

DATE OF DETERMINATION	Tuesday 11 June 2019
PANEL MEMBERS	Bruce McDonald (Chair), Nicole Gurran, Julie Savet Ward, Nick Katris, Con Hindi
APOLOGIES	Helen Lochhead
DECLARATIONS OF INTEREST	None

Public meeting held at Georges River Council, Hurstville Civic Centre, corner Dora Street and Macmahon Street, Hurstville on 11 June 2019, opened at 1.25pm and closed at 3.05pm.

MATTER DETERMINED

2019SSH006 – Georges River – DA2018/0478 – 1 Kenwyn Street and 80 Forest Road Hurstville - Alterations and additions to Hurstville Public School (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 briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

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

- The proposed development will improve and modernise the available facilities of the existing school while not increasing staff and students from their current numbers. Importantly the proposal also preserves the historical significance of the heritage listed site and the integrity of the Federation School building, its associated Bell Tower and other onsite heritage structures.
- The Panel concurs with the reasons for the recommendation for approval contained in the Council assessment report.
- The proposed development adequately satisfies the relevant Environmental Planning Policies including SEPP55-Remediation of Land, SEPP (Educational Establishments and Child Care Facilities) 2017 and Regional Environmental Plan No2 – Georges River Catchment
- With regard to SEPP (Educational Establishments and Child Care Facilities) 2017, the Panel considers the resulting development enables the use of school facilities (including recreational facilities) to be shared with the community. It is also noted that while not directly applying to this application the proposed development accords with the Complying Development Standards in Schedule 2 of the SEPP.
- The proposal adequately satisfies the applicable objectives and provisions of Hurstville LEP 2012 and Hurstville DCP No. 1.

- The proposed development subject to the conditions imposed will have no unacceptable adverse impacts on the natural or built environments including the amenity of nearby buildings, the operation of the local road system or the heritage items located on the subject site.
- In consideration of these conclusions the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

CONDITIONS

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

Condition 31 be deleted

~~31 Extension of Council's Drainage System— Council's stormwater drainage system shall be extended along Orange Lane, approximately eighty metres with a 375mm (min.) diameter pipeline, to the proposed stormwater pit directly outside the subject site with all costs borne by the developer. This system is to provide an underground outlet for stormwater from the site.~~

Condition 32 be amended in the following manner:

32 Stormwater required design changes -The following design changes are required and are to be incorporated into the detailed plans to be lodged **with the Construction Certificate application**.

The submitted concept hydraulic plan shall be amended to indicate:

- ~~the underground discharge of stormwater to a proposed kerb inlet pit (KIP) directly in front of the subject development site in Orange Lane;~~
- ~~the construction of a pipeline (375mm (min.) diameter) between the proposed KIP and the exiting kerb inlet pit at the intersection of Orange Lane and Wright Street.~~
- The onsite detention tank (OSD) be increased in volume to achieve an outflow not exceeding 60 l/sec from the OSD tank.
- The discharge from the OSD is to be divided into two separate outlets with a minimum 10m separation within Orange Lane.
- Each of the outlets within Orange Lane are not to exceed a discharge rate of 30 l/sec into the street gutter of Orange Lane.
- The design capacity of the OSD tank must be designed to cater for rainfall events between the 2 year and 100 year storm events

These design changes are to be incorporated into the Detailed Hydraulic Plans submitted for approval.

Condition 33 be amended to read as follows:

33 Stormwater System - The submitted stormwater plan has been assessed as a concept plan only. Final detailed plans of the drainage system, prepared by a professional engineer specialising in hydraulic engineering, shall be submitted for approval prior to Certification.

- ~~All stormwater shall drain by gravity to the upper level of the proposed Council kerb inlet pit to be located in Orange Lane directly in front of the subject development site in accordance with the Australian/New Zealand Standard AS/NZS 3500.3: 2015 (as amended).~~
- Stormwater drainage plans including pipe sizes, type, grade, length, invert levels, dimensions and types of drainage pits prepared by a professional engineer who specialises in Hydraulic Engineering in accordance with the Australian Institute of Engineers Australian Rainfall and Runoff (1987) and Council's Stormwater Drainage Guidelines, shall be prepared to the satisfaction of the Certifier.

Condition 34 has been amended to read as follows:

34 On Site Detention - The submitted stormwater plan has been assessed as a concept plan only. Final detailed plans of the drainage system, prepared by a professional engineer specialising in hydraulic engineering, shall be submitted for approval to the Certifier.

An on-site detention (OSD) facility designed by a professional engineer who specialises in Hydraulic Engineering must be designed, approved and installed. The design must include the computations of the inlet and outlet hydrographs and stage/storage relationships of the proposed OSD using the following design parameters:

- (a) peak flow rates from the site are to be restricted to a permissible site discharge (PSD) equivalent to the discharge when assuming the site contained a single dwelling, garage, lawn and garden,
- (b) The onsite detention tank (OSD) be increased in volume to achieve an outflow not exceeding 60 l/sec from the OSD tank.
- (c) The discharge from the OSD is to be divided into two separate outlets with a minimum 10m separation within Orange Lane.
- (d) Each of the outlets within Orange Lane are not to exceed a discharge rate of 30 l/sec into the street gutter of Orange Lane.
- (e) at Annual Recurrence Intervals of 2 years and 100 years.

Refer to Flow Controls in Council's Draft/Adopted Stormwater Drainage Policy.

The OSD facility shall be designed to meet all legislated safety requirements and childproof safety fencing around the facility must be provided where the OSD facility is open or above ground when the design peak storage depth is greater than 300mm. A durable metal plate or similar sign is to be placed at the OSD facility and must bear the words:






"BEWARE: This is an on-site detention basin/tank for rainwater which could overflow during heavy storms."
Full details shall be provided prior to Certification.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition and heard from all those wishing to address the panel. The Panel notes that issues of concern included:

- Proximity of the proposed 2 storey structure to the adjacent development
- Proximity and scale of trees to be planted near the adjacent residential boundary
- Noise emanating from the proposed new structure

The Panel considers that concerns raised by the community have been adequately addressed in the assessment report and that no new issues requiring assessment were raised during the public meeting. The Panel notes that in addressing these issues appropriate conditions have been imposed where necessary.

PANEL MEMBERS	
 Bruce McDonald (Chair)	 Nicole Gurran
 Julie Savet Ward	 Con Hindi
 Nick Katris	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2019SSH006 – Georges River – DA2018/0478
2	PROPOSED DEVELOPMENT	Construction of a new two storey home base building and COLA (Covered Outdoor Learning Area) along the western side of the Site and alterations and additions to the Hurstville Public School including, a new canteen extension, hall refurbishment, library extension and relocation of some demountable classrooms including some drainage works and associated landscaping and site works the site is also listed as a Local Heritage Item.
3	STREET ADDRESS	Kenwyn Street, Hurstville (the site is also identified as 80 Forest Road, Hurstville)
4	APPLICANT/OWNER	Department of Education (Crown Land)
5	TYPE OF REGIONAL DEVELOPMENT	Crown development over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ Environmental Planning and Assessment Act 1979 ○ Environmental Planning and Assessment Regulation 2000 ○ State Environmental Planning Policy No 55 - Remediation of Land ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Regional Environmental Plan No. 2 – Georges River Catchment ○ State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 ○ Draft Environment State Environmental Planning Policy ○ Hurstville Local Environmental Plan 2012 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Hurstville Development Control Plan 2013 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: • 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: 29 April 2019 • Written submissions during public exhibition: 3 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ In support – Nil ○ In objection – Michelle Lin (on behalf of Shao Lin) ○ Council assessment officer – Larissa Ozog, Michael Ward – Stormwater based Development Engineer

		<ul style="list-style-type: none"> ○ On behalf of the applicant – Fiona Pollack – Senior Project Director; Lincoln Godwin – Project Director; David Wood – Senior Project Manager; Jorgen Knox – Director, Knox Engineering; Som Lam – Civil Engineer; Hyun Kim - Architect
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection: 07 May 2019 <ul style="list-style-type: none"> ○ Julie Savet Ward visited the site on 6 June 2019 • Briefing: 07 May 2019 • Final briefing to discuss council's recommendation, 11 June 2019, 11.25am. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Bruce McDonald (Chair), Nicole Gurran, Julie Savet Ward, Nick Katris, Con Hindi ○ <u>Council assessment staff</u>: Larissa Ozog, Nicole Askew, Michael Ward – Stormwater based Development Engineer
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Provided to the panel at the public meeting