

DETERMINATION AND STATEMENT OF REASONS
SYDNEY CENTRAL CITY PLANNING PANEL

DATE OF DETERMINATION	Thursday, 26 July 2018
PANEL MEMBERS	Mary-Lynne Taylor (Chair), Paul Mitchell, Lindsay Fletcher, Chris Quilkey and Kevin Gillies
APOLOGIES	Kathie Collins
DECLARATIONS OF INTEREST	None

Public meeting held at Blacktown City Council on 26 July 2018, opened at 2:40 pm and closed at 3:50 pm.

MATTER DETERMINED

2018SWC057 – Blacktown - DA SPP-17-00049 at 71 McCulloch Street, Riverstone (as described in Schedule 1)

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.


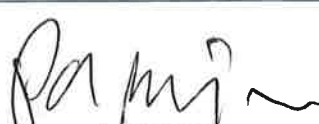

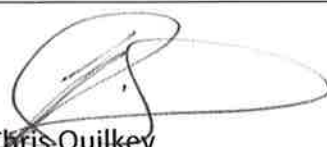

REASONS FOR THE DECISION

1. The proposal will provide additional and improved school facilities at Riverstone, this being socially beneficial.
2. The proposal complies with most applicable standards and guidelines and is satisfactory from a design perspective. A notable exception is non-compliance with the maximum building height standard and this is addressed in reason 5 below.
3. The proposal involves further development on an existing school site and thus uses this site more effectively. The site is suitable for the proposed development.
4. The expanded facility will be accompanied by all necessary supporting infrastructure including additional parking spaces. As such, it will not burden the local road system or any other infrastructure.
5. A request to vary the maximum building height standard by 1.64m or 19% has been submitted. The proposed maximum height would still be 2.8m below the height of the tallest existing building on the site. The Panel believes compliance with the standard is unnecessary because no adverse impacts will arise from the variation. It would also be unreasonable given the heights of existing buildings on the site. Also, the Panel believes that the variation will result in a better planning outcome because the additional building spaces will consume less ground and thus recreational space. Overall, the Panel believes that granting the variation will be in the public interest.

Panel will write to the Department regarding the report received about contamination on the site and expressing its concern about the potential danger to children before the works commence.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report.

PANEL MEMBERS	
 Mary-Lynne Taylor (Chair)	 Paul Mitchell OAM
 Lindsay Fletcher	 Chris Quilkey
 Kevin Gillies	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SWC057 – Blacktown - DA SPP-17-00049
2	PROPOSED DEVELOPMENT	Alterations and additions to an existing school including demolition of Building C and covered outdoor learning area (COLA); demolition of part of Building A; construction of a new 2-storey learning hub (Building O), canteen and COLA; construction of an administrative extension to Building A and associated alterations and additions; new landscaping around the new learning building and administration building, including upgrade of the internal quadrangle for the purposes of outdoor learning; removal of 18 trees
3	STREET ADDRESS	71 McCulloch Street, Riverstone
4	APPLICANT OWNER	NSW Department of Education C/- Urbis Pty Ltd Minister Administering the Technical and Further Education Commission Act 1990 – Asset Management Unit, Department of Education
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> 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 (Sydney Region Growth Centres) 2006 City Central District Plan 2018 Sydney Regional Environmental Plan No 20 – Hawkesbury-Nepean River Draft environmental planning instruments: Nil Development control plans:

		<ul style="list-style-type: none"> ○ Blacktown City Council Growth Centre Precincts Development Control Plan September 2016 ○ Blacktown Development Control Plan 2015 ● Planning agreements: Nil ● Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil ● Coastal zone management plan: Nil ● The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality ● The suitability of the site for the development ● Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations ● The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> ● Council assessment report: 12 July 2018 ● Written submissions during public exhibition: nil ● Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ On behalf of the applicant – Jessica Ford and Oswaldo Marcelo
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> ● Site inspection on 26 July 2018 ● Final briefing meeting to discuss council's recommendation, 26 July 2018, 2:15 pm. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Mary-Lynne Taylor (Chair), Paul Mitchell, Lindsay Fletcher, Chris Quilkey and Kevin Gillies ○ <u>Council assessment staff</u>: Ruth Bennett, Bertha Gunawan, Holly Palmer and Judy Portelli
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report