



STATEMENT OF ENVIRONMENTAL EFFECTS

Enabling works, Demolition of Block D,
Construction of Block F and Increase in
student numbers

HopePoint Christian School
43A Beale Street, Georges Hall

planning today, shaping tomorrow

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1 Introduction

1.1 Commission

EPM Projects (EPM) has been commissioned by HopePoint Christian School to prepare a Statement of Environmental Effects (SEE) for the proposed demolition of Block D, construction of a new two (2) storey classroom building (Block F) and increase in student numbers. The proposed development also includes enabling works to facilitate the construction of Block F including the installation of temporary portable classrooms. The proposed development is to be located at HopePoint Christian School, 42A Beale Street, Georges Hall (the site).

The SEE is to accompany a development application (DA) to Canterbury-Bankstown Council (Council). The site is zoned R2 Low Density Residential (the R2 zone) under the *Canterbury Bankstown Local Environmental Plan 2023* (the LEP) with educational establishments permitted with consent in the R2 zone.

1.2 Overview of Proposed Development

The proposed development comprises:

- Enabling Works:
 - Relocation of two (2) accessible parking spaces
 - Installation of new one (1) storey portable classroom building within existing car park containing three (3) General Learning Area (GLAs), verandah with associated stairs and ramps
- Main works:
 - Tree removal
 - Demolition of Block D and ancillary structures including pavement, fencing, seating and redundant services
 - Construction of new two (2) storey classroom building containing ten (10) GLAs, student amenities.
 - New concrete paving around building and new landscaping
 - New building identification signage
 - New site infrastructure including hydrant booster and pump set, rainwater tank and on-site detention.
 - Increase in student numbers to 400 (an increase in 215 students)
 - Increase in full-time equivalent (FTE) staff numbers to 33 (an increase in 11 FTE staff)
- Make-good works:
 - Removal of one (1) storey demountable building
 - Make good of on-site car park.

1.3 Purpose of this Statement

The purpose of this report is to provide Council and relevant NSW State Government Agencies all pertinent information necessary to assess the subject development proposal and to determine the DA in accordance with section 4.16 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the *Environmental Planning and Assessment Regulation 2021* (the Regulation). The proposed development is assessable pursuant to Part 4 of the EP&A Act.

The site is identified as an item of State heritage significance (SHR #00448 "The Homestead Building and site") on the State Heritage Register (SHR) under the *Heritage Act 1977*. The proposed development is located within the SHR curtilage, Pursuant to section 4.44(2) of the EP&A Act, the proposed development is integrated development as it requires approval under section 58 of the Heritage Act.

As the proposed development will result in the school being able to accommodate 50 or more additional students on a site that has direct access to any road, the consent authority must provide written notice to Transport for NSW (TfNSW) pursuant to section 3.58 of *State Environmental Planning Policy (Transport and Infrastructure) 2021* (T&I SEPP).

The proposed development has an estimated development cost (EDC) of more than \$5 million and therefore, the proposed development is classified as regionally significant development and the consent authority for the DA will be the Sydney South Planning Panel (SSPP).

The proposed development exceeds the 9m height of buildings development standard under the LEP by 2.3m, which is equivalent to a variation of 26%. A separate clause 4.6 written request to vary the height of buildings development standard has been prepared by EPM Projects (**Appendix Q**).

1.4 Site and Development Consent History

The site has State significance as evidence of one of one of the earliest surviving estates in the Sydney basin and the earliest known surviving building in the Bankstown area, with the original dwelling, known as The Homestead, dating from 1837 (**Figure 1**). The site is associated with the Johnston family as the site was granted to George Johnston by Governor King and remained with the family until the early 20th century. During the mid-20th century, the site was used as a convalescent home / hostel before being purchased by Calvary Chapel (later HopePoint Church) in 1990.



Figure 1 The Homestead in 1993 (Source: State Heritage Inventory)

The following table provides a summary of previous DAs lodged in relation to the site

Table 1 Development Consent History		
Application Number	Approved	Description
BA-999/1990	Unknown	New church, hall and offices and restoration of exiting building, site known as 1a Lionel Street on original BA consent
DA-838/1993	17/02/1994	Construction of a pre-school centre
DA-365/1997	07/04/1997	Proposed facility improvement to primary school. Modified on 08/08/1997

Table 1 Development Consent History

Application Number	Approved	Description
DA-707/1999	06/05/1999	Shade structure to Assembly and play areas
DA-1281/2000	15/08/2000	2 Pylon Advertising Signs
DA-92/2003	04/07/2003	Addition of two (2) new classrooms
DA-350/2004	21/04/2004	Construction of a storeroom to existing church
DA-1223/2006	17/01/2007	Replace existing sign with new sign
DA-289/2007	23/10/2007	Construction of a Storeroom
DA-963/2007	07/02/2008	Replacement of exiting roof over corridor with a lower colorbond skillion roof. Modified on 01/07/2008
DA-639/2009	13/10/2009	Construction of a New Multi Purpose Hall/Gymnasium Building Comprising Male and Female Amenities Including Disabled Facilities and Storage Area, and Associated Stormwater Drainage, Tree Removal and Landscaping (This premises is listed as a heritage item under the <i>Bankstown Local Environmental Plan 2001</i> , and the proposed development is an Integrated Development requiring approval under the <i>Heritage Act, 1977</i>). Modified on 19/08/2010 and 28/09/2016
DA-409/2011	23/08/2011	Alterations and Additions to Existing Early Childhood Centre to Accommodate a Further Twenty (20) Children (Aged 3-5 Years)
DA-49/2012	16/02/2012	Interior Renovation of Church Building Including Floor Tiling to Entry and Replacement of Old Sound Booth with New Sound Booth
DA-8/2017	20/04/2017	Use of existing school gymnasium as an out of school hours and vacation care facility

2 The Site and Context

2.1 Site Location

The site is located at 42A Beale Street, Georges Hall within the Canterbury-Bankstown Local Government Area (**LGA**). The site is located approximately five (5) kilometres west of Bankstown City Centre and 800m the north-west of the Bankstown Aerodrome. The site is located 170m east of Dhurawal Bay (Georges River) and 100m south of Prospect Creek.

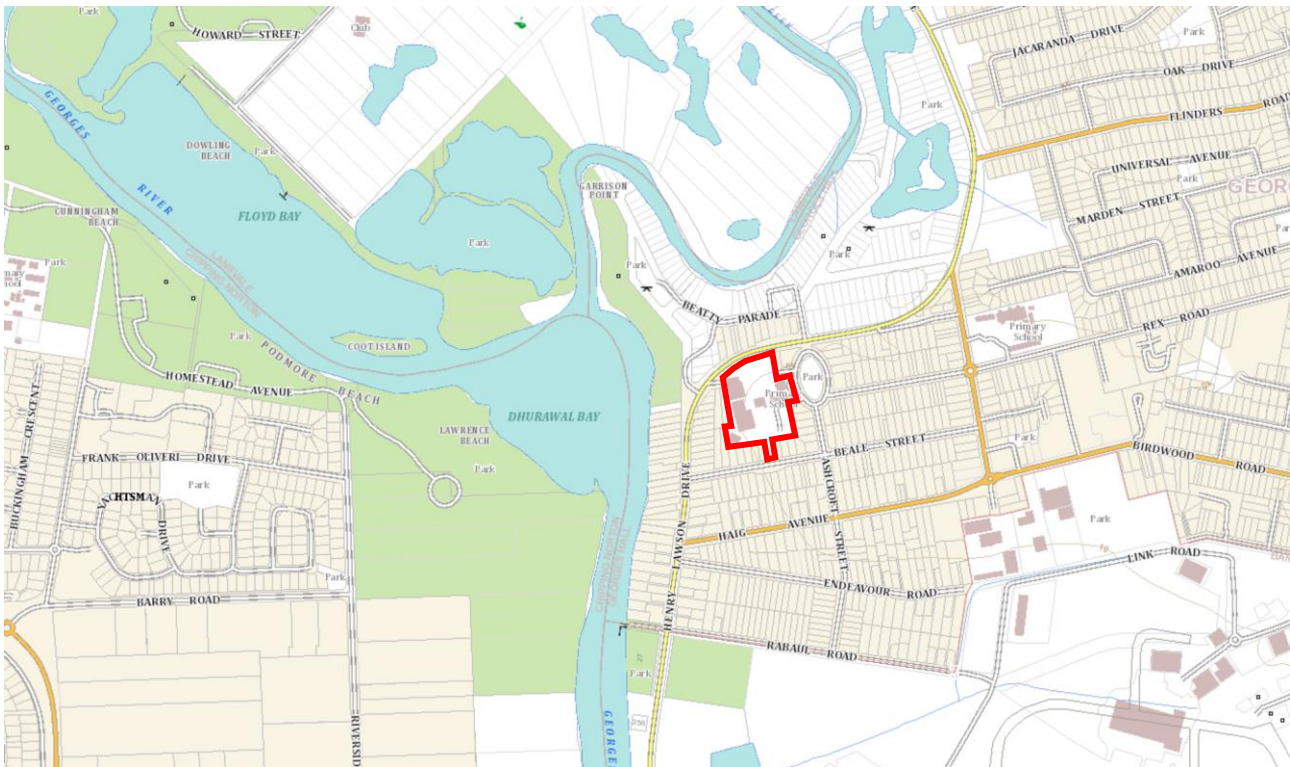


Figure 2 Site Location plan with the site boundary outlined in red (Source: SIX Maps).

2.2 Site Description

The site is legally described as Lot 101 in Deposited Plan (DP) 827530. The site has a total area of 21,720m² and is irregularly shaped with street frontages to Beale Street to the south, Ashcroft Street to the east and Henry Lawson Drive to the north. The site also has frontage to Lionel Street. The site generally falls towards the north-west with an embankment along the Henry Lawson Drive frontage.

A site survey has been prepared by LTS Surveyors (**Appendix B**)

There are three (3) easements located on the site:

- Drainage Easement (A) adjoining the eastern boundary (4 Lionel Street)
- Right of way / easement for electricity purposes (0162238) in relation to the existing substation on Ashcroft Street
- Land excludes minerals (X).

Existing development on the site comprises three (3) principal land uses:

- HopePoint Christian School: A coeducational Christian primary school (K-6). The school currently has a capacity of 185 students and 22 FTE staff. Originally established in 1980 in Greenacre, the school relocated to Georges Hall in 1990.
- HopePoint Preschool: A 40-place preschool for children aged 3 – 5 years. The preschool relocated from Calvary Chapel Church, Greenacre in 1996.

- Foursquare Gospel Church / HopePoint Church

Figure 3 is an aerial photograph of the site and its immediate surrounds.

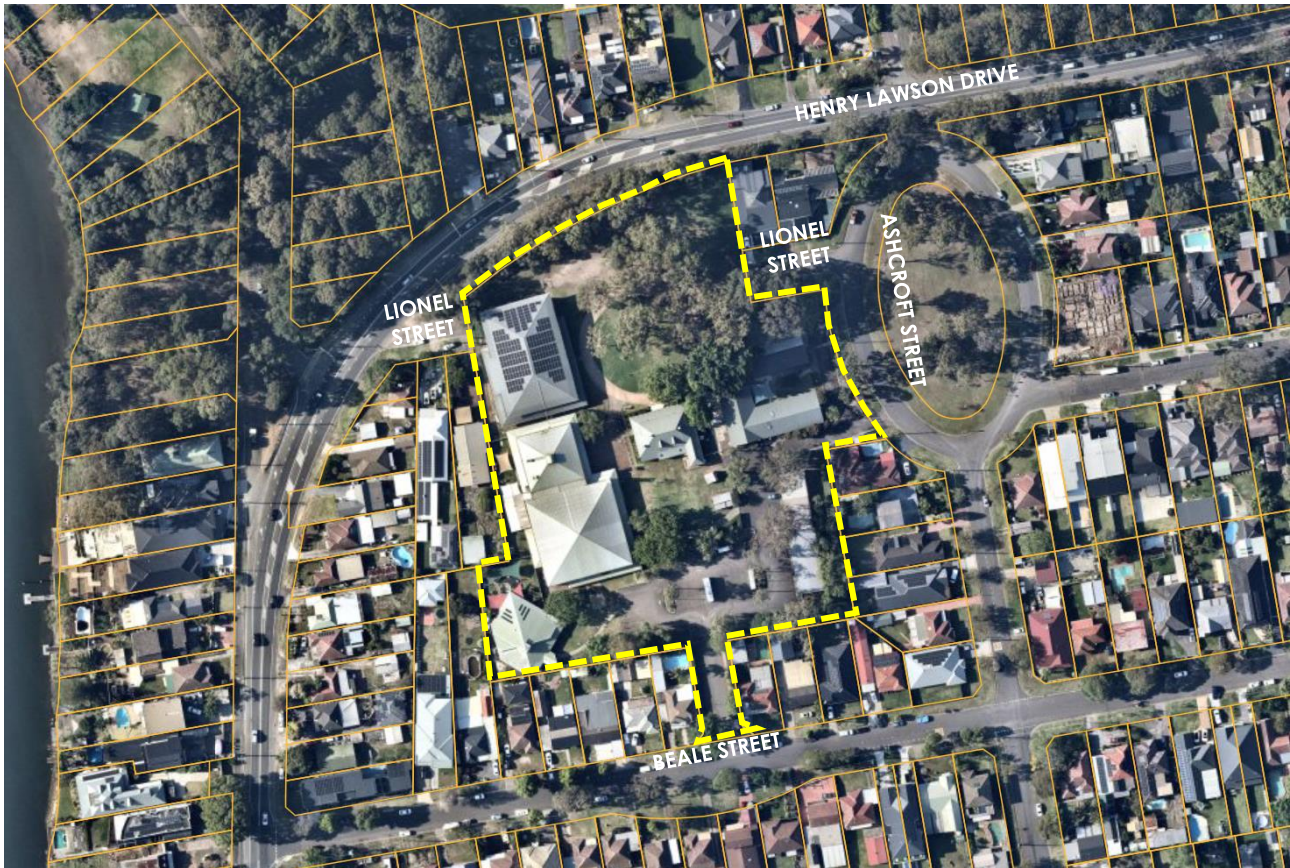


Figure 3 Aerial Image of the existing site (Source: NearMap dated 30 October 2024).

Existing buildings include on the site includes:

- Block A: School administration building. A one (1) storey brick building with a metal roof.
- Block B: "The Homestead". Two (2) storey 'Colonial Georgian' building. Originally built between 1836 and 1837 and identified as a State heritage item. There are also two (2) outbuildings associated with The Homestead located to the south-east of the main dwelling.
- Block C: Gymnasium/Hall: Concrete building with metal roof. Constructed as part of the Building Education Revolution (BER). This building is utilised by both the school and church.
- Block D Classroom: A one (1) storey classroom building.
- Block E Classrooms: A one (1) storey portable classroom building.
- Church Building: Two (2) storey building including administration, church.
- Pre-school building: One (1) storey pre-school building with associated outdoor play space.

In addition, there is a Bills Horse trough on the site located to the north-west of The Homestead.

The main vehicular access to the site is from Beale Street. There is also vehicular access to the pick-up/drop-off facility from Ashcroft. Access for emergency vehicles is available from Lionel Street. There is a total of 100 on-site parking spaces including two (2) accessible spaces.

Pedestrian access to the site is from Beale Street and Ashcroft Street. There is no pedestrian access to the site from Henry Lawson Drive or Lionel Street.

Landscape in the immediate vicinity of The Homestead comprises formal hedging around the dwelling that opens onto a manicured lawn with scattered trees. Vegetation on the site comprises a mix of native and exotic species located around the site boundaries and the in the north-east corner of the site.

Figure 4 shows the existing site plan.

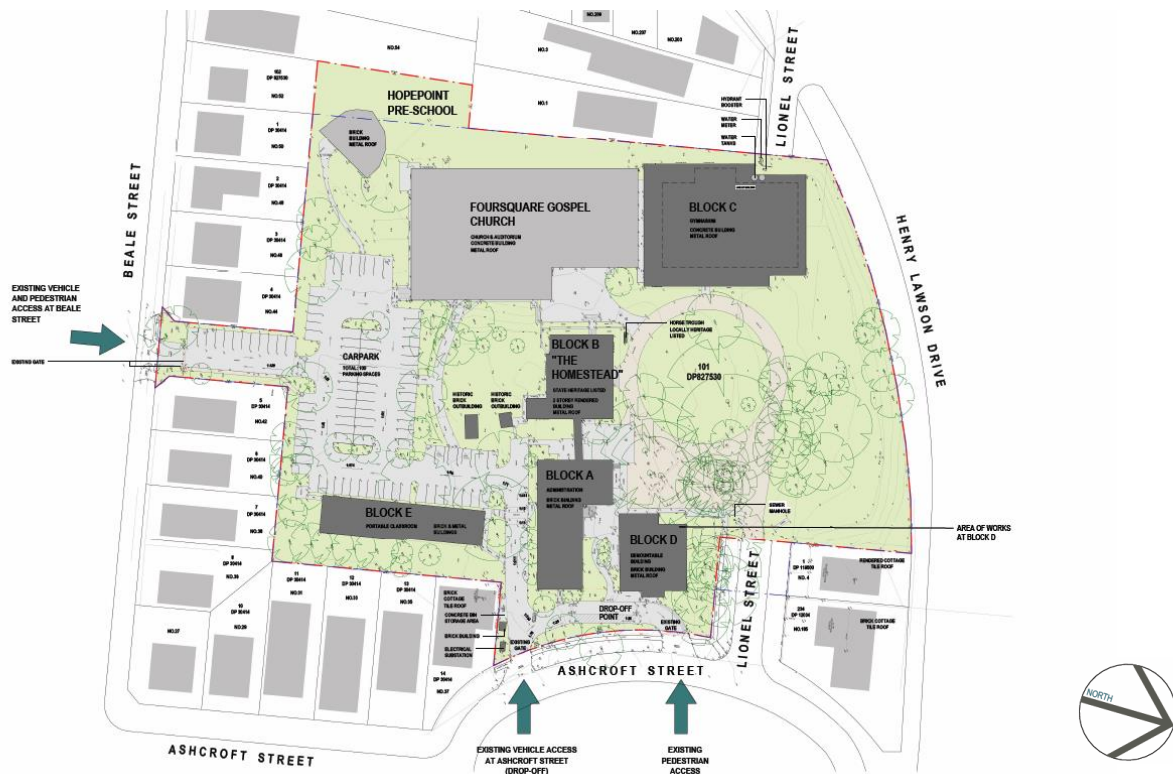


Figure 4 Existing site plan (Source: Leaf Architecture)

Figures 5 to 11 are photos of the existing site



Figure 5 Vehicle and pedestrian entry from Beale Street (Source: EPM Projects, November 2024)



Figure 6 Blocks A and D as viewed from Ashcroft Street (Source: EPM Projects, November 2024)



Figure 7 View of Block D from the intersection of Ashcroft and Lionel Streets (Source: EPM Projects, November 2024)



Figure 8 Blocks A and D as viewed from the pick-up and drop-off driveway (Source: EPM Projects, November 2024)



Figure 9 Playground space at the rear of Block D (Source: EPM Projects, November 2024)



Figure 10 The Homestead with Gymnasium and Church Hall buildings (Source: EPM Projects, November 2024)



Figure 11 The Homestead with Bills Horse Trough (Source: EPM Projects, November 2024)

2.3 Site Context and Surrounding Development

The site is located within a low-density residential suburb of Georges Hall (**Figure 12**). On the northern side of Henry Lawson Drive is Garrison Point Reserve.

Blacktown Aerodrome is located approximately 800m to the south-east of the site. On the western side of the Georges River is the Chipping Norton industrial precinct.



Figure 12 Typical low-density residential development along Beale Street (Source: EPM Projects, November 2024)

2.4 Site Constraints and Considerations

2.4.1 Zoning and Permissibility

The site is zoned R2 Low Density Residential under the LEP (**Figure 13**). Educational establishments are permitted with consent in the R2 zone under the LEP. In the addition, the R2 zone is a prescribed zone for the purposes of schools under Chapter 3 of State Environmental Planning Policy (Transport & Infrastructure) 2021 (**T&I SEPP**).

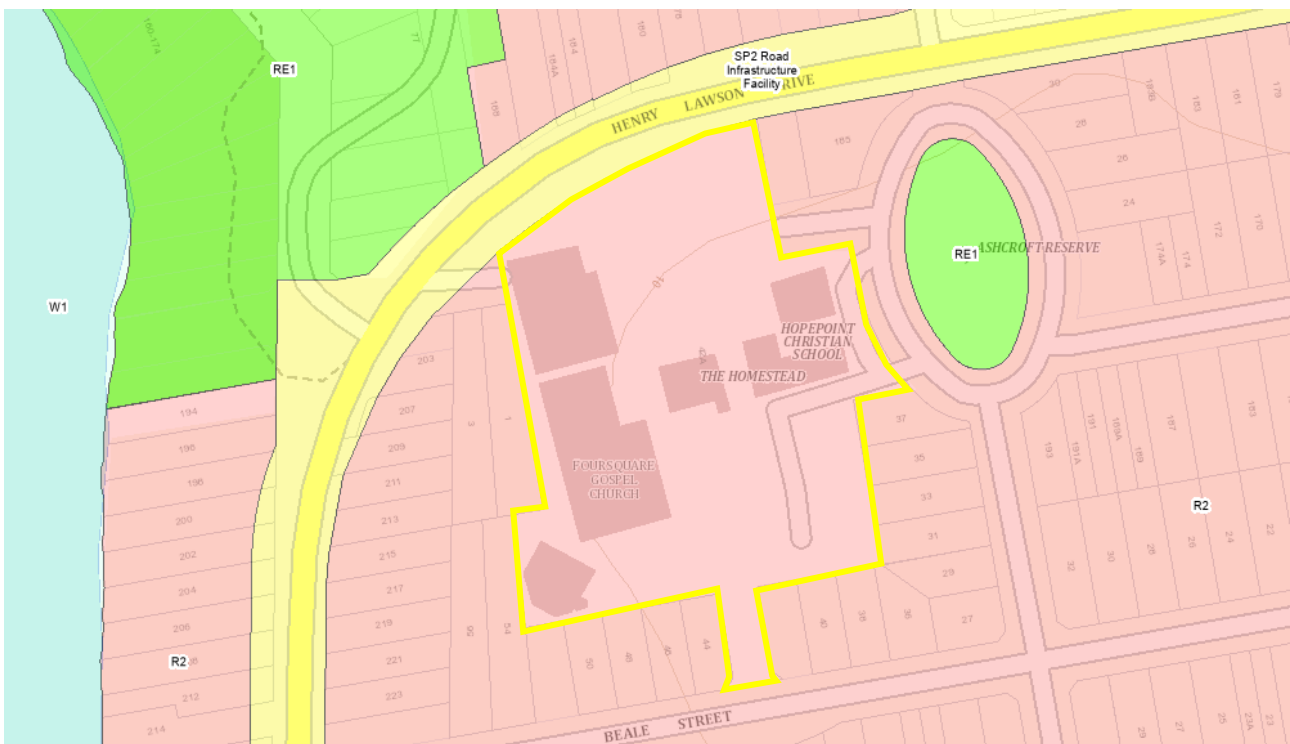


Figure 13 Extract of Zoning Map (Source: ePlanning Spatial Viewer)

2.4.2 Building Height

The site is subject to maximum building height of 9m under the LEP (**Figure 14**).



Figure 14 Extract of height of buildings map (Source: ePlanning Spatial Viewer)

2.4.3 Floor Space Ratio

The site is subject to a maximum floor space ratio (FSR) of 0.5:1 under the LEP (**Figure 15**). However, the site is located within "Area 1" on the Clause Application Map under the LEP and therefore, pursuant to clause 4.4(2B) of the maximum FSR for a building used for non-residential purposes is 0.4:1.

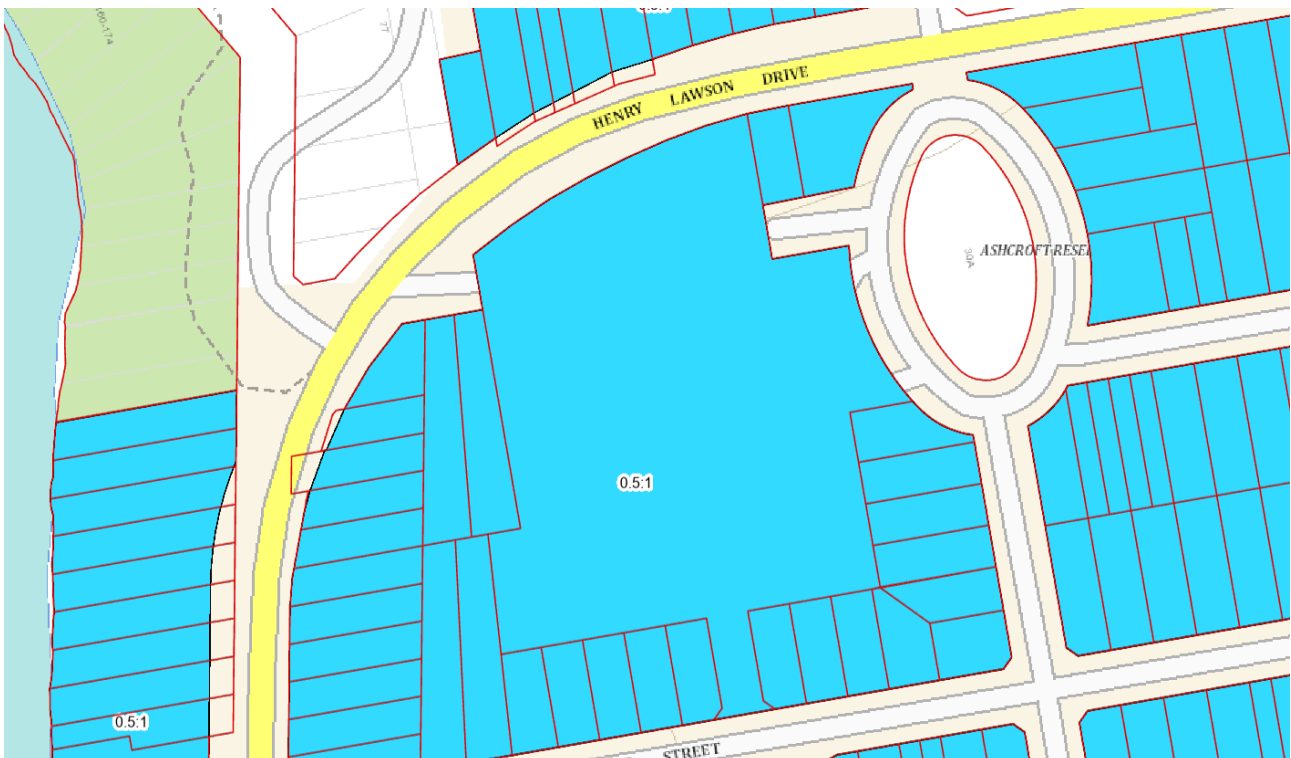


Figure 15 Extract of Floor Space Ratio Map (Source: ePlanning spatial viewer)

2.4.4 Heritage

The site is identified an item of State heritage significance on the SHR (SHR #00448 "The Homestead Building and site"). An extract of the State heritage curtilage overlaid over an aerial photograph of the site is provided as **Figure 16**. The site is also identified under Schedule 5 of the LEP as Item I143. The site is listed on two (2) non-statutory lists being the National Trust of Australia and Register of the National Estate.

The following statement of significance is taken from the Conservation Management Plan (CMP) prepared by JPA&D (**Appendix H**):

The Homestead at Georges Hall is important in the cultural history of NSW as being part of the lands once owner by Colonel George Johnston. It has a strong association with the Johnston Family of Annandale and is a substantially intact, well-proportioned and finely detailed colonial Georgian building which retains characteristics typical of its period and style.

It was the second Johnston house built in this area with the first house being affected by flooding. The location of "The Homestead" on the rise above the river and floodplain, demonstrates the settlers' adaptation to their environment. The Homestead is evidence of the earliest permanent settlement in the area and is the oldest remaining house in the Bankstown district. It is one of only a few houses of this type remaining in NSW.

The property is also associated with the HopePoint church and school community.

As the works are located within the SHR curtilage, approval is required under section 58 of the Heritage Act (refer to **Section 4.2**).



Figure 16 Extent of State Heritage Curtilage overlaid on aerial photograph with location of new building circled in red (Source: JPA&D)

3 Proposed Development

3.1 Summary of Proposed Development

The proposed development comprises:

- Enabling Works:
 - Relocation of two (2) accessible parking spaces
 - Installation of new one (1) storey portable classroom building within existing car park containing three (3) General Learning Area (GLAs), verandah with associated stairs and ramps
- Main works:
 - Tree removal
 - Demolition of Block D and ancillary structures including pavement, fencing, seating and redundant services
 - Construction of new two (2) storey classroom building (Block F) containing ten (10) GLAs, student amenities.
 - New concrete paving around building and new landscaping
 - New building identification signage
 - New site infrastructure including hydrant booster and pump set, rainwater tank and on-site detention.
 - Increase in student numbers to 400 (an increase in 215 students)
 - Increase in full-time equivalent (FTE) staff numbers to 33 (an increase in 11 FTE staff)
- Make-good works:
 - Removal of one (1) storey demountable building
 - Make good of on-site car park.

Architectural plans of the proposed development have been prepared by Leaf Architecture (**Appendix A**). **Figure 17** is a photomontage of the new Block F building as viewed from Ashcroft Street.



Figure 17 View of new Block F as viewed from Ashcroft Street (Source: Leaf Architecture)

Figure 18 is an extract of the proposed site plan.

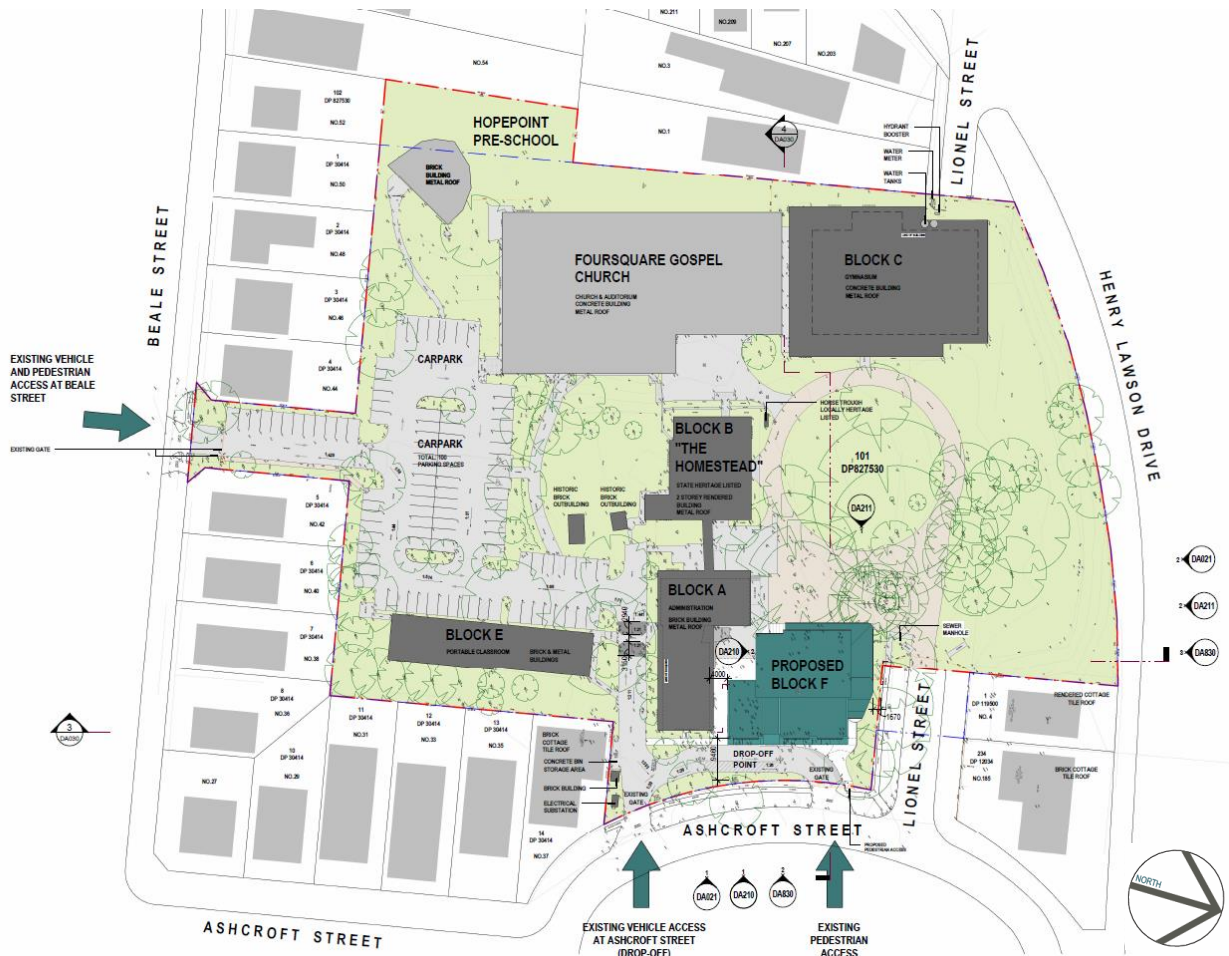


Figure 18 Proposed Site Plan (Source: Leaf Architecture)

3.2 Description of Works

3.2.1 Enabling Works

To facilitate the main works, enabling works are required. These enabling works include the relocation of two (2) accessible parking spaces and installation of a one (1) storey portable classroom building containing three (3) GLAs. It is proposed to locate the new portable classroom building within the existing carpark as shown in **Figure 19**.

Temporary building services will be provided to the portable classroom building. This includes installation of temporary stormwater drainage services.

The installation of the portable classroom building will result in the loss of approximately 15 on-site parking spaces. However, it is considered that the existing on-site parking has sufficient capacity to accommodate use by the school, preschool and church and it is proposed to remove the portable classroom within six (6) months of the completion of Block F.

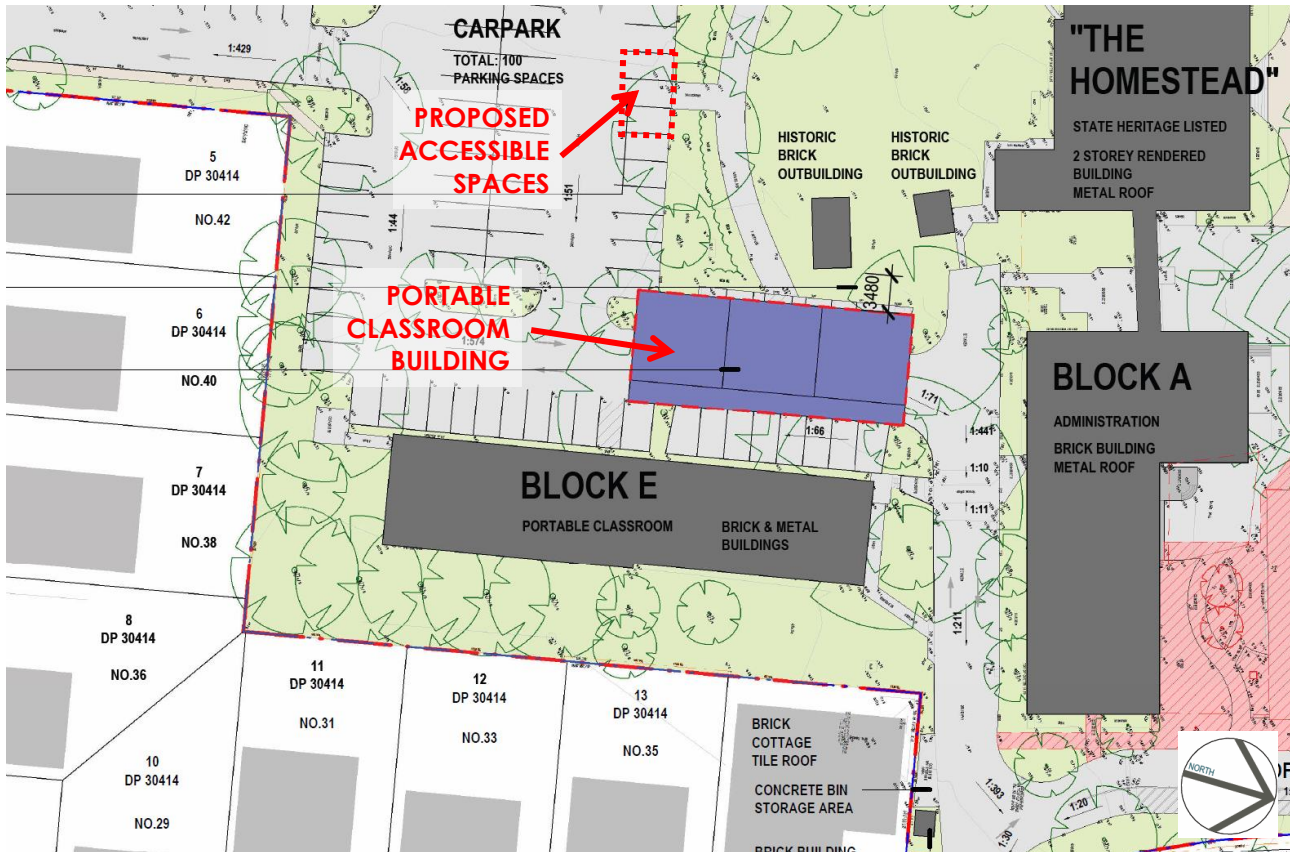


Figure 19 Location of enabling works (Source: Leaf Architecture)

3.2.2 Demolition and Tree Removal

The demolition works include:

- Demolition of the one (1) storey Block D classroom building
- Removal existing pavement/hardstand surrounding Block D
- Demolition, removal and disconnections of any redundant services and stormwater infrastructure
- Removal of existing seating with playground.

The extent of demolition is shown in architectural plans prepared by Leaf Architecture (**Appendix A**).

A total of 11 trees are proposed to be removed to facilitate the works as set out in **Table 2**.

Tree No	Species (Common Name)	Height x spread (m)	Landscape Significance	Retention Value	Reason for removal
T4	<i>Acacia implexa</i> (Hickory Wattle)	6 x 4.5	Moderate-High	Medium	Located within building footprint
T5	<i>Corymbia citriodora</i> (Lemon Scented Gum)	23 x 13	High	Medium	Located within building footprint
T6	<i>Corymbia citriodora</i> (Lemon Scented Gum)	24 x 11	High	Medium	Located within building footprint
T7	<i>Corymbia citriodora</i> (Lemon Scented Gum)	12 x 7	High	Low	Poor structural condition
T8	<i>Corymbia citriodora</i> (Lemon Scented Gum)	6 x 3.5	High	Medium	Located within building footprint

Tree No	Species (Common Name)	Height x spread (m)	Landscape Significance	Retention Value	Reason for removal
T9	<i>Corymbia citriodora</i> (Lemon Scented Gum)	22 x 15	High	Medium	Located within building footprint
T10	<i>Callistemon viminalis</i> (Bottle Brush)	3 x 2.5	Moderate	Medium	Impacted by stormwater drainage and poor structural condition
T11	<i>Melaleuca quinquenervia</i> (Paperbark)	4 x 2	Moderate	Low	Poor structural condition
T12	<i>Melia azedarach</i> (White Cedar)	14 x 13	High	Medium	Located within building footprint
T15	<i>Banksia ericifolia</i> (Heath-Banksia)	4 x 4	Moderate	Medium	Located within building footprint
T16	<i>Melaleuca lineariifolia</i> (Melaleuca)	3.5 x 4	Moderate	Medium	Located within building footprint

All other trees on the site will be protected in accordance with the recommendations of the Arboricultural Impact Assessment prepared by Rain Tree Consulting (**Appendix G**).

3.2.3 Block F

Proposed Block F is a two (2) storey classroom building and comprises:

- Ground Floor:
 - Five (5) x GLAs
 - Storage and servicing cupboards.
 - Male and female student amenities along with unisex accessible toilet
 - Vertical circulation comprising lift, internal and external stairs
- First Floor:
 - Five (5) x GLAs

The new Block F building has a total gross floor area of 1,031m² comprising 534m² on the ground floor and 497m² on the first floor.

Block F has been designed to provide a strong sense of address for the school, which to date has generally treated Beale Street as the main entry. This project will see the Ashcroft Street frontage become the primary entrance for the School, with Block F sited so as to retain established setbacks and sit below the tree canopy, retaining views to and across the site to The Homestead.

The design utilises materials, finishes and colours that match the setting of the site (**Figure 17**), including brickwork within a leafy setting, and are all robust and easy to maintain, including:

- Brick wall façade
- Coloured metal cladding for overhangs
- Coloured metal perforated screens for sub shades and external stairs
- Aluminium framed doors and windows
- Metal roof cladding, and
- Fibre cement façade treatments.

3.2.4 Landscaping and Associated Site Works

The proposed landscaping design has been prepared by Space Landscape Design and is provided as **Appendix D. Figure 20** is an extract of the proposed landscape plan. The design includes new coloured concrete pavement on the southern and eastern side of Block F and new landscaping along the northern site boundary with Lionel Street. Additional canopy tree planting is also proposed in the north-east corner of the site adjacent to Henry Lawson Drive site boundary.

A total of 13 new trees are being planted to offset the removal of 11 trees.

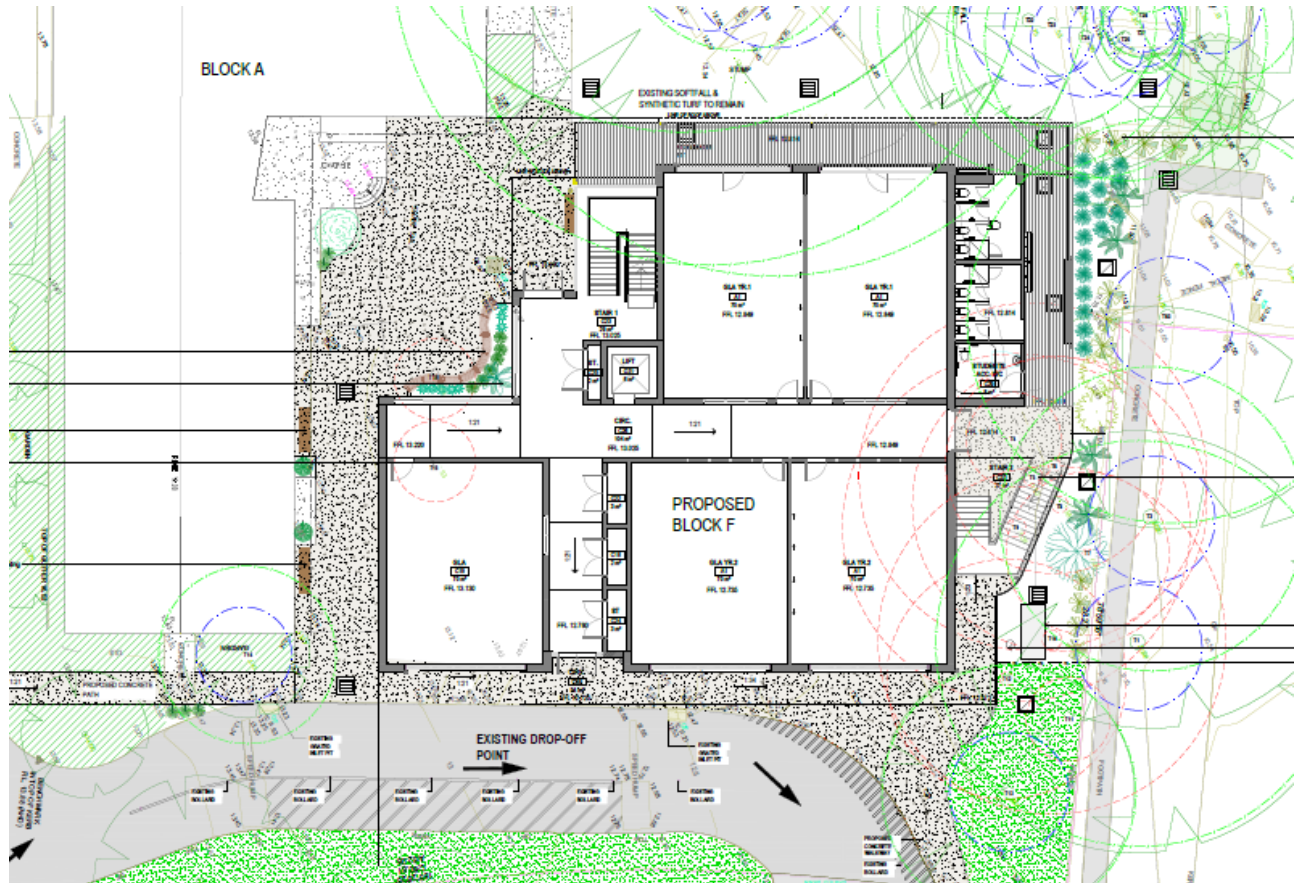


Figure 20 Proposed Landscape Design (Source: Space Landscape Design)

In addition to the above, the Noise Impact Assessment (**Appendix K**) has recommended a new 1.6m high solid fence noise barrier to address the operation of the proposed Block F and playground noise associated with the additional students. The noise barrier will be the fence on the common boundary between the School and the western side of No. 4 Lionel Street (refer to noise assessment at **Section 6.1.4** and **Figure 25** for more details).

3.2.5 Civil and Stormwater

The proposed works will involve new civil and stormwater works to accommodate the building, and mitigate impacts during the construction period.

The proposed stormwater management system will connect into the existing pit and pipe network within the site, but will introduce a new 5,000L rainwater tank for rainwater reuse and toilet flushing, and direct all new collected stormwater flows into a new on-site detention tank with a capacity of 8.812m³.

During the construction period, the site will be subject to sediment and erosion control measures to contain sediment flows off the work-area and minimise the impacts of any erosion or sedimentation on the site or down-stream properties.

3.2.6 Signage

The proposed development includes the installation of two (2) 'business identification signs' on the eastern and southern elevations of Block D as follows:

- One (1) sign fixed to a perforated metal screen above the main building entry from Ashcroft Street. The sign includes the name of the school "HopePoint Christian School" and the school's logo (**Figure 21**). The sign has an overall dimension of 2.95m wide and 2.48m high.
- One (1) 'wall-mounted sign' comprising the school's logo and motto affixed to the brick wall on the building's southern elevation (**Figure 22**). The sign has an overall dimension of 3.86m wide and 2.55m high.

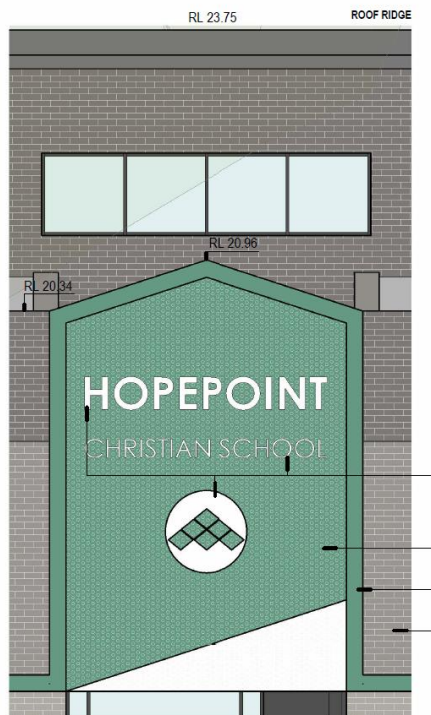


Figure 21 Proposed sign – Ashcroft Street
(Source: Leaf Architecture)

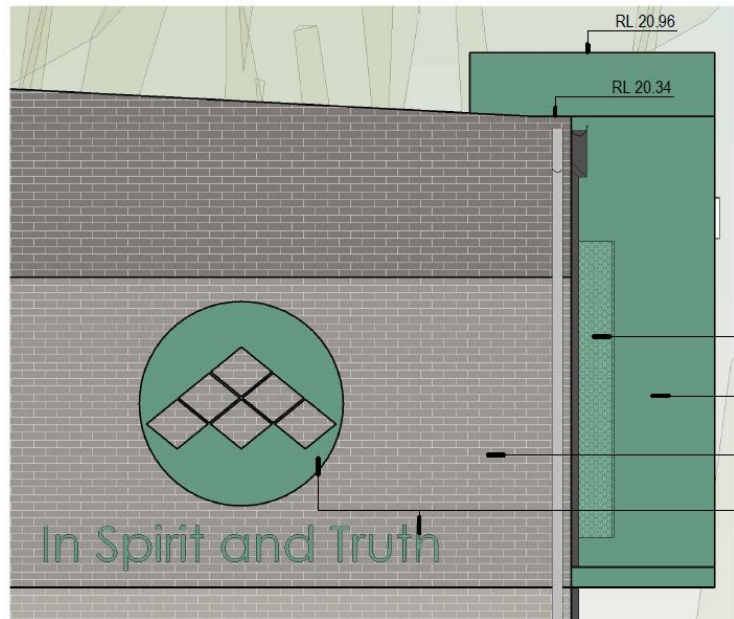


Figure 22 Proposed sign – south elevation (Source: Leaf Architecture)

3.2.7 Waste Management

The proposed development will incorporate waste management practices as set out in the Waste Management Plan (**Appendix O**), that cover the demolition, construction, and operational phases of the development. All current school waste management practices will be maintained upon the completion of Block F.

3.2.8 BCA and Access

A DA Stage BCA Assessment Report has been prepared by Jensen Hughes to review the proposed development against the relevant Deemed-to-Satisfy provisions of the National Construction Code 2022 (NCC 2022) (**Appendix L**). The BCA Assessment Report identifies areas where compliance is not achieved with the Deemed-to-Satisfy provisions and therefore, these areas will need to be assessed against the relevant performance criteria. Subject to the recommendations of the BCA Assessment Report, it is considered that the proposed development is capable of compliance with the requirements of the NCC 2022.

An Access Assessment Report has been prepared by Jensen Hughes that provides an assessment against the relevant provisions of the *Disability (Access to Premise – Buildings) Standards 2010*, NCC 2022, the Canterbury-Bankstown Development Control Plan 2023 and applicable Australian Standards (**Appendix N**). Subject to the implementation of the recommendations of the Access

Assessment Report, it is considered that the proposed development is capable of complying with the NCC 2022 as it relates to accessibility.

3.2.9 Staff and Student Numbers

The proposed development seeks to increase staff and student numbers as follows:

- 400 students (an increase in 215 students)
- 33 FTE staff (an increased in 11 FTE staff)

3.2.10 Operations

Details of the operations of the site, including details of HopePoint Christian School, HopePoint Preschool, and the Foursquare Gospel Church, are provided in the Plan of Management (**Appendix S**) prepared by HopePoint Christian School.

It is not proposed to change any key operating parameters of the site, outside of the increase in student numbers. No change to hours or days of operation for any uses are proposed, or bell times for the school.

4 Statutory Requirements

The following statutory instruments, documents and matters have been considered in this SEE:

- *Environmental Planning and Assessment Act 1979*
- *Heritage Act 1977*
- *Environmental Planning and Assessment Regulation 2021*
- *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 (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *Canterbury-Bankstown Local Environmental Plan 2023*

The applicable provisions from each of the above are considered below.

4.1 Environmental Planning & Assessment Act 1979

4.1.1 Objectives of the Act

Planning and development in NSW is controlled and regulated via the EP&A Act. The objectives of the EP&A Act are as follows:

- *to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- *to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- *to promote the orderly and economic use and development of land,*
- *to promote the delivery and maintenance of affordable housing,*
- *to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- *to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- *to promote good design and amenity of the built environment,*
- *to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- *to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- *to provide increased opportunity for community participation in environmental planning and assessment.*

This SEE outlined the proposed development and its consistency with the above objectives.

4.1.2 Evaluation

Section 4.15(1) of the EP&A Act outlines matters that a consent authority must consider in determining a development application. Matters as are of relevance to the proposed development are discussed in **Table 3** below:

Table 3 Matters for Consideration under Section 4.15	
Section	Discussion
4.15(1)(a)(i) Any environmental planning instrument (EPI)	All applicable environmental planning instruments are addressed at Sections 4.4 and 4.5
4.15(1)(a)(ii) Any draft (EPI)	All applicable draft environmental planning instruments are addressed at Section 0..
4.15(1)(a)(iii) Any development control plan	The Canterbury-Bankstown Development Control Plan 2023 is addressed at Section 5.1..
4.15(1)(a)(iiia) Any planning agreement	There are no planning agreements applicable to the proposed development
4.15(1)(a)(iv) The regulations (as prescribed for the purposes of this section)	See Section 4.3 below.
4.15(1)(b) Likely impacts	The likely impacts of the proposed development, including but not limited to environmental impacts on both the natural and built environments, and social and economic impacts in the locality are addressed at Section 6.
4.15(1)(c) Site suitability	The suitability of the site for the proposed development is addressed at Section 6.6.
4.15(1)(d) Submissions	EPM understands that Council will notify the proposed development to adjoining and nearby landowners in accordance with Council's Community Participation Plan. Should any submissions be received by way of objection to the proposal, the applicant seeks to be provided a copy of the submission(s) and be afforded an opportunity to provide a response to the matters raised.
4.15(1)(e) The public interest	The public interest of the proposed development is considered in detail at Section 6.7.

4.1.3 Integrated Development

Section 4.46 of the EP&A Act that integrated development is a type of development that in order to be carried out, requires development consent and approval under one or more separate Acts.

The proposed development is integrated development as the development is located within the curtilage of a State heritage item and therefore, it requires approval under section 58 of the Heritage Act.

4.2 Heritage Act 1977

The *Heritage Act 1977* contains provisions relating to the protection of items of heritage significance. Section 58 of the Heritage Act requires that approval from the Heritage Council of NSW is obtained prior to undertaking any development likely to have an impact on an item listed on the State Heritage Register or subject to an interim heritage order.

As described in **Section 2.4.4**, the site is listed on the State Heritage Register with the proposed development located within the State heritage curtilage, therefore approval is required from the Heritage Council of NSW and this triggers the integrated development provisions under the EP&A Act.

The findings of the relevant heritage assessments are provided in **Section 6.3**, where it is concluded that the proposed development is acceptable from a heritage perspective.

4.3 Environmental Planning and Assessment Regulation 2021

Division 1 of Part 3 of EP&A Regulations sets out the requirements for the making of development applications under Part 4 of the EP&A Act. The relevant sections under the EP&A Regulations are discussed in **Table 4**.

Table 4 Assessment against Division 1 of Part 3 of the EP&A Regulation	
Section	Discussion
23 Persons who may make development applications	The DA is being made by HopePoint Christian School with the consent of the site owner being HopePoint Church Property Overseer Pty Ltd.
24 Content of development applications	In accordance with section 24 of the EP&A Regulation, the DA is in the approved form being lodged on the NSW Planning Portal and contains all the relevant information and documentation required by the NSW Planning Portal, and under the EP&A Act and EP&A Regulations.
25 Information about concurrence or approval	Concurrence is to be obtained from the following authorities before the development may be legally carried out: - Ausgrid (as the energy supply authority) pursuant to section 2.48 of the T&I SEPP - Transport for NSW pursuant to section 3.58 of the T&I SEPP The following approvals are required before the development may be lawfully carried out: - Approval under section 58 of the <i>Heritage Act 1977</i>
32 Extract of development application for erection of building	A notification plan has been included as part of the architectural set (Appendix A)
35B Additional requirements for development applications involving contravention of development standards	A clause 4.6 written request to vary the height of buildings development standard has been provided as part of the DA (Appendix Q). The clause 4.6 written request has been prepared in accordance with the Department of Planning and Environment's <i>Guide to Varying Development Standards</i> (November 2023) and addresses the relevant tests under clause 4.6(3) of the LEP.
35BA Embodied emissions for non-residential development under Sustainable Buildings SEPP	The NABERS Embodied Emissions Materials Form has been completed by Wilde & Woollard (Appendix P) to address the requirements of section 3.2(2) of <i>State Environmental Planning Policy (Sustainable Buildings) 2022</i> .

4.3.1 Demolition of buildings

For the purposes of section 4.15(1)(a)(iv) of the EP&A Act, section 61(1) of the EP&A Regulation provides that a determining authority must consider the *Australian Standard AS 2601—2001: The Demolition of Structures* when a proposed development entails the demolition of a building.

All demolition work will be carried out in accordance with AS 2601, conditions of development consent can also seek to ensure compliance with the standard.

4.4 State Environmental Planning Policies

4.4.1 State Environmental Planning Policy (Resilience and Hazards) 2021

An assessment of the proposed development against *State Environmental Planning Policy (Resilience and Hazards) 2021* (the **R&H SEPP**) is provided in the following table.

Table 5 State Environmental Planning Policy (Resilience and Hazards) 2021		
Provision of SEPP	Assessment	Consistent
Chapter 4 – Remediation of Land	Chapter 4 of the R&H SEPP relates to remediation of contaminated land and requires, amongst other things, investigations to be undertaken as part of the development assessment process, to determine whether the site is likely to be contaminated and if so, what remediation work is required. The site has been used for residential purposes from 1836 until being purchased for the purposes of educational establishment and place of public worship in 1990. The proposed development does not constitute a change of use and previous development consents have identified that the site is suitable for use as an educational establishment.	Yes

4.4.2 State Environmental Planning Policy (Transport and Infrastructure) 2021

An assessment of the proposed development against the *State Environmental Planning Policy (Transport and Infrastructure) 2021* (the **T&I SEPP**) is provided in the following table.

Table 6 State Environmental Planning Policy (Transport and Infrastructure) 2021		
Provision of SEPP	Assessment	Consistent
Chapter 2 - Infrastructure		
Part 2.3 Development Controls	Division 5 Electricity transmission or distribution Section 2.48 of the T&I SEPP applies to development carried out within the vicinity of an electricity transmission or distribution network or other types of electricity infrastructure including easements. The works are located within 5m of the exposed overhead electricity power line on Ashcroft Street and within the vicinity of the existing substation. Therefore, the consent authority must give written notice to Ausgrid, being the relevant electricity supply authority for the area.	Yes
	Division 17 Roads and Traffic The site has frontage to a classified road being Henry Lawson Drive (Main Road 508). Section 2.119(2) of the T&I SEPP provides that the consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development. There is no vehicular or pedestrian access to the site from Henry Lawson Drive. The Traffic Impact Assessment prepared by Bitzios Consulting (Appendix J) has confirmed that the proposed increase in student numbers will not impact on the safety, efficiency or ongoing operation of Henry Lawson Drive. In the addition, Block F is located more than 50m from Henry Lawson Drive and is not expected to be adversely impacted by traffic noise or vehicle emissions.	Yes
	Section 2.120 of the T&I SEPP applies to development that is on land adjacent to a road with an annual average daily traffic volume of more than 20,000 vehicles (based on traffic volumes published by TfNSW) and that the consent authority considers is likely to be affected by road noise or vibration including educational establishments. A Noise Impact Assessment has been prepared by Rodney Stevens Acoustics (Appendix K) that confirms that the proposed Block F will not be adversely impacted by road noise or vibration.	Yes
	Section 2.122 of the T&I SEPP applies to certain traffic generating development. In accordance with Schedule 3 of the T&I SEPP, educational establishments are considered 'any other purpose' and	Yes

Table 6 State Environmental Planning Policy (Transport and Infrastructure) 2021		
Provision of SEPP	Assessment	Consistent
	require referral if they result in 200 or more motor vehicles per hour. The Traffic Impact Assessment prepared by Bitzios Consulting (Appendix J) identifies that the proposed increase in staff and student numbers will result in an additional 144 vehicle trips (73 in and 71 out) in the AM Peak and an additional 114 vehicle trips (56 in and 58 out) in the PM peak. Therefore, referral is not required to TfNSW pursuant to section 2.122 of the T&I SEPP.	
Chapter 3 – Educational Establishments and child care facilities		
Section 3.36 Schools – development permitted with consent	Section 3.36(1) of the T&I SEPP provides that development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone. The site is zoned R2 which is a prescribed zone.	Yes
	Section 3.36(6)(a) provides that the consent authority must consider the design quality of the development in accordance with the design quality principles set out in Schedule 8 of the T&I SEPP. An Architectural Design Statement is provided at Appendix C , which confirms the proposed Block F is designed in accordance with these principles. In accordance with section 3.36(b), the proposed development comprises a new classroom building. Nevertheless, the site contains a 'place of public worship' being the HopePoint Church that can be shared by the community.	Yes
	Section 3.36(9) of the T&I SEPP provides that a provision of a DCP that specifies a requirement, standard or control is of no effect. Accordingly, the provisions of the Canterbury-Bankstown Development Control Plan 2023 (the DCP) have no effect on the proposal. Notwithstanding, an assessment against the proposed development against the relevant provision of the DCP is provided in Table 11 of this SEE.	Yes
Section 3.58 Traffic-generating development	Pursuant to section 3.58(1) of the T&I SEPP, the proposed development will require referral to TfNSW as the proposed development will result in the school being to accommodate an additional 215 students and involves an increase in the size of the existing premises. A Traffic and Parking Impact Assessment has been prepared by Bitzios Consulting (Appendix J) that provides an assessment of the impacts of the increase in student and staff numbers on the local traffic network.	Yes

4.4.3 State Environmental Planning Policy (Planning Systems) 2021

An assessment of the proposed development against *State Environmental Planning Policy (Planning Systems) 2021* (the **PS SEPP**), Part 2.4 Regional significant development and Schedule 6 has been undertaken. For the purposes of the PS SEPP, the proposed is considered to be alterations and additions to an existing educational establishment.

An Estimated Development Cost (EDC) reports have been prepared by Wilde & Woollard in accordance with the requirements of the EP&A Act, Planning Circular PS 24-002 *Changes to how development costs are calculated for planning purposes* and the AQIS Practice Standard (**Appendix R**).

The EDC Report provides that the estimated development cost (EDC) of the proposal is more than \$5 million but less than \$50 million. Therefore, pursuant to Schedule 6 of the PS SEPP, the proposal is a regionally significant development, and the consent authority is the Sydney South Planning Panel (SSPP).

4.4.4 State Environmental Planning Policy (Industry and Employment) 2021

An assessment of the proposed development against *State Environmental Planning Policy (Industry and Employment) 2021* (the **I&E SEPP**) is provided in the following table.

Table 7 State Environmental Planning Policy (Industry and Employment) 2021 (I&E SEPP)		
Provision of SEPP	Assessment	Consistent
Chapter 3 Advertising and Signage	The proposed signage is defined as 'business identification signage' under the I&E SEPP. In accordance with section 3.6 of the I&E SEPP, a consent authority must not grant development consent to signage unless it is consistent with the objectives of Chapter 3 of the I&E SEPP and satisfies the assessment criteria under Schedule 5. The proposed business identification signage is consistent with the objectives of section 3.1(1)(a) of the I&E SEPP for the following reasons: • The signage identifies the name of the school and provides a sense of address to Ashcroft Street. This provides effective communication in suitable locations. • The scale and form of the signage is typical for schools located within residential precincts. • The signage is outside of the visual curtilage of The Homestead and will not impact upon any views to or from the State heritage item. • The proposed signage is of a high-quality design and finish.	Yes
Schedule 5 Assessment Criteria Character of the Area	The site is located within a low-density residential suburb of Georges Hall. The proposed signage is typical of the types of signage associated with educational establishments that are located within residential precincts. The proposed signage does not include any advertisements.	Yes
Special Area	The proposed signage is not located within the visual curtilage of The Homestead.	Yes
Views and Vistas	No views or vistas will be adversely affected by the proposed signage including any views to or from The Homestead.	Yes
Streetscape, Setting or Landscape	The scale, proportion and form of the signage is appropriate for the streetscape and the sites setting and provides appropriate information for visitors to the school and provide a sense of address. The signage does not result in visual clutter and does not protrude above any existing structures or buildings.	Yes
Site and Building	The extent of the signage is reasonable having regard to the scale and street-front distribution on the Site. The signage will not dominant the site or the building.	Yes
Associated devices and logos with advertisements and advertising	No associated devices are proposed.	N/A
Illumination	It is not proposed to illuminate the signs.	N/A
Safety	The proposed signage will have no adverse public safety concerns for pedestrians, cyclists or motorists. In addition, the proposed sign will not obscure or interfere with road traffic signs and signals.	Yes

4.4.5 State Environmental Planning Policy (Biodiversity and Conservation) 2021

An assessment of the proposed development against *State Environmental Planning Policy (Biodiversity and Conservation) 2021 (B&C SEPP)* is provided in **Table 8**.

Table 8 State Environmental Planning Policy (Biodiversity and Conservation) 2021 (B&C SEPP)		
Provision of SEPP	Assessment	Consistent
Chapter 2 – Vegetation in non-rural areas	The provisions of Chapter 2 of the B&C SEPP are a relevant consideration in relation to the proposed development as the works involve the removal of 11 trees. An Arboricultural Impact Assessment has been prepared by Rain Tree Consulting that provides an assessment of the impacts of the proposed development on 31 trees located within the vicinity of the works including three (3) trees located within the road reserve (Appendix G). The Arboricultural Impact Assessment has been prepared in accordance with the provisions of Chapter 2.3 of the DCP.	Yes
Chapter 6 – Water Catchments	The site is located within a regulated catchment being the Georges River Catchment under Chapter 6 of the B&C SEPP.	Yes
6.6 Water Quality and Quantity	Appropriate erosion and sediment control measures will be installed prior to the commencement of the works as set out in the stormwater management plans prepared by AYCE (Appendix E). An on-site detention (OSD) tank will be provided. Suitable stormwater filters will be installed to grated drains. These will protect the quality and minimise the quantity of any surface water run-off from the demolition and construction works. It is considered that the proposed activity will have a neutral effect on the quality of water entering the Georges River Catchment.	Yes
6.7 Aquatic ecology	The proposed development will not have any direct, indirect or cumulative adverse impacts on any terrestrial, aquatic or migratory species. The proposed development does not trigger the need for a controlled activity approval under the <i>Water Management Act 2000</i> .	Yes
6.9 Recreation and public access	The proposed development will not have any impacts on any recreational land uses located within the Georges River catchment. The proposed development will not have any impacts on any public access to and around the foreshores.	Yes
6.11 Land within 100m of natural waterbody	The site is located more than 100m from Georges River and Prospect Creek.	N/A
6.21 Stormwater management	The proposed development includes stormwater management works. No untreated stormwater will be disposed of into any natural waterbodies.	Yes

4.4.6 State Environmental Planning Policy (Sustainable Buildings) 2022

An assessment of the proposed development against the relevant provisions of *State Environmental Planning Policy (Sustainable Buildings) 2021 (SB SEPP)* is provided in **Table 9**.

Table 9 State Environmental Planning Policy (Sustainable Buildings) 2022		
Provision of SEPP	Assessment	Consistent
Chapter 3 – Standards for non-residential development	Section 3.1 of SB SEPP provides that development for the erection of a new building, which is not for the purpose of residential accommodation, if the development has an estimated development cost of \$5 million or more, is development for the purposes of this SEPP. As the proposed development has an EDC of more than \$5 million, section 3.2 of the SB SEPP applies.	Yes

Table 9 State Environmental Planning Policy (Sustainable Buildings) 2022		
Provision of SEPP	Assessment	Consistent
	In accordance with section 3.2(1) of the SB SEPP, the proposed development includes a range of sustainability measures including: • Clerestory windows to provide daylight into the west-facing GLAs and reduce reliance on artificial lighting • Use of vertical shading on the western and eastern building elevations. • Use of robust and easy to maintain building materials • The proposed building will incorporate water and energy efficient fixtures. • A 5,000L rainwater tank has been incorporated for toilet flushing and garden watering. • The proposed building will be required to comply with the relevant provisions of Section J of the BCA. In relation to section 3.2(2), a NABERS Embodied Emissions Materials form has been completed as part of the DA that quantifies the embodied emissions attributable to the proposed development (Appendix P).	

4.5 Canterbury-Bankstown Local Environmental Plan 2023

The following table provides a summary assessment of the proposed development against the relevant provisions of the LEP.

Table 10 Canterbury Bankstown Local Environmental Plan 2023		
Provision of LEP	Assessment	Consistent
2.2 – 2.3 Zoning of land to which Plan applies, Zone objectives and Land Use Table	The site is zoned R2 under the LEP with educational establishments permitted with consent in the R2 zone. The proposed development is consistent with the objectives of the R2 zone for the following reasons: • Provides for non-residential land uses that provide educational services to meet the day to day needs of residents • The proposed land use is compatible with residential uses and will not affect the environment or amenity of the area. • The proposed development includes new landscaping including the planting of new trees to offset the removal of existing trees. • Provides a high standard of urban design and local amenity.	Yes
4.3 Height of buildings	The proposed development exceeds the 9m height of buildings development standard. A clause 4.6 written request has been prepared that demonstrates that compliance with the development standard is unreasonable or unnecessary in the circumstances and that there are sufficient environmental planning grounds to justify the contravention of the development standard.	No (refer to discussion below)
4.4 Floor space ratio	Under clause 4.4(2B)(a)(i) of the LEP, a maximum FSR of 0.4:1 applies to a building for non-residential purposes located on land zone R2 and identified as 'Area 1' on the Clause Application Map. A gross floor area (GFA) calculation sheet has been prepared by Leaf Architecture that identifies that the site has a total GFA of 4,889m². Based on a total site area of 21,724m², this is equivalent to a FSR of 0.225:1. Therefore, the proposed development complies with this development standard.	Yes
5.6 Architectural roof features	The proposed development includes architectural roof features in the form of clearstory windows that exceed the maximum height of 9m. The clearstory windows have been integrated into the design of the new two (2) storey classroom building and provide daylight to the west facing	Yes

Table 10 Canterbury Bankstown Local Environmental Plan 2023

Provision of LEP	Assessment	Consistent
	classrooms. The proposed architectural roof feature does not contain any gross floor area and would not be capable of being converted for use as part of the building's gross floor areas. The proposed architectural roof feature will result in minimal additional overshadowing.	
5.10 Heritage Conservation	The site is identified as an item of State heritage significance with the proposed development within the curtilage of the heritage item. An updated CMP has been prepared that identifies conservation policies and guidelines for the site (Appendix H). A SoHI has been prepared by JPA&D that provides an assessment of the impacts of the proposed development in accordance with the requirements of clause 5.10 of the LEP, as well as an assessment against the relevant CMP policies and guidelines (Appendix I). The SoHI concludes that the proposed development has an acceptable impact on the heritage significance of the site.	Yes
6.1 Acid Sulfate Soils	The site is mapped as containing Class 5 under the LEP. However, the proposed development is unlikely to lower the watertable below 1m AHD on adjacent Class 1, 2, 3 or 4 land and therefore, an acid sulfate soils management plan is not required.	Yes
6.2 Earthworks	The works involve minor earthworks to facilitate the construction of the new building. The proposed development is consistent with the provisions of clause 6.2 of the LEP and incorporates appropriate measures to minimise any impacts on existing drainage patterns, soil stability, watercourses, drinking water catchments or environmental sensitive areas. In the addition, the proposed earthworks will not have any adverse effects on the existing and likely amenity of adjoining properties or impact upon the likely future use or development of any adjoining land.	Yes
6.3 Stormwater management and water sensitive urban design	Stormwater management plans have been prepared by AYCE that document the proposed management measures to avoid and/or minimise the adverse impacts of urban stormwater on the site, adjoining properties, native bushland, waterways and ground water systems. The stormwater management plans have been prepared in accordance with Council's stormwater management policy.	Yes
6.7 Development in areas subject to aircraft noise	The site is located between the 20 and 25 ANEF contours for Bankstown Airport (based on the endorsed 2039 ANEF contours in the Bankstown Airport Master Plan 2019). Clause 6.7 includes development standards relating to various forms of development being restricted in areas over certain contours, but does not contain any requirements relating specifically to an educational establishment. Therefore, the provisions of Clause 6.7 do not apply to the proposed development, notwithstanding the proposal is considered to generally comply with the objectives of the clause.	Yes
6.9 Essential services	The following services are available to the proposed development: • Potable water • Electricity • Sewage management • Stormwater management system • Waste management • Vehicle access to the site.	Yes

Building Height

The proposed development exceeds the 9m building height development standard by 2.28m (or 25%) and accordingly, a Clause 4.6 Variation has been prepared to ensure sufficient assessment of this matter is provided (**Appendix Q**).

The Clause 4.6 Variation is set out in the form required by the Department of Planning, Housing and Infrastructure and demonstrates that:

- compliance with the development standard is unreasonable or unnecessary in the circumstances, and
- there are sufficient environmental planning grounds to justify the contravention of the development standard.

The new building is proposed to be located along the western boundary of the site and marries into the College's established site levels and pattern and scale of development. The proposal would allow for the construction of 10 additional general learning areas and has been designed to meet the needs of a modern school curriculum.

The exceedance of the height of buildings development standard will result in a minor increase of overshadowing over the front yard of 37 Ashcroft Street at 4pm in midwinter. However, the impacted property will still receive a minimum of 5 hours of solar access in midwinter, thereby exceeding the solar amenity criteria, and is therefore acceptable.

The portion of the building that exceeds the height limit will not generally be visible from the public domain as it is setback from the eastern façade (Ashcroft St frontage) and is a minor profile on the northern facade. Similarly, the SOHI has confirmed that the height exceedance will not have more than a minor impact on the site's heritage significance

On balance, and in consideration of the scale of existing buildings in the College campus, the non-compliance with the height of building standard is a minor exceedance that is consistent with the objectives of clause 4.3 of the CBLEP and worthy of support.

4.6 Draft Environmental Planning Instruments

4.6.1 Draft Amendments to State Environmental Planning Policy (Transport and Infrastructure) 2021

On 6 March 2024, the NSW Government put on exhibition proposed amendments to the T&I SEPP. The Explanation of Intended Effects (EIE) identifies a number of changes to the T&I SEPP, with the following objectives:

- *Make it easier to deliver infrastructure at the right time, including speeding up projects that benefit the community, create jobs and support economic growth.*
- *Do so in a way that protects residential amenity, the environment and heritage items from any impacts of this delivery.*
- *Help ensure a consistent approach between different infrastructure activities with similar characteristics and impacts.*
- *Improve the usability of the SEPP.*

Section 1 of the EIE identifies the proposed changes to Chapter 3 of the T&I SEPP. Section 17 of the EIE identifies other proposed changes including the proposed restructure of the T&I SEPP that will merge Chapters 2, 3 and 4. Exhibition of the amendments to the T&I SEPP closed on 16 April 2024.

A review of the proposed amendments has concluded that the assessment of the proposed development within this SEE and against the T&I SEPP in **Section 4.4.2** satisfactorily considers the relevant matters and the proposal is acceptable in this regard.

4.7 Development Contributions

The *Canterbury-Bankstown Local Infrastructure Contributions Plan 2022* (the **Contributions Plan**) applies to the proposed development. Under the Contributions Plan, educational establishment are not exempt from contribution payments and therefore, development contributions will be levied on the proposed development in accordance with section 7.12 of the EP&A Act.

4.8 Housing and Productivity Contributions

In October 2023, the NSW Government passed the Environmental Planning and Assessment Amendment (Housing and Productivity Contributions) Act 2023, which replaced the previous Special Infrastructure Contribution system in the NSW Planning Legislation. The Act was accompanied by the [Environmental Planning and Assessment \(Housing and Productivity Contribution\) Order 2023](#), which provides the details of where the contributions apply, and to which development.

The Order confirms that the Housing and Productivity Contribution levy applies to only residential, commercial and industrial development. Educational Establishments are not a form of residential, commercial or industrial development (as defined within the Order) and therefore no levy under the Housing and Productivity Contribution scheme will apply to the proposed works.

4.9 Guidelines and Policies

4.9.1 Planning Circular PS21-038 Regulating Expansion of Schools

To support the decision-making process the Department of Planning and Environment (the Department) has published Planning Circular PS21- 038 Regulating expansion of schools. The guidelines provide assessment guidance for expanding schools and are considered to be a best practice approach by the Department.

The Planning Circular recognises that flexibility to accommodate additional students is required to deliver a suitable level of access to education for children. The circular outlines that schools should consider the future projected student and staff numbers and the maximum operating capacity of the school site when submitting a DA.

The circular also provides scenarios that can be considered by schools when expanding student enrolments including:

- Seeking consent for the projected maximum number of students and relying on provisions within the T&I SEPP for exempt, complying and development permitted without consent to deliver the required built form and supporting facilities
- Submitting a concept development or staged application that provides a masterplan with enrolment based on the maximum student forecast and operating capacity of the site. Subsequent applications would then be lodged as required.

Through the suggested strategies the Department favours an approach that delivers the maximum number of staff and students for a school and identifies the following as key considerations for any school when identifying its operational capacity:

- Managing access and car parking arrangements as well as road network capacity
- Managing student drop off and pick up during AM and PM peak period
- Providing appropriate siting and development design that minimises adverse impacts to visual and acoustic amenity
- Providing measures that manage identified environmental constraints
- Managing impacts to local infrastructure

4.9.2 Planning Principles – Merits Assessment of Existing Use

The principles to be considered when undertaking a merits assessment for the redevelopment of a site with existing use rights were dealt with by Roseth SC in *Fodor Investments v Hornsby Shire Council* [2005] NSWLEC 71. In these proceedings criteria for the assessment of proposals on land with existing use rights was established based on the following principles:

- How do the bulk and scale (as expressed by height, floor space ratio and setbacks) of the proposal relate to what is permissible on surrounding sites?
- What is the relevance of the building in which the existing takes place?
- What are the impacts on adjoining land?

- What is the internal amenity?

All these matters have been addressed throughout this report.

The principles from *Fodor Investments v Hornsby Shire Council* [2005] NSWLEC 71 were also considered in *Stromness Pty Ltd v Woollahra Municipal Council* [2006] NSWLEC 587. This case further identified that the consideration of principles established by *Fodor Investments v Hornsby Shire Council* [2005] NSWLEC 71 should be applied in manner that ensures that there is not a de facto application of standards in environmental planning instruments.

5 Non-statutory Requirements

5.1 Canterbury-Bankstown Development Control Plan 2023

Pursuant to section 3.36(9) of the T&I SEPP, the provisions of the Canterbury-Bankstown Development Control Plan 2023 (the DCP) do not apply to the proposal. Notwithstanding, **Table 11** provides a summary assessment against the relevant provisions of the DCP.

Table 11 Canterbury-Bankstown Development Control Plan 2023		
Provision of DCP	Assessment	Consistent
Chapter 2 – Site Considerations		
2.1 – Site Analysis	A site analysis plan has been prepared by Leaf Architecture (Appendix A).	Yes
2.2 – Flood Risk Management	A Stormwater System Report (SSR) has been provided by Council which confirms that the site is not subject to the 1% AEP event but is marginally subject at the PMF event, identifying that no Flood Report is required for the subject site. Notwithstanding, Costin Roe Consulting has prepared a Flood Review (Appendix T) which provides an assessment of the site, the proposal and associated flood conditions. The Flood Review confirms the school buildings are at a level that is outside of the 1% AEP and PMF storm events, and will not impact existing flooding conditions or surrounding properties, nor will the development be impacted by flooding. Flooding is discussed further at Section 6.1.7.	Yes
2.3 – Tree Management	An Arboricultural Impact Assessment (AIA) report has been prepared by Rain Tree Consulting that provides an assessment of 31 trees located within the vicinity of the proposed works (Appendix G). The AIA has been prepared with regard to the provisions of Chapter 2.3 of the DCP and identifies that 11 trees are required to be removed to facilitate the works. The removal of the trees will be offset by the planting of 13 new trees (Section 6.1.1).	Yes
Chapter 3 – General Requirements		
3.1 – Development Engineering Standards	Chapter 3.1 of the DCP sets out requirements relating to civil engineering requirements, protection of Council infrastructure, vehicle and pedestrian access to site, stormwater management, flooding and subdivision. The Stormwater Management Report prepared by Andrew Yaldas Consulting Engineers confirms that the proposed stormwater management system has been designed with regard the requirements of Chapter 3.1 of the DCP (Appendix F). The proposed development includes an 8.812m ³ on-site detention tank and a 5,000L water tank.	Yes
3.2 - Parking	A Traffic Impact Assessment has been prepared by Bitzios that includes an assessment of the on-site parking requirements based on the existing and proposed student populations (Appendix J). No changes to the existing on-site car park are proposed except for temporary changes during the enabling works when the temporary portable building is installed. Nevertheless, the existing car park has sufficient capacity to accommodate the proposed increase in staff and student numbers (Section 6.5).	Yes
3.3 – Waste Management	A demolition, construction and on-going waste management plan has been prepared as part of the DA (Appendix O). The school's operational waste is managed by a private contractor and no changes to these provisions are proposed.	Yes
3.4 – Sustainable Development	The principles of sustainable design have been incorporated into the design of Block F. In addition, the proposed development complies with the requirements under section 3.2 of the SB SEPP.	Yes

Table 11 Canterbury-Bankstown Development Control Plan 2023

Provision of DCP	Assessment	Consistent
3.6 - Signs	Two (2) business identification signs have been integrated into the design of Block F. Whilst, the business identification signs do not comply with the development controls under the DCP, the signs are consistent with the objectives of Chapter 3.6 for the following reasons: • Signage is consistent with the types of signage associated with educational establishments. • Signage is integrated within the building design and is compatible with the desired amenity and visual character of Georges Hall. • The signage is high-quality and will not lead to visual clutter.	No (Consistent with objectives)
3.7 - Landscape	Landscape plans have been prepared by Space Landscape Design (Appendix D). The landscape design is integrated with the overall site, compliments the new Block F and is consistent with the heritage values of the site. 13 new canopy trees have been included as part of the design to offset the removal of trees.	Yes
Chapter 4 - Heritage		
4.2 – Heritage Items / 4.4 Development in the vicinity of places of heritage significance	The site is identified as a State heritage item on the SHR. A Conservation Management Plan (CMP) has been prepared to provide policies and guidelines to guide all future development on the site (Appendix H). A Statement of Heritage Impact (SoHI) has been prepared by JPA&D that provides an assessment of the impacts of the proposed development with regard to the guidelines set out in the CMP and the provisions of Chapter 4 of the DCP (Appendix I) (refer to Section 6.3).	Yes
Chapter 10.2 Schools		
1 - Introduction	The proposed development is generally consistent with the objectives of Chapter 10.2 of the DCP.	Yes
2 – Site Analysis	A site analysis plan has been prepared by Leaf Architecture (Appendix A). In addition, an Architectural Design Statement has been prepared that provides an assessment against the Design Quality Principles set out in Schedule 8 of the T&I SEPP (Appendix C).	Yes
3 – Location and Traffic Management	A Traffic Impact Assessment (TIA) has been prepared by Bitzios Consulting with regard to the <i>Guide to Transport Impact Assessment</i> (2024) (Appendix J). The TIA notes that the increase in student numbers (an additional 215 students) will result in an additional 144 trips in the AM peak period and an additional 144 trips in the PM peak period. In addition, the demand for the pick-up and drop-off will increase by 27 vehicles in the PM peak and result in additional vehicle queued on Ashcroft Street. This will result in adverse impacts on the surrounding road network. The TIA provides recommendations to mitigate the impacts including maximising the use of on-street parking on Ashcroft Street around Noah Reserve/Ashcroft Reserve and utilising the existing on-site carpark (refer to Section 6.5).	Yes
4 – Site Layout and Building Envelopes	<u>Site width in residential zones</u> The site has multiple road frontages including a frontage of more than 40m to Ashcroft Street.	Yes
	<u>Classroom size and student densities</u> Following the construction of Block F, the school will have a total gross floor area of classrooms of 1,019m ² . Based on a total student population of 400 primary school students, this is equivalent 2.55m ² per student. This does not exceed the development standard of 3.8m ² per student required for primary schools.	Yes
	<u>Building length</u> Proposed Block F has overall dimensions of approximately 32m x 28m.	Yes

Table 11 Canterbury-Bankstown Development Control Plan 2023

Provision of DCP	Assessment	Consistent
	<u>Storey limit</u> Block F is two (2) storey and is consistent with the scale of the street. The building does not include an attic.	Yes
	<u>Setbacks</u> Block F has a setback of 9.46m to Ashcroft Street excluding the awning over the building entry. The external staircase to Block F is setback 1.76m from Lionel Street. However, the new building has a similar footprint to the existing building and its location has been driven by heritage considerations. Appropriate landscaping is provided along the Ashcroft Street and Lionel Street frontages.	Consistent with existing
	<u>Deep Soil Zones</u> New Block F has a similar footprint to existing Block D and generally maintains the existing deep soil zones around the site boundaries.	Consistent with existing
	<u>Free play areas</u> A total outdoor play space of 5,150m ² is provide on the site. Based on a total student population of 400 primary school students, this is equivalent to 12.875m ² per students which exceeds the minimum requirement of 12m ² per student for primary schools.	Yes
	<u>Access</u> An Access report has been prepared by Jensen Hughes that confirms that the proposed development complies with the relevant provisions and AS 1428.1-2009 Australian Standard Design for access and mobility (Appendix N). It is noted that AS 1428.1-2021 is not a referenced document under the BCA. Suitable provision is provided on site for service and emergency vehicles.	Yes
	<u>Car parks</u> No changes to the existing on-site car park are proposed. Nevertheless, the existing car park has sufficient capacity to accommodate the increase in student and staff numbers.	Yes
5 – Energy Efficiency and Urban Design	The proposed development includes a range of sustainability measures consistent with the requirements of the DCP, including: • Clerestory windows to provide daylight into the west-facing GLAs and reduce reliance on artificial lighting • Use of vertical shading on the western and eastern building elevations. • Use of robust and easy to maintain building materials • The proposed building will incorporate water and energy efficient fixtures. • A 5,000L rainwater tank has been incorporated for toilet flushing and garden watering. • The proposed building will be required to comply with the relevant provisions of Section J of the BCA. • The front fence will have a height not exceeding 1.8m, and will comprise aluminium palisade fencing. A NABERS Embodied Emissions Materials form has been completed as part of the DA that quantifies the embodied emissions attributable to the proposed development (Appendix P).	Yes
6 – Acoustic privacy and management	A Noise Impact Assessment has been prepared by Rodney Stevens Acoustics (Appendix K) which provides an assessment of potential noise impacts arising from the new building (including AC plant) and the additional students, together with an assessment of potential noise	Yes

Table 11 Canterbury-Bankstown Development Control Plan 2023

Provision of DCP	Assessment	Consistent
	intrusion impacts for Block F as a result of aircraft noise. Acoustic privacy and management are discussed further at Section 6.1.4. The objectives and development controls of the DCP are satisfied as follows: • The Noise Impact Report provides recommendations for mechanical ventilation to ensure it meets acoustic performance requirements; • Impact of playground noise is identified as a potential issue and to mitigate this, the Noise Impact Report recommends the construction of a short section of solid acoustic fencing on the western boundary of 4 Lionel Street; • The recommended acoustic fencing is 1.6m in height and does not exceed the 2m height maximum; • No change to current school hours of operation are proposed. • The School is within the R2 zone and has established and clear lines of communications with neighbours, and is not the subject of any complaints in regard to noise. A Management Plan and/or Neighbour Liaison Committee is not deemed necessary for HopePoint Christian School, based on community interactions to date, and the mitigation of potential noise impacts for the proposed development as outlined in the Noise Impact Assessment.	
7 - Landscape	The proposed development includes a range of landscape works documented in Landscape Plans prepared by Space Landscape Designs (Appendix D). The proposed landscape works comprise a mixture of trees, shrubs and ground covers that are low maintenance and suitable for a school setting.	Yes
8 – Safety and Security	An assessment of the proposal against the four (4) principles of Crime Prevention Through Environmental Design (CPTED) is provided at Section 6.4.3 where it is found that the proposal incorporates an acceptable response to crime and safety. The new Block F will provide a more active frontage to Ashcroft Street for both vehicles and pedestrians.	Yes
9 – Site Facilities	The proposed development does not propose any changes to the existing waste storage area, utilities, building services, substations or other related infrastructure, and does not involve the construction of a food premises.	Yes

6 Environmental Planning and Impact Assessment

The following subsections consider the environmental impact associated with the proposed development including relevant matters for consideration under section 4.15 of the EP&A Act.

6.1 Natural Environment

6.1.1 Tree/Vegetation Removal and Protection

Tree Removal

The School site comprises a number of remnant and planted trees, with dense tree cover over much of the play areas of the site and around the southern and eastern boundaries. Works proposed in this application are in the vicinity of a number of trees, and so the design has been guided by arboricultural assessment, as set out in the Arboricultural Impact Assessment prepared by Raintree Consulting (**Appendix G**).

Following assessment of 31 trees on the site, the Arborist Report confirms that the proposed Block F development will necessitate the removal of eleven (11) trees from the site, being trees which are directly or indirectly impacted by the location of the proposed new building. Details of the trees proposed for removal are summarised in **Table 2**. The Landscape Plan (**Appendix D**) identifies where the impacted trees are located in relation to the proposed works, being the trees highlighted in red in **Figure 23** below.

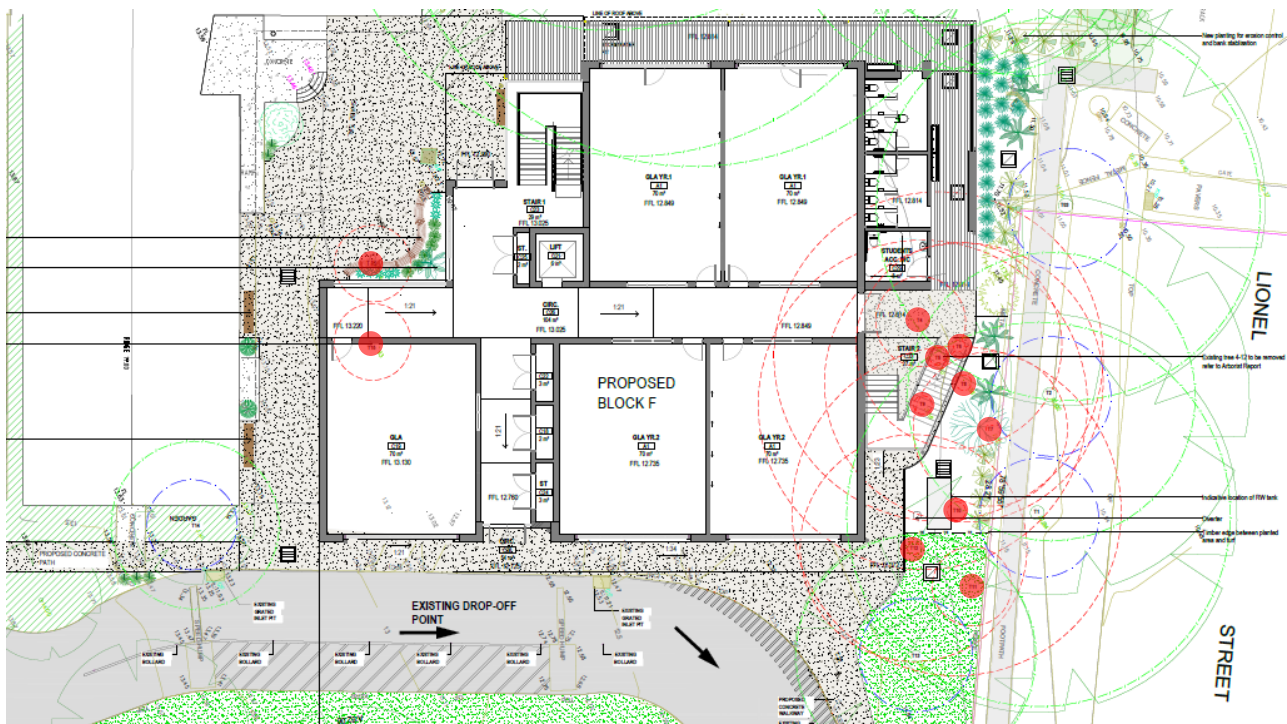


Figure 23 Location of trees proposed for removal (Source: Space Landscape Designs, markup by EPM Projects)

Of the 11 trees proposed for removal, all trees are identified as being of a moderate or high landscape significance value, with all but two being recorded as having a medium retention value (Tree 7 is identified as low retention value due to being in poor structural condition).

All trees proposed for removal are either located within the building footprint, are impacted by stormwater, and/or are in poor structural condition. No trees beyond those impacted by the new building works are proposed for removal, as the School wishes to maintain a natural, shaded environment across the campus.

Tree Impacts – Demountable Classroom

The Arboricultural Impact Assessment (**Appendix G**) identifies that there is potential for the installation of the demountable classrooms to impact upon trees (however tree removal is not proposed at this stage). The Assessment provides the following recommendation:

"prior to delivery, the location of the demountable rooms is to be approved by an appointed site arborist to ensure no canopy disturbance occurs. All demountables are to be suspended above ground level, and where located within tree protection zones, ground and protection mats within high use desire lines (foot traffic areas) are recommended".

It is proposed that a requirement in line with the above be included as a condition of consent in the event that Council is supportive of the proposed development. This will ensure that the installation of temporary structures do not involve further tree impacts outside of what is assessed as part of this development application.

Tree Protection

The Arboricultural Impact Assessment provides a range of recommendations for both specific tree management, and general tree management measures. These include measures such as the tree protection fencing, supervision of excavation works by site arborist, and review and endorsement of hydraulic and stormwater management plans by site arborist.

The tree protection measures set out in the Assessment are proposed to be adopted and included as part of the conditions of consent for the proposed works, to ensure retained trees are protected throughout the demolition and construction phases of the project.

6.1.2 Erosion and Sediment Control

The proposed works will involve the demolition of an existing building and surrounding improvements, and exposure of the soil in this area during the demolition and construction phases of the development.

Accordingly, Andrew Yaldas Consulting Engineers (AYCE) has prepared a Sediment & Erosion Control Plan (SECP) as part of the Stormwater Drainage Plans (**Appendix E**). The SECP identifies soil erosion and sediment control measures to be implemented at the demolition and construction phases of the development, including sediment fencing, sediment traps, temporary construction stockpile locations and temporary construction exit treatments, as shown in **Figure 24**.

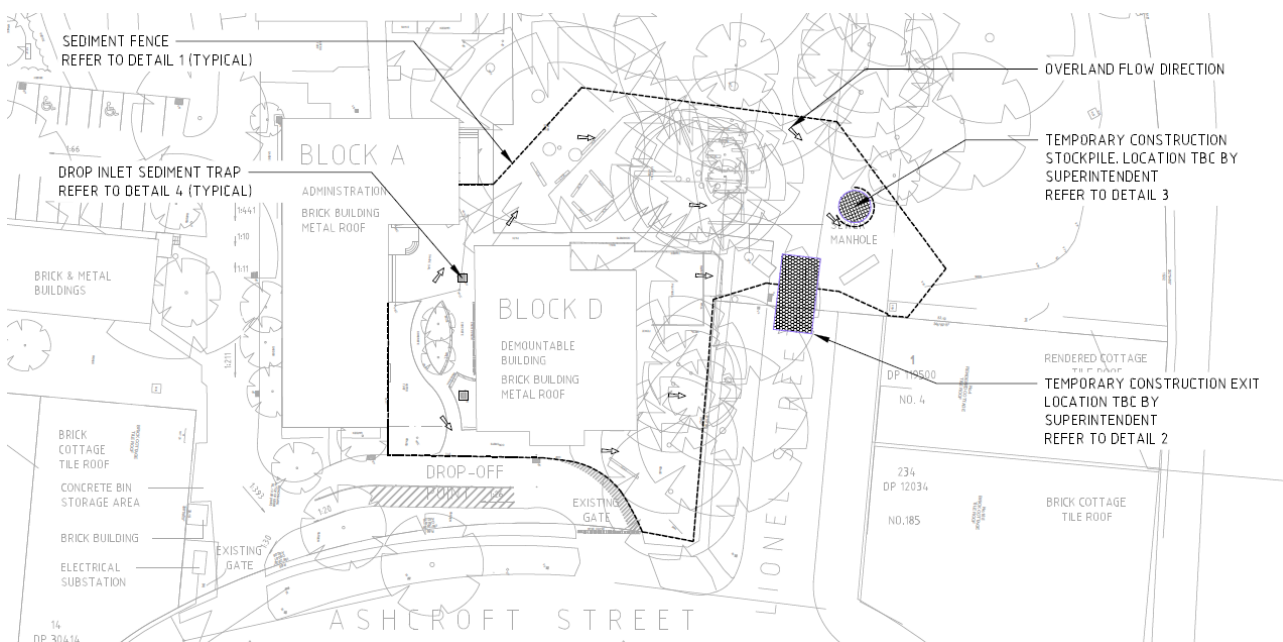


Figure 24 Sediment & Erosion Control Plan (Source: Andrew Yaldas Consulting Engineers)

The Stormwater Drainage Plans confirm that the SECP measures are designed to meet the requirements of both Council's DCP and the "Blue Book" (Managing Urban Stormwater – Soils and

Construction – Department of Housing). Implementation of these measures will ensure the proposed works avoid unacceptable adverse environmental impacts having regard to the potential for soil erosion and sediment control.

6.1.3 Landscape

The construction of a new building presents an opportunity to provide new and improved landscaping outcomes for the School site, together with an opportunity to provide replacement planting for the eleven (11) trees which need to be removed to accommodate the new Block F.

Space Landscape Design has prepared Landscape Plans (**Appendix D**) which provide details of the new landscaping works for the HopePoint school site. The proposed new landscaping works include a variety of trees, shrubs and ground covers around the new building, primarily on the northern side fronting Ashcroft Street and Lionel Street, together with further replacement tree planting in the northern playground area.

A total of thirteen (13) replacement trees are proposed, all of a 45L pot size and with mature heights of between 15m and 20m, comprising the following species:

- *Banksia Integrifolia* (Coast Banksia) x 5
- *Eucalyptus Punctata* (Grey Gum) x 2
- *Eucalyptus Piperita* (Sydney Peppermint) x 4
- *Tristaniopsis Laurina* 'luscious' (Luscious Water Gum) x 2

The proposed landscaping works will complement the new Block F building works, improve the presentation of the site with continuing a natural setting around the building which blends into the established leafy setting of the site, and improves the overall supply of tree canopy coverage of the site by providing replacement trees in playground areas rather than between buildings and road corridors. The proposal will provide an improved landscape outcome for the site.

6.1.4 Noise and Vibration

The proposed development includes both the construction of a new classroom building and an increase in the number of students accommodated on the site by +215 students to a total of 400 students. Accordingly, the potential noise impacts of the school, and the potential for noise intrusion are a relevant consideration, and have been addressed in detail by Rodney Stevens Acoustics within a Noise Impact Assessment (**Appendix K**).

The Assessment carried out by Rodney Stevens Acoustics established a baseline from a noise survey including unattended noise monitoring from Garrison Point Reserve, together with reviewing the noise guidelines and criteria for impacts upon sensitive receivers in line with the Noise Policy for Industry (NPfI), including guidance for sleep disturbance.

The potential noise impact of school activities has been assessed for the new classrooms and increased student activity in the playground area (worst case scenarios being 400 students in the playground at any one time, and all GLAs in Block F being utilised), having regard to five (5) sensitive receive locations. The Assessment found that the proposal achieved compliance with relevant criteria under both scenarios at all receive locations, however a recommendation is made to provide the eastern boundary fence of the school (shown in **Figure 25**) to be made solid to a height of 1.6m. This mitigation measure has been incorporated into the proposal.

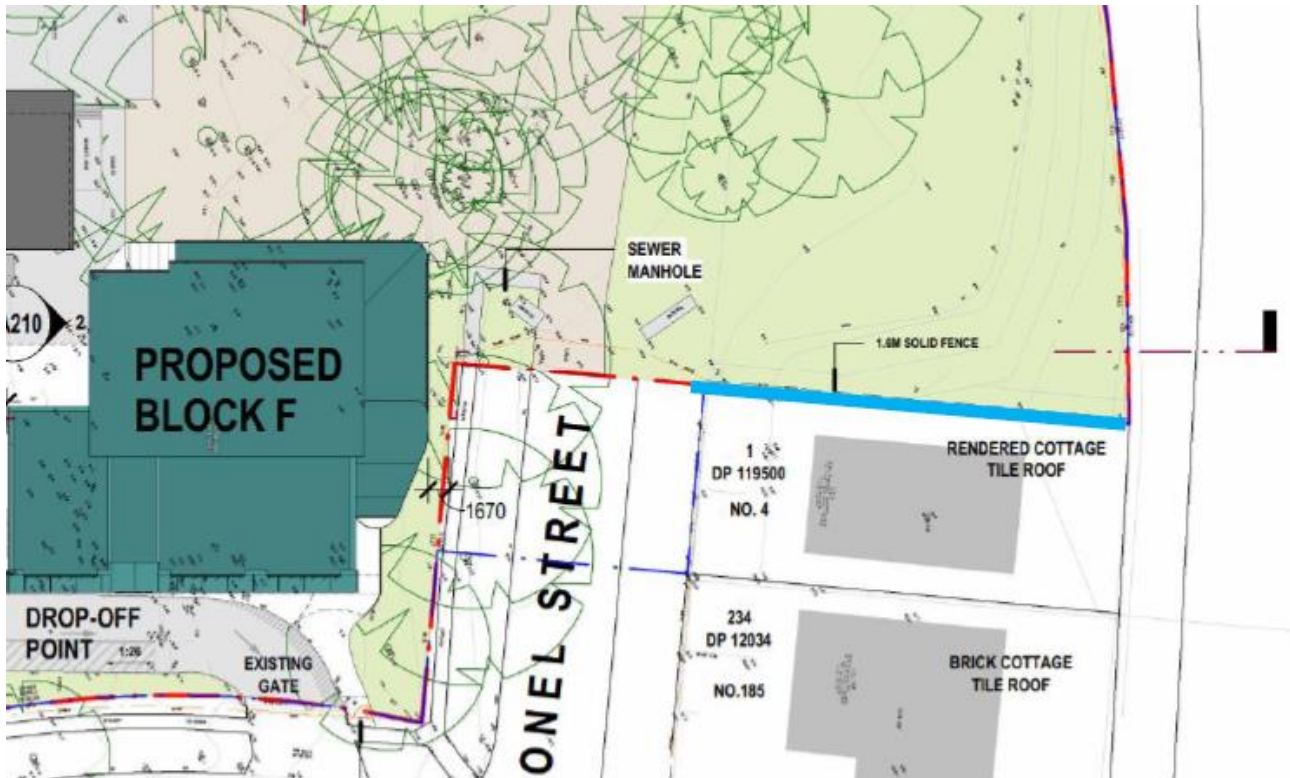


Figure 25 Recommended Solid Barrier Location (Source: Rodney Stevens Acoustics)

The Noise Impact Assessment has also considered potential impacts of aircraft noise generated by the nearby Bankstown Airport, having regard to the requirements of Australian Standard 2021:2015 Acoustics – Aircraft noise intrusion – Building siting and construction. The site is located between the ANEF 20 and 25 contour lines for Bankstown Airport ANEF 2039 (**Figure 26**).

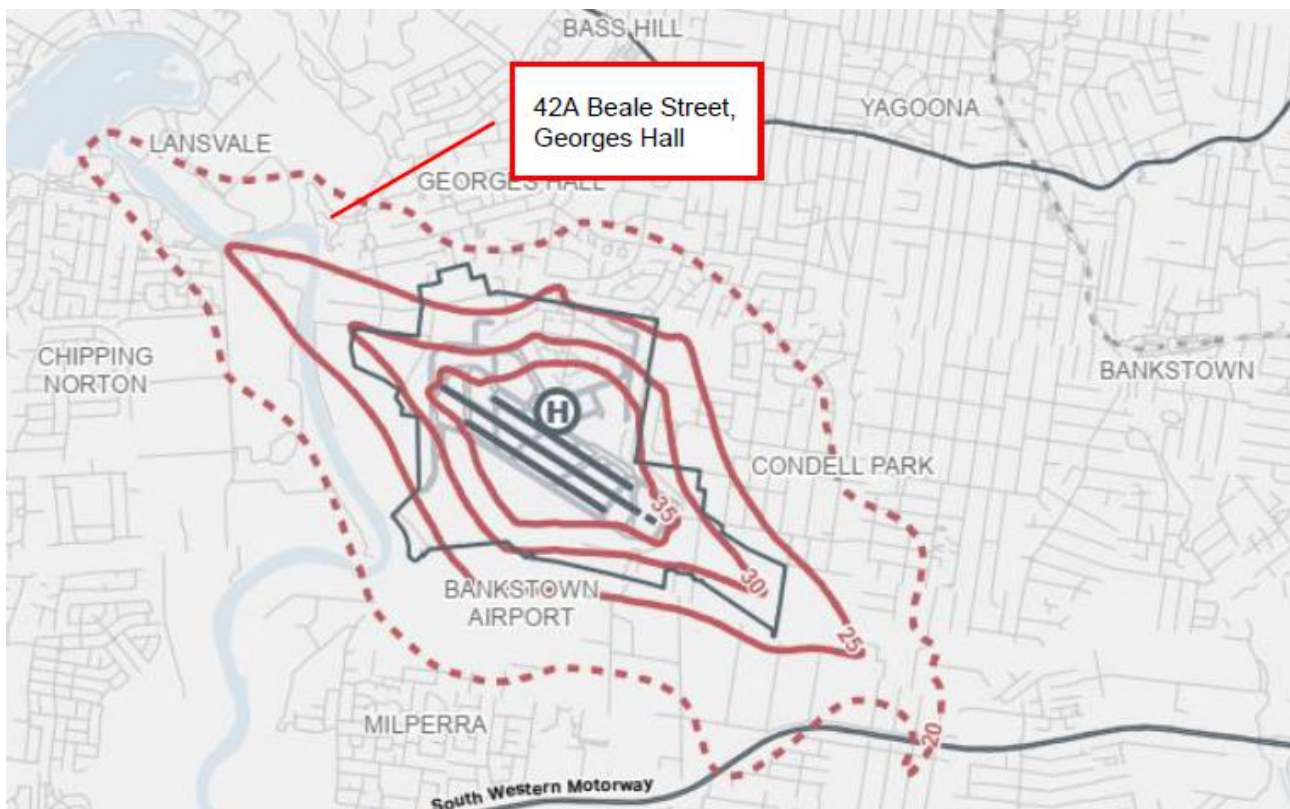


Figure 26 ANEF 2039 Contours identifying site location (Source: Rodney Stevens Acoustics)

The Noise Impact Assessment notes that under AS 2021-2015, the 20-25 ANEF contour zone is classified as "conditionally acceptable" for residential land use, with Note 2 stating *"some people may find that the land is not compatible with educational or residential uses. Land use authorities may consider the incorporation of noise control features in the construction of residences or schools is appropriate"*.

The maximum aircraft flyover noise level is calculated to be 75 dB(A), and using this the Assessment has found that the project requires aircraft noise reduction (ANR) to teaching and assembly areas to an ANR of 20. Rodney Stevens Acoustics has provided a number of recommended noise control treatments to be incorporated into the project to ensure acceptable noise levels are achieved, and these include:

- Carpet and underlay in GLA and general areas
- Glazing with an Rw rating of 30
- Roof and ceiling with acoustic rating of Rw + Ctr 37 (minimum)
- Sealing of all gaps in detailing of building exterior
- Windows and doors need to be closed, and so mechanical ventilation is required to meet BCA requirements.

Based on the assessment and recommendations of the Noise Impact Assessment, the proposed development is capable of operating with acceptable levels of both noise impacts and noise intrusion as required for an educational establishment.

6.1.5 Waste Management

HopePoint has prepared a Waste Management Plan (**Appendix O**) which provides details of the management of waste at the demolition, construction and operational phases of the development. Demolition and construction waste will be managed to minimise the amount of waste being sent to landfill, while operational waste will be managed in accordance with the current school waste contracting arrangements, including weekly garbage removal, and fortnightly recycling and green waste removal.

6.1.6 Water Management

The proposed Block F design has been accompanied by Stormwater Drainage Plans (**Appendix E**) and a Stormwater Management Report (**Appendix F**) prepared by Andrew Yaldas Consulting Engineers (AYCE). The approach to water management for the site has been informed by the existing conditions/system and also the requirements of the DCP.

The proposed stormwater design incorporates and expands from the existing pit and pipe network to ensure the new Block F development will have all stormwater captured and managed appropriately so there is no difference between pre- and post-development scenarios.

Specifically, the proposed development will include augmentation of existing pits and pipes, together with installation of a new drainage system that:

- Captures water in the 5,000L rainwater tank (for irrigation and flushing purposes),
- Directs flows into a new 8.812m³ capacity on-site detention (OSD) basin (shown in **Figure 27**), and
- Maintains connection to Council's stormwater system at Henry Lawson Drive.

No works are proposed outside of the site on Council assets.

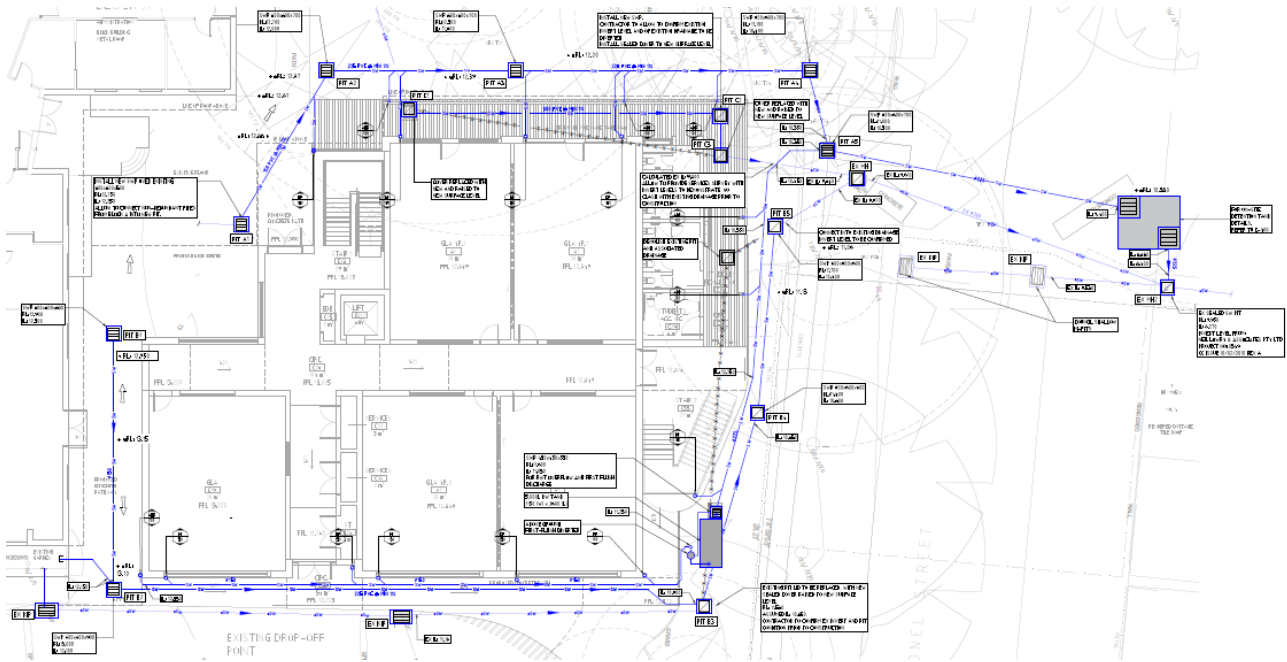


Figure 27 Extract of Stormwater Drainage Plan(Source: AYCE)

The Stormwater Management Report outlines that the DRAINS calculations determined that 6.508m³ of OSD capacity is required, however a larger capacity tank is provided to allow for any minor future development.

The stormwater management system has been designed to meet Council's DCP requirements, with all increased flows being managed within the model to within acceptable parameters, with flows being reduced to pre-development flows through the implementation of the OSD system.

Rainwater harvesting is proposed to be implemented to reduce potable water demand and improve the sustainability outcomes of the project.

Sediment and Erosion Control Plan

In addition, AYCE has provided a Sediment and Erosion Control Plan which aims to prevent pollutants in the stormwater run-off during construction, and which meets the guidance of the Blue Book – Managing Urban Stormwater 2004.

6.1.7 Flooding

Costin Roe Consulting has prepared a Flood Review (**Appendix T**) which discusses flood behaviour and risk in relation to the proposed Block F school building. The Flood Review was informed by a Stormwater System Report (SSR) issued by Council on 16 December 2024.

The SSR provided by Council provides flood and stormwater about the property, and confirms that the site is not affected by the 5% AEP or 1% AEP flood event, and is marginally impacted by the PMF flood event. Council confirms in the SSR that no Flood Study is required for the subject property.

Notwithstanding, Costin Roe Consulting has prepared the Flood Review to review the flood information provided in the SSR having regard to the proposed Block F development, including a review of the plans and levels of the proposal having regard to the riverine flood behaviour associated with Prospect Creek and the Georges River.

The Flood Review confirms the school buildings are at a level that is outside of the 1% AEP and PMF storm events, and will not impact existing flooding conditions or surrounding properties, nor will the development be impacted by flooding. Costin Roe concludes that the proposal achieves Council's flood planning levels, and is not impacted by identified overland paths or riverine flooding, and will therefore meet Council's flood controls as set out in the DCP. Further assessment of flooding is therefore not warranted, and the proposal is considered satisfactory in its current form, having regard to flooding.

6.1.8 Air and Microclimate

Some dust is anticipated during the construction phase of the proposal, particularly as minor demolition works are involved. This however can be mitigated and managed through the use of measures such as wetting down work areas and stockpiles, stabilising exposed areas, preventing material tracking out onto public roadways, covering loads and all departing vehicles and working to weather conditions as appropriate.

The proposal is otherwise not expected to give rise to any long term or adverse impacts on local or regional air quality.

6.2 Built Environment

6.2.1 Built form, bulk and scale

The proposed Block F development is a two (2) storey building replacing an existing single storey building, with frontage to Ashcroft Street, sitting adjacent to existing school facilities and nearby to the heritage listed "The Homestead" building, and within the visual curtilage of adjoining residential properties on Ashcroft Street and across Lionel Street.

The proposed built form has been designed to respect and respond to this visual setting, through adopting a form, bulk and scale that is suitable for its purpose, responds appropriately to the heritage setting of the property, and which minimises impacts on any adjoining development.

The two (2) storey form will comprise a height variation (discussed at **Section 4.5** and at **Appendix Q**) which has been assessed as having a minimal and acceptable level of impact, as a result of the clerestory roof form. In terms of overall building height, the proposed development is considered appropriate and supportable in its location, responding to topography, built form and adverse impacts.

Having regard to bulk and scale, the site is subject to a floor space ratio (FSR) development standard that the proposed development does not exceed, and is designed with a high level of façade articulation and material treatments to the Ashcroft Street frontage such that the massing of the building is broken up and does not present as one single, long and unbroken building.

Despite HopePoint not comprising any other two (2) storey buildings, the proposed Block F presents at a height, bulk and scale that is both typical and appropriate for educational establishments. Reducing the building height and massing of the building is not considered necessary, particularly as this would simply require more of the site area to be taken by building footprint, detracting from the heritage qualities of the site and play space opportunities for students.

The proposed built form is considered an appropriate response to the opportunities and constraints of the site, and will provide a significant improvement to the school's public frontage via Ashcroft Street.

6.2.2 Solar Access

Leaf Architecture has carried out detailed shadow diagram analysis in the Architectural Plans (**Appendix A**) for the following scenarios:

- Mid-Winter solstice – 8am – 4pm
- March equinox – 8am – 4pm
- September equinox – 8am – 4pm

The study has identified that the proposed building will result in some degree of overshadowing upon the residential property at No. 37 Ashcroft Street, this being in response to only a small portion of proposed Block F that exceeds the height development standard.

The existing school buildings already overshadow 37 Ashcroft Street at 4pm in midwinter, and the minor increase in overshadowing as a result of the proposed Block F will have a negligible impact on amenity and solar access to the front yard of the property (see **Figure 28**). The extent of the impact is limited to mid-winter, as there is no overshadowing at any time of the day in the March or September equinox, as shown in the shadow diagrams prepared by Leaf Architecture.

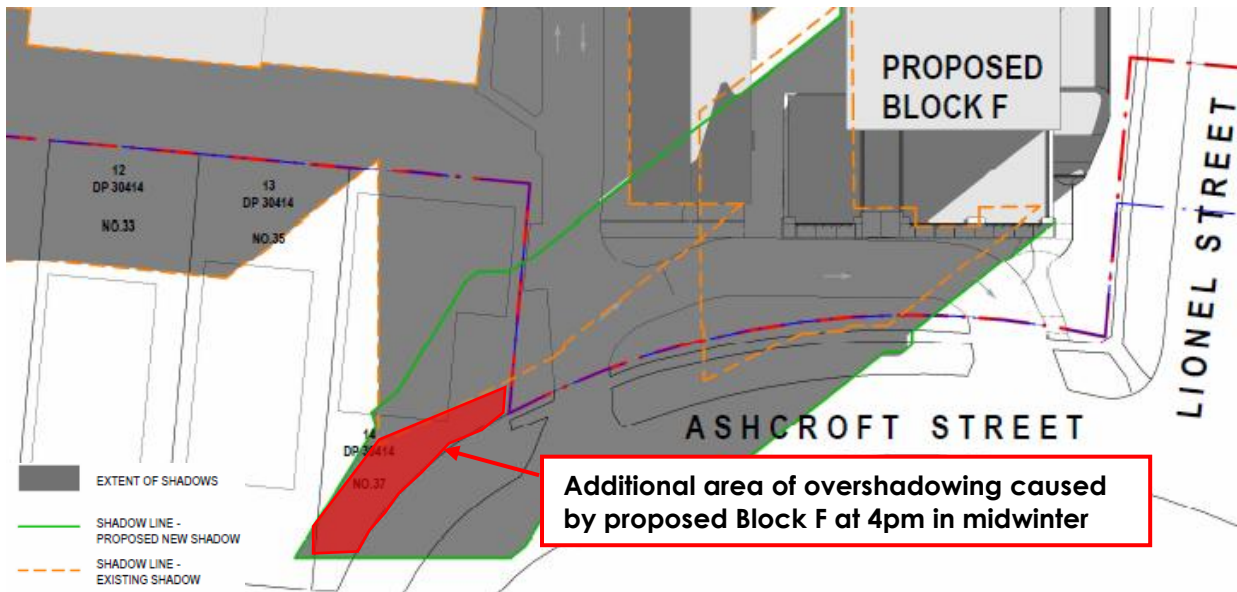


Figure 28 Shadow Diagrams at 4pm in Midwinter (Source: Leaf)

The property at No. 37 Ashcroft Street will receive additional overshadowing but will still receive a minimum of five (5) hours of unimpacted solar access in mid-winter, thereby exceeding the solar amenity criteria. This outcome is considered acceptable and does not unfairly burden an adjoining landowner with impacts associated with the new two (2) storey Block F building.

6.2.3 Privacy

The only direct interface between the new Block F building and adjoining residential properties is the connection between the northern façade and the two properties on the northern side of Lionel Street (being 4 Lionel Street and 185 Henry Lawson Drive). These properties both have dual frontage to Lionel Street (high side) and Henry Lawson Drive (low side).

Both properties have a gated driveway access off Lionel Street, together with solid fences for the width of the property boundary, and each property also has a carport/covered area in the southern area of the property. 4 Lionel Street comprises a single storey dwelling with multiple recent additions, and 185 Henry Lawson Drive comprises a split-level one (1) and two (2) storey dwelling.

The southern-most windows for each of the houses are approximately 25m from the adjacent property boundary for HopePoint (on the southern side of Lionel Street). The 1.67m side setback of the building from Lionel Street then provides approximately 26-27m of separation between the new Block F building and the adjoining residential properties.

In terms of topography the new building will have a higher position, however the northern elevation of the building will have no window openings and the external stairwell is entirely screened by metal perforated screening (see **Figure 29**). Students will not have any opportunities at ground level or at the first floor level to have a clear line of sight to the north.

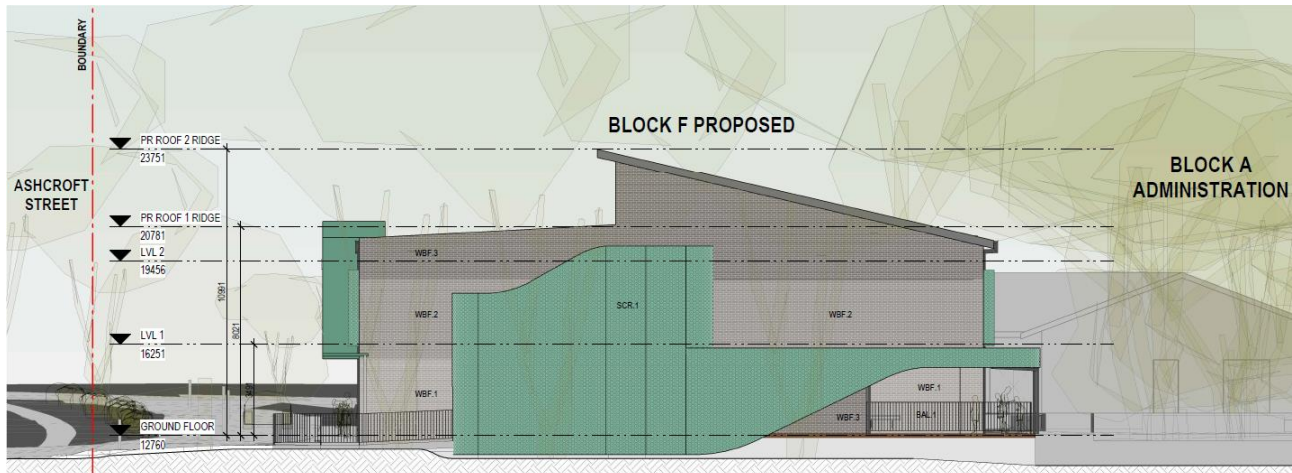


Figure 29 Extract of proposed northern elevation (Source: Leaf)

Therefore the proposed development will not result in any privacy impacts upon the adjoining residential properties.

6.3 Heritage

An updated Conservation Management Plan (**CMP**) has been prepared by JPA&D (**Appendix H**). The CMP updates two (2) previous conservation studies prepared by the site being the "Report on The Homestead (formerly known as Georges Hall)" (November 1987) prepared by Lester Tropman and Associates and "Georges Hall Homestead Conservation Study 1990" prepared by Noel Bell Ridley Smith & Partners. The CMP has been prepared with regard to Heritage NSW guidelines. The updated CMP provides a description of the history of the site and existing building fabric; an assessment of the archaeological potential of the site and key vistas and views; assessment of the cultural significance of the heritage item; key opportunities and constraints as it relates the significance of the site; and conservation policies and guidelines.

A Statement of Heritage Impact (SoHI) has been prepared by JPA&A (**Appendix I**) that provides an assessment of the impacts of the proposed development on the significance of the State heritage item in accordance with Heritage NSW guidelines and with regard to the principles and processes detailed in The Burra Charter: The Australian ICOMOS Charter for Places of Cultural Significance (2013) (the **Burra Charter**). The SoHI concludes that the proposed development will not have an adverse impact on heritage for the following reasons:

- The proposed one (1) storey portable classroom building is located more than 3m from the heritage outbuilding and is proposed to be temporary. Therefore, it is considered to have a negligible impact on The Homestead, the two (2) historic outbuildings and the horse trough.
- Bloc does not have any physical impacts on any heritage fabric including The Homestead, historic outbuildings and horse trough.
- The new building is located a sufficient distance from The Homestead and is largely visually separated by the existing trees located to the north-east of The Homestead (**Figure 30**).
- The new building adopts a contemporary architectural language that does not seek to imitate The Homestead building.
- The proposed building does not impact on any existing views to or from The Homestead towards the public domain and is generally located outside key view corridors.
- The proposed development is consistent with the policies outlined in the updated CMP including policy numbers 25, 26, 28, 79, 82 – 84, 88 – 91.

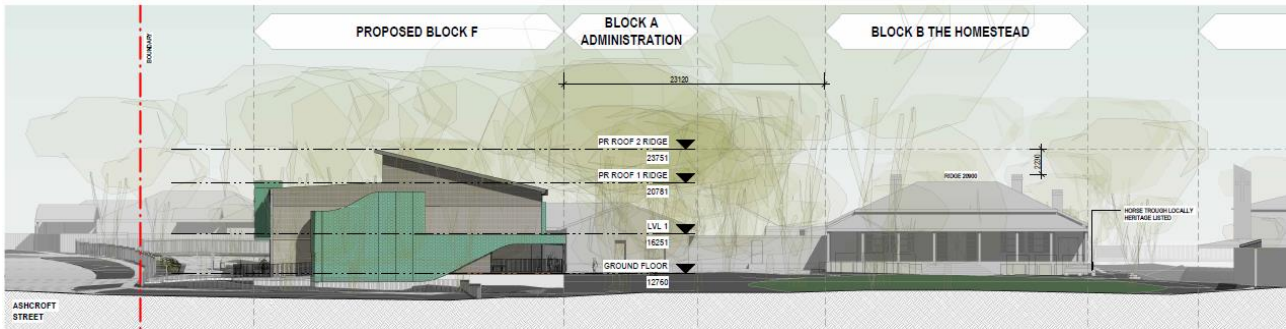


Figure 30 Site section of the northern elevations of proposed Block F and The Homestead (Source: Leaf Architecture)

It is therefore concluded that the proposed development is acceptable from a heritage perspective.

6.4 Social and Economic Impacts

6.4.1 Social Impacts

The proposed development will both increase the opportunities for education within the site by increasing the student population, and will significantly improve the quality of the learning environment through the replacement of Block D with Block F, being of a high quality design.

The assessment provided in **Section 6** of this SEE indicates that potential impacts on neighbouring properties and land-users are capable of being mitigated or avoided. Therefore any social impacts associated with the proposal are anticipated to be either positive in their outcome, or minor in nature.

6.4.2 Economic Impacts

The proposal will generate additional job opportunities both through the construction phase of the project, and through the operational phase of the project with an increase in school staff to accommodate the proposed student population. There are no adverse economic impacts arising from the proposed development.

6.4.3 Crime and Safety

Crime Prevention Through Environmental Design (CPTED) is a crime prevention strategy that focuses on the planning, design and structure and neighbourhoods. It seeks to reduce the opportunities for crime through the use of design and place management principles. The four (4) key strategies of CPTED are:

- Surveillance measures
- Territorial reinforcement
- Access control
- Space / activity movement

Each of these strategies is discussed below.

Surveillance Measures

Opportunities for crime can be reduced by providing effective surveillance. The surveillance principle indicates that offenders are often deterred from committing a crime in areas with high levels of surveillance. From a design perspective, deterrence of crime can be achieved by providing:

- Clear sight lines between public and private places and maximising natural surveillance.
- Appropriate lighting and effective guardianship of communal and/or public areas.
- Landscaping that makes places attractive but does not provide offenders with a place to hide or entrap victim.

The siting of built form in proximity to the school boundary provides a suitable degree of passive surveillance over the campus and the adjoining public domain. The retention of visually permeable

boundary fencing also creates clear sightlines to the public domain and provides suitable opportunities for passive surveillance during school hours.

Territorial Reinforcement

This principle involves the community ownership of public spaces and that staff, students and visitors will be more comfortable in visiting a communal area that is well-cared for and to which they feel they own. Well used places also reduce opportunities for crime and present as a deterrent to criminals. Also, designing with clear transitions and boundaries between public and private spaces, and clear design cues on what the area is used for is recommended. The proposed development will not alter existing the territorial reinforcement measures which provide suitable delineation between the public and private space of the College campus.

Access Control

The principle of access control is to use physical and symbolic barriers to attract, channel or restrict the movement of people to minimise opportunities for crime and increase the effort required to commit a crime. Access control at the School will be provided using existing operational procedures.

Space / Activity Management

This principle provides that space which is appropriately utilised and well cared for will reduce the risk of crime and antisocial behaviour. Space management strategies include activity coordination, site cleanliness, rapid repair of vandalism and graffiti, the replacement of lighting and the removal or refurbishment of decayed physical elements. These space management strategies will be undertaken in accordance with existing operational procedures.

6.5 Traffic, Transport and Accessibility

6.5.1 Traffic

The site currently accommodates all traffic and parking movements associated with all site operations, including multiple locations for pick up and drop off (PUDO) as well as a healthy supply of parking. However, the proposed development seeks to increase the number of students on site up to 400, and to promote the Ashcroft Street frontage as the primary entrance of the school.

Further, the project will require the temporary placement of portable classrooms within the carpark so as to facilitate the decanting of existing students out of the existing Block D (being demolished) until they can enter the new Block F facilities.

Bitzios has prepared a Traffic Impact Assessment (**Appendix J**) which reviews the existing conditions of the site, provides an assessment of parking and access arrangements, identifies traffic generation and trip direction splits, and then assess traffic impacts and provides suitable recommendations .

In terms of traffic impacts, Bitzios has identified in accordance with TfNSW's *Trip Generation Surveys Schools Analysis Report 2014 (Issue A)* that the proposed development (for +215 students) will generate +144 trips in the AM peak, and +114 trips in the PM peak. This translates into a total queue impact of +3 vehicles in the AM peak and + 27 vehicles in the PM peak. Only the queue of the PM peak will be impacted, with queue spillage expected to extend up to 127m, however Bitzios confirms this would be contained entirely within the local residential street network.

The Traffic Impact Assessment recommends that two (2) bus services may be required to service the PM peak student movements. The School's Out of School Hours Care (OOSHC) demand currently exceeds the capacity of the school's bus (12 seats) however it is deemed appropriate that the bus carries out two (2) trips.

Further, Bitzios has provided the following recommendations in regard to PUDO operations, so as to address the potential for increased queue spillage outside the kiss'n'drop facility:

- *Parent vehicles must not queue on Ashcroft Street south of Rex Road*
- *Parent vehicles must utilise the unrestricted kerb-side parking on Ashcroft Street along the frontage of the extensive Noah Reserve*

- *School authorities to communicate with parents/guardians the availability of the on-site car park at Beale Street.*

In regard to the need for a Green Travel Plan, Bitzios has established that as there is limited scope to achieve higher proportions of sustainable travel to/from the school for both students and staff, the preparation of a Green Travel Plan is not deemed necessary.

On the basis of the increased bus services and the staggering of arrival and departure times for school buses, together with the implementation of the above recommendations, the proposal is assessed by Bitzios as being *"sustainable in transport terms, with acceptable impacts on the local transport network"*.

6.5.2 Car Parking

Bitzios has carried out an analysis of the parking provision on the site, identifying a total of 91 spaces being provided to accommodate all on-site operations. Assessment of the proposal against the requirements of Canterbury Bankstown DCP 2023 confirms the total parking provision complies with the relevant requirements for vehicles, however not for bicycles.

The assessment carried out by Bitzios confirms there is little take-up for cycling to and from School do to the lack of safe and proper cycling infrastructure connecting the school to the surrounding network. Accordingly the lack of bicycle parking is considered acceptable in the circumstances.

In terms of parking occupancy, the Traffic Impact Assessment has considered the availability of parking at both the construction phase (when a portable classroom will be located within the car parking area) and at the operational phase (when the portable classroom will be removed and Block F will be utilised. Bitzios confirms that the proposed development will provide sufficient car parking occupancy at both phases of the project, in compliance with the DCP.

6.6 Suitability of the Site for the Development

6.6.1 General

There are two (2) key questions to be considered in site suitability:

1. Does the proposal fit the locality?

The proposal would upgrade an existing educational establishment by replacing an existing aged building with a new high quality and long-life building, and by improving access and internal teaching spaces to support existing school operations. It is consistent with the established siting of building within the site and has utilised the existing topography to create an appropriate transition in built form that gives prominence to significant buildings in the vicinity, including retention of views and curtilage for The Homestead.

2. Is the site itself suitable for the particular development?

The suitability of the site for the existing land use has been established through previous development consents. Subject to the implementation of the relevant stormwater infrastructure works, acoustic fencing and traffic management procedures, the site will remain suitable for the proposed development.

Therefore, the site is considered to be suitable for the proposed development.

6.7 The Public Interest

The proposed development is not prejudicial to the public interest as it would allow the expansion of an existing educational establishment for the purpose of providing new learning spaces and improving accessibility for the well-being of students. The proposal would not lead to an over-intensification of the existing use and would provide a high quality design outcome together with improved environmental outcomes associated with upgrades to stormwater management and landscape embellishments.

7 Conclusion

The proposed development for the demolition of Block D, construction of a new two (2) storey Block F classroom building, and increase in the student numbers of the site to 400 has been assessed in accordance with the requirements of the EP&A Act and other relevant legislation.

The proposal is integrated development under the provisions of the EP&A Act as it requires approval under section 58 of the Heritage Act 1977, as the site contains an item of State heritage significance (SHR #00448 "The Homestead Building and site") and the proposed works would be located within the curtilage of the heritage item.

As the proposal will have an EDC of more than \$5 million, the development is classified as regionally significant development and the consent authority for the DA will be the Sydney South Planning Panel.

Whilst the proposed development seeks to vary the 9m height of building development standard under Clause 4.3 of the LEP it is considered that compliance with the development standard is unreasonable and unnecessary in the circumstances and that there are sufficient environmental planning grounds to justify the contravention of the height of building development standard.

The project comprises enabling works, involving the installation of a single storey portable classroom within the existing car park. These enabling works have been assessed as having an acceptable level impact in terms of heritage significance, trees and car parking, on the basis that the buildings are removed within six (6) months of the occupation of Block F, the installation of the buildings is overseen by an Arborist so as to avoid unnecessary tree impacts, and the remainder of the car parking area remains available.

The main works, including tree removal, demolition, construction and associated site infrastructure works and signage, have been assessed as having an acceptable level of impact subject to the implementation of the following:

- Replacement of the 11 trees being removed with 13 new trees within the school site, and implementation of protection measures for all trees being retained;
- Construction documentation to address the matters identified by Jensen Hughes to ensure the proposal complies with the requirements of the NCC 2022;
- Installation of a 5,000L rainwater tank and OSD to manage stormwater flows;
- Soil and sediment erosion control measures to be implemented during the demolition and construction periods;
- Installation of a 1.6m high solid fence to the western boundary of No. 4 Lionel Street to mitigate playground noise impacts, and adoption of the noise control treatments to the proposed building including glazing, ceiling, sealing and window/door treatments to mitigate aircraft noise intrusion; and
- Adoption of recommendations in regard to PUDO operations;

Accordingly, the proposal is considered to satisfactorily respond to the opportunities and constraints of the site and the relevant legislation and is therefore worthy of Council and SSPP approval.

8 Glossary

Abbreviation	
ACM	Asbestos containing materials
Biodiversity and Conservation SEPP	<i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i>
CMP	Conservation Management Plan
Council	Canterbury-Bankstown Council
CPTED	Crime Prevention Through Environmental Design
CTMP	Construction Traffic Management Plan
DA	Development Application
DCP	Canterbury-Bankstown Development Control Plan 2023
DCCEEW	Department of Climate Change, Energy, the Environment and Water
DP	Deposited Plan
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2021</i>
EDC	Estimated Development Cost
EIE	Explanation of Intended Effect
EPM	EPM Projects
Heritage Act	<i>Heritage Act 1977</i>
HIS	Heritage Impact Statement
LEP	<i>Canterbury Bankstown Local Environmental Plan 2023</i>
LGA	Local Government Area
OOSHC	Out of School Hours Care
OSD	On-site Detention
Planning Systems SEPP	<i>State Environmental Planning Policy (Planning Systems) 2021</i>
POM	Plan of Management
PUDO	Pick up / Drop off
RAP	Remediation Action Plan
Resilience and Hazards SEPP	<i>State Environmental Planning Policy (Resilience and Hazards) 2021</i>
School	HopePoint Christian School
SEE	Statement of Environmental Effects
SEPP	State Environmental Planning Policy
Site	Lot 101 in Deposited Plan 827530, 42A Beale Street, Georges Hall
SSPP	Sydney South Planning Panel
Transport and Infrastructure SEPP	<i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>
TfNSW	Transport for NSW
WMP	Waste Management Plan