

# Assessment report to Sydney Central City Planning Panel

Panel reference: 2018SWC024 DA

## Development Application

|                             |  |                              |                 |
|-----------------------------|--|------------------------------|-----------------|
| <b>DA number</b>            | SPP-17-00040   | <b>Date of lodgement</b>     | 7 November 2017 |
| <b>Applicant</b>            | Department of Education<br>C/- Urbis Pty Ltd   |                              |                 |
| <b>Owner</b>                | Crown  |                              |                 |
| <b>Proposed development</b> | Alterations and additions to an existing school, including construction of a 2 storey learning building with outdoor learning areas to replace the existing demountable classrooms and alterations to an existing building including an administration wing. |                              |                 |
| <b>Street address</b>       | 14 Chase Drive, Acacia Gardens   |                              |                 |
| <b>Notification period</b>  | 12 February to 15 March 2018   | <b>Number of submissions</b> | 1               |

## Assessment

|  |   |
|--|---|
| <b>Panel criteria</b>  | CIV >\$5M – Crown development                                       |
| Schedule 7, SEPP<br>(State and Regional<br>Development) 2011 | CIV is \$11,621,452   |
| <b>Report prepared by</b>                                    | Planning Ingenuity (Consultant Planners) for Blacktown City Council |
| <b>Report date</b>   | 15 June 2018  |
| <b>Recommendation</b>  | Approval, subject to conditions listed in attachment 8.             |

## Attachments

1. Location map
2. Aerial image
3. Zoning extract
4. Detailed information about proposal and DA submission material, including traffic, parking, noise and tree assessment
5. Development Application plans
6. Assessment against planning controls
7. Concerns raised in the public submission
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? | Not applicable |
|--|----------------|

### Special Infrastructure Contributions

|   |    |
|---|----|
| Does the DA require Special Infrastructure Contributions conditions (section 7.24)? | No |
|---|----|

|                   |     |
|-------------------|-----|
| <b>Conditions</b> | Yes |
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Have draft conditions been provided to the applicant for comment?

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## 1 Executive summary

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- 1.1 The key issues that need to be considered by the Panel in respect of this application are:
- Car parking – no additional parking is provided, despite an increase in staff and student numbers as part of the additional learning area being proposed. The minor parking shortfall is addressed in Section 7.1 of this report and is supported on merit.
  - Tree removal – 24 trees are proposed for removal, including some of high retention value. A Preliminary Tree Assessment Report and Flora and Fauna Report have been submitted with the application and reviewed by Council staff. No objection is raised to the proposed tree removal subject to conditions of consent in relation to the provision of a Vegetation Management Plan prior to the issue of a Construction Certificate.
- 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 assessed by us 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**.
- 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 been forwarded our proposed conditions and we are yet to receive their feedback.

## 2 Location

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- 2.1 The site is located at 14 Chase Drive, Acacia Gardens and is shown at **attachment 1**.
- 2.2 The school is located in an established residential area and is located adjacent to Waite Reserve, which contains a vegetated area adjoining sporting fields and open space to the east.

## 3 Site description

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- 3.1 The land is legally known as Lot 3 in DP866387.
- 3.2 The site is occupied by Quakers Hill East Public School. The school contains a number of buildings containing administration offices, classrooms, library, hall, demountable classrooms and open space and sporting fields.
- 3.3 An aerial image of the site and surrounding area is at **attachment 2**.

## 4 Background

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- 4.1 The site is in the SP2 (Educational Establishment) zone. The zoning plan for the site and surrounds is at **attachment 3**. Schools are permissible in the SP2 zone.

## 5 The proposal

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- 5.1 The Development Application has been lodged by the NSW Department of Education for Quakers Hill East Public School.
- 5.2 The applicant proposes the removal of 24 trees, construction of a new 2 storey learning building to replace 8 demountables on the site, outdoor learning areas, landscaped areas and alterations and additions to an existing administration building.
- 5.3 Further details regarding the proposal are provided 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

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- 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 (Educational Establishments and Child Care Facilities) 2017
  - State Environmental Planning Policy No. 55 – Remediation of Land
  - State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017
  - Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River
  - Central City District Plan 2018
  - Blacktown Local Environmental Plan 2015
  - Blacktown Development Control Plan 2015.

## 7 Key issues

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### 7.1 Car parking

- 7.1.1 Blacktown DCP 2015 requires the provision of car parking at a rate of:

*For primary and secondary schools:*

- *1 space per staff member, plus 1 space per 100 students, plus 1 space for delivery vehicles, drop-off area and buses as appropriate.*

- 7.1.2 The school currently employs 41 full time and 16 part time staff and has approximately 703 enrolled students. The existing carpark contains 42 spaces for use by staff.
- 7.1.3 The proposed addition of the learning areas will enable the school to increase enrolment to 760 students and provide an additional 4 teaching staff (2 x full time and 2 x part time). An additional 5 car spaces is required in accordance with this rate in relation to the new works proposed.

7.1.4 There are no proposed additional car spaces to be provided in the carpark as part of the application. The applicant has provided justification for this as follows:

- a. Section PS610.17 of the Department's Educational Facilities Standards and Guidelines (EFSG) states that on-site school parking should be kept to a minimum to maximise open play space and to encourage the use of sustainable transport when travelling to and from the school.
- b. Section 4.8 within the Motor Vehicle Policy for NSW Government Agencies v13.0.14 April 2014 specifies that no private vehicles are entitled to a parking space on Government leased or owned premises.
- c. The site contains extensive frontages to Chase Drive and Tamarind Drive where on-street car parking is readily available.
- d. Based on school enrolment from the immediate catchment area, the majority of staff and students reside in the local area and are likely to walk or cycle to the site. In addition, the site is located within close proximity to several bus stops including at the entrance to the site along Chase Drive.
- e. Council's car parking rate of 1 space per staff member is considered highly unsustainable as:
  - o this rate will discourage staff members from accessing the site using sustainable active transport modes (walking and cycling) and public transport
  - o this rate greatly incentivises the use of private cars to access the site, which will increase congestion, pollution and noise on surrounding residential streets
  - o the proposed development will only result in an increase of approximately 5 staff.

7.1.5 The objectives of the parking controls in the DCP are to:

- a. ensure adequate traffic safety and management
- b. ensure an adequate environmental quality of parking areas (both safety and amenity)
- c. Provide parking areas that are convenient and sufficient for the use of employees and visitors generated by new developments.

7.1.6 The applicant's justification is considered to have merit and is accepted in light of the objectives. The proposed works will enhance the utility of the school and will not facilitate a reduction in traffic safety. The current provision of parking is considered suitable for the proposed increase in students and staff and will not result in a significant increase in demand for staff parking. The carpark is not for use by parents or guardians when dropping off or picking up students and is therefore capable of accommodating the majority of staff on site, with unrestricted on-street parking available on Tamarind Drive and Chase Drive. Drop off and pick up zones will remain unchanged as a result of the proposed works.

7.1.7 The technical shortfall in parking has been reviewed by Council's Traffic Officer and has been found to be acceptable on merit, with no traffic safety or congestion issues identified.

## 7.2 Tree removal

- 7.2.1 The proposal requires the removal of 24 trees from the site to accommodate the additional learning building, associated outdoor learning areas and landscaped area, and the additions to the administration building. Of the 24 trees proposed for removal, 19 have been identified as having a high retention value.
- 7.2.2 A Preliminary Tree Assessment Report was submitted with the application which identified the trees for removal (Figure 1). In addition, a Flora and Fauna Assessment Report was submitted with the application as the site is identified in BLEP 2015 as containing Terrestrial Biodiversity. Whilst it would have been desirable to retain these trees and place the new development on the existing cleared area, this would significantly reduce the outdoor playing area for the school children. On this basis the removal of trees is reasonable in the circumstances.
- 7.2.3 The Flora and Fauna Assessment Report has been reviewed by Council's Open Space and Biodiversity Officer. No objection has been raised to the tree removal subject to the imposition of a condition of consent requiring a Vegetation Management Plan being submitted to Council for approval prior to the issue of the Construction Certificate.

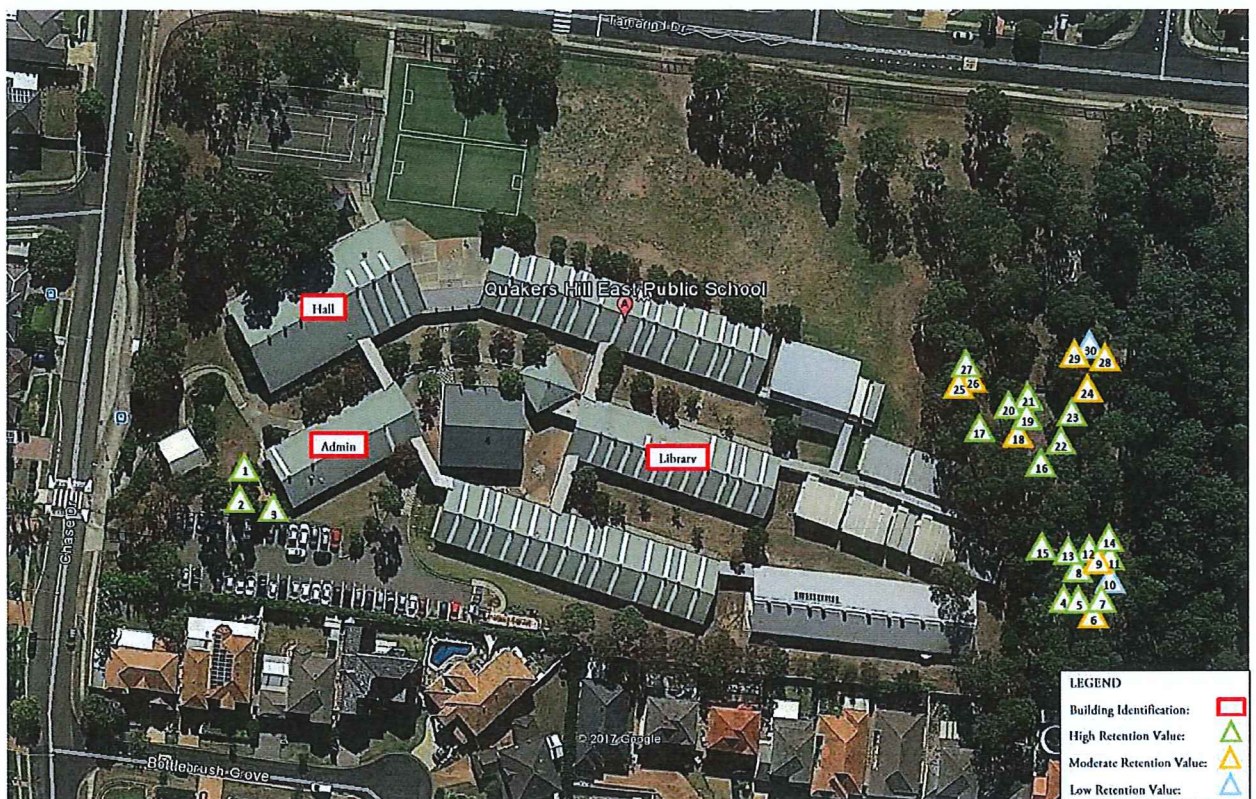


Figure 1 Trees proposed for removal

## 8 Issues raised by the public

- 8.1 The proposed development was notified to property owners and occupiers in the locality between 12 February and 15 March 2018. The Development Application was also advertised in the local newspaper and a sign was erected on the site.
- 8.2 Following the close of the exhibition period, Council received 1 submission.

- 8.3 The issues raised in the submission relate to traffic and parking. A summary of each issue and our response is provided in **attachment 7**.
- 8.4 The objection is not considered to warrant refusal of the Development Application.

## 9 External referrals

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

| Authority  | Comments                          |
|--|-----------------------------------|
| RMS<br>(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 subject to conditions.  |
| Engineering             | The applicant agreed to enter into a Voluntary Planning Agreement (VPA) towards regional water quality treatment in lieu of on-site treatment. The VPA is currently on exhibition. It is intended that the VPA be executed prior to works commencing.<br>Acceptable subject to conditions. |
| Building                | Acceptable subject to conditions.  |
| Open Space/Biodiversity | Acceptable subject to conditions.  |

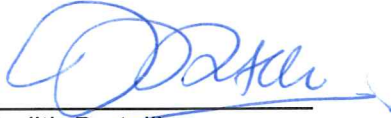
## 11 Conclusion

- 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

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1. Approve Development Application SPP-17-00040 subject to the conditions listed in attachment 8.
2. Council officers to notify the applicant and submitters of the Panel's decision.



Judith Portelli  
Manager Development Assessment



Glennys James  
Director Design and Development