

Assessment report to Sydney Central City Planning Panel

Panel reference: 2018CCI001

Development Application

DA number	SPP-18-01549	Date of lodgement	16 August 2018
Applicant	Lippmann Partnership Pty Ltd		
Owner	Christian Education Ministries Ltd		
Proposed development	Construction of 3 storey classroom building at the Australian Christian College, new carpark, landscaping and timber acoustic fencing on 3 property boundaries		
Street address	61 - 69 Farm Road, Riverstone (Lot 90 DP 1224210)		
Notification period	3 to 17 October 2018	Number of submissions	2

Assessment

Panel criteria Section 7, SEPP (State and Regional Development) 2011	<ul style="list-style-type: none"> Capital Investment Value (CIV) >\$5M (CIV is \$ 12,617,000)
Relevant section 4.15(1)(a) matters	<ul style="list-style-type: none"> Refer listing at Section 6
Report prepared by	Luma Araim
Report date	23 July 2019
Recommendation	Approve, subject to the conditions listed in attachment 8

Attachments

- 1 Location map
- 2 Aerial image
- 3 Zoning extract
- 4 Detailed information about proposal and DA submission material
- 5 Development Application plans
- 6 Assessment against planning controls
- 7 Summary of residents' concerns and Council response
- 8 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)?

Yes

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 proposed removal of 40 trees to facilitate the construction of the new building and associated works.
 - The draft Indicative Layout Plan for the Marsden Park North Precinct requires the upgrade of Farm Road and construction of new roads around the perimeter of the site.
 - A Stage 1 Preliminary Site Investigation report has been prepared by ENRS in support of the application.
 - Residents' objections related to traffic, safety and flooding.
- 1.2 Assessment of the application against the relevant planning framework and consideration of matters by our technical departments have not identified any issues of concern that cannot be dealt with by conditions of consent.
- 1.3 The application is assessed as satisfactory when evaluated against section 4.15 of the *Environmental Planning and Assessment Act 1979*.
- 1.4 This report recommends that the Panel approve the application subject to the recommended conditions listed in attachment 8 based on the grounds listed in the Recommendation at Section 12 below.

2 Location

- 2.1 The site is located at 61 - 69 Farm Road, Riverstone, being 2.9 kilometres from Garfield Road West via Park Road and Walker Parade.
- 2.2 The location of the site is shown at attachment 1.
- 2.3 The school is in a rural residential area and is adjacent to an existing rural industry at Lot 6 DP 2581.
- 2.4 The site is approximately 12 kilometres north-west of the Blacktown City Centre and 6 kilometres north of the Richmond Road/M7 Motorway connection. It is approximately 8 kilometres north-west of the Rouse Hill Town Centre.

3 Site description

- 3.1 The land is legally known as Lot 90 DP 1224210.
- 3.2 The site is occupied by the Australian Christian College which comprises existing school buildings, car parking and school activities which are confined to the western side of the site.
- 3.3 An aerial image of the site and surrounding area is at attachment 2.

4 Background

- 4.1 The site was formerly 2 lots (Lots 8 and 9 DP 2518) and has since been consolidated into Lot 90 DP 1224210.
- 4.2 The existing school facilities are on former Lot 9 on the western side. The majority of the proposed works will be located on the eastern side of the site (former Lot 8).
- 4.3 An approval was granted in 1998 for an educational establishment on the site. Various approved additions were granted since that time, including a multi-purpose hall under the Federal Government's Building Education Revolution program in 2010.

- 4.4 Development Application DA13/634 for a new school building and extension to the carpark was determined by the Joint Regional Planning Panel on 24 July 2014. The proposed school building was to be located on the former Lot 9 and required the demolition of some of existing school buildings.
- 4.5 The site is zoned RU4 Primary Production Small Lots under the Blacktown Local Environmental Plan 2015 and which does not permit educational establishments. However, RU4 is a prescribed zone under the provisions of State Environmental Planning Policy (Educational Establishments and Child Care Facilities (Education SEPP) 2017, which permits educational establishments.
- 4.6 The site is also located within the draft Marsden Park North Precinct of the North West Growth Centre and a draft zoning plan for this precinct was on exhibition from 10 September to 19 October 2018. This plan shows the land proposed to be zoned SP2 Infrastructure – Educational Establishment. The proposed development meets the intent of this new draft plan.
- 4.7 The zoning plan for the site and surrounds is at attachment 3, together with the exhibited draft Indicative Layout Plan for the precinct.

5 The proposal

- 5.1 The Development Application has been lodged by Lippmann Partnership Pty Ltd.
- 5.2 The Applicant is proposing:
 - demolition of an existing brick residence, metal residence, carport, 2 sheds and remains of other shed structures located on the eastern side of the site
 - construction of a new 3 storey classroom building with 35 classrooms for 900 students
 - on-site drop-off, pick-up and queuing facility for buses and cars
 - new 2.1 to 2.6 m high timber acoustic fencing on the east, west and south boundaries of the site
 - landscaping works
 - a new carpark along the eastern boundary of the site containing 51 parking spaces for staff, year 12 students and visitors.
- 5.3 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:
 - Environmental Planning and Assessment Act 1979
 - State Environmental Planning Policy (State and Regional Development) 2011
 - State Environmental Planning Policy No. 55 – Remediation of Land
 - Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River
 - State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017
 - State Environmental Planning Policy (Sydney Region Growth Centres) 2006 - draft Marsden Park North Precinct controls

- Central City District Plan 2018
- Blacktown Local Environmental Plan 2015
- Blacktown Development Control Plan 2015.

7 Key issues

7.1 The Applicant proposes the removal of 40 trees

- 7.1.1 A Tree Impact Statement has been prepared by Angophora Consulting Arborist in support of the application.
- 7.1.2 The report identifies 13 trees to be retained, Tree Protection Zones to be installed and 40 trees to be removed to permit the construction of the new building and civil works. The report also recommends that more trees be considered for planting after construction works are complete. 25 new trees are proposed to be planted on the site. The trees are shown on the amended landscape plans.
- 7.1.3 Our Tree Officer supports the recommendations contained in the amended Tree Impact Statement. The recommendations of the Tree Impact Statement have been included as conditions of the draft consent.

7.2 Upgrade of Farm Road and construction of new roads

- 7.2.1 The draft Indicative Layout Plan (ILP) for the Marsden Park North Precinct requires the upgrade of Farm Road and construction of new roads around the perimeter of the subject site.
- 7.2.2 Consideration was not given to the draft ILP by the Applicant when the DA was submitted. However, our Development Engineers requested that the proposal be amended and revised engineering plans be submitted to include the half-width construction of Farm Road along the site's full frontage.
- 7.2.3 Amended plans were submitted and reviewed by our engineers and found to be satisfactory subject to conditions.

7.3 A Stage 1 Preliminary Site Contamination Investigation report has been prepared in support of the application

- 7.3.1 The report indicates elevated levels of formaldehyde in the soil and areas of asbestos.
- 7.3.2 The report concludes that the areas of environmental concern can be managed during the development process and the site may be considered suitable for the proposed educational land use pending the results of soil validation testing after removal of fill material and the provision of asbestos clearance certificates.
- 7.3.3 Our Environmental Health Officer has reviewed the proposal and recommended a condition requiring the submission of a Stage 2 Detailed Site Investigation report prior to the Construction Certificate being issued.

8 Issues raised by the public

- 8.1 The proposed development was notified to property owners and occupiers in the locality between 3 and 17 October 2018. The Development Application was also advertised in the local newspaper and a sign was erected on the site.
- 8.2 We received 2 submissions.
- 8.3 The issues raised by the residents relate to traffic, safety and flooding. A summary of each issue and our response is provided in attachment 7.

- 8.4 The objections are not considered to warrant refusal of the Development Application and can in part be addressed by suitable conditions of consent.

9 External referrals

- 9.1 The Development Application was referred to the following external authority for comment:

Authority	Comments
RMS (referred under Clause 57, Part 7 SEPP (Educational Establishments & Child Care Facilities) 2017	Acceptable subject to conditions

10 Internal referrals

- 10.1 The Development Application was referred to the following internal sections of Council for comment:

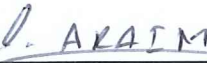
Section	Comments
Traffic	Acceptable and no conditions required
Engineering	Acceptable subject to conditions included
Building	Acceptable subject to conditions included
Open space	Acceptable subject to conditions included
Environmental Health	Acceptable subject to conditions included
Heritage	Acceptable subject to conditions included
Section 7.11 contributions	The subject site is subject to the draft Marsden Park North Precinct ILP, which has no section 7.11 Contributions Plan and will only have one prepared upon gazettal of the final ILP.

11 Conclusion

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

12 Recommendation

- 1 The Development Application be approved subject to the conditions listed in attachment 8.
- 2 Council officers notify the Applicant and submitters of the Panel's decision.



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