

## SYDNEY WESTERN CITY PLANNING PANEL

Panel No:	PPSSWC-47
DA Number:	DA/2019/977/1
Local Government Area:	Camden
Proposed Development:	Alteration and additions for the expansion of the existing Harrington Park Public School
Capital Investment Value:	\$19,045,000
Street Address(es):	Harrington Park Public School – 2 Sir Warwick Fairfax Drive HARRINGTON PARK (Lot: 1 DP: 1010885)
Applicant:	Mark Reynolds – Department of Education
Owner:	Minister for Education and Training
Number of Submissions:	Nil
Recommendation:	Approve with conditions
Regional Development Criteria (Schedule 7 of State Environmental Planning Policy (State and Regional Development) 2011):	<ul style="list-style-type: none"> <li>• Private infrastructure or community facility over \$5 million; and</li> <li>• Crown development over \$5 million</li> </ul>
List of All Relevant s4.15(1)(a) Matters:	<ul style="list-style-type: none"> <li>• State Environmental Planning Policy (State and Regional Development) 2011.</li> <li>• State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017.</li> <li>• State Environmental Planning Policy No 55 - Remediation of Land.</li> <li>• Sydney Regional Environmental Plan No 20 - Hawkesbury-Nepean River.</li> <li>• Camden Local Environmental Plan 2010.</li> </ul>
Does the DA Require Special Infrastructure Contributions Conditions (s7.24)?	No
List all Documents Submitted with this Report for the Panel's Consideration:	<ul style="list-style-type: none"> <li>• Assessment report.</li> <li>• Recommended conditions.</li> <li>• Camden Local Environmental Plan Assessment Table</li> <li>• Camden Development Control Plan Assessment Table</li> <li>• Proposed plans.</li> <li>• Site photos.</li> <li>• Clause 4.6 written request</li> <li>• RMS response.</li> <li>• General Terms of Approval issued by the NSW RFS.</li> </ul>

	<ul style="list-style-type: none"> <li>• Safer by Design Evaluation by NSW Police Force.</li> </ul>
Report Prepared By:	Hannah Draper, Town Planner
Report Date:	29 September 2020

### Summary of Section 4.15 Matters

	Yes
Have all recommendations in relation to relevant Section 4.15 matters been summarised in the Executive Summary of the assessment report?	<input checked="" type="checkbox"/>

### Legislative Clauses Requiring Consent Authority Satisfaction

	Yes
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?	<input checked="" type="checkbox"/>

### Development Standard Contraventions

	Yes	N/A
If a written request for a contravention to a development standard has been received, has it been attached to the assessment report?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Special Infrastructure Contributions

	Yes	No
Does the application require Special Infrastructure Contributions?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Conditions

	Yes	No
Have draft conditions been provided to the applicant for comment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### **PURPOSE OF REPORT**

The purpose of this report is to seek the Sydney Western City Planning Panel's (the Panel's) determination of a development application (DA) for alterations and additions to expand Harrington Park Public School at 2 Sir Warwick Fairfax Drive, Harrington Park.

The Panel is the consent authority for this DA as the capital investment value (CIV) of the development is \$19,045,000. This exceeds the CIV threshold of \$5 million for private infrastructure or community facilities and Crown development for Council to determine the DA pursuant to Schedule 7 of State Environmental Planning Policy (State and Regional Development) 2011.

## **SUMMARY OF RECOMMENDATION**

That the Panel determine DA/2019/977/1 for alterations and additions to expand Harrington Park Public School pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979* by granting consent subject to the conditions attached to this report.

## **EXECUTIVE SUMMARY**

Council is in receipt of a DA for alterations and additions to expand Harrington Park Public School at 2 Sir Warwick Fairfax Drive, Harrington Park.

Pursuant to Section 4.32 of the *Environmental Planning and Assessment Act 1979*, the development is classed as Crown development. Pursuant to Section 4.33 of the *Environmental Planning and Assessment Act 1979*, the Panel can only refuse its consent to a Crown DA or impose a condition not agreed to by the applicant with the approval of the Minister for Planning and Public Spaces. Notwithstanding, Council staff recommend that the Panel approve the DA and the applicant has agreed to the imposition of the conditions attached to this report.

The DA has been assessed against the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2000*, relevant environmental planning instruments, development control plans and policies.

A summary of the assessment of all relevant environmental planning instruments is provided below with a detailed assessment provided later in the report.

State Environmental Planning Policy (State and Regional Development) 2011.	<p>The Panel is the determining authority for this DA as the proposed development is being lodged on behalf of the Crown and it has a CIV of \$19,045,000 which exceeds the CIV threshold of \$5 million for Council to determine the DA.</p> <p>It is noted that the proposed development has a CIV less than \$20 million and therefore the proposal does not trigger the State Significant Development provisions.</p>
State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017	<p>The proposed development is permissible under the SEPP. The alterations and additions demonstrate a high quality design and a strong architectural presence. In particular, the proposed works are in accordance with clause 35(6)(a) of the SEPP as the applicant has submitted a detailed Design Assessment prepared by a qualified architect which suitably addresses the design quality principles set out in Schedule 4.</p> <p>Referral to Transport for NSW (RMS) was made pursuant to clause 57 of the SEPP as the proposed development</p>

	involves an enlargement or extension that will result in the educational establishment being able to accommodate an increase in the number of students and staff. Transport for NSW (RMS) responded advising that there is no objection to the proposed development as it is unlikely to have an impact on the surrounding classified road network.
State Environmental Planning Policy No 55 - Remediation of Land.	Clause 7 of SEPP 55 requires the that a consent authority must not grant consent to a development unless it has considered whether a site is contaminated, and it is satisfied that the land is suitable (or will be after undergoing remediation) for the proposed use. The applicant has submitted a phase 1 preliminary assessment. This report has been reviewed by Councils Specialist Support Environmental Health Officers (SSEHO) who is satisfied that no contaminants of concern are present and therefore the land is suitable for the proposed development. Council is satisfied with the findings of the assessment and considers the site to be suitable for the proposed use.
Sydney Regional Environmental Plan No 20 - Hawkesbury-Nepean River (SREP).	The development is consistent with the aim of SREP 20 (to protect the environment of the Hawkesbury-Nepean River system) and all of its planning controls.
Camden Local Environmental Plan 2010 (Camden LEP)	The development site is zoned R2 – Low Density Residential and the proposed alterations and additions to the existing 'educational establishment' are permitted with consent in the R2 zone. The proposed works will not alter the existing use as approved.

The DA was publicly exhibited for a period of 14 days in accordance with Camden Development Control Plan 2019. The exhibition period was from 15 January 2020 to 28 January 2020. No submissions were received.

The proposed development has been assessed against the State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 and the Camden Local Environmental Plan. The development is consistent with the objectives, controls and standards contained in these planning instruments.

In accordance with Clause 35(6)(a) of the State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017, the applicant has

submitted a 'Design Assessment' prepared by a suitably qualified architect which addresses the design quality principles set out in Schedule 4.

The Education SEPP requires that any provision of a development control plan (such as the Camden DCP 2019) has no effect, regardless of when the development control plan was made. Therefore, the controls of the Camden DCP 2019 do not apply to the site. However, it is noted that the proposal is consistent with the objectives and controls contained within this DCP subject to recommended conditions.

The development proposes an increase to staff and student numbers. Student numbers are currently at 747 and are proposed to be increased to 972. Staff numbers are currently at 45 and are proposed to be increased to 55. This increase in staff and student numbers has been supported by a traffic and parking assessment and supporting information. The report and supporting information demonstrate that the development will not have a significant impact upon the surrounding road network including the operation of the nearby roundabout and surrounding intersections. Council staff have reviewed the report and supporting information and are supportive, subject to conditions of consent requiring a green travel plan, a review of the bus service routes and subject to the applicant undertaking road works within the adjoining Fairfax Reserve car park to improve the efficiency of the car park's usage. Further detail of these works is provided in this report.

The applicant proposes a contravention to the maximum height of buildings development standard that applies to the site. The development standard limits buildings to a maximum height of 9.5m above finished ground level. The proposed development has a maximum height of 10.88m above finished ground level. The contravention is assessed in detail in this report and is supported by Council staff.

The applicant has submitted an adequate stormwater concept plan that, subject to the recommended conditions, will provide appropriate levels of on-site detention and water sensitive urban design outcomes.

Based on the assessment, it is recommended that the DA be approved subject to the recommended conditions attached to this report.

#### **KEY PLANNING CONTROL VARIATIONS**

<b>Control</b>	<b>Proposed</b>	<b>Variation</b>
9.5m maximum building height.	10.88m maximum building height.	1.38m (14.53%)

## **AERIAL PHOTO**



*Figure 1: Aerial Photo and Surrounding Context*

## **THE SITE**

The site is commonly known as 2 Sir Warwick Fairfax Drive, Harrington Park and is legally described as Lot: 1 DP: 1010885. The site is bounded by Sir Warwick Fairfax Drive to the north, Harrington Parkway to the west, Fairfax reserve car park to the east and Narellan Creek to the south. The primary pedestrian access to the site is from the north on Sir Warwick Fairfax Drive. The vehicular access to the car park is via an existing right of carriageway across the Fairfax Reserve car park.

The site has an area of approximately 3Ha and is located within the established residential suburb of Harrington Park. The surrounding area is characterised by single and two-storey dwellings to north beyond Sir Warwick Fairfax Drive; bushland and the Narellan Creek catchment to the south and to the west; and Fairfax Reserve to the east. Fairfax Reserve is an area of public open space comprising of tennis and basketball courts, a playground, amenities, an oval and bushland. The public reserve lot to the northeast on the northern side of Sir Warwick Fairfax Drive forms part of State Heritage item – Harrington Park Homestead, which extends to the north-east of the site covering an area of approximately 40Ha.

The subject site is predominately flat, with a 3m fall from north to south. The site features extensive impervious surfaces and playing areas with a mixture of grassed areas, mature trees and shrubs, some of which is proposed to be removed under this application. The subject site is identified as bushfire prone land and the site is affected by flooding from the Nepean River and Narellan Creek Catchment.



The development site is zoned R2 Low Density Residential under the Camden Local Environmental Plan 2010 (CLEP) and educational establishments are permitted with consent in this zone.

## **ZONING PLAN**



Figure 2: Land Zoning Map – R2 – Low Density Residential

## **BACKGROUND**

The relevant development background of the site is summarised in the table below:

Application No.	Development
DA/2000/706/1	Development consent for the construction of Harrington Park Public School was granted by Camden Council on 6 July 2000. This DA consent prescribed no limit on the maximum number of students.

Since the consent was issued for the school site in July of 2000. There has only been a number of minor development works including the installation of demountable classrooms, sails over a play area, extension of at-grade carpark, tree removal and temporary events.

## **THE PROPOSAL**

The application is seeking approval for alterations and additions to expand the existing Harrington Park Public School. Specifically, the proposal includes:





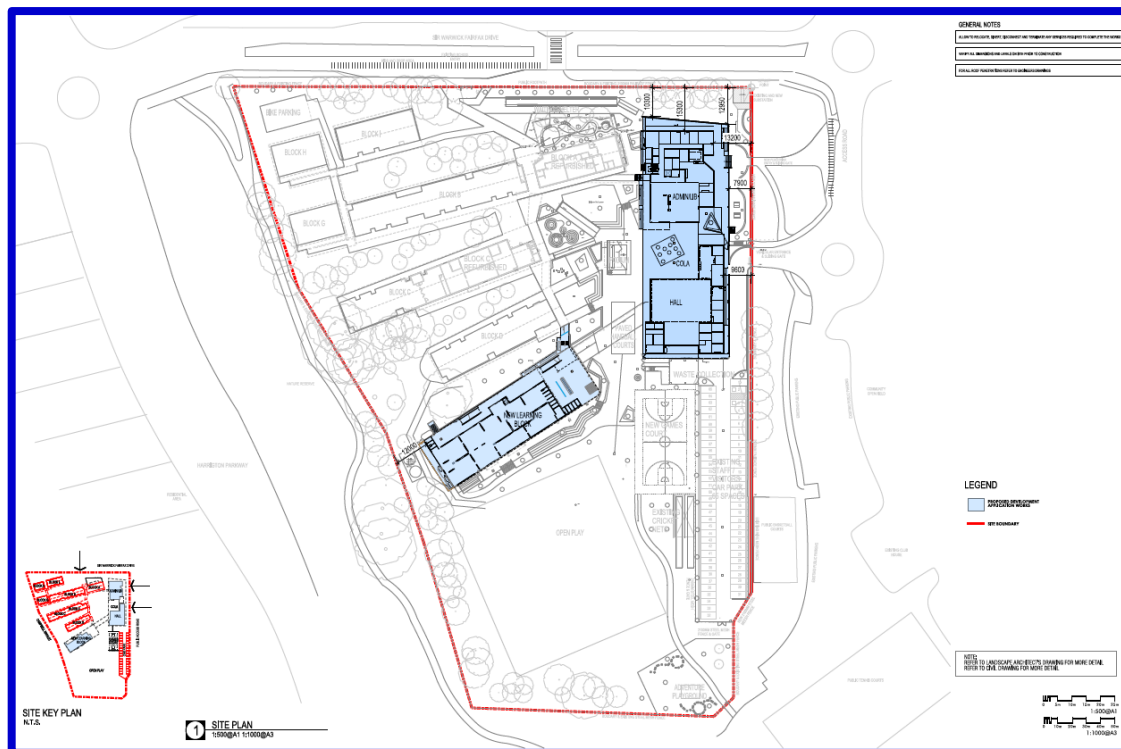


Figure 4: Site Plan



Figure 5: Elevations and External Finishes – Hall, Canteen, Library and Admin Elevation



Figure 6: Elevation and External Finishes – Hall, Canteen, Library and Admin Elevation

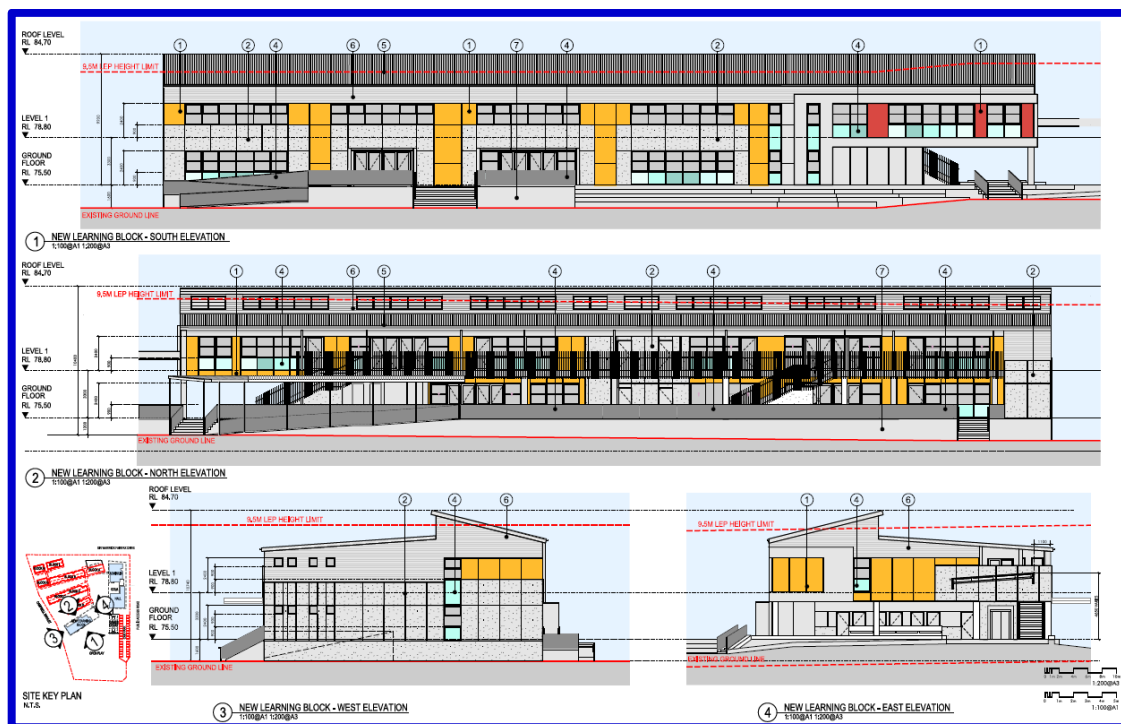


Figure 7: Elevations and External Finishes – Learning Block J

## PANEL BRIEFING

Council staff briefed the Panel on the DA on 6 February 2020. The following discussion provides an assessment of how the issues raised by the Panel at the briefing have been addressed:

1. *The Panel notes the issue of flooding raised in the briefing report which will require careful attention.*

The site is located above the 1% flood planning level but within the Narellan Creek Probable Maximum Flood (PMF). All buildings have a finished floor level (FFL) in response to the site's flood affectation. The FFL proposed is equivalent to the Narellan Creek PMF level and is 0.4 metres above the Nepean River PMF level. The applicant has provided a satisfactory Flood Risk Assessment Report which has been reviewed and supported by Council officers. As a condition of consent the applicant will be required to prepare a Flood Evacuation Strategy in accordance with the recommendations of the Flood Risk Assessment Report.

Learning Block J has the greatest flood affectation. To address the flood affectation, the applicant has proposed a finished floor level which is 1.2m high than the existing ground surface level. Fill will be placed below the proposed buildings to achieve the required FFL. The FFL proposed is equivalent to the Narellan Creek PMF level and is 0.4 metres above the Nepean River PMF level. This increased fill has consequently resulted in a height exceedance.

2. *The height exceedance which is related to the flooding issue appears well justified given the exceed and is only part of the roof only and is associated with the additional floor height associated with the flooding issue. However, the Panel will need to apply the requirements of clause 4,6 before approving the development.*

For the proposed buildings to achieve flood level compliance, the finished floor levels were required to be raised. This has resulted in the roof elements of Learning Block J and the administration/library exceeding the height of building standard by a maximum of 1.38m (14.53%). The increased finished floor levels and associated height of building exceedance are considered to be a direct response to the site-specific environmental constraints.

Notwithstanding, it is considered that the development is consistent with the objectives of clause 4.3 and the objectives of the R2 zone. This encroachment is not anticipated to result in any perceptible visual impact from the public domain or adjacent properties. Accordingly, the school buildings are considered to be of a high standard and desirable architectural merit.

This height of buildings exceedance is further detailed below under the clause 4.6 assessment.

3. *The Panel notes the significant issue of traffic congestion which will likely be exacerbated by additional student numbers. The Panel will want advice as to whether the additional numbers can be managed possibly with additional upgrades or changes to the existing pickup and drop-off arrangements.*

The current and future student pick-up and drop-off traffic generated by the school are accommodated by the designated school 'kiss and drop' zone located along the western side of the Council-owned access road and another located on the southern side of Sir Warwick Fairfax Drive. As with the majority of schools, traffic congestion during pick up and drop off periods has been a key issue for this application with concerns raised by the existing congestion and anticipated congestion.

To address the additional traffic generated by the increase in staff and student numbers the applicant has agreed to undertake the following:

- A Green Travel Plan is to be prepared to be implemented;

- A review of the bus service routes is to be undertaken with the intention of extending or revising routes to maximise the number of students able to get the bus; and
- Road works within the Fairfax Reserve Carpark to improve the functionality of the car park. These works further propose a second kiss and drop zone within the existing car park which is to be operational during school hours. The applicant has submitted a Road Works Concept Plan indicatively detailing these works. A condition has been recommended requiring the submission of a detailed construction plan to be submitted prior to the commencement of works to the Local Traffic Committee for their approval.

Details on these strategies are detailed further below in this report.

## **ASSESSMENT**

### ***Environmental Planning and Assessment Act 1979 – Section 4.15(1)***

In determining a DA, the consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the DA:

#### ***(a)(i) the provisions of any environmental planning instrument***

The environmental planning instruments that apply to the proposed development are:

- State Environmental Planning Policy (State and Regional Development) 2011.
- Camden Local Environmental Plan 2010.
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017.
- State Environmental Planning Policy No 55 – Remediation of Land.
- Sydney Regional Environmental Plan No 20 – Hawkesbury-Nepean River.

#### **State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)**

The SRD SEPP identifies development that is State significant or regionally significant development.

Pursuant to Schedule 7 of the SEPP, the Panel is the determining authority for this DA as the proposed development has a CIV of \$19,045,000 which exceeds the CIV threshold of \$5 million for Crown development to be determined by Council.

#### **Camden Local Environmental Plan 2010**

##### ***Site Zoning***

The entire site is zoned R2 Low Density Residential under the Camden Local Environmental Plan (CLEP) 2010.

##### ***Land Use Definition***

The development is defined as an “*educational establishment*” under the CLEP 2010.

##### ***Permissibility***

An “*educational establishment*” is permissible with consent in the R2 zone. Notwithstanding, the proposal is also permissible under the Education SEPP.

## Planning Controls

An assessment table in which the proposed development is considered against CLEP 2010 is provided as an attachment to this report.

### Proposed Contravention – Clause 4.3 Height of Buildings

The applicant proposes a contravention to the maximum height of buildings development standard prescribed for the site, being 9.5m above finished ground level. It is noted that the additional height is primarily due to the need to ensure the FFL is above the flood level.

- The two-storey administration/library building has an overall maximum height of 10.11m (RL 84.70m AHD) when measured from ground level, exceeding the prescribed maximum height by 0.61m (6.42%). The exceedance is limited to part of the raised roof element at the centre of the building, which extends less than half the length of the overall building.

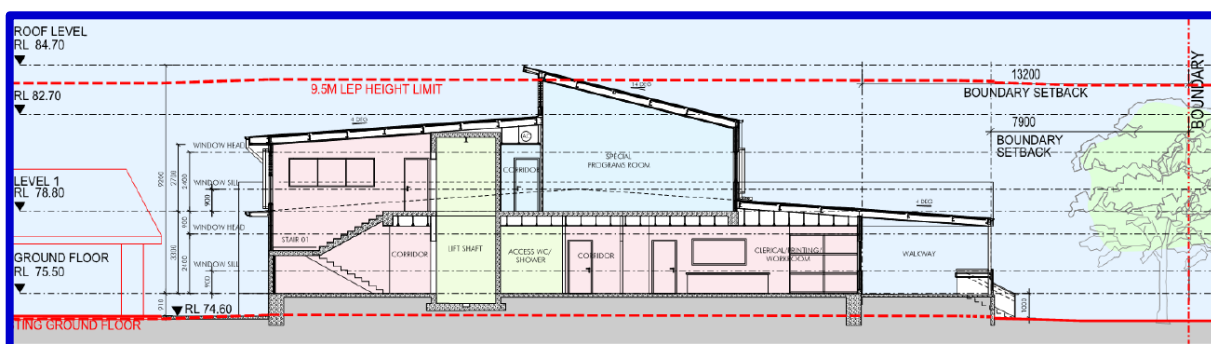
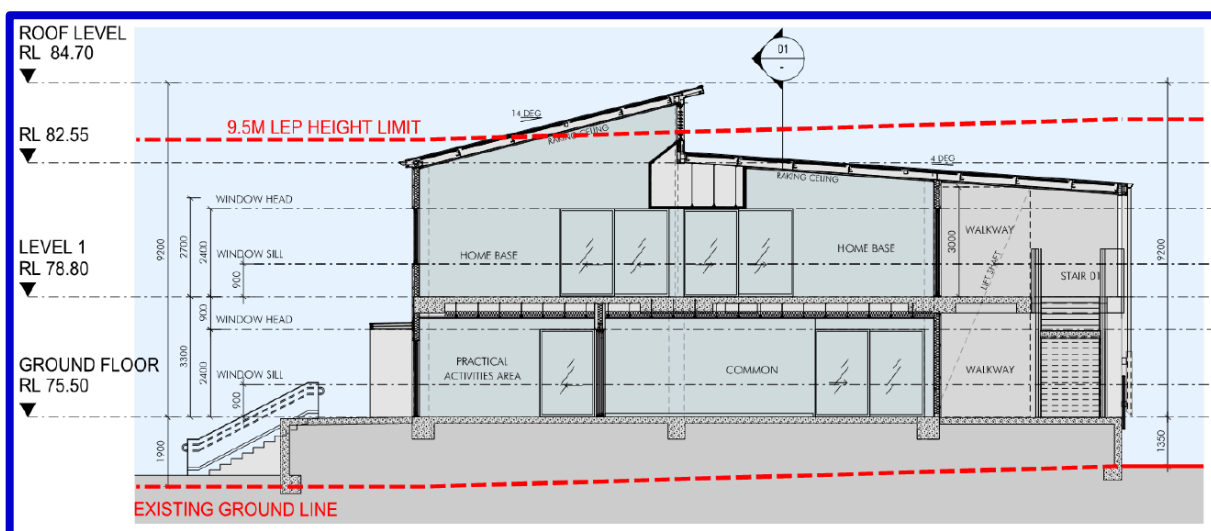


Figure 8: Section of proposed administration/library building. Existing ground level and 9.5 height limit indicated by dotted red lines.

- The two-storey learning block has an overall maximum height of 10.88m (RL 84.70m AHD) as measured from ground level (existing), exceeding the prescribed maximum height by 1.38m (14.53%). Again, the exceedance is limited to part of the raised roof element at the centre of the building. This non-compliant element extends the length of the building.





*Figure 9: Section of proposed learning block. Existing ground level and 9.5 height limit indicated by dotted red lines.*

Both building exceed the prescribed height of building standard. Both contraventions relate to part of the raised roof element at the centre of the building, which extends less than half the length of the overall building. This exceedance has largely been due to the sites flood affectation which has resulted in the need for the height of the finished floor level to be raised. Accordingly, the applicant has sought a variation to this development standard under Clause 4.6 of CLEP 2010.

#### *Contravention Assessment*

Clause 4.6(3) of CLEP 2010 states that development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

- the applicant's written request has adequately addressed the matters required to be demonstrated by Clause 4.6(3) of the Camden LEP, and
- the development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zones in which the development is proposed to be carried out.

In accordance with Clause 4.6(3) the applicant requests that the height of buildings development standard be varied in this instance. The applicant's written request is attached to this report. The written request demonstrates that compliance with the development standard is unreasonable and unnecessary as the development is consistent with the objectives of the development standard and the objectives of the zone in which the development is proposed to be carried out as outlined below:

#### *Clause 4.3 Height of Buildings*

- (a) *to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality;*

#### *Comment:*

The proposed built form reflects a more modern architecture of contemporary learning facilities which is in keeping with the existing built form on the school site and is considered an appropriate scale for the surrounding residential context. The additional height provides for greater articulation and contributes to the buildings' contemporary minimalist design to reflect the existing characteristics of the site. In particular, the non-compliant roof element of the administration/library is positioned at the northern extent of the building to help address the street corner without significantly contributing to the height, bulk and scale of the building.

- (b) *To minimise the visual impact, disruption of views, loss of privacy and loss of solar access to existing development;*

#### *Comment:*

The new learning block will be located in the central-western part of the site and separated from existing nearby development by existing and proposed buildings and vegetation. The administration/library building will be setback approximately

10.3 metres to 12.95 metres from Sir Warwick Fairfax Drive and screened by existing trees within the site and the adjoining road reserve.

As such, it is not anticipated that the buildings' non-compliant roof elements will not result in any adverse visual, view loss or solar access impacts to existing development. The non-compliant roof elements do not form usable space and will have no privacy impacts.

- (c) *To minimise the adverse impact of development on heritage conservation areas and heritage items.*

Comment:

A Heritage Impact Statement has been prepared for the site. That statement notes that the new buildings *"adopt a contemporary minimalist design so as to reflect the existing characteristics of the site and to prevent the new buildings from detracting from the State Heritage item in proximity"*. It concludes that the proposed development will not have an adverse impact on the heritage values of the nearby State listed 'Harrington Park'. It is considered that the non-compliant elevated roof forms contribute to this contemporary minimalist design.

R2 Low Density Residential

1. *To provide for the housing needs of the community within a low-density residential environment.*

Comment:

Not applicable to this proposal.

2. *To enable other land uses that provide facilities or services to meet the day to day needs for residents.*

Comment:

Forming part of the broader redevelopment proposal for the site, the proposal will facilitate the expansion of an existing school to accommodate an additional 225 (total 972) new students within 40 permanent classrooms to meet the day to day needs of residents.

3. *To allow for educational, recreational, community and religious activities that support the wellbeing of the community.*

Comment:

Schools are recognised as providing a valuable social contribution to communities in terms of education, personal development and community interaction. The school currently accommodates 792 students and is used for various community uses including OSHC, church groups, cricket training, Zumba, pre-school soccer and the Music Bus (an external primary student music educational service).

The proposal will provide extensive upgrades to the existing school to help meet the growing education needs for the increasing population of Harrington Park and surrounding suburbs. It will also provide further opportunity for large group

community gatherings to enable celebrations, performances, demonstrations and formal activities.

4. *To minimise conflict between land uses within the zone and land uses within adjoining zones.*

Comment:

The proposal is within an existing school site. The existing school and proposed new buildings are compatible with adjoining residential and recreational land uses. No adverse amenity impacts upon nearby residential land uses are anticipated, including with respect to noise.

The existing off-street parking provision is compliant with the Camden DCP 2019 requirements. Further, adjoining on-street public parking is predominantly used by parents/guardians/custodians associated with student pick-up/drop-off coinciding with the starting and finishing times of the school, which are generally outside of the peak use of the sports reserve.

The applicant also outlines the following key environmental planning grounds particular to the proposed development and site context:

- *Raising of the buildings above the Probable Maximum Flood (PMF) level of RL 75.50m AHD is necessary to meet Council's requirements and to ensure the longevity and ongoing operation of the school and the safety of its students, staff and visitors.*
- *To achieve the required PMF level, the Finished Floor Level (FFL) of the new Administration/Library Building will be raised between approximately 0.9m and 1.0m above existing ground level. This building will exceed the prescribed maximum height by 0.61m. The FFL of the Learning Block will be raised between approximately 1.35m and 1.9m above existing ground level. This building will exceed the prescribed maximum height by 1.38m. The non-compliances are therefore a direct result of raising the buildings above the PMF.*
- *The height exceedances are limited to the raised roof elements of the two-storey buildings. These non-compliant elements facilitate a number of positive external and internal amenity features. Specifically, the raised roofs:*
  - *Accommodate high-level clerestory windows at level 1 of the buildings, providing natural light and ventilation;*
  - *Although adding additional height, provide for greater articulation and contribute to the buildings' contemporary minimalist design so as to reflect the existing characteristics of the site; and*
  - *Facilitate the provision of adaptable and functional spaces to cater for a range of activities.*
- *The non-compliant roof elements do not significantly contribute to the height, bulk and scale of the proposed buildings. The exceedances will not result in any adverse amenity, overshadowing, streetscape or heritage impacts.*

The environmental planning grounds put forward by the applicant are supported and it is considered that compliance with the building height standard would be unreasonable and unnecessary in this instance.

The proposal results in a preferable outcome on the site as compared to a strictly compliant scheme. The height variation does not result in any additional gross floor area (GFA) as the extent of the encroachments are limited to raised roof elements. Instead the proposal achieves a superior design which compliments the established school and surrounding area.

It is considered that the applicant's written request has adequately addressed the matters required to be demonstrated by Clause 4.6(3) of the Camden LEP, and the development will be in the public interest because it is consistent with the objectives of the particular standard and the zone in which the development is proposed to be carried out.

Consequently, it is recommended that the Panel support this proposed contravention to the Camden LEP.

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017.

The Education SEPP applies to the subject development being for the purpose of a 'school'. Part 4 of the Education SEPP outlines the development controls for schools where development is permitted with consent. Under the provisions of Clause 35(3) the proposed school expansion within the boundaries of the existing school are permitted with development consent.

With reference to Clause 35(6)(a) of the SEPP, the design quality of the development has been assessed and found to be adequate when evaluated in accordance with the design quality principles set out under Schedule 4. Additionally, the applicant has submitted a 'Architectural Design Assessment' (prepared by SARM Architects) which addresses the design quality principles set out in Schedule 4 of the SEPP 2017.

<b>State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP) – Schedule 4</b>	
<b>Principle 1—context, built form and landscape</b>	
Schools should be designed to respond to and enhance the positive qualities of their setting, landscape and heritage, including Aboriginal cultural heritage. The design and spatial organisation of buildings and the spaces between them should be informed by site conditions such as topography, orientation and climate.	The development has been proposed having regard to its locational setting, surrounding landscape and heritage. The existing school site features an Aboriginal mural on the building façade close to the existing main entry to the site. This was undertaken as an Aboriginal Heritage initiative in close consultation with the representatives of the Dharawal People. The proposed new buildings integrate into the established school site and complement this existing Aboriginal motif. In particular, the building materials and colour palette reflect earthy and natural landscape tones which integrate with the existing buildings and landscape. The development concept design was presented to an Aboriginal Community Consultation Officer for feedback on the Aboriginal cultural contribution and the

<p>Landscape should be integrated into the design of school developments to enhance on-site amenity, contribute to the streetscape and mitigate negative impacts on neighbouring sites.</p> <p>School buildings and their grounds on land that is identified in or under a local environmental plan as a scenic protection area should be designed to recognise and protect the special visual qualities and natural environment of the area, and located and designed to minimise the development's visual impact on those qualities and that natural environment.</p>	<p>response was that the design approach was well received.</p> <p>The proposed development has clear pathways for ease of access across the site. There are large gathering spaces and smaller defined areas where opportunities for individual or small group activity can occur. These spaces are designed to utilise the site's orientation, climatic opportunities and the built environment within its context.</p> <p>The new buildings have been positioned to respond to the geometry and existing buildings located on site. The new Admin/COLA/Hall buildings is positioned further toward the corner of the site on Sir Warwick Fairfax Drive and the Fairfax Reserve entrance. The buildings strong architectural presence and more prominent corner site will have a positive impact on the streetscape.</p> <p>The landscape has been designed to seamlessly integrate and accommodate the change in the finished floor height of the new buildings and the existing buildings due to requirements of the PMF. Tree retention has been facilitated where possible for shade amenity and appropriate replacement planting including native species has been proposed. The proposed planting ensures trees are incorporated within the building frontages to soften the built form and improve the streetscape.</p> <p>The subject site is not identified as being a scenic protection area. Notwithstanding, the proposed development does not unduly impact on the visual qualities or natural environment. The building works are considered modest and will assist in complementing the visual character and aesthetics of the existing school site.</p>
<b>Principle 2—sustainable, efficient and durable</b>	
<p>Good design combines positive environmental, social and economic outcomes. Schools and school buildings should be designed to minimise the consumption of energy, water and natural resources and reduce waste and encourage recycling.</p>	<p>The building has been designed to incorporate sustainable building design principles. The proposed school building proposes solar photovoltaic panels, water re-use tanks, natural ventilation and building fabric elements to minimise building OPEX and maintenance.</p>



<p>Schools should be designed to be durable, resilient and adaptable, enabling them to evolve over time to meet future requirements.</p>	<p>The building itself is to be constructed of durable materials and the shape of the building allows for there to be flexibility around the use of the room. It is considered that the building is capable of facilitating 'Future focus learning'. Specifically, it will be a spatial environment that will allow for adaptable learning typographies with large and small group collaborative capabilities.</p>
<p><b>Principle 3—accessible and inclusive</b></p>	
<p>School buildings and their grounds should provide good wayfinding and be welcoming, accessible and inclusive to people with differing needs and capabilities.</p> <p>Note. Wayfinding refers to information systems that guide people through a physical environment and enhance their understanding and experience of the space.</p> <p>Schools should actively seek opportunities for their facilities to be shared with the community and cater for activities outside of school hours.</p>	<p>The design allows students to move independently throughout the site with clear pathways for intuitive navigation across the site. The paths proposed provide equitable access and connect to other key pathways within the school grounds. The spaces and settings encourage activity for different purposes with a careful distribution of authentic, recreational, sporting, informal and reflective outdoor spaces.</p> <p>Existing signage is evident within the established campus to assist with wayfinding from external members as well as students, staff, parents and visitors frequenting the campus.</p> <p>The school currently incorporates shared community use of its grounds and facilities. These include OSHC, Church, cricket training, Zumba, Little Kickers (preschool soccer), and The Music Bus, an external primary student music educational service. The school has agreements with these external providers, which allow members of the public to use the school facilities relevant to these particular service providers.</p>
<p><b>Principle 4—health and safety</b></p>	
<p>Good school development optimises health, safety and security within its boundaries and the surrounding public domain, and balances this with the need to create a welcoming and accessible environment.</p>	<p>Pathways between the new and existing school buildings is equitable and is provided without any hazards. Elevated walkways include high balustrades and the landscape design ensures changes in the levels and finishes are managed to ensure safety in the design.</p> <p>The site has a security fence to the property boundary and access to the site is controlled through central entrances.</p>

	<p>The proposed buildings incorporate various windows fronting the road and school grounds which provides appropriate passive surveillance to the street and within the school site. The DA was referred to Camden Local Area Command, who stated that the overall design poses a “low crime risk”.</p>
<b>Principle 5—amenity</b>	
<p>Schools should provide pleasant and engaging spaces that are accessible for a wide range of educational, informal and community activities, while also considering the amenity of adjacent development and the local neighbourhood.</p> <p>Schools located near busy roads or near rail corridors should incorporate appropriate noise mitigation measures to ensure a high level of amenity for occupants.</p> <p>Schools should include appropriate, efficient, stage and age appropriate indoor and outdoor learning and play spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage and service areas.</p>	<p>The proposal provides opportunity for large group community gathering to enable celebration, performance, demonstration and formal activities. It is not considered that the development will generate any undue impacts to the amenity of adjoining land uses.</p> <p>The grounds are not affected by excessive external noise however, the acoustic treatment within and between spaces has been considered and treated to ensure the amenity for learning is provided.</p> <p>A large variety of indoor and outdoor spatial arrangements ensure purpose focus activities and learning outcomes can be achieved across all age groups. The learning block, hall, canteen, library, COLA and office is considered appropriate for its intended use. The shape and size of the room is an efficient use of the space. The building is oriented to the north east orientation allowing for sunlight and natural ventilation to be optimised.</p>
<b>Principle 6—whole of life, flexible and adaptive</b>	
<p>School design should consider future needs and take a whole-of-life-cycle approach underpinned by site wide strategic and spatial planning. Good design for schools should deliver high environmental performance, ease of adaptation and maximise multi-use facilities.</p>	<p>The shape of the building footprint allows for adaptable learning environments with the ability to expand and offer multi-use functions over time if needed.</p>
<b>Principle 7—aesthetics</b>	
<p>School buildings and their landscape setting should be aesthetically pleasing by achieving a built form that has good proportions and a balanced composition of elements. Schools should respond to positive elements from the site and surrounding neighbourhood and have a</p>	<p>The new school buildings are consistent with the design of existing buildings. The materials are considered complementary to the existing school site characteristics and the surrounding context, which primarily comprises contemporary residential development. The proposed landscaping works are considered</p>

positive impact on the quality and character of a neighbourhood.  The built form should respond to the existing or desired future context, particularly, positive elements from the site and surrounding neighbourhood, and have a positive impact on the quality and sense of identity of the neighbourhood.	modest and will assist in improving the visual character and aesthetics of the school site. Similarly, the landscaping works will complement the landscaped character of the Fairfax Reserve, which predominately comprises of a grass field with perimeter tree plantings.
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Clause 35(6)(b) requires the consent authority to consider whether the development enables the use of the school facilities (including recreational facilities) to be shared with the community. The proposed school building is primarily for the use of the school to carry out teaching and educational functions. However, the existing site as a whole provides the opportunity for shared community use of its grounds and facilities. The proposed expansion will not inhibit the ability of the community to utilise the school for community purposes.

Clause 35(9) of the SEPP requires that any provision of a development control plan (such as the Camden DCP 2019) has no effect, regardless of when the development control plan was made. Therefore, the controls of the Camden DCP 2019 do not apply to the development.

Referral was made to Transport for NSW (RMS) pursuant to clause 57 of the SEPP as there is an increase to the number of students and staff. Transport for NSW (RMS) responded advising that there is no objection to the proposed development as it is unlikely to have an impact on the surrounding classified road network.

#### State Environmental Planning Policy No 55 - Remediation of Land (SEPP 55)

SEPP 55 requires the consent authority to be satisfied that the site is suitable for its intended use (in terms of contamination) prior to granting consent.

Clause 7 of the SEPP 55 requires that a consent authority must not grant consent to a development unless it has considered whether a site is contaminated, and it is satisfied that the land is suitable (or will be after undergoing remediation) for the proposed use. The applicant has submitted a phase 1 preliminary assessment. This report has been reviewed by Councils SSEHO who is satisfied with the findings of the assessment and considers the site to be suitable for the proposed use.

#### Sydney Regional Environmental Plan No 20 - Hawkesbury-Nepean River (SREP 20)

The proposed development is consistent with the aim of SREP 20 (to protect the environment of the Hawkesbury-Nepean River system) and all of its planning controls.

There will be no detrimental impacts upon the Hawkesbury-Nepean River system as a result of the proposed development. Appropriate erosion and sediment control measures and water pollution control devices have been proposed as part of the development.

***(a)(ii) the provisions of any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority***

***that the making of the proposed instrument has been deferred indefinitely or has not been approved)***

Draft State Environmental Planning Policy (Environment)

The development is consistent with the Draft Environment SEPP in that there will be no detrimental impacts upon the Hawkesbury-Nepean River system as a result of it.

***(a)(iii) the provisions of any development control plan***

Pursuant to Clause 35(9) of the State Environmental Planning Policy (Educational Establishments and Child Care Facilities) a provision of a development control plan that specifies a requirement, standard or control does not apply in relation to development for the purpose of an educational establishment that requires development consent. Therefore, an assessment of the proposal against the Camden Development Control Plan 2019 is not required.

Issues ordinarily considered under these DCPs relating to environmental management, erosion and sedimentation, salinity, water management, waste management, acoustics, and parking are considered elsewhere within this report or are addressed via recommended conditions of consent.

***(a)(iia) the provisions of any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4***

No planning agreement applies to the subject site.

***(a)(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)***

The *Environmental Planning and Assessment Regulation 2000* prescribes several matters that are addressed in the conditions attached to this report.

***(b) the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality***

As demonstrated by the above assessment, the proposed development is unlikely to have a significant negative impact on either the natural or built environments, or the social and economic conditions in the locality.

Traffic Congestion

The applicant proposes to implement the following measures to assist in managing the additional traffic generated by the increased staff and student numbers:

*Green Travel Plan and Review of the Bus Service Route*

This strategy is to be prepared and implemented to support behavioural change. The strategy is aimed at achieving the following outcomes:

- Decrease vehicular traffic to the school through increased walking and riding to the school; and
- Encourage better driver behaviour through communication.

A series of actions to improve driver behaviour and decrease reliance on private vehicle drop-off and pick-up at the School is detailed below:

- The Green Travel Plan would be co-designed with the Principal and other users and would include targeted programs to decrease the number of private vehicle trips to the School, change travel choice behaviour and improve driver behaviour; and
- A review of the bus service route design to identify opportunities to modify the bus route to better serve students who live too far away from the School to walk or ride.

### Road Works Concept Plan

The applicant submitted a concept road works plan (see below) to indicatively detail the road works to be undertaken within the Fairfax Reserve Car Park. Prior to the commencement of works, the applicant will be required to submit a detailed construction plan to the Local Traffic Committee for approval.

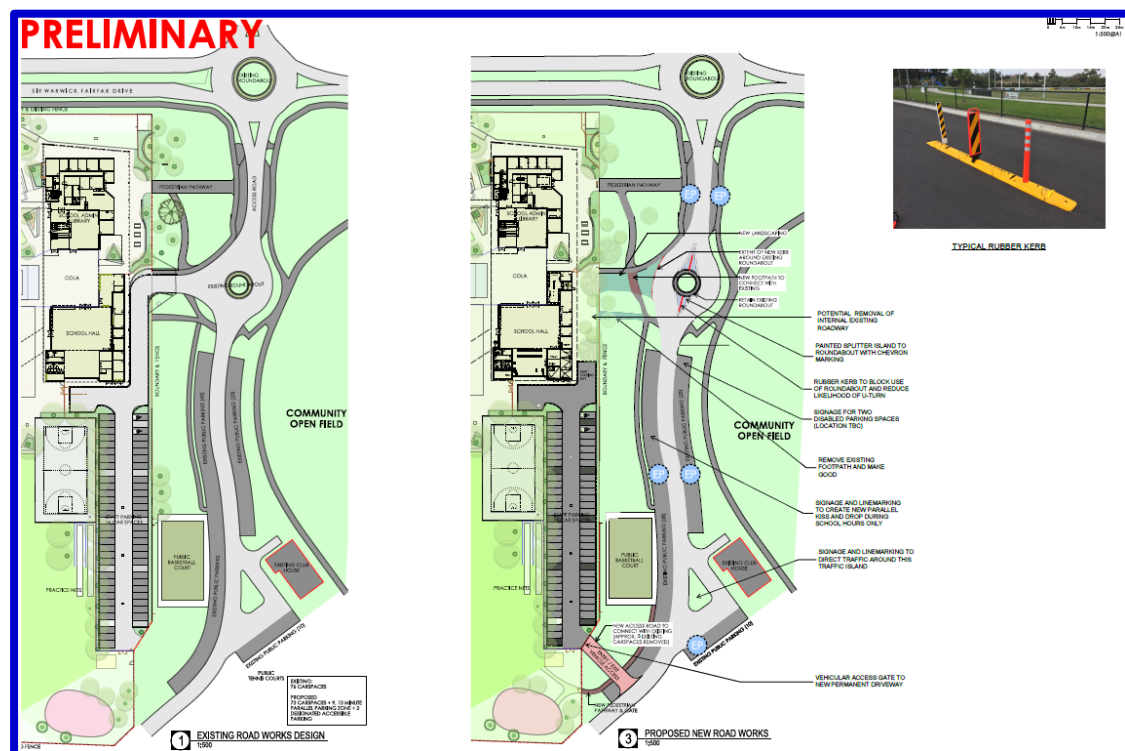


Figure 10: Road Works Concept Plan – Fairfax Reserve Car Park

These works are summarised below:

- Signage and line-marking to direct traffic to utilise the traffic island to the south of the car park to turn around;
- New vehicle access and entry driveway to the existing car park;
- New pedestrian pathways;
- Signage and line-marking to create new kiss and drop zones (during school hours only);
- Disabled parking and signage;
- Painted splinter island to roundabout with chevron marking;
- Rubber kerb to block the use of the roundabout and reduce the likelihood of a u-turn;



The following works will further require the extension of the existing right of way benefitting the school site and burdening the Council owned Fairfax Reserve. This has been referenced as a condition of consent.

The extent of works proposed are considered satisfactory to address any traffic congestion associated with the school expansion, subject to conditions of consent.

### Flood Affectation

The site is located above the 1% flood planning level but is within the Narellan Creek Probable Maximum Flood (PMF). The ability for flood free evacuation and impact of the development on flood behaviour has been assessed as part of this application. All buildings have a FFL in response to the site's flood affectation. The FFL proposed is equivalent to the Narellan Creek PMF level and is 0.4 metres above the Nepean River PMF level (as the flood level relates to PMF not 1% flood hazard, no freeboard is required in Council's Flood Policy). The applicant has provided a satisfactory Flood Risk Assessment Report which confirms that all the new buildings adopt appropriate floor levels above the PMF. The report also recommends a flood evacuation strategy detailing protocols, actions and contact numbers for staff in the instance of a flood event. This assessment has been reviewed and supported by Council staff. A recommended condition of consent requires the applicant to prepare a Flood Evacuation Strategy in accordance with the recommendations of the Flood Risk Assessment Report.

### Extent of Fill

As demonstrated on the site survey, the subject site has a 3m fall from north to south. Filling up to approximately 1.2m has been proposed at the southern end of the site to facilitate a building pad for Learning Block J. The extent of fill has been integrated into the design by the use of elevated walkways, entry feature steps, and landscaping treatment. Given the environmental site constraints, the extent and quantity of fill is considered acceptable.

Appropriate conditions of consent have been recommended to ensure the fill is VENM certified and that the Construction Management Plan addresses how transporting the fill to the school site will not affect school operations.

### Stormwater Management

A Stormwater Management Plan, Drains file and Stormwater Report was provided to Council. The site drains to the south and toward the Narellan Creek Catchment at the southern end of the site. The stormwater design includes water quantity and quality devices with stormwater drainage system being connected to an on-site detention tank and existing gross pollutant trap (GPT) device. The stormwater will then be connected into the site's existing stormwater drainage pipe which utilises the natural fall of the land and discharges into Narellan Creek. This is accepted by Councils Development Engineer subject to standard conditions.

### ***(c) the suitability of the site for the development***

As demonstrated by the above assessment, the site is considered to be suitable for the proposed development.

**(d) any submissions made in accordance with this Act or the regulations**

The DA was publicly exhibited for a period of 14 days in accordance with Camden Development Control Plan 2019. The exhibition period was from 15 January 2020 to 28 January 2020. No submissions were received.

**(e) the public interest**

The public interest is served through the detailed assessment of this DA under the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2000*, environmental planning instruments, development control plans and policies. Based on the above assessment, the proposed development is consistent with the public interest.

**EXTERNAL REFERRALS**

The external referrals undertaken for this DA are summarised in the following table:

External Referral	Response
Transport for NSW (formerly Roads and Maritime Services.)	No objection and no recommended conditions.
NSW Rural Fire Service	<p>The NSW Rural Fire Service issued General Terms of Approval and a Bush Fire Safety Authority subject to conditions on 31 March 2020.</p> <p>Conditions that require compliance with the General Terms of Approval and Bushfire Safety Authority are recommended.</p>

**FINANCIAL IMPLICATIONS**

This matter has no direct financial implications for Council.

**CONCLUSION**

The DA has been assessed in accordance with Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* and all relevant instruments, plans and policies. The DA is recommended for approval subject to the conditions attached to this report.

**RECOMMENDED**

**That the Panel:**

- i. support the justification in the applicant's written request lodged pursuant to Clause 4.6(3) of Camden Local Environmental Plan 2010 to the contravention to the height of buildings development standard; and**
- ii. approve DA/2019/977/1 for the school expansion at 2 Sir Warwick Fairfax Drive, Harrington Park subject to the conditions attached to this report.**