

Assessment report to Sydney Central City Planning Panel

Panel reference: PPSSCC-469

Development application

DA number	DA-23-00722	Date of lodgement	26 June 2023
Applicant	dfpplanning on behalf of Department of Education		
Owner	Blacktown City Council		
Proposed development	<p>Construction of a new temporary high school to accommodate up to 250 Year 7 and 150 Year 8 students with 35 full time equivalent (FTE) staff to operate for a maximum period of 24 months.</p> <p>Proposed works include:</p> <ul style="list-style-type: none"> - Removal of 37 street trees and replacement with 37 street trees. - Minor site preparation earthworks and excavation. - Construction/ Installation of 7 x single storey modular buildings and associated structures. - Vehicular access via Galah Street with at grade parking for 40 vehicles including 2 x accessible car parking spaces. - Road widening to accommodate set-down area for 10 vehicles and 4 on-street parking spaces. - Landscaping including planting of 8 trees and 4,197 m² of open play space and perimeter security fence. 		
Street address	Lot 4274 in DP 1236022, Galah Street, Melonba		
Notification period	27 June - 19 July 2023	Number of submissions	Nil

Assessment

Panel criteria Schedule 6 of the State Environmental Planning Policy (Planning Systems) 2021	<ul style="list-style-type: none"> • The application is lodged on behalf of the Crown and Council is the owner of the land upon which development valued over \$5million (CIV \$15,094,094.00) is to be carried out.
Relevant section 4.15(1)(a) matters	<ul style="list-style-type: none"> • State Environmental Planning Policy (Biodiversity and Conservation) 2021 • State Environmental Planning Policy (Industry and Employment) 2021 • State Environmental Planning Policy (Planning Systems) 2021 • State Environmental Planning Policy (Precincts - Central River City) 2021 • State Environmental Planning Policy (Resilience and Hazards) 2021 • State Environmental Planning Policy (Transport and Infrastructure) 2021 • Blacktown City Council Growth Centre Precincts Development Control Plan 2010 • Blacktown Local Strategic Planning Statement 2020 • Central City District Plan 2018.
Report prepared by	Ian Arnott (Arnott Planning) - Consultant Planner
Report date	24 July 2023
Recommendation	Approve, subject to conditions still being reviewed.

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 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
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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
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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?	Yes
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Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (section 7.24)?	Not applicable
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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:

- a Whether the site is suitable for an educational establishment considering the flood affection.

The site is identified as within a flood fringe area with site levels above the Flood Planning Level (FPL) but below the Probable Maximum Flood level (PMF). The floor levels of the proposed building being RL20.1(AHD) for the western wing and RL 20.6(AHD) for the remainder, are below the PMF for a regional (Hawkesbury/Nepean catchment) flood event (RL26.7AHD) with the lower floor level (RL20.1AHD) also below the PMF for a localised flood event (RL20.5AHD).

A Flood Emergency Response Plan prepared by Taylor Thomson Whiting provides appropriate strategies to ensure safety in the event including providing on-site refuge in the case of a localised event and closing the school at an appropriate trigger point for a regional event noting a regional event would be monitored from the Windsor Bridge gauge providing approximately 15-hour lead time.

- b Whether approval should be granted prior to final approval of on-street works including drop-off and pick-up layby, on-street parking and pedestrian crossing locations and form.

The proposed changes within the public domain were considered by the Local Traffic Committee at its meeting of 8 August 2023. The changes provide an appropriate set-down location adjacent to the main entry to the school and seek to ensure safe pedestrian crossing. The changes were deferred by the Local Traffic Committee so that the applicant can consult with TfNSW to resolve their issues. It is intended to return this matter to the Local Traffic Committee in September. However, at the time of writing this report LTC and Council have not reconsidered the matter and are yet to receive final Council approval. A condition of consent is recommended to ensure final approval of the Local Traffic Committee and Council to the public domain works is granted prior to commencement of work.

- c Whether the development adequately satisfies the 7 principles of 'Design Quality in Schools' prescribed by Schedule 8 of State Environmental Planning Policy (Transport and Infrastructure) 2021.

The proposal has been considered against the 7 design principles prescribed by Schedule 8 and found to be satisfactory.

- d Whether the proposed development is justified having regard to the extent of tree removal required.

The proposed development requires the removal of 37 trees to provide a layby for drop-off and pick-up along the Galah Street frontage. Having regard to the immature age of the trees, the necessity of removal for the provision of the layby and the provision of replacement planting of indigenous species, removal is considered justified.

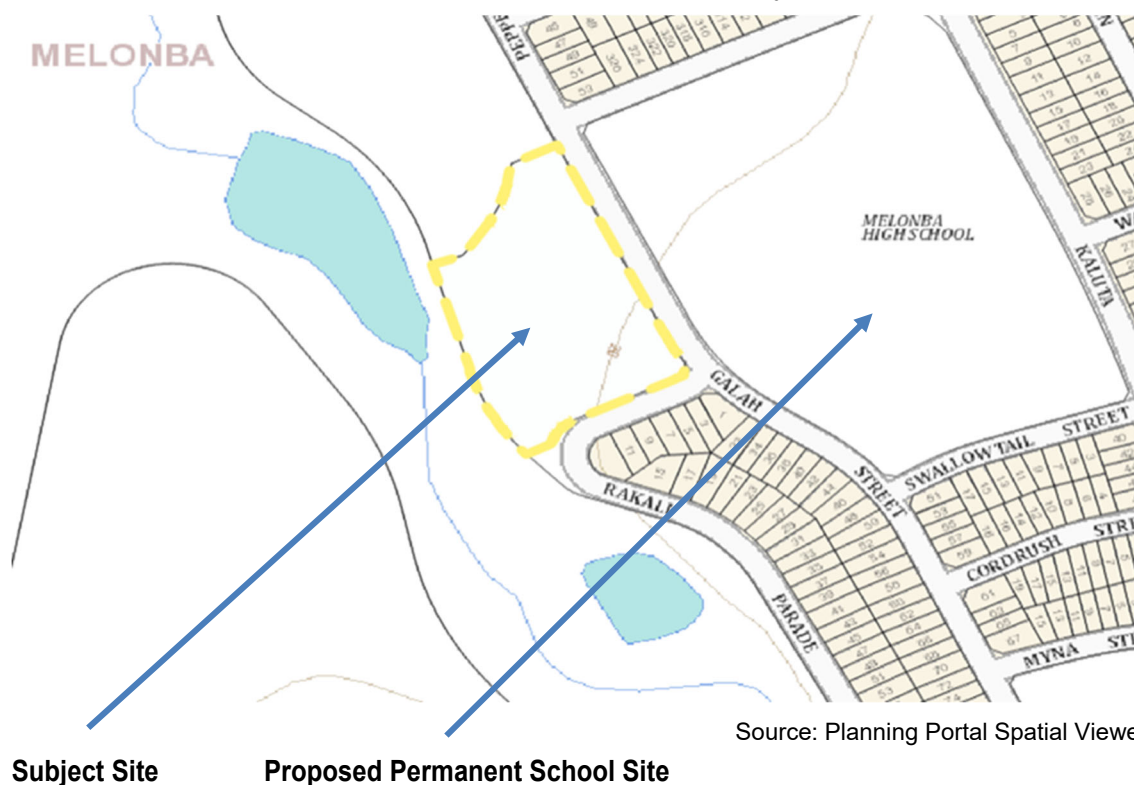
- e Whether shared use of the facilities by the community should be provided.

The application does not provide for the shared use of school facilities by the community. Considering the temporary nature of the school and the opportunity for shared use of permanent school facilities once the permanent school is completed the requirement for shared community use is not considered necessary in this instance.

- 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 therefore 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 7.

2 Location

- 2.1 The site is located on the north-western corner of Galah Street and Rakali Parade, Melonba just south of the intersection of Galah Street and Elara Boulevard and adjoins a tributary of South Creek to the west. Melonba is a newly developed residential precinct formerly part of Marsden Park and within the North West Growth Area.
- 2.2 The location of the site is shown at Attachment 1.
- 2.3 The area is characterised by recently subdivided low density residential estates with single and two storey dwellings under construction or recently completed. East of the site, on the opposite side of Galah Street is the location of the proposed Marsden Park High School and Melonba Primary School both of which are being considered under State Significant Development Application SSD-41372302.
- 2.4 The majority of the greater surrounding area is zoned R2 Low Density Residential however, land immediately to the west following the South Creek tributaries is zoned C2 Environmental Conservation with RE1 - Public Recreation land beyond this to the west.
- 2.5 Both the subject site and land immediately adjoining to the north are zoned SP2 - Infrastructure (Local Drainage) under State Environmental Planning Policy (Precincts - Central River City) 2021.
- 2.6 Yiraaldiya National Park (Shanes Park) is located approximately 600m south of the site. A local centre and park are proposed on land approximately 150m south-east of the site.



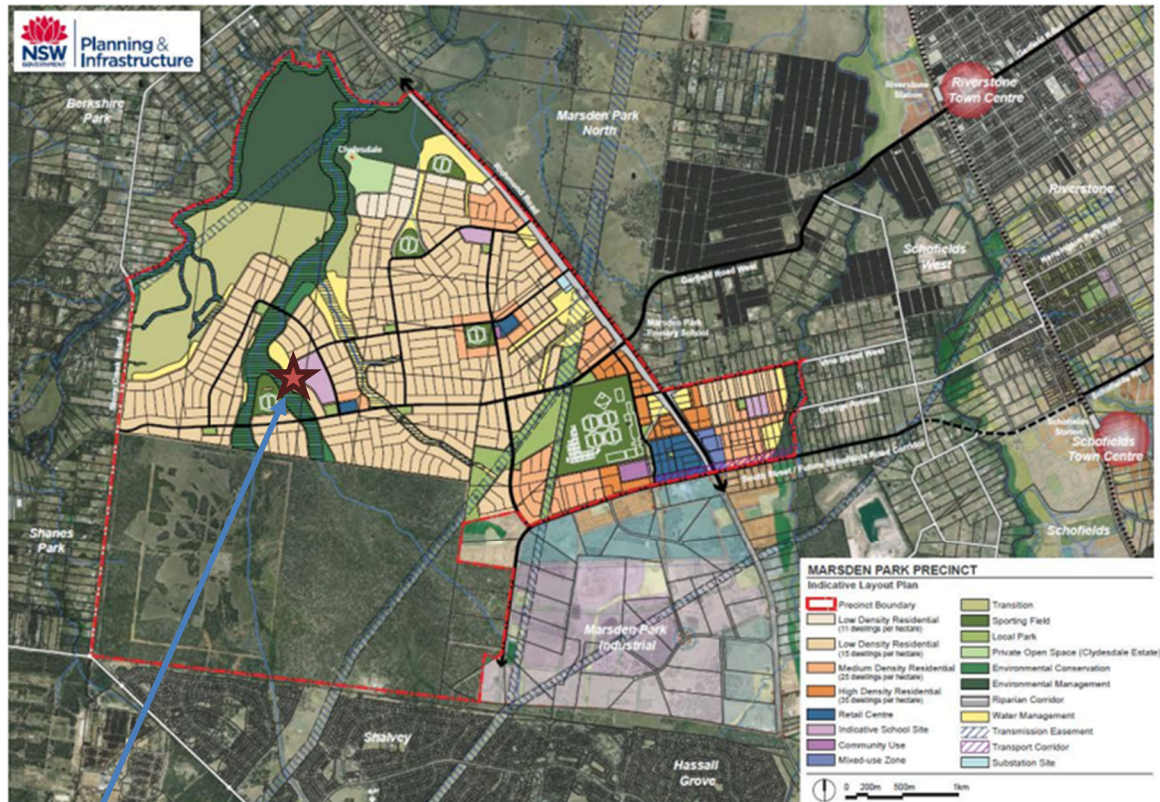
Source: Planning Portal Spatial Viewer

3 Site description

- 3.1 The site located at Galah Street, Melonba is legally described as Lot 4274 in Deposited Plan 1236022.
- 3.2 The 16,560 m² irregular shaped vacant parcel of land is owned by Blacktown City Council. Whilst street trees are located along the frontage of the site in the Galah Street and Rakali Parade road reserves little vegetation other than ground cover is located on the site.
- 3.3 A shared pedestrian and bike path traverses the site in proximity of the western boundary and continues through the drainage reserve to the north, linking Rakali Parade with the northern end of Galah Street.
- 3.4 An aerial image of the site and surrounding area is at attachment 2.

4 Background

- 4.1 State Environmental Planning Policy (Sydney Region Growth Centres) 2006 came into effect on 28 July 2006 with the aim to co-ordinate the release of land for residential, employment and other urban development in North West and South West growth centres of Sydney. The SEPP was repealed on 1 March 2022 with the commencement of the Precinct SEPPs which included State Environmental Planning Policy (Precincts - Central River City) 2021 applicable to the site.
- 4.2 The Marsden Park Precinct was announced in 2011 as part of the North West Growth Centre land release with the rezoning under State Environmental Planning Policy (Sydney Region Growth Centres) 2006 to facilitate development coming into effect on 4 October 2013. Development of the area has progressed rapidly since.
- 4.3 The SEPP was repealed on 1 March 2022 with the commencement of the Precinct SEPPs which included State Environmental Planning Policy (Precincts - Central River City) 2021 applicable to the site.
- 4.4 The site is zoned SP2 (Infrastructure) under State Environmental Planning Policy (Precincts - Central River City) 2021 and is identified for Local Drainage.
- 4.5 State Environmental Planning Policy (Transport and Infrastructure) 2021 came into effect on 1 March 2022. Chapter 3 - Educational Establishments and Child Care Centres permits schools with consent in any prescribed zone which includes SP 2 Infrastructure.
- 4.6 Blacktown City Council Growth Centres Development Control Plan 2010 provides more detailed controls for development in the precincts including specific controls applicable to Marsden Park Precinct. Although clause 3.36(9) of State Environmental Planning Policy (Transport and Infrastructure) 2021 specifically excludes the application of DCPs in the assessment of an application for a school made under the SEPP the relevant provisions of the DCP have been considered.
- 4.7 SSD-41372302 was lodged in December 2022 for the development of the Marsden Park High School and Melonba Public School accommodating up to a total of 3000 students to be located opposite the subject site to the west. The application is yet to be determined.
- 4.8 Pre-lodgement meetings were held on 5 May and 2 June 2023 between the project team and Council officers.
- 4.9 The zoning plan for the site and surrounds is at attachment 3.



Marsden Park Precinct Plan Source: Department of Planning and Environment

Subject site

5 The proposal

- 5.1 The development application has been lodged by dfpplanning on behalf of the Department of Education and involves Council land. As the development is being carried out on behalf of the Crown with an estimated value of between \$5 million and \$20 million the application is referred to the Sydney Central City Planning Panel for determination.
- 5.2 The proposal involves the construction of a temporary school featuring:
 - a Temporary use of the facility for a period of 2 years prior to the opening of the new Marsden Park High School in 2026 on the site opposite to the east of the temporary school site.
 - b The temporary school is to provide for a maximum of 400 students (250 Year 7 and 150 Year 8) with 35 full time equivalent (FTE) staff and is to operate between the hours of 8:40 am and 3:00 pm with school administration and cleaning between 7:00 am and 6:00 pm. Occasional extracurricular activities would conclude by 9:00 pm.
 - c Construction of 7 single storey demountable buildings to be located around a central courtyard/ playground and linked by covered walkways with a covered outdoor learning area (COLA) located at the northern end of the courtyard.
 - d 40 on-site car parking spaces, including 2 accessible spaces accessed off Galah Street north of the school buildings. Spaces for 40 bikes and a waste collection area is also provided in this vicinity.
 - e Removal of 37 of the 68 existing street trees and replaced with 37 new street trees. Eight new trees are to be planted on site and 31 trees in pots are to be provided within the central courtyard/ playground area.

- f A 4.34 m high sign adjacent to the main entry to the school at the south-eastern corner of the site.
 - g A 2.15 m high perimeter fence with gate access is proposed around the site.
 - h Boundary adjustment along the Galah Street frontage of the site to enable an on-street drop-off zone and parking together with a relocated share path and tree planting.
 - i 3 raised pedestrian crossings (2 across Galah Street and 1 across Rakali Parade) the final details of which are yet to be determined.
 - j At the conclusion of the 24-month temporary use the site will be returned to its prior state and the exception of kerb and footpath realignment, and tree planting will remain.
- 5.3 Other details about the proposal are at attachment 4 and a copy of the development plans is 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:
- a Environmental Planning and Assessment Act 1979.
 - b Environmental Planning and Assessment Regulation 2021.
 - c State Environmental Planning Policy (Industry and Employment) 2021:
 - Chapter 3 Advertising and Signage.
 - d State Environmental Planning Policy (Planning Systems) 2021:
 - Part 2.4 Regionally significant development,
 - Schedule 6 - Council related development over \$5 million; Crown development over \$5 million.
 - e State Environmental Planning Policy (Precincts - Central River City) 2021:
 - Chapter 3 Sydney region growth centres,
 - Appendix 11 Marsden Park Precinct Plan.
 - f State Environmental Planning Policy (Resilience and Hazards) 2021:
 - Chapter 4 Remediation of land.
 - g State Environmental Planning Policy (Transport and Infrastructure) 2021:
 - Chapter 3 Educational establishments and childcare facilities:
 - Part 3.4 Schools - specific development controls,
 - Part 3.7 Traffic-generating development.
 - h Blacktown City Council Growth Centre Precincts Development Control Plan 2010:
 - Marsden Park Precinct Plan.
 - i Blacktown Local Strategic Planning Statement 2020.
 - j Central City District Plan 2018.

7 Issues raised by the public

- 7.1 The proposed development was notified to how many property owners and occupiers in the locality between 27 June to 11 July 2023. The development application was also uploaded to Council's website and a sign was installed on the property during the exhibition period.
- 7.2 No submissions were received.

8 Key issues

8.1 Flooding Concerns Can be Addressed.

- 8.1.1 The existing site levels are above the Flood Planning Level (FPL - 1%AEP + 500mm freeboard) but within the probable maximum flood level (PMF) and as such the site is identified as within a flood fringe area.
- 8.1.2 The lowest point of the car park (RL18.6(AHD)) and of the playground (RL18.31(AHD)) are also above the flood planning level but below the PMF.
- 8.1.3 The lowest finished floor level of the proposed buildings is RL20.10(AHD) being above the FPL of RL17.8(AHD) but below the PMF of RL20.5(AHD) for localised flooding (Little Creek) and RL26.7(AHD) from Hawkesbury/Nepean Catchment flooding.
- 8.1.4 The application is supported by a Flood Emergency Response Plan, prepared by Taylor Thomson Whiting and dated 13 June 2023, which recommends measures to ensure safety of site occupants.
- 8.1.5 In the event of a localised flash flood characterised by high intensity short duration flood behaviour, the report recommends immediate evacuation from open areas to temporary refuge locations above flood levels. As the PMF for localised flooding is below the floor level of the eastern wing of the building (RL20.6 AHD) this is the appropriate refuge location.
- 8.1.6 The Emergency Response Plan recommends the school principal monitor flood intensity and behaviour and maintain communication with Department of Education for any flood orders issued by SES.
- 8.1.7 Taylor Thomson Whiting indicate that most local flood events do not last more than 10-20 minutes and that for the Little Creek catchment inundation in the most severe event would not be more than 2 hours.
- 8.1.8 In respect to a regional flood event from the Hawkesbury/Nepean catchment whilst floor levels remain above the FPL (17.8m - 1% event + 500mm) inundation would start to occur in a 0.1% event where levels are estimated to reach RL20.6 (AHD) with floor levels well below the PMF of 26.7(AHD).
- 8.1.9 As there is significant warning in a regional flood event (estimated to be in the order of 48-72 hours) a Watch and Act Order would be issued when flood waters reach RL13(AHD) at the Windsor Bridge gauge and an Emergency Warning Order issued by SES when RL15(AHD) is reached at this location. A lead warning time of 15 hours is estimated between the 15m level at Windsor Bridge and floodwaters exceeding 16m at which point the site would become affected.
- 8.1.10 The Emergency Response Plan indicates that the Department of Education Emergency Response Team in consultation with SES would monitor the situation and advise on appropriate triggers for school closure. The site would be closed prior to inundation by floodwaters.

- 8.1.11 With the implementation of the Flood Emergency Response Plan and having regard to the temporary (2 year) nature of the use of the site for a school the development is considered acceptable for the site.

8.2 Traffic and Parking Requirements Can be Met

- 8.2.1 A 2-metre boundary adjustment is proposed along the Galah Street frontage to provide for a realignment of the footpath and kerb to accommodate an on-street layby for drop-off and pick-up and additional parking with associated signage. Three temporary raised pedestrian crossings, 2 across Galah Street and 1 across Rakali Place, are also proposed.
- 8.2.2 The Local Traffic Committee considered the proposed public domain works at its meeting of 8 August 2023 but deferred the matter until the applicant gets approval from TfNSW for the public domain works. The matter will be reported back to the Local Traffic Committee in September. As such, it is recommended that a condition requiring the applicant to comply with the final approved requirements of the LTC prior to commencement of any works related to this DA. The minutes of the meeting will be reported to Council for endorsement.
- 8.2.3 A Traffic and Accessibility Impact Assessment prepared by TTW Consulting Engineers and dated 15 June 2023, identified that surrounding intersections within the local road network currently operate at a Level of Service A. TTW estimate that approximately 97 additional trips would be generated by the temporary school and that such an increase is not expected to have any significant impact on the operation of the surrounding intersections and road network. Council's Senior Traffic Engineer reviewed the report and concurs with the findings.
- 8.2.4 Forty on-site parking spaces are proposed, 2 of which are accessible spaces which exceeds the requirement of 39 spaces as calculated in accordance with Blacktown City Council Growth Centre Precincts Development Control Plan 2010.
- 8.2.5 On this basis, it is considered that subject to conditions the proposal can meet both the traffic and parking requirements of Council.

8.3 Design Quality Principles

- 8.3.1 The proposal has been considered against the 7 principles of 'Design quality in schools' prescribed by Schedule 8 of State Environmental Planning Policy (Transport and Infrastructure) 2021, namely:
- *Context, built form and landscape*
 - The cleared and vacant site has a gentle fall from south-east to north-west and is located immediately opposite the site of the proposed permanent Marsden Park Primary and High Schools enabling easy transition once the permanent school is completed.
 - The single storey buildings sit comfortably in the context with generous setbacks to both Galah Street (10m from existing boundary; 8 m from proposed boundary) and Rakali Parade (6 m).
 - The central courtyard/ playground is oriented north-west providing good solar access.
 - Street trees and additional on-site planting will assist in streetscape presentation and integrating with the natural vegetation to the north and west.
 - *Sustainable, efficient and durable*

- The modular, prefabricated demountable structures are intended for reuse at other school sites following their deployment from Marsden Park providing a sustainable and efficient use of resources.
- *Accessible and inclusive*
 - The temporary school has been designed with ramp access throughout and accessible toilets ensuring appropriate access and facilities for all.
 - The easily identifiable entries, wayfinding routes and signage ensures ease of movement to and through the site.
- *Health and safety*
 - A Preliminary Site Investigation into potential contamination prepared by Martens Environmental Science and Engineering dated June 2023 found potential risk to human and ecological receptors to be low.
 - The temporary school will be constructed to appropriate Building Code of Australia and Department of Education standards.
 - Design provides separation of pedestrian and vehicular movements.
 - CEPTD principles have been implemented in the design.
 - Standard conditions as recommended by Council's Environmental Health Officer address requirements for food preparation areas, waste, noise structural and unexpected contamination finds ensures health and safety for occupants of the site will be maintained.
- *Amenity*
 - The temporary school has been designed around a central, well oriented playground and incorporates a covered outdoor learning area, general and specialist learning spaces, multipurpose hall, library and staff facilities.
- *Whole of life, flexible and adaptive*
 - Whilst only intended for a 2-year period in anticipation of completion of the permanent school facilities, the demountable buildings provide for reuse ensuring a sustainable use of resources.
 - The various indoor and outdoor spaces provide for flexible and adaptive use.
- *Aesthetics*
 - The single storey structures are oriented to the internal courtyard playground but provide acceptable presentation to the street with identifiable entry points, low scale, and screening vegetation. Grey ('Windspray' or similar) wall cladding ensures an inoffensive street presentation.
 - The design aesthetics are acceptable for school development of a temporary nature (limited to 2 years).

8.3.2 These principles have been elaborated in more detail in attachment 6.

8.3.3 On this basis it is considered that the proposed Temporary School will adequately meet these design quality principles.

8.4 Trees Removed will be replaced accordingly

8.4.1 In order to accommodate the drop-off-pick-up layby in Galah Road the removal and replacement of 37 trees is required. A total of 62 trees were considered in the

Aboricultural Assessment prepared by GHD and dated 18 July 2023 which included trees on the opposite side of Galah Road and beyond the frontage of the site.

- 8.4.2 The trees were planted during 2019 as advanced nursery stock and, with the exception of one Spotted Gum (*Corymbia maculata*), are all Rough-barked Apple (*Angophora floribunda*) which are not indigenous to the immediate area.
- 8.4.3 The Aboricultural Assessment identifies that up to half of the trees required for removal are experiencing stress with various causes including insect infestation and poor management practices.
- 8.4.4 Although transplanting the trees to within the school site was considered it was discounted due to cost, likely poor survival rate and unsuitability of the species for school grounds.
- 8.4.5 Council's Open Space Officer raised no objection to the tree removal noting that they are in a position where they cannot be retained should the development proceed, have a low retention value and are in poor condition and/or health.
- 8.4.6 Having regard to the immature age of the trees, the necessity of removal for the provision of the layby and the provision of replacement planting of indigenous species removal is considered justified.
- 8.4.7 Conditions are recommended including protection measures for those trees to be retained and replacement with 37 new trees being planted.

8.5 Community Use of School Facilities

- 8.5.1 Clause 3.36(6) of State Environmental Planning Policy (Transport and Infrastructure) 2021 requires a consent authority to consider whether the development enables the use of school facilities to be shared with the community. The application indicates that it is not intended to provide community use of the temporary school facilities.
- 8.5.2 Whilst shared use of school facilities is desirable and encouraged by the SEPP it is reasonable for it not to be required in this instance considering the temporary nature of the school, being for a maximum of 2 years, and the future opportunity that will exist for shared use of facilities once the permanent school opposite is operational.

9 External referrals

- 9.1 The development application was referred to the following external authorities for comment:

Authority	Comments
Transport for NSW	<p>No objection subject to implementation of school zones on adjoining streets. It was also requested that school crossings be further offset from the main pedestrian entries and intersections. This matter was considered by the Local Traffic Committee and The Local Traffic Committee considered the proposed public domain works at its meeting of 8 August 2023 but deferred the matter until the applicant gets approval from TfNSW for the public domain works. TfNSW raised the following issues that resulted in the application being deferred:</p> <p>"It is requested the pedestrian crossings to be relocated with larger offset from the main pedestrian entry and the intersection"</p>

Authority	Comments
Sydney Water	No objection subject to standard conditions.

10 Internal referrals

10.1 The development application was referred to the following internal sections of Council for comment:

Section	Comments
Environmental Health Officer	No objection subject to conditions including all recommendations provided in the Noise and Vibration Impact Assessment prepared by Acoustic Studio and dated 15 June 2023, and in the Preliminary Site Investigation prepared by Martens and Associates Pty Ltd and dated June 2023 to be implemented including the preparation and implementation of an Unexpected Finds Protocol, remediation of contaminated areas and provision of a final site contamination validation report. Also, food preparation areas are to be constructed and maintained in accordance with Food Act 2003 and associated Regulations and the canteen to be registered with Council.
Building	No objection subject to standard conditions.
Engineering	No objection subject to conditions including requirements to ensure construction plans contain all necessary details of car parking, driveways, drop-off zone and kerbs and gutters, certification of both the design and constructed WSUD system, provision of a flood management plan and certification that certain preventative flood measures have been implemented, provision of a traffic control plan, and a number of other standard engineering conditions. Wording of conditions to be negotiated with the Crown.
Traffic	No objection with respect to traffic generation, parking provision, car park and access design subject to final Local Traffic Committee Approval.
Landscape Officer/Arborist	No objection to removal of Trees 5-41 as requested and requiring protection measures for all other trees to be retained, payment of a tree preservation bond and provision of replacement planting.
Social Planning	No objection subject to compliance with the recommendations of the Plan of Management and CEPTD report.
Property	No objection subject to no covenants or easements burdening Council's property.

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 Disclosure of political donations and gifts

- 12.1 Under Section 10.4 of the Environmental Planning and Assessment Act 1979, a disclosure statement must be lodged in certain circumstances in relation to any planning application, i.e. a development application, an application to modify a consent and an application to make an environmental planning instrument or development control plan.
- 12.2 A disclosure statement of a reportable political donation or gift must accompany a planning application or submission (including a submission either objecting to or supporting the proposed development) if the donation or gift is made within 2 years before the application or submission is made. If the donation or gift is made after the lodgement of the application, a disclosure statement must be sent to Council within 7 days after the donation or gift is made. The provision also applies to an associate of a submitter.
- 12.3 A disclosure statement may be made available for viewing upon a written request to Council in line with Section 12 of the Local Government Act 1993.
- 12.4 Disclosures:
- Political donations Has a Disclosure statement been received in relation to this application? No
 - Gifts Have staff received a 'gift', that needs to be disclosed, from anyone involved with this application? No

13 Recommendation

- 1 Approve Development Application SPP-23-00722 for the reasons listed below, and subject to the conditions listed in attachment 7.
 - a The temporary school development is acceptable as assessed against the 'Design quality in schools' principles of State Environmental Planning Policy (Transport and Infrastructure) 2021 (Section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979).
 - b The development will not result in unreasonable impacts on the natural or built environments and will have a positive social impact providing much needed schooling facilities for the growing population in the area until such time as a permanent school is provided. (Section 4.15(b) of the Environmental Planning and Assessment Act 1979).
 - c The cleared and vacant site is considered suitable for the temporary school development noting its proximity to the proposed permanent school site (Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979).
 - d The development of the temporary school addresses the current demands for school facilities in the rapidly growing area prior to completion of the permanent Marsden Park High school and as such is in the public interest. (Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979).
- 2 Council officers notify the applicant of the Panel's decision.

14 Declaration and endorsement

We, the undersigned, declare, to the best of our knowledge that we have no interest, pecuniary or otherwise, in this development application or persons associated with it; and we have provided an impartial assessment.



Ian Arnott
Consultant, Arnott Planning



Judith Portelli
Manager Development Assessment



Peter Conroy
Director City Planning and Development