

## Memo

### Development Assessments

**To:** Sydney North Planning Panel

**From:** Nic England  
Planner

**Date:** 21 December 2020

**Subject:** Supplementary Report  
PPSSNH-160 - MOD2019/0627 - Wyatt Avenue, Belrose  
(John Colet School)

**Record Number:** 2020/760833

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### Background

At the Panel meeting of 28 October 2020, it was resolved that the application be deferred in order for the applicant to provide additional information in regard to the car parking arrangements for the proposed modification. Clarification was also sought on the existing netball / basketball court which is located in a part of the area where existing approved car parking is located.

Additional discussion also centred on the provision of landscaped open space on the site and whether clarification was necessary that the amount provided was consistent with the Built Form Controls of Warringah Local Environmental Plan 2000.

### Amended Additional Information / Revised Proposal

The applicant has provided the following information:

- Amended architectural plans, specifically Plan No.DA/DWG 1000 Revision G;
- Amended landscape plans;
- Revised Traffic Management Plan;
- Additional correspondence from the Traffic consultant regarding the temporary parking spaces; and
- Revised Statement of Modification

The information provided clarifies that a total of 30 car spaces will be provided on the site and the location of these spaces are shown consistently between the architectural plans and the landscape plans.

However, these plans differ in relation to the location of temporary car spaces, which are to be put in use when the netball court is in operation. The temporary spaces are shown on the architectural plans only.

Both plans show a netball court at the rear of the site, which is located over seven (7) car spaces. To manage the use of the court, the applicant proposes to relocate these spaces (numbered 16 to 22) in a temporary arrangement, based on the following:

- Used during Term 2 (9 weeks) for the following times only:
  - ☐ Mondays between 10.50am and 12.20pm,
  - ☐ Tuesdays between 10.50am and 12.20pm, and
  - ☐ Tuesdays from 3.00pm to 4.00pm.
- All staff to be notified of the parking availability during these periods;
- A nominated staff member to marshal the temporary parking spaces during this period; and
- Swift installation and removal of all netball court equipment once the games on the court have ceased.

### **Assessment**

A review of the landscape open space provided on the site confirms the original assessment calculation of 56% of the site being set aside for landscaped open space. These calculations are attached in the Working Plans of the assessment.

The netball court has never appeared in a consent for the school. The location of the netball court was approved as a combined parking and landscaped area. The plans submitted have notations that the netball court is exempt development under the SEPP (Educational Establishments and Child Care Facilities) 2017. Whilst the netball court could be constructed as part of Section 38 of this SEPP, placing the netball court on the plans brings the development into the proposed modification and Council is obliged to assess it under the relevant policies and codes that apply.

The netball court as shown the plans would contravene the General Principles of Development of the WLEP 2000 (for traffic access) and is likely to contravene the General Terms of Approval for the Bushfire Safety Authority issued by the NSW Rural Fire Service.

In regard to the revised parking layout, concern is raised that convenient and safe access on the internal access road cannot be achieved, particularly in relation to spaces 16 to 19. Temporary spaces 16 and 17 will block access to permanent spaces 9 to 12 and temporary spaces 18 and 19 are located approximately 1.6m from the netball court and this will restrict access on the internal road for all vehicles.

It should also be noted that the Bushfire Safety Authority issued by the NSW Rural Fire Service in the original consent required that Evacuation and Emergency Management procedures be provided for school. In the consideration of the proposed modification, the RFS then asked specifically that the internal access road be upgraded to ensure emergency vehicle access. The information provided by the applicant has not addressed the impact that the temporary spaces will have on the RFS General Terms of Approval conditions.

In conclusion, the revised plans address the Panel's primary concern with whether the approved 30 spaces can be provided on the site, however the inclusion of the netball court raises a number of concerns in relation to:

- Convenient and safe access to and within the site;

- Assurance that all car parking for the development will not spill over onto the adjoining public streets;
- Whether the temporary spaces can be reliably used by staff on the school and the enforcement obligations this puts on Council; and
- adequate access by emergency vehicles on the bushfire prone land.

It is therefore recommended that whilst the revised plans be included in the consent, that a further condition of consent be applied to remove the tacit approval of the netball court and the temporary spaces. In this regard the consent will rely on the original consent which requires a provision of 30 permanent car spaces as shown on plan number DA/DWG 1000 Rev D. This is for the purposes of ensuring there is no adverse traffic impact on the surrounding locality.

### Recommendation

THAT Council as the consent authority grant approval Modification Application No. Mod2016/0195 for Modification of Staged Development Consent DA2015/0558 granted for Staged Development for new classrooms and ancillary works and staged increase in student numbers at John Colet School on land at Lot 1 DP 601101,8 Wyatt Avenue, Belrose, subject to the conditions printed below:

#### A. Add Condition No.1B - Modification of Consent - Approved Plans and supporting Documentation to read as follows:

The development must be carried out in compliance (except as amended by any other condition of consent) with the following:

##### a) Modification Approved Plans and Documentation

Drawing/Plan No.	Date	Prepared by
JC/IN – DA/DWG 1000 Rev G	22 August 2019	Templum Design Architects
JC/IN - DA/DWG 1170 Rev F	7 November 2019	Templum Design Architects

##### b) Any plans and/or documentation submitted to satisfy the Conditions of this consent.

##### c) The development is to be undertaken generally in accordance with the following:

Drawing/Plan No.	Date	Prepared by
LPDA 20 – 38 / 1 Revision C	24 November 2019	Conzept Landscape Architects
LPS4.55 20 – 38 / 2 Revision B	5 December 2019	Conzept Landscape Architects
LPS4.55 20 – 38 / 3 Revision A	21 November 2019	Conzept Landscape Architects
LPS4.55 20 – 38 / 3 Revision A	21 November 2019	Conzept Landscape Architects

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans. (DACPLB01)

**B. Modify Condition No.5 Staged Development Consent – Future Stages to read as follows:**

Development application/s are to be lodged for the construction of Stages F to Q, as approved by Plan Number JC/IN - DA/DWG 1000 Rev D dated 14 December 2015 and prepared by Templum Design Architects and consistent with the concept plans for these stages as follows:

- Plan Number JC/IN – DA/DWG 1000 Rev G dated 22 August 2019
- Plan Number JC/IN - DA/DWG 1120 rev A dated 21 May 2015.
- Plan Number JC/IN - DA/DWG 1121 rev A dated 21 May 2015.
- Plan Number JC/IN - DA/DWG 1130 rev A dated 21 May 2015, as it relates to Stage J only.
- Plan Number JC/IN - DA/DWG 1140 rev A dated 21 May 2015.
- Plan Number JC/IN - DA/DWG 1170 rev B dated 7 November 2019.

Reason: To ensure consistency with the approved Masterplan and Concept Plans for "Future Stages" under this Staged development consent (DACPLBOC1)

**C. Add Condition No.6A Netball Court / Parking Spaces to read as follows:**

The netball court and the temporary spaces 16 to 22 marked in blue on Drawing No.DA/DWG 1000 Revision G and landscape plan LPDA 20 – 38 / 1 Revision C does not form part of this approval.

Reason: Ensure adequate vehicular parking and access to the site and minimise impact on the adjoining road network

Signed



**Peter Robinson**

Executive Manager – Development Assessments



**Nic England**

Planner