

JRPP No:	2014SYE001
DA No:	DA13/1167
LGA:	Sutherland Shire
Proposed Development:	Master Plan Design and Alterations & Additions to St John Bosco College
Site/Street Address:	Lots A and B DP 343749, Lot 1 DP 593896 and Lots 3 & 4 DP 1142162 35A & 35B Waratah Road and 87 Banksia Avenue, Engadine
Applicant:	Fulton Trotter Architects
Submissions:	6
Recommendation:	Approval
Report By:	Christine Edney, Environmental Assessment Officer - Planner Sutherland Shire Council

Assessment Report and Recommendation

1.0 EXECUTIVE SUMMARY

1.1 Reason for Report

Pursuant to the requirements of State Environmental Planning Policy (Major Development) 2005, this application is referred to the Joint Regional Planning Panel (JRPP) as the development is for a community facility and has a capital investment of more than \$5,000,000. The application submitted to Council nominates the value of the project as \$18,868,000.

1.2 Proposal

The application is for site master planning and significant physical alterations and additions to St John Bosco College, including four (4) new main buildings.

1.3 The Site

The subject site is bounded by Waratah Road, Banksia Avenue, Bullecourt Avenue and the 'Boys Town' site.

1.4 The Issues

The main issues identified are as follows:

- Non compliance with the applicable height development standards for four (4) of the proposed buildings.
- Adequacy and impacts of proposed parking.
- Traffic impacts generated by the proposal.
- Impact on views.
- Loss of school playing fields.

1.5 Conclusion

Following a detailed assessment of the proposed development the current application is considered worthy of support, subject to conditions. In particular, conditions requiring enhanced public domain and acoustic treatment are recommended to be imposed on the consent.

2.0 DESCRIPTION OF PROPOSAL

An application has been received for site master planning and major physical alterations and additions to St John Bosco College.

The works are proposed to be carried out in three (3) stages:

Stage 1

- Construct new multi-purpose hall
- Install demountable classrooms
- Demolish existing hall
- Construct new TAS (Technological and Applied Studies) building
- Convert existing TAS/Music Rooms/Food Technology Kitchen to General Learning Areas (GLAs)
- Construct new car park
- New on site stormwater detention

Stage 2

- Remove Stage 1 demountable classrooms
- Construct Administration Building
- Convert existing Administration/ Library building to GLA/Library
- Demolish part of existing TAS/Music building and refurbish remainder
- Construct Stage 2 of Hall (amenities and fitness labs)

Stage 3

- Construct Performing Arts Building
- Construct Chapel/COLA building
- New entry forecourt
- Refurbish existing buildings
- New playing court

The school's enrolment is proposed to increase from 815 (average over the last three years) to 875 students and the maximum staff number at any one time is to increase from 69 to 73. The application is for all three stages.

3.0 SITE DESCRIPTION AND LOCALITY

The subject land is located at 35A & 35B Waratah Road and 87 Banksia Avenue, Engadine. Currently situated on the southern portion of the site is a high school with an average enrolment over the last three (3) years of 815 students. The northern portion of the site is a sports field. Part of the site is owned by the Salesian Society and leased by the school. Part of the site is owned by the Trustees of the Roman Catholic Church for the Archdiocese of Sydney. The site is in the process of re-subdivision.

The site has a north-south orientation and is generally rectangular in shape. It has a frontage of 103 metres to Waratah Road, a frontage of 305.6 metres to Banksia Avenue and a frontage of 101.7 metres to Bullecourt Avenue. The site has a total area of 33,260 square metres. 58 on-site parking spaces are currently provided.

The site falls in a series of tiers from the south (Waratah Road) to the north (Bullecourt Avenue) with a total fall of approximately 12m. The site contains 102 (mostly native) trees.

The streetscape in the immediate vicinity of the subject land is characterised by low density residential development to the north and east. To the south, across Waratah Road, is a church and primary school. Directly adjoining the site to the west is the 'Boys Town' complex, which provides accommodation and education to disadvantaged youth. The Boys Town site also contains a sheltered workshop for Sylvanvale and two heritage listed buildings.



Locality Plan/Aerial – Proposed Site Outlined in Red

4.0 BACKGROUND

A history of the development proposal is as follows:

- A pre-application discussion (PAD) was held on 3 June 2013 regarding the proposal. A formal letter of response was issued by Council dated 11 June 2013. A full copy of the advice provided to the Applicant is contained within Appendix "B" of this report.
- A pre-application meeting was held with the Architectural Review Advisory Panel (ARAP) on 13 June 2013. A copy of the letter sent to the applicant detailing the Panel's comments is contained within Appendix 'C'.
- The current application was submitted on 12 December 2013.
- The application was placed on exhibition, with the last date for submissions being 30 January 2014. Six (6) submissions were received.
- The application was considered by Council's Architectural Review Advisory Panel (ARAP) on 16 January 2014. A copy of the Panel's comments is contained within Appendix 'D' of this report.
- An Information Session was held on 21 January 2014 and one person attended.
- By letter dated 13 February 2014 Council officers requested that the applicant address both the ARAP comments and comments from Council's landscape architect.
- Additional plans and a response to the ARAP and landscape architect's comments were lodged on 10 March 2014.

5.0 ADEQUACY OF APPLICANT'S SUBMISSION

In relation to the Statement of Environmental Effects, plans and other documentation submitted with the application or after a request from Council, the applicant has provided adequate information to enable an assessment of this application, including submission of a SEPP 1 Objection requesting variations to the height standard.

6.0 PUBLIC PARTICIPATION

The application was advertised in accordance with the provisions of Chapter 12 of Sutherland Shire Development Control Plan 2006 (SSDCP 2006). 138 adjoining or affected owners were notified of the proposal and six (6) submissions were received as a result.

Submissions were received from the following properties:

Address	Date of Letter	Issues
50 Banksia Avenue Engadine	14 January 2014	Issues 1, 2, 3, 4 and 5
52 Banksia Avenue Engadine	22 January 2014	Issues 2, 3, 4 ,6 and 7
26-28 Bullecourt Avenue Engadine	15 January 2014	Issue 8
30-32 Bullecourt Avenue Engadine	9 January 2014	Issues 1, 2 and 4
32 Chipilly Avenue Engadine	29 January 2014	Issue 1
45A Achilles Road Engadine	29 January 2014	Issues 2 and 4

The issues raised in these submissions are as follows:

6.1 Issue 1 – Parking

Comment: This matter is addressed in detail below in the “Assessment” section of this report.

6.2 Issue 2 – Traffic

Comment: The additional student numbers (60) and staff (4) are not substantial relative to the existing scale of the use and would have minimal increased impact on traffic volumes in the area. The increase in on-site parking will reduce reliance on on-street parking in the vicinity, which will have a positive impact on traffic flows and neighbourhood amenity.

6.3 Issue 3 – View Loss

Comment: The two objections on this issue are from houses opposite the proposed car parking area and multi sports court at the corner of Bullecourt Avenue. The at-grade car park is at ground level and does not involve any structure, and will have minimal view impact. The multi-court fencing will filter but not block the main vista of the remaining sports fields and surrounding trees beyond.

6.4 Issue 4 – Loss of Playing Field/Visibility of Field, Bushfire Safety Area

Comment: The sports fields belong to the Salesian Society. As part of the recent approval for re-subdivision about two-thirds of the playing fields has been made into a separate lot which is to be leased to Council for 20 years allowing for the fields’ long term public availability. The fencing of the school and multi sports courts will result in the remaining part of the fields being less visible from the houses in Banksia Avenue.

With regard to the bushfire safety area, approximately two thirds of the sports fields will remain available for use. The Heathcote Office of the Rural Fire Service advised that the remaining area is sufficient for use as a bushfire safety area as these areas are only intended to be used by a small number of people who had not left nearby bushfire affected areas early but choose at the last moment to not defend their property and are unable to evacuate.

6.5 Issue 5 - Timing of Traffic Study

Comment: The objector was concerned that the traffic survey was undertaken in October 2013 when the Year 12 students would have been on HSC study break. The traffic survey was carried out on 18 June 2013.

6.6 Issue 6 – Increased Noise From School Being Closer

Comment: The objectors were concerned that the school facilities shifting closer to their properties would result in increased noise from the public address system, bells, students, etc. The PA system/bells can be designed and speakers located/oriented so as to minimise these impacts. The application included an acoustic assessment which indicates that subject to appropriate design and the imposition of appropriate conditions, the proposal

would have minimal off-site impacts. The recommendations of that report have been included as a proposed condition in Appendix 'A' to this report.

6.7 Issue 7 – Amount of Landscaped Area

Comment: No minimum landscaped area requirement applies to the site under SSLEP 2006. The proposal will entail a minor non-compliance with the proposed Draft SSLEP 2013 landscaped area development standard of 35%. The proposed amount of landscaped area is 33.2%, which is a 5% variation from the draft development standard.

6.8 Issue 8- Impact of Parking for Oval on Area

Comment: The proposal does not relate to the non school part of the oval. Reducing the area of the oval will mean less people using it at a time and the retained oval area is further away from the resident objecting on this issue.

7.0 STATUTORY CONSIDERATIONS

The subject land is located within Zone 12- Special Uses (Educational Establishment) pursuant to the provisions of Sutherland Shire Local Environmental Plan 2006. The proposal, being an educational establishment, is permissible within the zone with development consent.

The following Environmental Planning Instruments (EPI's), Development Control Plans (DCP's), Codes or Policies are relevant to this application:

- Draft Sutherland Shire Local Environmental Plan 2013 (DSSLEP 2013)
- State Environmental Planning Policy No. 1 – Development Standards (SEPP 1)
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)
- State Environmental Planning Policy (Major Development) 2005
- State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)
- Sutherland Shire Local Environmental Plan 2006 (SSLEP 2006)
- Sutherland Shire Development Control Plan 2006 (SSDCP 2006)

Under the Infrastructure SEPP the demolition component of the proposal, the alterations to existing buildings and the erection of the administration and canteen buildings could have been carried out without development consent.

8.0 STATEMENT OF COMPLIANCE

The statement of compliance below contains a summary of applicable development standards/controls and a compliance checklist relative to these:

Standard/Control	Required	Proposed	Complies? (% Variation)
Sutherland Shire Local Environmental Plan 2006			
Clause 33 – Height	Maximum 2 storey, 7.2m to top ceiling, 9m to rooftop	1 & 2 storey, Up to 9m to top ceiling, Up to 11.8m to rooftop	Yes No (25%) No (31.2%)
Sutherland Shire Development Control Plan 2006			
Chapter 7 Parking: 1 space per staff, 1:10 Year 12 Students	86	83	No (3.5%)

9.0 SPECIALIST COMMENTS AND EXTERNAL REFERRALS

The application was referred to the following internal and external specialists for assessment and the following comments were received:

9.1. Architectural Review Advisory Panel

Council's Architectural Review Advisory Panel considered the proposal at pre-lodgement stage and again in its present form in January 2014. Significant design changes were made between the pre-application meeting and submission of the current application. The Panel's comments were generally supportive but recommended certain design changes and the submission of additional details. A submission addressing the ARAP comments and accompanied by detailed plans/long sections was submitted on 10 March 2014. The submission in response did not agree with many of the ARAP comments in relation to building design, site configuration and landscape. A copy of the submission is contained in Appendix 'E' to this report.

9.2. Sutherland Police

Sutherland Police advised that the proposal is acceptable on safety/crime prevention grounds subject to the imposition of appropriate conditions. These have been included in the recommended conditions in Appendix 'A' to this report.

9.3. Engineering

Council's development engineer has undertaken an assessment of the application and advised that no objection is raised to the proposal, subject to suitable conditions of development consent. These conditions have been included in Appendix 'A' to this report.

9.4. Landscape Architect

Council's Landscape Architect recommended changes to the landscaping of the site, in particular the siting of trees in the central spine area, landscaping at the new main entry and streetscape planting. A submission was lodged on 10 March 2014 in response to the landscape architect's comments. The applicant did not agree with the recommended changes. Further changes to landscaping of the central spine, the main entry to the administration building

and streetscape planting are warranted and are included in the recommended conditions contained in Appendix “A” to this report.

9.5. Heritage

Council's Heritage officer has advised that the proposal will have no unacceptable impacts on the heritage buildings on the adjoining site.

9.6. Architect

In relation to the proposal and specifically the information and plans submitted on 10 March 2014, Council's Assessment Architect has advised:

“Additional site sections have been provided to better illustrate the intent of the proposal. However, little development has been undertaken in response to ARAP comments. The applicant has chosen to further describe the intent of the design and outline some detail issues that will be developed at a later stage. The applicant has chosen to adopt an alternative strategy to respond to the specific requirements and constraints of the school.”

9.7. Communities Unit

Council's Communities Unit has advised that the proposal is acceptable subject to the imposition of conditions regarding matters including graffiti prevention/removal, security, lighting, landscaping and accessibility, which have been included in Appendix 'A' to this report.

9.8. Environmental Health

Council's Environmental Health Officer has advised that the site contamination and acoustic reports submitted with the application are acceptable.

10.0 ASSESSMENT

Following a detailed assessment of the application having regard to the Heads of Consideration under Section 79C(1) of the Environmental Planning and Assessment Act 1979, the following matters are considered important to this application.

10.1 Height

Clause 33 (4) of the SSLEP 2006 stipulates maximum height development standards for the site of a maximum height of two storeys, a maximum height of 7.2 metres from natural ground level to the ceiling of the uppermost floor and a maximum height of 9 metres from natural ground level to highest point of the roof.

The development proposes one and two storeys across the entire site and therefore complies with the number of storeys development standard. Three (3) of the proposed buildings exceed the 7.2 metre natural ground to ceiling standard and four (4) exceed the 9 metre natural ground to highest point of roof standard. The variations are:

	Proposed Height of Ceiling of Topmost Floor	Variation	Proposed Height to Highest Point of Roof	Variation
Building A – TAS	8.12m	920mm (12.8%)	9.345m	345mm (3.8%)
Building B – Hall	8.65m	1450mm (20.1%)	10.05 m	1050mm (11.6%)
Building D- Performing Arts	9m (25%)	1800mm (25%)	11.81 m	2810mm (31.2%)
Building 1 – Library	Compliant	-	10.03 m	1030mm (11.4%)

To support this variation to the development standard for height the applicant has lodged an Objection pursuant to the requirements of SEPP 1. The full submission is in Appendix 'F' of this report and the most relevant section is reproduced below:

“...compliance with the standard is unreasonable or unnecessary in the circumstances of this case for the following reasons:

- (i) The proposal is for the erection of new school buildings as part of an existing school upon land zoned Special Uses- Educational Establishment. The existing and proposed school buildings consistent with most schools are of a scale which is different to the existing single dwelling houses which typically surround them. It is submitted that it is reasonable to expect that a school building would have a differing height and scale to a dwelling.*
- (ii) It is noted that the same height controls would apply to a single dwelling house.*
- (iii) The subject site is not one which contains a natural setting notwithstanding it is noted that the landscape plan which accompanies this application does provide for the planting of trees around the perimeter of the buildings which will assist in screening the proposal and which will improve the landscape character of the site.*
- (iv) The proposal provides for a high quality architectural outcome for the site which will result in a significant improvement of the existing streetscape presentation.*
- (v) The proposal when viewed from the surrounding public domain will not result in a view of a building which is of undue height or scale.*
- (vi) The proposal is provided with setbacks and a building design which will provide for an outcome whereby the proposal will not dominate the adjoining properties or their outlook.*
- (vii) The proposal by virtue of its overall design, materials and colours will complement the setting of the site and the surrounding locality.*
- (viii) The proposal will not result in any unreasonable overshadowing of adjoining properties.*
- (ix) The proposal will not result in any unreasonable impacts upon nearby properties as a result of a loss of privacy or visual intrusion.*

- (x) *The proposal will not result in any unreasonable loss of views currently enjoyed by the adjoining properties.*
- (xi) *Whilst having a height and scale which is greater than the surrounding residential dwellings the proposal is considered to result in development which as a result of its design, setbacks, levels and landscaping is compatible with the surrounding residential environment."*

The proposed non-compliance in the TAS building is limited to a relatively small part of the building and is largely a result of the change in ground level in this part of site. The Hall and Performing Arts buildings have a functional requirement for ceiling heights greater than 7.2m (generating a building height over 9m) to accommodate indoor sports, stage sets and the like. Building 1's height variation only relates to a lift overrun and is due to a lift being needed to provide equitable disabled access.

The buildings are all well set back from the site's boundaries and the site is separated from nearby residential development by streets and other non residential premises – as a result the additional height has no overshadowing impacts on nearby residences.

The site is large and already contains buildings which are large in scale. The proposed building heights are consistent with the scale of the site and the existing buildings on the site.

In *Winten Property Group Limited v North Sydney Council* (2001) NSW LEC 46, Justice Lloyd established a set of five (5) questions which now are an accepted convention for assessing a SEPP 1 Objection. An assessment of the SEPP 1 in accordance with this convention has been undertaken below.

(a) Is the Requirement a Development Standard?

Yes, Clause 33 (4) of SSLEP 2006.

(b) What is the underlying object or purpose of the Standard?

SSLEP 2006 sets out the following objectives for the height development standard.

The objectives of this clause are as follows:

- (b) *to ensure the scale of buildings:*
 - (i) *is consistent with the desired scale and character of the street and locality in which the buildings are located, and*
 - (ii) *complements any natural landscape setting of the buildings,*
- (c) *to allow reasonable daylight access to all buildings and the public domain,*
- (d) *to minimise the impacts of new buildings on adjoining or nearby properties from loss of views, loss of privacy, overshadowing or visual intrusion,*
- (d) *to ensure that the visual impact of buildings is minimised when viewed from adjoining properties, the street, waterways and public reserves,*

- (e) *to ensure, where possible, that the height of non-residential buildings in residential zones is compatible with the scale of residential buildings on land in those zones.*

(c) Is compliance with the development standard consistent with the aims of the Policy, and in particular does compliance with the development standard tend to hinder the attainment of the objects specified in section 5(a)(i) and (ii) of the EP&A Act?

The objects of the Act are:

- 5(a)(i) - *to encourage the proper management, development and conservation of natural and man-made resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment.*
- 5(a)(ii) - *to encourage the promotion and coordination of the orderly and economic use and development of land.*

Yes. Granting of development consent would be consistent with the aims of SEPP1 and the objects of the Act. A variation to Council's maximum building height development standard is considered to be reasonable in the circumstances of the case.

(d) Is compliance with the development standard unreasonable or unnecessary in the circumstances of the case?

It is considered for the reasons discussed above that compliance with the development standard is unreasonable and unnecessary in the circumstances of the case.

(e) Is the Objection Well Founded?

Yes. The SEPP 1 Objection provides evidence to demonstrate that compliance with the standard would be unreasonable or unnecessary in the circumstances of the case.

SEPP 1 Conclusion:

Having regard to the object and the purpose of the standard for maximum height it is considered that:

- (i) The SEPP 1 Objection that compliance with the development standards is unreasonable and unnecessary is well founded; and
- (ii) The granting of consent to the development application would be consistent with the aims of SEPP1 as set out in Clause 3 of the Act.

10.2 Street Setbacks

The proposed street setbacks for the new buildings are 7.5 metres from Banksia Avenue to the proposed Administration Building; 13.5 metres from Banksia Avenue to the proposed Performing Arts Building and 14.5 metres from Waratah Road to the proposed TAS building. The setbacks are considered to be acceptable and consistent with existing buildings on the site.

Whilst the development will encroach further toward the 'edges' of the site, where residential land uses are located, the school complex is generally inward-looking in terms of its impacts because of this configuration of buildings. Further, as the school comprises almost an entire street block with virtually no other built development other than Boystown to set 'cues' for street alignment etc, it is considered acceptable for a varied streetscape to occur. The proposed master plan establishes an acceptable rhythm of building-blocks, open space, hard surface and soft landscaping.

10.3 Traffic and Parking

The current applicable development application requirement (under DA00/0384) is 58 spaces (including two (2) disabled spaces) and these are currently provided. This is a shortfall of 23 parking spaces based on the SSDCP 2006 requirements for the current number of staff and students.

The proposal requires 86 car parking spaces based on the proposed student and staff numbers. (The applicable SSDCP 2006 requirements are 1 space per effective full time employee and 1 space per 10 Year 12 students. A maximum of 130 Year 12 students and 73 staff at any one time are proposed. At least two (2) of the spaces should be disabled spaces.)

The application proposes 83 parking spaces. This is a shortfall of 3 spaces which, whilst under-provided, is a substantial improvement on the current provision. The proposed parking provision is considered to be acceptable as the shortfall is relatively small, on-site parking is being substantially increased in real terms, children from within the local catchment walk and ride to the school, and the site is well serviced by school buses and is within walking distance of Engadine railway station. The Traffic Report submitted with the application indicates that some staff travel in shared vehicles, some by public transport and some by walking.

10.4 Contaminated Land

Historical aerial photos indicate that the northern part of the site appears to be filled. As this gives rise to potential contamination concerns, the applicant was advised at pre-application stage that any application should include a detailed assessment of potential contamination including soil testing. A Stage 1/Preliminary Stage 2 assessment has been submitted with this application. It concludes that the site can be made suitable for the proposed use. Asbestos has been noted at several locations on the site and will require remediation.

10.5 Heritage

The current school land is not Heritage listed however No. 35A Waratah Road, part of which is to become part of the school, contains Heritage Items under SSLEP 2006. The buildings of significance are the former Bakery and Meat Trades buildings near Waratah Road just west of the proposed "TAS" building.

A Heritage Assessment has been submitted with the application discussing the proposal's impacts on the Heritage Items. Council's Heritage Officer has

assessed the submitted Assessment report and the proposal and has advised that the proposal is acceptable on Heritage grounds.

10.6 Tree Removal

The proposal includes the removal of 35 of the 102 trees on the site. An additional 23 trees are proposed to have works within their Tree Protection Zone (TPZ). An arborist's report was submitted with the application. Council's Landscape Architect has advised that the tree removals proposed are acceptable subject to new planting taking place.

10.7 Draft Sutherland Shire Local Environmental Plan 2013 (DSSLEP 2013)

DSSLEP 2013 was placed on exhibition on 19 March 2013, with a modified version being exhibited till 1 November 2013, and is a matter for consideration under S.79C(1)(a)(ii) of the EPA Act.

The land is proposed to be rezoned R2 - Low Density Residential under DSSLEP 2013. By virtue of the provisions of State Environmental Planning Policy (Infrastructure) the proposal will continue to be permissible under the proposed R2 – Low Density Residential zoning under Draft Sutherland Shire Local Environmental Plan 2013.

The following draft Development Standards are of relevance to the proposal:

Clause	Standard	Proposed	Complies?
Draft Sutherland Shire Local Environmental Plan 2013			
4.3	Maximum height of building = 9m	11.81m	No (31.2%)
4.4	Maximum Floor Space Ratio =0.55:1	0.253:1	Yes
6.12	Minimum landscaped area = 35%	33.2%	No (5.1%)

At this stage DSSLEP 2013 has limited statutory weight in the assessment of applications. The proposed development is generally consistent with the draft floor space ratio standard, has a minor variation from the landscaped area standard and is not consistent with the draft height provisions however these variations are considered to be supportable:

- (a) In relation to height for the reasons discussed above in Section 10.1.
- (b) In relation to landscaped area, as the departure is a numerically small percentage and large areas of landscaping commensurate with the nature of the use are proposed including grassed play/sports areas and areas for large trees.

11.0 SECTION 94 CONTRIBUTIONS

Due to its nature, the proposed development will not require or increase the demand for local and district facilities within the area. Accordingly, it does not generate any Section 94 contributions.

12.0 DECLARATION OF AFFILIATION

Section 147 of the Environmental Planning and Assessment Act, 1979

requires the declaration of donations/gifts in excess of \$1000. In addition Council's development application form requires a general declaration of affiliation. In relation to this development application a declaration has been made that there is no affiliation.

13.0 CONCLUSION

The proposed development is for alterations and additions to an existing educational establishment at Nos. 35A & 35B Waratah Road and No. 87 Banksia Avenue, Engadine.

The subject land is located within Zone 12 - Special Uses (Educational Establishment) pursuant to the provisions of Sutherland Shire Local Environmental Plan 2006. The proposal, being for an educational establishment, is a permissible land use within the zone with development consent.

In response to public exhibition six (6) submissions were received. The matters raised in these submissions have been dealt with by conditions of consent where appropriate.

The proposal includes variations to building height and car parking. These variations have been discussed and are considered acceptable. The building heights proposed are acceptable as part of the overall master plan for the school and do not result in amenity impacts on neighbouring properties. The car parking variation is relatively minor and represents a substantial increase in the current level of on-site car parking provision, which will reduce local traffic congestion and demand for on-street parking.

The applicant has not provided a substantial response to Council's Architectural Review Advisory Panel's recommendations by amending the design. Whilst the applicant's general scheme for the design and layout of buildings is acceptable, the proposed landscape design needs to be augmented to respect the character of the local area and 'link up' with Council's "GreenWeb" and street tree programs. These matters can be readily resolved by the imposition of appropriate conditions.

The application has been assessed having regard to the Heads of Consideration under Section 79C (1) of the Environmental Planning and Assessment Act 1979. Following detailed assessment it is considered that Development Application No. 13/1167 may be supported for the reasons outlined in this report.

14.0 RECOMMENDATION

- 14.1 That pursuant to the provisions of Clause 6 of State Environmental Planning Policy No. 1 (SEPP 1), the Objections submitted in relation to the requested variations of the height to top ceiling and height to highest point of roof development standards under Clause 33 (4) of Sutherland Shire Local Environmental Plan 2006 are considered to be well founded and are therefore supported. Accordingly, the provisions of SEPP No. 1 are invoked and these development standards are varied by up to 25% and 31.2% respectively in respect to this development application.
- 14.2 That Development Application No. 13/1167 for Master Plan Design and Alterations and Additions to St John Bosco College at Lots A and B DP 343749, Lot 1 DP 593896 and Lots 3 & 4 DP 1142162 (Nos. 35A & 35B) Waratah Road and (No. 87) Banksia Avenue, Engadine be approved, subject to the draft conditions of consent detailed in Appendix "A" of the Report.