

Assessment report to Sydney Central City Planning Panel

2017SWC127

Development application

DA number	SPP-17-00034	Date of lodgement	13 October 2017
Applicant	Department of Education C/- Urbis Pty Ltd		
Owner	Crown		
Proposed development	Construction of a new 2 storey school building at Riverbank Public School, minor internal refurbishment, removal of car parking and tree removal		
Street address	Lot 11 DP 1200915, 25 Wentworth Street, The Ponds		
Notification period	14 to 28 November 2017	Number of submissions	0

Assessment

Panel criteria (Schedule 7, SEPP (State and Regional Development) 2011	<ul style="list-style-type: none"> Capital Investment Value (CIV) > \$5M (CIV is \$11,458,000) Crown Development
Relevant section 4.15(1)(a) matters	Refer listing in Section 6
Report prepared by	Luma Araim
Report date	15 August 2018
Recommendation	Deferred commencement consent, subject to conditions in attachment 7.

Attachments

- Location map
- Aerial image
- Zoning extract
- Detailed information about proposal and DA submission material
- Development Application plans
- Assessment against planning controls
- Draft conditions of consent

Checklist

Summary of section 4.15 matters

Have all recommendations in relation to relevant section 4.15 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 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 (section 7.24)?

No

Conditions

Have draft conditions been provided to the applicant for comment?

Yes

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1 Executive summary

- 1.1 The key issues that need to be considered by the Panel in respect of this application are:
 - the need for a second pedestrian crossing on Wentworth Street due to the increase in school capacity
 - the need for demountable classrooms to be relocated to ensure car parking requirements are met
 - the inclusion of bushfire protection measures
 - the relocation, rather than removal, of 7 trees
 - our proposal to have the applicant demonstrate it can resolve the significant drainage issues in order to activate the consent.
- 1.2 Assessment of the application against the relevant planning framework and consideration of matters by Council's technical departments has not identified any issues of concern that cannot be dealt with by conditions of consent.
- 1.3 The application is therefore satisfactory, subject to conditions, when evaluated against section 4.15 of the *Environmental Planning and Assessment Act 1979* (as amended).
- 1.4 This report recommends that the Panel approve the application by granting a Deferred Commencement Consent subject to the recommended conditions listed in **attachment 7**.
- 1.5 Conditions may not be imposed on an application made by or on behalf of the Crown without the prior consent of the Crown. The Crown has not agreed to conditions relating to a second pedestrian crossing on Wentworth Street. We wish to press this issue as it is important for pedestrian safety.

2 Location

- 2.1 The site is located at 25 Wentworth Street, The Ponds.
- 2.2 The location of the site is shown at **attachment 1**.
- 2.3 The school is in a residential area adjacent to the newly established The Ponds residential estate.
- 2.4 A large public park, with mature native vegetation and a native vegetation retention area, is located to the east of the subject site. Undeveloped rural land, that is gradually transitioning to residential, is to the west.
- 2.5 Schofields railway station is approximately 2 kilometres to the west.

3 Site description

- 3.1 The land is legally known as Lot 11 in DP1200915.
- 3.2 The site is occupied by Riverbank Public School and The Ponds High School.
- 3.3 Riverbank Public School comprises 2 storey school buildings, library, hall, demountable classrooms and open space and sporting fields. On-site car parking for 124 cars is provided adjacent to the southern and eastern boundaries of the site.
- 3.4 An aerial image of the site and surrounding area is at **attachment 2**.

4 Background

- 4.1 The site is zoned R2 Low Density Residential and a small portion of the site located to the north-west is zoned SP2 Infrastructure. The proposed development is in the R2 zone.
- 4.2 Schools are permissible in the R2 zone.
- 4.3 The zoning plan for the site and surrounds is at **attachment 3**.

5 The proposal

- 5.1 The development application has been lodged by Urbis on behalf of the NSW Department of Education for Riverbank Public School.
- 5.2 The proposal includes the construction of a new 2 storey connected hub building, outdoor learning areas, landscaped areas, tree removal, signage and internal refurbishment of existing Block A, including meeting rooms and staff facilities.
- 5.3 The applicant initially proposed the removal of 19 existing car spaces to accommodate the new proposal. Since then the applicant has submitted an amended parking plan which provides a total of 165 car parking spaces, being the required 155 existing spaces plus 10 new spaces for this proposal.
- 5.4 Further details about the proposal are at **attachment 4**, including the list of plans and supporting documents submitted with the application. A copy of the development plans is included at **attachment 5**.

6 Assessment against planning controls

- 6.1 A full assessment of the Development Application against relevant planning controls is provided at **attachment 6**, including:
 - State Environmental Planning Policy (State and Regional Development) 2011
 - State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017
 - State Environmental Planning Policy No. 55 – Remediation of Land
 - State Environmental Planning Policy No. 64 – Advertising and Signage
 - State Environmental Planning Policy (Sydney Region Growth Centres) 2006
 - Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River
 - Central City District Plan 2018
 - Blacktown City Council Growth Centre Precincts Development Control Plan 2018

7 Key issues

- 7.1 **Additional pedestrian crossing on Wentworth Street not proposed by applicant**
 - 7.1.1 The submitted Traffic Report failed to assess safe crossing points at intersections.
 - 7.1.2 The applicant considered the provision of another pedestrian crossing on Wentworth Street to be unnecessary for the following reasons:
 - Wentworth Street already contains a pedestrian crossing between the existing driveway and the pedestrian entrance of Riverbank Public School (refer to page 3 of attachment 4).

- The existing pedestrian crossing is optimally placed north of the designated drop-off/pick-up zone on Wentworth Street (refer to page 1 of attachment 4).
- There are no existing pedestrian footpaths on the eastern side of Wentworth Street, along the frontage of the school between Tomah Crescent and Riverbank Drive.

7.1.3 Council's traffic engineer indicates that existing school users have requested an additional zebra crossing along the Riverbank Drive frontage of the school. Council's Traffic section is considering this at present.

7.1.4 The applicant concludes that the pedestrian crossing facilities for the Riverbank Public School are sufficient for the proposed development.

7.1.5 Considering the increase in school capacity from 890 to 1,020 students and from 64 to 72 staff, it is Council's traffic engineer's view that an additional pedestrian crossing to facilitate safe crossing points along the Wentworth Street frontage should be provided at no cost to Council. A condition is proposed to be included on the consent to this effect.

7.2 Demountable classrooms need to be relocated to meet the DCP car parking requirement

7.2.1 Blacktown Growth Centres DCP 2018 requires the provision of car parking at a rate of:

- 1 space per staff member plus 1 space per 100 students.

7.2.2 The school currently employs 64 fulltime staff and has approximately 890 enrolled students. It is to be noted that JRPP-13-369 approved 155 parking spaces, however there are only a total of 124 parking spaces in actual operation for the high school and public school. This is due to the number of demountable classrooms that have been located over 31 of the required parking spaces situated along Wentworth Street within the public school grounds. We have recommended a condition be included on the consent requiring these demountables to be relocated off the carpark so that the required parking is provided in accordance with condition 9.2.2 of the consent to JRPP-13-369.

7.2.3 The proposed addition of the new learning areas will enable the school to increase enrolment by 130 students to 1,020 and will provide an additional 8 teaching staff. An additional 10 spaces are needed to meet the required rate under the DCP.

7.2.4 Initially there were no additional spaces shown on the plans to be provided as part of the application, despite the loss of 19 parking spaces.

7.2.5 Our traffic engineer did not support the loss of car parking spaces.

7.2.6 The applicant has now submitted an amended site plan showing alternative locations for the displaced car parking spaces. Furthermore, the plan also shows the 10 additional parking spaces required under the DCP to cater for the new development. Now the required 165 car parking spaces can be provided on site.

7.2.7 After moving the demountables, and with the provision of the additional spaces, there will be the required 165 car parking spaces on site.

7.3 Bushfire protection measures will be included

7.3.1 Under section 4.44 of the *Environmental Planning and Assessment Act 1979*, the proposed development is not 'integrated development' as it is made by the Crown.

7.3.2 The site contains a bushfire buffer and is situated near bushfire prone land located to the east.

- 7.3.3 A Bushfire Hazard Assessment Report has been provided. The report indicates that the minimum required Asset Protection Zone (APZ) was determined from bushfire design modelling to be 29 m to the east. The proposed new works are greater than 29 m from the bushfire hazard to the east, satisfying the requirements for special fire protection purpose development.
- 7.3.4 The recommendations of the Bushfire Hazard Assessment Report will be included as conditions of the consent.

7.4 Tree relocation rather than removal

- 7.4.1 The applicant proposed to remove 7 trees. Consultation with our Tree Officer revealed that these trees can, in fact, be relocated. Our Tree Officer has inspected the site and provided conditions for their relocation.

7.5 Significant drainage issues need to be resolved before the consent is activated

- 7.5.1 The current school drainage and operation of water sensitive urban design (WSUD) measures are not to Council's standard. Our engineers have not been satisfied with the proposed water quality and water conservation treatment of the proposed development as submitted to date as it fails to meet our engineering requirements.
- 7.5.2 As a result, detailed drainage and WSUD conditions have been prepared and are included as a Deferred Commencement consent requirement.
- 7.5.3 We are reluctant to have these conditions included in the 'prior to work commencing requirements' as the applicant must be able to demonstrate that the water quality and water conservation targets have first been met before the consent can become active.

8 Issues raised by the public

- 8.1 The proposed development was notified to property owners and occupiers in the locality between 14 and 28 November 2017. The DA was also advertised in the local newspaper and a sign was erected on the site.
- 8.2 No submissions were received during the notification period.

9 External referrals

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

Authority	Comments
RMS (referred under Clause 57, Part 7 SEPP (Educational Establishments & Child Care Facilities) 2017	Referral category is traffic generating development for 50 or more additional students. Acceptable. No conditions are required.

10 Internal referrals

10.1 The DA was referred to the following internal sections of Council for comment:

Section	Comments
Traffic	Acceptable subject to conditions (included)
Engineering	Acceptable subject to deferred commencement condition (included)
Building	Acceptable subject to conditions (included)
Open space/biodiversity	Acceptable subject to conditions (included)

11 Conclusion

11.1 The proposed development has been assessed against all relevant matters and is considered to be satisfactory subject to the applicant addressing Council's concerns about:

- removal of demountable structures
- providing appropriate water quality and water conservation treatment measures
- an extra pedestrian crossing
- the relocation of trees.

11.2 The site is considered suitable for the proposed development and approval of the DA is in the public interest.

12 Recommendation

- The Development Application be approved by granting a Deferred Commencement Consent to address the drainage issue as outlined in this report and subject to the conditions listed in attachment 7.
- Council officers notify the applicant and submitters of the Panel's decision.

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