

SUPPLEMENTARY REPORT TO Sydney Central City Planning Panel

Panel reference: 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

Section 7, SEPP
(State and Regional
Development) 2011

- Capital Investment Value (CIV) > \$5M (CIV is \$11,458,000)
- Crown development

Relevant section 4.15(1)(a) matters

- 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

Report prepared by Luma Araim

Original report date 15 August 2018

PANEL CONSIDERATION AND DEFERRAL

The Panel deferred its decision on 29 August 2018 and required the submission of a revised application in which:

- Satisfactory parking provision is made for total school needs, including the proposed additional facilities.
- The unapproved demountable buildings are relocated or approval is sought for continued occupancy at their current locations, but with the associated car parking loss made-up elsewhere.
- Satisfactory conditions are provided for stormwater management, pedestrian safety and replanting of healthy trees. A report is to be provided on the need for a second pedestrian crossing.

Supplementary report date 10 October 2018

Recommendation Approve, subject to the conditions listed in attachment 3.

Attachments

- 1 Plan showing the relocation of some demountables and alternative parking space locations
- 2 Applicant's supplementary response
- 3 New draft conditions of consent
- 4 Comparison table between original draft conditions and now amended draft conditions
- 5 Copy of original report to the Panel

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? Not applicable

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 This supplementary report is the second report on this proposal. This report considers additional information submitted by the Applicant and additional conditions of consent proposed in response to the Panel's deferral of the original report on 29 August 2018. A copy of the original report is at attachment 5.
- 1.2 The key issues that need to be considered by the Panel relate to the matters raised in its deferral and are covered in Section 3 of this report.
- 1.3 Assessment of the Applicant's amended plans and documentation against the relevant planning framework and consideration of matters has not identified any issues of concern that cannot be dealt with by conditions of consent. The draft conditions presented with the original report have been amended in line with the updated material received.
- 1.4 The application is therefore satisfactory when evaluated against section 4.15 of the Environmental Planning and Assessment Act 1979.
- 1.5 This report recommends that the Panel approve the application subject to the recommended conditions listed in attachment 3 for the reasons listed in the Recommendation at Section 5 below.

2 Panel's decision to defer

- 2.1 The Panel's decision to defer consideration of the original report was on the basis of:
'The deferral is to enable resolution of the uncertainties about the provision of parking, the need for an extra pedestrian crossing, resolution of illegal works and conditions relating to stormwater management and landscaping.'
- 2.2 The Panel's concerns included:
 - A reduced number of parking spaces, including those in the area occupied by demountable buildings without an acceptable technical explanation. The Panel required a complete analysis of the total parking requirements for the school, including the new proposed additional facilities, and plans for the provision of these parking spaces.
 - The unapproved demountable buildings are to be relocated or approval is to be sought for continued occupancy in their current locations, but with the associated car parking loss compensated for elsewhere on site.
 - Stormwater management, pedestrian safety and replanting of healthy trees.

3 Key issues

- 3.1 **The Panel required an analysis of the total parking requirements for the site**
 - The Applicant has submitted a supplementary assessment letter and an amended site plan demonstrating an option for car parking. However, the Applicant indicated that it is still confirming the exact arrangements of the carpark.
 - A statement prepared by Traffix, the Applicant's traffic consultant, that provides a holistic assessment of the car parking requirements for Riverbank Public School and The Ponds High School has been submitted and is included in Appendix B to attachment 2.
 - The amended site plan at attachment 1 shows an indicative arrangement for car parking to replace the 31 spaces lost as a result of the location of the demountable classrooms over the designated parking spaces.

- The amended site plan includes 13 new parking spaces in the south-eastern carpark as a result of relocating some of the demountable classrooms. The remaining 18 spaces are proposed to be accommodated in the extended north-eastern carpark.
- The amended plans satisfactorily address the concerns raised by the Panel and Condition 3.4.1 has been updated as a result.

3.2 The Panel required relocation, or separate approval, for the current location of the demountables

- The Applicant indicated that the existing demountable classrooms on the carpark were erected under a separate Department of Education infrastructure process and were not subject to formal development approval. However, it did acknowledge that this does impact on 31 parking spaces.
- The amended plan (referred in 3.1 above) shows the relocation of 7 demountable classrooms from the south-eastern carpark area and immediate vicinity. This will provide 13 car parking spaces in the south-eastern carpark, together with an accessible kiss and drop area. The remaining 18 parking spaces are provided in the extended north-eastern carpark. Therefore, the previous loss of 31 parking spaces has now been addressed subject to strict compliance with the amended car parking plan.
- The Applicant is not seeking an approval for the demountable classrooms as they were already approved by the Department of Education.

3.3 The Panel raised concerns about stormwater management, pedestrian safety and replanting of healthy trees


- The Applicant negotiated conditions relating to stormwater with our Drainage Engineer at the Panel meeting. It was agreed to move the deferred commencement conditions to the 'Prior to Construction Work Commencing' part of the Consent and to delete any unnecessary conditions. These conditions have now been relocated in the consent and renumbered.
- The Applicant has also accepted the condition relating to the second pedestrian crossing, which was agreed to be moved from the 'Prior to Construction Work Commencing' section to 'Prior to Occupation'. Our Traffic Engineer raised no objection to the condition being relocated in the Consent.
- The Applicant has also accepted the condition relating to the trees as proposed by our Tree Officer. The proposed site plan showing additional trees is now included in the approved plans.

4 Conclusion


- 4.1 The proposed development as now amended in response to the Panel's concerns has been assessed against all relevant matters and is considered to be satisfactory. It is considered that the likely impacts of the development have now been satisfactorily addressed and that the proposal is in the public interest. The site is considered suitable for the proposed development subject to the amended conditions at attachment 3.

5 Recommendation

- 1 Approve the amended Development Application subject to the amended conditions at attachment 3.
- 2 Council officers notify the Applicant of the Panel's decision.



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