. The height of the tallest building work is acceptable for the site.

- Clause 4.4 - Floor space ratio

The maximum permitted floor space ratio is 1:1.



The new works provide for 103.2 square metres of new offices and 1,021.93 square metres of new classrooms. This results in the new works on site occupying a floor area of 1,125.13 square metres.

The applicant has not calculated the floor space ratio of the new and existing development but contends the floor space ratio is less than 1:1 following the works.

Given the size of the site and the size of the playground space, it is clear that the floor space ratio of the school would not approach 1:1. It can be concluded that the floor space ratio of the site is satisfactory.

- Clause 5.10 - Heritage Conservation

The site is listed as a heritage item in the Auburn Local Environmental Plan 2010 as Heritage Item I4. The heritage item is the school site and the Ficus Macrophylla tree. The assessment identifies that the development work proposed will be acceptable to the site notwithstanding the heritage significance of the school.

A detailed assessment of the development application using the Auburn Local Environmental Plan 2010 is available on Council's file.

#### **The provisions of any Draft Environmental Planning Instruments (EP& A Act s4.15(a)(ii))**

There are no draft planning instruments that require consideration under the heading.

#### **The provisions of any Development Control Plans (EP& A Act s4.15(a)(iii))**

##### **Auburn Development Control Plan**

The following provisions of the Auburn Development Control Plan are relevant to the proposed works.

##### **Parking and Loading**

The relevant requirements and objectives of the Parking and Loading part of the Auburn Development Control Plan 2010 have been considered in the assessment of the development application. The parking rates prescribed by the DCP for educational establishments are as follows:

<b>School type</b>	<b>Parking rate</b>
<b>Primary Schools</b>	1 space per 2 staff.
<b>Secondary Schools</b>	1 space per 20 year 12 students <u>plus</u> 1 space per 2 staff.
<b>Tertiary Schools</b>	1 space per 6 students <u>plus</u> 1 space per 2 staff.

##### **Comment**

There are currently 50 staff working at the primary school which according to the above table, would require 25 car parking spaces. For an increase of 10 staff to 60 staff, at least 30 car parking spaces would be required to support the school.

It is identified that the school is provided with 43 car parking spaces located within 2 parking areas. There is a surplus of 13 car parking spaces on site and therefore no additional car parking spaces would be required for the increase in staff numbers anticipated at the school.

##### **Tree Preservation.**

The development application is requesting for the removal of 16 trees affected by the development. The trees to be removed are:-

- 4 x Lophostemon Confertus.
- 1 x Brachychiton Acerifolius.
- x Corymbia Citriodora.
- 5 x Corymbia Maculata.
- 1 x Corymbia Ficifolia.
- 1 x Aracuria Columnaris.
- 1 x Eucalyptus tree.

The trees vary in height, stature, and health. The trees need to be removed because development works will interfere with their root zones and leave canopy.

Council's Landscape Architect has raised no objection to the removal of the sixteen trees on site. New replacement trees will be planted on site including:-

- Brachychiton Acerifolius
- Elaeocarpus Reticulatis.
- Angophora Floribunda.
- Eucalyptus Sideroxylon.

A pine tree will also be relocated because it is a significant tree that commemorates the Battle of Lone Pine. The tree will be relocated to a landscaped courtyard to the immediate south of the administration building.

#### Stormwater Drainage

The stormwater plans submitted with the development application are found to be compliant with the Auburn Development Control Plan 2010 "Stormwater Drainage" chapter and as such are found to be acceptable by the Council engineer. The stormwater drainage plan may be supported.

#### Waste

A demolition and construction waste management plan has been submitted with the development application. The waste management plan is found to be satisfactory for approval.

#### Access and Mobility

The new works have been designed in an appropriate manner. In particular, the new building comprising the classrooms are provided with:-

- A lift linking both floors of the new building comprising the classrooms.
- Suitable toilet needs for the new building to be constructed on both floors.

The new extension to the administration office is at grade.

The works are determined as being satisfactory under the heading.

#### Advertising and Signage

The proposed new building identification sign will be compliant with the stated provisions. No objection is raised to the new sign when considered under the relevant provisions.

#### **Section 7.11 Contributions Plan**

The cost of works for the development is quoted at \$8,094,825.

A contribution amount of \$8,094.82 would be calculated. In correspondence dated 22 September 2017, the Department has specifically stated that it does not pay Section 7.11 contributions towards local roads, car parking, open space and recreation, community facilities and plan administration.

No Section 7.11 Contribution would be applicable to the development application.

#### **Disclosure of Political Donations and Gifts**

The NSW Government introduced The Local Government and Planning Legislation Amendment (Political Donations) Act 2008 (NSW). This disclosure requirement is for all members of the public relating to political donations and gifts. The law introduces disclosure requirements for individuals or entities with a relevant financial interest as part of the lodgement of various types of development proposals and requests to initiate environmental planning instruments or development control plans.

The applicant and notification process did not result in any disclosure of Political Donations and Gifts.

#### **The provisions of the Regulations (EP& A Act s4.15(a)(iv))**

The proposed development raises no concerns as to the relevant matters arising from the EP& A Regulations 2000.

#### **The Likely Environmental, Social or Economic Impacts (EP& A Act s4.15b)**

It is considered that the proposed development will have no significant adverse environmental, social or economic impacts in the locality.

#### **The suitability of the site for the development (EP& A Act s4.15c)**

The subject site and locality is not known to be affected by any natural hazards or other site constraints likely to have a significant adverse impact on the proposed development. Accordingly, the site can be said to be suitable to accommodate the proposal. The proposed development has been assessed in regard to its environmental consequences and having regard to this assessment, it is considered that the development is suitable in the context of the site and surrounding locality.

#### **Submissions made in accordance with the Act or Regulation (EP& A Act s4.15d)**

Advertised (newspaper) ☒ Mail ☒ Sign ☒ Not Required ☐

In accordance with Council's Notification of Development Proposals Development Control Plan, the proposal was publicly exhibited for a period of 14 days between Tuesday 24 October and Tuesday 7 November 2017. There were no submissions to the development works sought.

#### **The public interest (EP& A Act s4.15e)**

The public interest is served by permitting the orderly and economic development of land, in a manner that is sensitive to the surrounding environment and has regard to the reasonable amenity expectations of surrounding land users. In view of the foregoing analysis it is considered that the development, if carried out subject to the conditions set out in the recommendation below, will have no significant adverse impacts on the public interest.

#### **Operational Plan / Delivery Program**

This assessment and report relates to the Auburn City Council Operational Plan and Delivery Program, Our Places - Attractive and Liveable theme, action “2a.1.1.3 Assess development applications, complying development and construction certificates”.

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## **Conclusion**

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The development application has been assessed in accordance with the relevant requirements of the Environmental Planning and Assessment Act 1979 (as amended).

The proposed development is appropriately located within the B6 Enterprise Corridor zone under the relevant provisions of Auburn Local Environmental Plan 2010. The proposal is consistent with all statutory and non-statutory controls applying to the development. The development is considered to perform adequately in terms of its relationship to its surrounding built and natural environment, particularly having regard to impacts on adjoining properties.

For these reasons, it is considered that the proposal is satisfactory having regard to the matters of consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979 (as amended), and the development may be approved by the Sydney West Central Planning Panel subject to conditions in the attachment provided.