

2014SYE001 – 35A & 35B Waratah Road and 87 Banksia Avenue, Engadine

DA13/1167

## REPORT APPENDICES

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**DRAFT CONDITIONS OF DEVELOPMENT CONSENT**  
**Development Application No. 13/1167**

**1. Approved Plans and Documents**

The development must be undertaken substantially in accordance with the details and specifications set out on the Drawings:

<i>Plan number</i>	<i>Reference</i>	<i>Prepared by</i>	<i>Date</i>
DA001 Rev DA-1	Perspectives	Fulton Trotter Architect	15 November 2013
DA002 Rev DA -1	Site Sections, Colours & Materials	Fulton Trotter Architect	15 November 2013
DA101 -Rev DA-1	Proposed Site Plan	Fulton Trotter Architect	15 November 2013
DA102- Rev DA-1	Site Analysis	Fulton Trotter Architect	15 November 2013
DA103- Rev DA-1	Proposed Staging Plan	Fulton Trotter Architect	15 November 2013
DA003- Rev DA-1	Detailed Site Sections A	Fulton Trotter Architect	10 March 2014
DA004 Rev DA-1	Detailed Site Sections B	Fulton Trotter Architect	10 March 2014
DA005 Rev DA-1	Detailed Site Sections A	Fulton Trotter Architect	10 March 2014
DA113 Rev DA-1	Tree Information Plan	Fulton Trotter Architect	15 November 2013
DA120 - Rev DA-1	Construction Management Plan Stage 1	Fulton Trotter Architect	15 November 2013
DA121 Rev DA-1	Construction Management Plan Stage 1	Fulton Trotter Architect	15 November 2013
DA122 Rev DA-1	Construction Management Plan Stage 2	Fulton Trotter Architect	15 November 2013
DA123 Rev DA-1	Construction Management Plan Stage 2	Fulton Trotter Architect	15 November 2013
DA124 Rev DA-1	Construction Management Plan Stage 3	Fulton Trotter Architect	15 November 2013
DA125 Rev DA-1	Construction Management Plan Stage 3	Fulton Trotter Architect	15 November 2013
DA130 Rev DA-1	Circulation Diagram Stage 1	Fulton Trotter Architect	15 November 2013
DA131 Rev DA-1	Circulation Diagram Stage 2	Fulton Trotter Architect	15 November 2013
DA132 Rev DA-1	Circulation Diagram Stage 3	Fulton Trotter Architect	15 November 2013
DE 101 Rev DA-1	Demolition Site Plan	Fulton Trotter Architect	15 November 2013
EX-1-201 Rev DA-1	Existing & Demolition Library Lower Ground Floor Plan	Fulton Trotter Architect	15 November 2013

EX-1-202 Rev DA-1	Existing & Demolition Library Ground Floor Plan	Fulton Trotter Architect	15 November 2013
EX-2-201 Rev DA-1	Existing & Demolition GLA's Ground and First Floor Plan	Fulton Trotter Architect	15 November 2013
EX-5-201 Rev DA-1	Existing & Demolition Science Ground Floor Plan	Fulton Trotter Architect	15 November 2013
EX-6-201 Rev DA-1	Existing & Demolition Music Lower Ground Floor Plan	Fulton Trotter Architect	15 November 2013
EX-6-202 Rev DA-1	Existing & Demolition Music Ground Floor Plan	Fulton Trotter Architect	15 November 2013
EX-7-201 Rev DA-1	Existing & Demolition Visual Arts Plans	Fulton Trotter Architect	15 November 2013
DA -1-201 Rev DA-2	Proposed Library Lower Ground Floor Plan	Fulton Trotter Architect	16 December 2013
DA -1-202 Rev DA-2	Proposed Library Ground Floor Plan	Fulton Trotter Architect	16 December 2013
DA -1-203 Rev DA-2	Proposed Library Roof Plan	Fulton Trotter Architect	16 December 2013
DA -1-301 Rev DA-1	Proposed Library Elevations	Fulton Trotter Architect	15 November 2013
DA -2-201 Rev DA-2	Proposed GLA's Ground Floor Plan	Fulton Trotter Architect	16 December 2013
DA -2-202 Rev DA-2	Proposed GLAs First Floor Plan	Fulton Trotter Architect	16 December 2013
DA -2-203 Rev DA-2	Proposed GLA's Roof Plan	Fulton Trotter Architect	16 December 2013
DA -2-301 Rev DA-1	Proposed Library Lower Ground Floor Plan	Fulton Trotter Architect	15 November 2013
DA -2-302 Rev DA-1	Proposed GLAs Elevations	Fulton Trotter Architect	15 November 2013
DA -4-201 Rev DA-2	Existing, Demolition and Proposed Amenities Plans	Fulton Trotter Architect	16 December 2013
DA -4-301 Rev DA-1	Proposed Amenities Elevations	Fulton Trotter Architect	15 November 2013
DA -5-201 Rev DA-2	Proposed Science Ground Floor Plan	Fulton Trotter Architect	16 December 2013
DA -5-202 Rev DA-1	Proposed Science Roof Plan	Fulton Trotter Architect	15 November 2013
DA -5-301 Rev DA-1	Proposed Science Elevations	Fulton Trotter Architect	15 November 2013
DA -6-201 Rev DA-2	Proposed Music Lower Ground Floor Plan	Fulton Trotter Architect	16 December 2013
DA -6-202 Rev DA-2	Proposed Music Ground Floor Plan	Fulton Trotter Architect	16 December 2013
DA -6-203 Rev DA-2	Proposed Music Roof Plan	Fulton Trotter Architect	16 December 2013
DA -6-301 Rev DA-1	Proposed Music Elevations	Fulton Trotter Architect	15 November 2013
DA -7-201 Rev DA-2	Proposed Visual Arts Ground Floor Plan	Fulton Trotter Architect	16 December 2013

DA -7-301 Rev DA-1	Proposed Visual Arts Elevations	Fulton Trotter Architect	15 November 2013
DA -A-201 Rev DA-1	Proposed TAS Ground Floor Plan	Fulton Trotter Architect	15 November 2013
DA -A-202 Rev DA-1	Proposed TAS First Floor Plan	Fulton Trotter Architect	15 November 2013
DA -A-203 Rev DA-1	Proposed TAS Roof Plan	Fulton Trotter Architect	15 November 2013
DA -A-301 Rev DA-1	Proposed TAS Elevations	Fulton Trotter Architect	15 November 2013
DA -A-302 Rev DA-1	Proposed TAS Elevations	Fulton Trotter Architect	15 November 2013
DA -A-303 Rev DA-1	Proposed TAS Sections	Fulton Trotter Architect	15 November 2013
DA -B-201 Rev DA-1	Proposed Hall Ground floor Plan	Fulton Trotter Architect	15 November 2013
DA -B-202 Rev DA-1	Proposed Hall Roof Plan	Fulton Trotter Architect	15 November 2013
DA -B- 301 Rev DA-1	Proposed Hall Elevations 1	Fulton Trotter Architect	15 November 2013
DA -B-302 Rev DA-1	Proposed Hall Elevations 2	Fulton Trotter Architect	15 November 2013
DA - B-303 Rev DA-1	Proposed Hall Sections	Fulton Trotter Architect	15 November 2013
DA -C-201 Rev DA-1	Proposed Administration Ground Floor Plan	Fulton Trotter Architect	15 November 2013
DA -C-202 Rev DA-1	Proposed Administration Roof Plan	Fulton Trotter Architect	15 November 2013
DA -C-301 Rev DA-1	Proposed Administration Elevations	Fulton Trotter Architect	15 November 2013
DA -C-302 Rev DA-1	Proposed Administration Sections	Fulton Trotter Architect	15 November 2013
DA -D-201 Rev DA-1	Proposed Performing Arts Ground Floor Plan	Fulton Trotter Architect	15 November 2013
DA -D-202 Rev DA-1	Proposed Performing Arts First Floor Plan	Fulton Trotter Architect	15 November 2013
DA -D-205 Rev DA-1	Proposed Performing Arts Roof Plan	Fulton Trotter Architect	15 November 2013
DA -D-301 Rev DA-1	Proposed Performing Arts Elevations	Fulton Trotter Architect	15 November 2013
DA -D-302 Rev DA-1	Proposed Performing Arts Sections	Fulton Trotter Architect	15 November 2013
DA -E-201 Rev DA-1	Proposed COLA Ground Floor Plan and Elevations	Fulton Trotter Architect	15 November 2013
DA -E-202 Rev DA-1	Proposed COLA Roof Plan	Fulton Trotter Architect	15 November 2013
DA Masterplan Rev B	Landscape Masterplan	Habitation Landscape Architecture	14 November 2013

DA Masterplan Rev B	Landscape Section A	Habitation Landscape Architecture	14 November 2013
DA Masterplan Rev B	Landscape Sections B and C	Habitation Landscape Architecture	14 November 2013
DA Masterplan Rev B	Proposed Plant Schedule	Habitation Landscape Architecture	14 November 2013
HDA01/P1	Street Location Plan	Whipps-wood Consulting	4 November 2013
HDA02/P1	Soil & Water management Plan	Whipps-wood Consulting	4 November 2013
HDA03/P1	Site Plan	Whipps-wood Consulting	4 November 2013
HDA04/P1	Roof Plan	Whipps-wood Consulting	4 November 2013
HDA05/P1	Stormwater Details	Whipps-wood Consulting	4 November 2013
HDA06/P1	Stormwater Data	Whipps-wood Consulting	4 November 2013

and any details on the application form and on any supporting information received with the application except as amended by the following conditions.

**Note:** The following must be submitted to Sutherland Shire Council prior to the commencement of any building work.

- i) A Construction Certificate.
- ii) Notification of the appointment of a Principal Certifying Authority and a letter of acceptance from that Principal Certifying Authority.
- iii) Notification of the commencement of building works with a minimum of 2 days notice of such commencement.

## **2. Provisions for Disabled Persons**

- (a) **The proposal shall comply with AS1428.1-2009, be consistent with the National Construction Code and abide by the Disability Discrimination Act 1992.**
- (b) **Accessible parking shall be provided in accordance with AS/NZS 2890.6 - 2009**
- (c) **The proposed lift shall meet the requirements of AS/NZS 1735.12 - 1994.**

## **3. Safety and Security**

- (a) Graffiti vandalism is to be removed as soon as practicable from the time of reporting
- (b) All areas, access ways and pedestrian routes are to be lit to increase surveillance throughout the development in accordance with AS/NZS 1158.3:1

- (c) Shrubs and low hedges are to be no higher than 600 mm and high canopied vegetation shall not have branches lower than 1800 mm at maturity
- (d) Vegetation shall be well maintained at all times.

#### **4. Approvals Required under Roads Act or Local Government Act**

##### **A. Before Construction**

No occupation or works are to be carried out on public land (including a road or footpath) or access provided over a public reserve adjacent to the development site without approval being obtained from Sutherland Shire Council and the necessary fee paid under the Roads Act 1993 and/or the Local Government Act 1993.

**Note: Approval under the Roads Act or Local Government Act cannot be granted by a Principal Certifying Authority or by a Private Certifier. Failure to obtain approval may result in fines or prosecution.**

#### **5. Design and Construction of Works in Road Reserve**

The implementation of this Consent generates a need for works to be completed in the road reserve.

##### **A. Before Construction**

To enable the scope of works to be determined and alignment levels issued and application for a detailed frontage design must be submitted together with the required fee, under the Roads Act 1993 and/or the Local Government Act 1993 for the scope of works to be determined and alignment levels issued.

The works required will be determined using the following criteria:

- i) Infrastructure construction and reconstruction required to facilitate both pedestrian and vehicular access into and around the site.
- ii) Construction and reconstruction of stormwater infrastructure to facilitate drainage of the site and minimise impacts to the site and adjoining properties as a result of the development.
- iii) To ensure that infrastructure relevant to the proposed development meets current standards and specifications.
- iv) To mitigate any impacts the development may have on traffic and pedestrian safety.
- v) To satisfy the requirements of any Development Control Plan or any other relevant Council Plan.
- vi) To ensure there are adequate transitions between newly constructed and existing infrastructure.

##### **B. Before Occupation**

All works required in the road reserve as required in the detailed frontage design provided by Council must be completed before occupation of the development.

## **6. Site Management Plan**

### **A. Before Commencement of Works including Demolition**

An Environmental Site Management Plan must accompany the application for a Construction Certificate. If demolition is to commence prior to the issue of a Construction Certificate the applicant must submit to Sutherland Shire Council a separate Demolition Site Management Plan. These plans must satisfy the Objectives and Controls of Sutherland Shire Development Control Plan 2006 relating to environmental site management and must incorporate the following throughout demolition and construction:

- i) safe access to and from the site during construction and demolition
- ii) safety and security of the site, road and footpath area including details of proposed fencing, hoarding and lighting
- iii) method of loading and unloading excavation machines, building materials
- iv) how and where, construction materials, excavated and waste materials will be stored.
- v) methods to prevent material being tracked off the site onto surrounding roadways
- vi) erosion and sediment control measures

### **B. During Works**

The site management measures set out in the above plan must remain in place and be maintained throughout the period of works and until the site has been stabilised and landscaped.

## **7. Supervising Engineer**

### **A. Before Construction**

The applicant must engage an appropriately qualified supervising engineer to supervise construction of any:

- i) road frontage works
- ii) construction / installation of stormwater drainage
- iii) rainwater harvesting
- iv) rainwater reuse facilities
- v) all other works that form part of a subdivision

### **B. During Construction**

The engineer must supervise the works as listed above to ensure compliance with:

- i) Council's current "Specification for Civil Works Associated with Subdivisions and Developments" for works in the public area
- ii) any frontage works design approved by Council
- iii) all relevant conditions of development consent
- iv) any Consent issued under the Roads Act for this development
- v) appropriate design parameters in applicable Australian Standards

### **C. Before Occupation**

The engineer must certify the Works-as-Executed drawings or provide a separate certification that the requirements of this condition have been met.

## **8. Parking Areas and Access**

### **A. Design**

All vehicular access, parking and maneuverability including loading areas for the proposed development must be designed and constructed to comply with AS2890.1 - 2004.

The following specific requirements must be incorporated into the design:

The footpath crossing for the proposed new carpark shall be provided with a minimum 5.5m wide footpath crossing.

All vehicular access, parking and must be designed and constructed to comply with AS2890.1 - 2004.

## **9. Drainage Design - Detailed Requirements**

### **A. Design**

The stormwater drainage system must be connected to Council's existing piped system and designed in accordance with the approved stormwater drainage design drawing, Australian Standard AS3500.3:2003 and the BASIX Certificate issued for this development.

The design must include;

- i) A detailed drainage design supported by a catchment area plan and drainage calculations (including a Hydraulic Grade Line Analysis).
- ii) A layout of the drainage system showing existing and proposed pipe sizes, type, class, grades, lengths, invert levels, finished surface levels and location of all pipes with levels reduced to Australian Height Datum. Impacts on existing trees must be indicated on the plan.
- iii) A longitudinal section of the pipeline within the road reserve including existing natural surface levels, design surface levels, design invert levels of the proposed pipeline and the location, size and reduced level of all services to AHD where those services cross the proposed drainage line.
- iv) Water from pathways and access drives shall be prevented from entering the road reserve as surface flow. This can be achieved by constructing a box drain at the boundary equipped with a 300mm wide grate and frame to collect the flow or directing the flow to a sag pit within the property.
- v) The rate of discharge of stormwater from the site to a drainage system under Council's control shall be controlled so that it does not exceed the pre-development rate of discharge.
- vi) Where pipelines are located within the "tree protection zone" of significant vegetation to be retained, the lines shall be excavated by hand or by directional underboring techniques to reduce any adverse impact on the root zone of the trees.

### **B. Before Construction**

Certification issued by an appropriately accredited person to the effect that these design requirements have been met must accompany the application for a Construction Certificate.



### **C. Before Occupation**

The above work must be completed in accordance with 'A' above to the satisfaction of the supervising engineer before the issue of any Occupation Certificate.

**Note:** Upon approval of the stormwater management designs a notation will be added to the 149 certificate in relation to any required detention facility or stormwater treatment device.

## **10. Noise Control During Construction and Demolition**

To minimise the impact on the surrounding environment:

### **A. During Works**

The LAeq sound pressure level measured over a period of 15 minutes when the construction or demolition site is in operation, must not exceed the ambient background level (LA90 15min) by more than 10dB(A) when measured at the nearest affected premises.

## **11. Drainage Easements**

The sections of drainage easement that become redundant by way of the alterations and additions shall be expunged and new easements created over the new sections of stormwater pipeline as required.

## **12. Detailed Landscape Plan**

### **A. Design**

A Detailed Landscape Plan must be prepared by a qualified Landscape Designer or Landscape Architect.

**Note:** A Landscape Designer is a person eligible for membership of the Australian Landscape Designers and Managers and a Landscape Architect is a person eligible for membership of the Australian Institute of Landscape Architects as a Registered Landscape Architect.

The plan must be prepared in accordance with Sutherland Shire Development Control Plan 2006 and the Sutherland Shire Environmental Specification 2007 (Landscaping Parts 1-5).

The Detailed Landscape Plan must be based on the Concept Landscape Plan No.DA Masterplan\_Rev B prepared by Habitation dated 14.11.13 and the Tree Information Plan No. DA113 Rev DA-1 prepared by Fulton Trotter Architects dated 15.11.13, and must also include the following:

- i) An 8.0m continuous clear space between rows of deciduous trees along the central spine that ensures a clear view from the top of the stairs to the bottom;
- ii) Continuation of the paving between the new Administration building and the kerb in Banksia Avenue taking care to protect the roots of Trees 10 and 11 by providing a 2.0m square tree hole around each tree and infilling with 'Terrabon' or similar approved porous resin-bound gravel;
- iii) A minimum number of 15 indigenous street trees on Banksia Avenue (see Condition ENV2025 - Street Planting).

- iv) All new landscaped spaces must be provided with taps located at 25.0m centres and connected to a pump and the rainwater tanks /OSD tanks, to enable effective landscape maintenance;
- v) A 12 months maintenance programme.

#### **B. Before Construction**

The Detailed Landscape Plan required to comply with 'A' above must accompany the documentation forming part of the Construction Certificate.

#### **C. During Construction**

The applicant must engage a suitably qualified Landscape Designer or Landscape Architect to oversee the landscape works. This person must check the landscape construction works at regular intervals and oversee any design changes due to unforeseen circumstances.

#### **D. Before Occupation**

Certification must be provided by a qualified Landscape Designer or Landscape Architect that all landscaping works have been carried out in accordance with "A" above.

#### **E. Ongoing**

All landscaping works required by 'A' above must be maintained for 12 months or until the trees are covered by Council's Controls for Preservation of Trees and Bushland Vegetation (SSCDCP Chapter 4).

**Note:** If difficulty is experienced sourcing suitable indigenous plants from other suppliers, plants grown from locally provenanced seed are available from:

Sutherland Shire Council Nursery  
345 The Boulevard, Gymea  
Ph: 02 9524 5672

### **13. Street Planting**

Street tree planting must be provided within the Banksia Road reserve fronting the subject site utilising 15 indigenous species that will attain a minimum mature height of six metres with a minimum pot size of 5 litres. Trees shall be mixed species, planted at irregular centres and selected from Sutherland Shire Council's 'Native Plant Selector' available on council's website ([www.sutherlandshire.nsw.gov.au](http://www.sutherlandshire.nsw.gov.au) <<http://www.sutherlandshire.nsw.gov.au>> and search for Native Plant Selector).

Street trees must be planted with a tree guard in a mulched and edged landscape area, in accordance with Council's "Street Tree Planting Details (Dwg. No. 10029)" attached, within three (3) months of completion of work on the site. The trees must be maintained until they reach a diameter of 100mm measured at 500mm above ground level.

## 14. Removal of Trees (Private Land)

### A. Design

The removal of the following trees is approved, unless otherwise specified:

- i) Trees identified on the approved plans as “existing tree to be removed” EXCEPT FOR the two trees listed below which shall be retained:

Tree No.	Tree Species (botanical and common name)	Location
42	<i>Eucalyptus haemastoma x racemosa</i> (Scribbly Gum)	Between Visual Arts Bldg. and Banksia Avenue
43	<i>Eucalyptus haemastoma x racemosa</i> (Scribbly Gum)	Between Visual Arts Bldg. and Banksia Avenue

If required, deadwood pruning of the above trees shall be carried out by an arborist.

- ii) Any declared noxious plant. The applicant is to ensure that all noxious plants are properly identified and controlled/removed.
- iii) Any tree species exempted by the Sutherland Shire Local Environmental Plan 2006.

All other vegetation that would require approval to be removed must be protected.

**Note:** An Arborist is a person with current membership of the National Arborists Association of Australia at a grade of General Member, Affiliate Member or Life Member or alternatively a person who has obtained a TAFE Certificate in Horticulture (Arboriculture) Level 5.

## 15. Removal of Trees (Council Land)

### A. Design

The following trees have been approved for removal within the road reserve;

Tree No.	Tree Species (botanical and common name)	Location
12	<i>Eucalyptus haemastoma x racemosa</i> (Scribbly Gum)	Banksia Avenue, near Bullecourt Avenue
14	<i>Eucalyptus haemastoma x racemosa</i> (Scribbly Gum)	Banksia Avenue, near Bullecourt Avenue

Council has preferred supplier agreements in place with a number of arborists who have approved work method statements and public liability insurance. Removal of the trees may be undertaken using any of Council's preferred suppliers at the applicant's expense. The applicant is responsible for contract management and payment of the arborist.

You can select from council's list of preferred suppliers by accessing Council's website and searching for Tree Removal - Preferred Supplier.

## 16. Tree Retention and Protection

### A. Before Works

Before the commencement of any works on the site a supervising Arborist must be engaged to oversee the measures for the protection of existing trees as listed below.

**Note:** An Arborist is a person with current membership of the National Arborists Association of Australia at a grade of General Member, Affiliate Member or Life Member or alternatively a person who has obtained a TAFE Certificate in Horticulture (Arboriculture) Level 5.

Before the commencement of any works on the site all trees as marked on the Tree Information Plan No. DA113 Rev DA-1 prepared by Fulton Trotter Architects dated 15.11.13 as “existing tree to be retained” must be retained and protected, INCLUDING the following two trees:

Tree No.	Tree Species (botanical and common name)	Location on site
42	<i>Eucalyptus haemastoma x racemosa</i> (Scribbly Gum)	Between Visual Arts bldg.and Banksia Avenue
43	<i>Eucalyptus haemastoma x racemosa</i> (Scribbly Gum)	Between Visual Arts bldg.and Banksia Avenue

The trees identified for retention must be protected by the following measures:

- i) Protective fencing constructed of 1.8m high chain wire mesh supported by robust posts must be installed around the tree protection zones (TPZ) as recommended in the Tree Information Plan. Signage must be erected on the fence with the following words clearly displayed “TREE PROTECTION ZONE, DO NOT ENTER”.
- iii) The tree protection zone within the protective fencing must be mulched with a maximum depth 75mm of suitable organic mulch (woodchips or composted leaf chip mulch) and kept regularly watered for the duration of the works subject to this consent.
- iv) No development or associated activity is permitted within the fenced tree protection zone for the duration of works subject to this consent. This includes vehicular or pedestrian access, sheds, washout areas, excavations, backfilling, installation of services (including stormwater), removal of top soil, stockpiling of soil or building materials.
- v) Any approved works within this tree protection zone must be under the direction and to the satisfaction of an Arborist.
- vi) Where site access/egress is required over the roots of trees identified for retention and protection, provide hardwood rumble boards over a 200mm thick layer of wood chip.

## **B. During Construction**

- i) The tree protection measures detailed in 'A' above must be maintained during construction.
- ii) If the trees identified for retention in 'A' above are damaged or destabilised during construction then works must cease and Council's Tree Assessment Officer (ph. 9710 0333) must be contacted to assess the tree/s and recommend action to be taken.

## **17. Remedial Works**

To ensure that contamination on the site is properly remediated and that the site is suitable for the proposed use:

### **A. Prior to Approval of Construction Certificate**

A Remedial Action Plan shall be prepared in accordance with the recommendations of the Stage 1 and Preliminary Stage 2 Environmental Site Assessment prepared by EIS Environmental Investigation Services dated 13 November 2013 and if necessary the approved plans or development staging shall be modified to accommodate the requirements of that Remedial Action Plan (RAP). Any variations to the approved plans resulting from the RAP must be approved by Council prior to approval of any Construction Certificate.

### **B. Before Construction**

The remedial works detailed in the RAP shall be completed under the supervision of an appropriately qualified environmental scientist prior to the commencement of works associated with the built form of the development approved by this consent.

### **C. Before Use**

Certification from an appropriately qualified person verifying that the site has been fully remediated in accordance with the recommendations of the Remedial Action Plan shall be completed and submitted to Council within 30 days of the completion of the remedial works.

### **D. Ongoing**

Any ongoing monitoring required by the RAP must be undertaken under the supervision of an appropriately qualified Environmental Scientist. Copies of all monitoring results are to be submitted to Council's Environmental Science unit.

**Note:** Contaminated land involves serious ongoing risk to human and environmental health. Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination must be immediately notified to the Council and the Principal Certifying Authority.

## **18. Disposal of Site Soils**

### **A. During Works**

All soils excavated from the subject site are to be classified under the NSW Department of Environment and Climate Change Waste Classification Guidelines (2009). Testing is required prior to off site disposal.

In accordance with DECC Waste Classification Guidelines (2009) materials identified for off site disposal must be removed by a suitably qualified contractor to an appropriately licensed waste facility

**Note:** Attention is drawn to Part 4 of the NSW DECC Waste Classification Guidelines (2009) which makes particular reference to the management and disposal of Acid & Potential Acid Sulfate Soils.

#### **B. Prior to Occupation or Commencement of Use**

Evidence that the requirements specified in 'A' above have been satisfied must be provided to the Principle Certifying Authority prior to the issue of an Occupation Certificate. Where an Occupation Certificate is not required this evidence must be provided to the satisfaction of Council's Manager Environmental Science.

### **19. Cleanliness and Maintenance of Food Preparation and Storage Areas**

To ensure that adequate provision is made for the cleanliness and maintenance of all food preparation and storage areas:

#### **A. Design**

The food preparation and storage area/s must be designed in accordance with;

- i) Food Act 2003.
- ii) Food Regulation 2010.
- iii) Food Safety Standards 3.1.1, 3.2.2 and 3.2.3.
- iv) AS 4674 - 2004 (Design, construction and fit-out of food premises).

#### **B. Before Construction**

Details of compliance with the above must form part of the documentation accompanying the application for a Construction Certificate.

#### **C. Before Occupation**

- i) Prior to issue of an Occupation Certificate, certification must be provided from a suitably qualified person that all work in connection with the occupation or use of the premises for the preparation, display and storage of food has been carried out in accordance with the terms of the development consent.
- ii) Occupation of the premises must not occur until a registration application has been submitted to Council's Environment and Health Regulation Department for the food business.

### **20. External Lighting - (Amenity)**

To ensure that any lighting on the site does not cause a nuisance to neighbours or motorists on nearby roads:

#### **A. Design**

All lighting must be designed in accordance with Australian Standard AS4282 - Control of the Obtrusive Effects of Outdoor Lighting.

## **B. Ongoing**

All lighting must be operated and maintained in accordance with the Standard above.

## **21. Noise Control - Design of Plant and Equipment (General Use)**

To minimise the impact of noise from the development, all sound producing plant, equipment, machinery, mechanical ventilation system or refrigeration systems:

### **A. Design**

All plant and equipment must be designed and / or located so that the noise emitted does not exceed a LAeq sound pressure level of 5dB above the ambient background level when measured at the most affected point on or within any residential property boundary.

**Note:** The method of measurement of sound must be carried out in accordance with Australian Standard 1055.1.

### **B. Before Occupation**

Certification must be provided by a qualified acoustic engineer that all work associated with the installation of the acoustic measures and all works recommended in the Acoustic Assessment - DA Report prepared by SLR Consulting Pty Ltd has been carried out in accordance with 'A' above.

### **C. Ongoing**

All plant and equipment must be operated and maintained in accordance with 'A' above and the Acoustic Assessment - DA Report prepared by SLR Consulting Pty Ltd.

## **22. Demolition Work**

To ensure that demolition of structures is carried out in an environmentally acceptable and safe manner:

### **A. Before Commencement**

If works involve the removal of more than 10 square metres of asbestos material, a bonded asbestos licence is required. A friable asbestos licence is required to remove, repair or disturb any amount of friable asbestos. For further information contact the NSW Workcover Authority.

### **B. During Works**

- i) The demolition of the existing building must be carried out strictly in accordance with Australian Standard 2601 - The Demolition of Structures.
- ii) The applicant must ensure that the demolition contractor has a current public risk insurance coverage for a minimum of \$5 million. A copy of the Policy must be submitted to the Council prior to demolition.

To ensure that the removal and transportation of any asbestos material, regardless of the quantity, is carried out in an environmentally acceptable and safe manner, all work must comply with the following:

- a) Work Health and Safety Act 2011;
- b) Work Health and Safety Regulation 2011;
- c) Safe Work Australia Code of Practice - How to Manage and Control Asbestos in the Workplace;
- d) Code of Practice for the Safe Removal of Asbestos 2nd Edition [NOHSC:2002(2005)];
- e) Workcover NSW 'Working with Asbestos - Guide 2008';
- f) Protection of the Environment Operations Act 1997; and
- g) Protection of the Environment Operations (Waste) Regulation 2005.

Asbestos waste in any form must be disposed of at a waste facility licensed by the Department of Environment Climate Change & Water to accept asbestos waste.

### **23. Noise Control**

The recommendations of the Acoustic Assessment - DA Report prepared by SLR Consulting Australia Pty Ltd shall be complied with in regard to the design, construction and operation of the school.

### **24. Sydney Water - Referral Requirements**

#### **A. Before Construction**

The plans approved as part of the Construction Certificate must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine as to whether the development will affect Sydney Water's sewer and water mains, stormwater drains and / or easements, and if further requirements need to be met. Plans will be stamped appropriately.

Please refer to the web site [www.sydneywater.com.au](http://www.sydneywater.com.au) for:

- Quick Check agents details - see Building Development and Plumbing then Quick Check; and
- Guidelines for Building Over / Adjacent to Sydney Water Assets - see Building Development and Plumbing then Building and Renovation.

### **25. Dial Before You Dig**

#### **A. Before Construction**

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at [www.1100.com.au](http://www.1100.com.au) or telephone on 1100 before excavating or erecting structures (this is the law in NSW).

It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities.



## **26. Permitted Hours for Building and Demolition Work**

### **A. During Works**

To minimise the noise impact on the surrounding environment all building and demolition work must be carried out only between the hours of 7.00am and 6.00pm Monday to Friday inclusive, 8.00am and 3.00pm Saturdays. No work must be carried out on Sundays and Public Holidays.

## **27. Toilet Facilities**

### **A. During Works**

Toilet facilities must be available or provided at the work site at a ratio of one toilet plus one additional toilet for every 20 persons employed at the site before works begin and must be maintained until the works are completed.

Each toilet must:

- i) be a standard flushing toilet connected to a public sewer, or
- ii) have an on-site effluent disposal system approved under the Local Government Act 1993, or
- iii) be a temporary chemical closet approved under the Local Government Act 1993

## **28. Car Parking Areas**

### **A. Ongoing**

To ensure that the car parking areas satisfy the demands of the development they must be made available on an unrestricted basis and free of charge at all times for employees' and visitors' vehicles.

## **29. Loading and Unloading**

To preserve the amenity and ensure the safety of the public:

### **A. Ongoing**

All loading and unloading of vehicles must be carried out within the site and not from the public roadway. All service/delivery vehicles must enter and leave the site in a forward direction.

## **30. Hours of Operation**

### **A. Occupation**

The school hall shall not be used after 10.00 pm. Use of the hall past 9.00 pm shall be limited to a maximum of 10 evenings per year.

## **31. Police Safety and Security Requirements/Recommendations**

- (a) If car parks are to be used after nightfall they should be well lit at all such times, preferably with sensor type lighting.
- (b) The car parks need to be clearly marked and have good visibility. They shall be clearly separated from areas used by children.
- (c) Clear signage shall be provided in the car parks to indicate the car park itself, exit routes, no parking areas, directions to facilities and disabled car spaces.
- (d) All egress ramps and stairs shall be clearly marked and illuminated to provide access to the prescribed evacuation area in the event of an evacuation.

- (e) The sports courts should be bounded by fencing (preferably a minimum of 2.5 metres high with lockable gates). Other fences should be standard school security fencing /gates.
- (f) The Police recommended
  - (i) The use of laminated, "one way" or shatter resistant windows to area where expensive items are located.
  - (ii) The use of signage to direct visitors to the office and to delineate prohibited areas and perimeter warning signs to warn possible intruders of applicable security treatments
  - (iii) Keeping low trees and shrubs trimmed and the removal of obstacles and rubbish to restrict concealment opportunities, increase visibility and prevent offenders scaling the boundary fence.
  - (iv) Install appropriate security lighting.
  - (v) Maintain clear sightlines between the street, neighbouring properties and the buildings.
  - (vi) Utilisation and maintenance of security equipment such as CCTV.
  - (vii) Implementation of, training of staff in and maintenance of emergency evacuation plans.

# PRESCRIBED CONDITIONS

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Division 8A of the Environmental Planning and Assessment Regulation Prescribes the following conditions of development consent

## **S98 Compliance with Building Code of Australia and insurance requirements under the [Home Building Act 1989](#)**

(cf clauses 78 and 78A of EP&A Regulation 1994)

- (1) For the purposes of section 80A (11) of the Act, the following conditions are prescribed in relation to a development consent for development that involves any building work:
  - (a) that the work must be carried out in accordance with the requirements of the Building Code of Australia,
  - (b) in the case of residential building work for which the [Home Building Act 1989](#) requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.
- (1A) For the purposes of section 80A (11) of the Act, it is prescribed as a condition of a development consent for a temporary structure that is used as an entertainment venue, that the temporary structure must comply with Part B1 and NSW Part H102 of Volume One of the Building Code of Australia.
- (2) This clause does not apply:
  - (a) to the extent to which an exemption is in force under clause 187 or 188, subject to the terms of any condition or requirement referred to in clause 187 (6) or 188 (4), or
  - (b) to the erection of a temporary building, other than a temporary structure to which subclause (1A) applies.
- (3) In this clause, a reference to the Building Code of Australia is a reference to that Code as in force on the date the application is made for the relevant:
  - (a) development consent, in the case of a temporary structure that is an entertainment venue, or
  - (b) construction certificate, in every other case.

**Note.** There are no relevant provisions in the *Building Code of Australia* in respect of temporary structures that are not entertainment venues.

## **S98A Erection of signs**

- (1) For the purposes of section 80A (11) of the Act, the requirements of subclauses (2) and (3) are prescribed as conditions of a development consent for development that involves any building work, subdivision work or demolition work.
- (2) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

- (a) showing the name, address and telephone number of the principal certifying authority for the work, and
  - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
  - (c) stating that unauthorised entry to the work site is prohibited.
- (3) Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
- (4) This clause does not apply in relation to building work, subdivision work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.
- (5) This clause does not apply in relation to Crown building work that is certified, in accordance with section 109R of the Act, to comply with the technical provisions of the State's building laws.
- (6) This clause applies to a development consent granted before 1 July 2004 only if the building work, subdivision work or demolition work involved had not been commenced by that date.

**Note.** Principal certifying authorities and principal contractors must also ensure that signs required by this clause are erected and maintained (see clause 227A which currently imposes a maximum penalty of \$1,100).

### **S98B Notification of [Home Building Act 1989](#) requirements**

- (1) For the purposes of section 80A (11) of the Act, the requirements of this clause are prescribed as conditions of a development consent for development that involves any residential building work within the meaning of the [Home Building Act 1989](#).
- (2) Residential building work within the meaning of the [Home Building Act 1989](#) must not be carried out unless the principal certifying authority for the development to which the work relates (not being the council) has given the council written notice of the following information:
- (a) the case of work for which a principal contractor is required to be appointed:
    - (i) the name and licence number of the principal contractor, and
    - (ii) the name of the insurer by which the work is insured under Part 6 of that Act,
  - (b) in the case of work to be done by an owner-builder:
    - (i) the name of the owner-builder, and
    - (ii) if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.
- (3) If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under subclause (2) becomes out of date, further work must not be carried out unless the principal certifying authority for the development to which the work relates (not being the

council) has given the council written notice of the updated information.

- (4) This clause does not apply in relation to Crown building work that is certified, in accordance with section 109R of the Act, to comply with the technical provisions of the State's building laws.

**S98E Condition relating to shoring and adequacy of adjoining property**

- (1) For the purposes of section 80A (11) of the Act, it is a prescribed condition of development consent that if the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
  - (a) protect and support the adjoining premises from possible damage from the excavation, and
  - (b) where necessary, underpin the adjoining premises to prevent any such damage.
- (2) The condition referred to in subclause (1) does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

**Please be advised if this consent is for an entertainment venue, then there are further prescribed conditions that apply under clauses 98C and 98D of the Environmental Planning and Assessment Regulation.**

**END OF CONDITIONS**

Heidi Winkler - 9710 0631  
File Ref: PAD13/0032

11 June 2013

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Fulton Trotter Architects  
Level 3, 35 Spring Street  
BONDI JUNCTION NSW 2022

Dear Sir/Madam

**Pre-Application Discussion No. PAD13/0032**

**Proposal: Demolition of Existing Hall & Part of Existing TAS Building. Removal of Demountables. Construction of New Performing Arts Building, Chapel, Staff/Admin Building, Multi Purpose Hall and TAS Building with Associated Site Works. Renovation/Refurbishment of Existing Buildings**  
**Property: 87 Banksia Avenue, 35A & 35B Waratah Road ENGADINE**

I refer to the pre-application discussion held on 3<sup>rd</sup> June 2013 regarding the above proposal.

The following is a summary of the matters addressed at the meeting. This letter is not a complete assessment of the application but is intended to address the major issues likely to arise if an application is submitted. All development applications are required to be accompanied by a Statement of Environmental Effects that must address all relevant Environmental Planning Instruments, Development Control Plans and relevant controls. The contents of this letter do not bind Council to granting consent for the proposed development if and when an application is made for such a proposal.

Description of Site and Proposal:

The site is bounded by Waratah Road, Banksia Road and Bullecourt Avenue Engadine. The site is comprised of Lot 1, DP593896 known as 35A Waratah Road, Lot 3 DP1142162 known as 87 Banksia Road and Lot 4, DP1142162 and Lots A & B, DP343749 known as 35B Waratah Road Engadine. All lots that are part of the proposal are zoned 12 Special Uses (Educational Establishment). All lots other than Lot 35A Waratah Road are owned by the Salesian Society and leased by the Catholic Church for the use of St John Bosco College.

The site slopes from south to north with a fall of approximately 12m with an average grade of 3.5 % over the site.

The proposal is for a staged redevelopment of the site incorporating the erection of a Multi-purpose Hall, a Chapel / C.O.L.A., a Performing Arts Building, a Staff/Admin

Building, the removal of demountables, the demolition of the existing hall and part of the TAS building and the renovation/refurbishment of existing buildings.

### Comments on the Proposal:

#### Issue 1: Planning issues

The proposal, as submitted for discussion, is permissible under the current Special Uses (Educational Establishment) zoning. 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, which was recently exhibited.

It is recommended that a staging plan be provided to enable Council to fully comprehend the proposed short and long term redevelopment of the site.

In addition, the Statement of Environmental Effects should indicate, amongst other relevant matters, how the site is to be utilised during the various stages of redevelopment and how pedestrian movement including disabled access is to be managed.

Perusal of historical aerial photos for the land indicates that the northern part of the site appears to be filled land. As this gives rise to potential contamination concerns, particularly with regard to asbestos, any application should include a detailed assessment of potential contamination including soil testing.

Any application should address the potential impact on the context of the heritage buildings on the adjacent “Dunlea Centre” land however a full heritage impact assessment is not required as no heritage buildings exist on the land proposed to be developed. A condition is likely to be imposed on any development consent requiring a stop to work and referral to the Heritage Council / National Parks should any archaeological items be exposed.

#### Issue 2: Urban Design Issues

The ideology of the design concepts need to be explored in any future statement of environmental effects.

Issues have been raised with regards to accessibility over the site, this is to be addressed as part of the Statement of Environmental Effects. Fencing and site safety/ security should be addressed. How the under croft area is to be dealt with needs further resolution.

#### Issue 3: Relocation of drainage easement

A Hydraulic report is to be submitted with any subsequent development proposal that indicates the adequacy of the existing and proposed infrastructure both on site and in the receiving Council systems. As the site proposes an increase in impervious area it will be a requirement to provide for on-site detention as part of the redevelopment. An indication should be given whether this is proposed to be provided initially or in stages as the site redevelops.

The future easement should be provided clear of existing and proposed structures for ease of ongoing maintenance.

#### Issue 4: Landscaping

The landscape master plan is inadequate in that it does not present an integrated approach to hard and soft landscape elements over the whole site but in particular where the new works are proposed. Plans submitted at DA stage should show the central spine/cross covered ways, paved areas, planting beds and furniture. It is recommended that more and larger indigenous trees be utilised internally (to match the existing site character) and that additional indigenous street trees be considered in Banksia Avenue. Removal of trees as proposed is considered acceptable except for T43 (Scribbly Gum) and T76 (brushbox). Tree T62 should be removed. A recommended planting list was provided to your Landscape Architect at the meeting.

#### Issue 5: Carparking and traffic

The development proposes a reduction of approximately 15 parking spaces from that which is currently provided. The current applicable development application requirement (under DA00/0384) is 58 spaces (including a minimum of 2 disabled spaces). A Traffic Study will need to be provided that addresses the current and proposed carparking demands and traffic generation and should address parking for special events in the new hall. This should also be aligned with the development stages outlined in Issue 1.

#### Issue 6: Acoustics

Acoustics are to be considered with regards to the use of the multi-purpose hall.

#### Issue 8: Building Code of Australia (BCA) Issues

##### (i) Fire Source Feature

The proposed concept plan indicates that the proposed Performing Arts, Chapel and Hall buildings are straddling allotment boundaries and thus are exposed to fire source features. In terms of Lots 3 and 4 of DP1142162, and Lots A and B of DP343749 the matter can be easily overcome by consolidation or re-subdivision (prior to activation of the consent) in some configuration as they are under the same ownership. The encroachment of the Performing Arts and Chapel buildings onto Lot 1 DP593896 being land under different ownership may prove more complex to resolve in a timely manner and accordingly it is recommended that these buildings be relocated to the north so as to provide a 3 m setback from the boundary line or a lesser setback with the building works within the 3 m setback suitably designed in accord with the BCA.

##### (ii) Building Code of Australia Report

Where the existing building use will change and no rebuilding, alteration, enlargement or extension is proposed resulting in a change of building classification as defined by the Building Code of Australia, any application should be accompanied by a Report demonstrating that the fire protection and structural capacity of the building will be appropriate for the new use and classification.



### (iii) Fire Servicing/ Compartmentation

You specifically mentioned fire servicing the site as a point of comment. It is noted that hydrants are located in both Waratah Road and Banksia Avenue. As such, a water service is available to tap into. The size of the new buildings is such that a fire hydrant must be provided to serve the buildings. This is something that can easily be achieved on the site and is not considered a matter of concern at DA stage.

It is estimated that the collective floor area of buildings that are closer than 6m from each other on Lot 1 DP593896 is approximately 6500m<sup>2</sup>. As the area is less than 8000m<sup>2</sup> and the volume appears to be less than 48000m<sup>3</sup>, there would not be need to provide perimeter vehicle access of 6 metres in width around the site.

### (iv) Egress

It is considered that to confirm adequate egress can be achieved to the road, fencing and proposed location of gates should be included on the site plan.

### (v) Disabled Access/Facilities and Parking

The site and floor plans should be sufficiently detailed to demonstrate that the buildings will be accessible for the disabled, have sufficient facilities and that parking for disabled persons are provided (Parts D3, and F2.4 of the BCA).

### Conclusion:

The above information is based on a meeting with Christine Edney (Town Planner), Ray Elliot (Building Surveyor/Town Planner), David Jarvis (Urban Designer) and Heidi Winkler (Civil Engineer / Town Planner) on 3<sup>rd</sup> June 2013 and the details presented in that discussion.

The proposal is supported in principle subject to any application satisfactorily addressing the matters raised above.

The information provided is in accordance with the environmental planning instruments and development control plans current at the time of the meeting. It is your responsibility to check whether there have been any amendments, or if any new instruments or policies have been adopted before you lodge any development application.

If you consider the information to be inaccurate, it is your responsibility to contact Council for clarification. Council reserves the right to ask for more information during the assessment of the proposal, if such information is necessary for the assessment.

Before preparing a development application please refer to Council's "DA Guide" and other information provided about lodgement requirements. Council's Development Enquiry Officers are also available to help. Incomplete applications will not be accepted and will result in delays.

I trust that this information helps you. If you need more information please do not hesitate to contact Heidi Winkler during normal business hours on 9710 0631 Mondays to Wednesdays.

Yours faithfully

Mark Adamson  
Manager – West Environmental Assessment Team  
for J W Rayner  
General Manager

## Architectural Review Advisory Panel

Proposal:

**Demolition of Ex. Hall and Part of Ex. Tas Building. Removal of Demountables. Construction of New Performing Arts Building, Chapel, Staff/Admin Building, Multi-Purpose Hall and Tas Building with Associated Site Works. Renovation/Refurbishment of Existing Buildings.**

Property:

**87 Banksia Avenue ENGADINE NSW 2233**

**35B Waratah Road ENGADINE NSW 2233**

**35A Waratah Road ENGADINE NSW 2233**

Applicant:

**Fulton Trotter Architects**

File Number:

**ARAP13/0004**

The following is the report of the Architectural Review Advisory Panel Meeting held on Thursday, 13 June 2013 at the Administration Centre, Sutherland Shire Council, Eton Street, Sutherland. The report documents the Panel's consideration of the proposed development described above.

- "2 Consideration of Pre-Development Application for Demolition of Existing Hall and Part of Existing TAS Building, Removal of Demountables, Construction of New Performing Arts Building, Chapel, Staff/Administration Building, Multi Purpose Hall and TAS Building with Associates Site Works, Renovation and Refurbishment of Existing Buildings at 87 Banksia Avenue, 535A and 35B Waratah Road, Engadine (DA13004).**

Council's David Jarvis and Christine Edney outlined the proposal for the Panel, including providing details of Council's relevant codes and policies.

Alison Sheil, Ben McFadden, Vince McDonnall, Robert Whitby and David Vago addressed the Panel regarding the aims of the proposal and the constraints of the site.

### Description of the Site and Proposal:

The site is bounded by Waratah Road, Banksia Road and Bullecourt Avenue, Engadine. The site is comprised of Lot 1, DP593896 known as 35A Waratah Road, Lot 3 DP1142162 known as 87 Banksia Road and Lot 4, DP1142162 and Lots A and B, DP343749 known as 35B Waratah Road, Engadine. All lots that are part of the proposal are zoned 12 Special Uses (Educational Establishment). All lots other than Lot 35A Waratah Road are owned by the Salesian Society and leased by the Catholic Church for the use of St John Bosco College.

The proposal is for a staged redevelopment of the site incorporating the erection of a Multi-Purpose Hall, Chapel/COLA, Performing Arts Building, Staff/ Administration Building, the removal of demountables, the demolition of the existing hall and part of the TAS Building, and the renovation/refurbishment of existing buildings.

The site inspection revealed that the property is undergoing significant earthworks as part of a recently approved subdivision and will soon be clear of any buildings or vegetation.

## Applicant's Submission

### Context

The context is an existing college on a large sloping site in a suburban residential area. Single and two storey buildings, built in the seventies, are laid out on predominantly hard surfaces, loosely organized over three platforms. There are limited visual and physical connecting adjacent spaces. A new master plan and alterations and additional buildings present an opportunity to better define the school's key open spaces, provide accessible, legible and comfortable links, enhance the school's teaching spaces and introduce a new hall, chapel and other facilities.

Given the proponent's stated aims and the current state of the school, the proposal is timely and could radically improve the school's coherence and amenity. However the current proposal appears to lack a clear design process to define:

1. existing conditions: open and built spaces; existing links; access points; existing landscape and ground surfaces; drainage; solar access; site sections; plans at ground level, etc;
2. clear objectives: the definition and linking of open spaces; the use of landscape in spatial definition; the position of access and entry options; direct and hierarchical relationships between individual courts and adjacent buildings; description of the role of each open space, linking ramps and stairs; drainage options, etc;
3. a concise master plan establishing major and minor links; key and minor spaces; entries and access; passive and active spaces; new landscape and drainage etc; and indicating the form of new buildings, each participating in the overall structure of the school; and
4. stylistic and formal goals relating to architectural expression and the placement of new buildings that consider space planning opportunities.

From a well considered and resolved master plan, it is possible to move to individual buildings with a clear understanding of how they contribute to each specific context and how they can form particular open spaces. From the master plan, it should be clear how buildings are accessed and aligned, how they are scaled and how their massing could be composed.

Instead, the current proposal appears to comprise a number of interventions that do not appear to relate to a greater master plan. Nor are open spaces sufficiently well qualified to suggest how they should be structured by new or altered buildings. Hence, open spaces are not better resolved or linked to other spaces with accessible design solutions; entries to individual buildings appear to be randomly located; and

special places such as the main entry are very understated. Rather than unifying the scheme as suggested, the covered walkway appears to further fragment the spaces and reduce its visual and spatial coherence.

As such, the proposal, each of its building components and the space between the building components seem preliminary, very schematic and unresolved. It is therefore recommended that the building design process is suspended until a coherent master plan is undertaken.

### Scale

Given the low height of buildings and the relative ease with which solar access should be able to be facilitated, height is not an issue. However, the project is very large, will require considerable expenditure of funds, and warrants careful examination of how it performs – not only spatially and functionally but environmentally. The proposal would benefit from careful sectional analysis to explore how building height and roof form assists in solar access, how water and sunlight can be better managed through the site; and how proportion and transparency can contribute to the resolution and refinement of its many court spaces.

### Built form

While the Panel understands the architect's desire to defer to the existing built fabric, it questions the casual nature of alignments, roof forms and plan layouts that are currently presented. Many of the elevation and plan drawings seem very preliminary and not sufficiently developed to constitute real proposals. Some massing choices seem to weaken their place in the master plan – the entry building for example appears not to address its role or perimeter context. After all, a new entry building should represent the school to the surrounding context. It would appear that the main entry and processional avenue that has the chapel as the central element is lacking in a unifying vision and sense of arrival at the 'heart' of the school.

The use of a combination of low pitch skillion roofs may refer to existing buildings but there is a very real risk that they will cheapen rather than enrich the existing buildings. Have the buildings been sufficiently considered? Without consistent alignments and firm massing, the new interventions appear not to create quality spaces and the legible links intended by the architects. Without some common expression guidelines, new interventions may be seen simply as a series of eclectic additions which is disappointing in light of the capacity for the greater project to provide a new layer of coherence. Although its purpose has been clearly described, the covered 'snaking' way is not an appropriate element as it clutters the main pedestrian route through the school site.

### Density

Acceptable.

## Resource, energy and water efficiency

Apart from the inclusion of roof lights no environmental measures were presented. It appears that there is no current water management and re-use strategy. This is not acceptable for such a large project.

## Landscape

The landscape plans are very sketchy and do not appear to be informed by ecological or environmental concerns. The landscape approach generally appears to be concerned with the enhancement of surfaces, the rudimentary bridging of existing levels and a meandering shade structure, which is proposed as a linking element. While plans presented are clearly preliminary, the absence of an informed ecological and/or spatial approach is of concern, especially considering the importance of open space to a large school site, the crucial need to gracefully solve levels and the fundamental requirement to address the hydrology of the site.

Landscaping in this instance should be approached as a tool to help enhance architectural thinking through material and tactile delineation, colour references, site lines from within classrooms, etc.

The landscape plans should be reviewed and substantially developed before being resubmitted to the Panel for comment.

## Amenity

The masterplan for the site is preliminary only and does not adequately describe how each of the subsequent interventions will create a cohesive and accessible college campus.

The new north south link does not provide clear visual links due to proposed irregular building alignments and the introduction of a new curved walkway element which will prevent vistas through the site.

The walkway and its proposed “event spaces” appear to be a late addition to the plan and difficult to imagine in reality. Considering the slope of the site and the apparent difficulty in resolving spatial and linkage issues, it is unclear how the walkway will positively contribute to the site’s resolution.

Rather than create a special place, the entry to the school is too understated and immediately leads to a minor reception room with a WC directly accessed from it. There appears no provision in this part of the building or its secondary street facing facade for representation of the school, its achievements or its culture. A stronger reference to the school’s civic role needs to be defined and represented in the architectural experience.

By mimicking the irregular plan layouts of existing buildings rather than simpler layouts with clear alignments, the resultant spaces risk being vague and ill defined. There is a missed opportunity to spatially link the sporting ‘green’ with the rest of the school. A link would help to visually strengthen the definition of the school’s domain and reinforce the amenity of the classroom and sport’s area.

Access points to buildings do not appear to be informed by the masterplan. The entry to the main hall for example faces the playing fields, rather than being accessed from the central spine.

None of the drawings or staging diagrams adequately addresses how the proposed hall will be linked to and accessed from the school in the period of time it takes to build the entire project.

The form and material of the buildings generally seem very preliminary and insufficiently resolved to be assessed.

### Safety and security

Insufficiently resolved level changes may create safety issues.

### Social dimensions

The masterplan presents an opportunity to create a cohesive, accessible and amenable campus with a hierarchy of well resolved, memorable spaces comfortably linked by new ramps and steps and structured with carefully considered trees and plantings. New buildings could share a common expression that complements the existing masonry buildings and enhances, softens and gives life to their austere expression. The resultant campus could express the aims and achievements of the school, its history and its culture. This would be expressed to its adjacent residential community, through its architecture. Given the project scope, these should be the aims of the project regardless of program and budget.

### Aesthetics

The formal expression is awkward. An integrated approach that creates a cohesive walk to the sporting 'green', one that creates a hierarchy of open spaces and experiences with new buildings, is lacking. Massing and material choices of all buildings should be reviewed with greater reference to a well resolved masterplan.

## **Recommendations and Conclusions**

The proposal should be reviewed and substantially developed before returning to the Panel for comment. “

Frank Stanistic  
ARAP Chairman

21 June 2013

## Architectural Review Advisory Panel

Proposal:

**Masterplan Design and Alterations and Additions to St John Bosco College**

Property:

**35A & 35B Waratah Road and 87 Banksia Avenue ENGADINE NSW 2233**

Applicant:

**Fulton Trotter Architects**

File Number:

**DA13/1167**

The following is the report of the Architectural Review Advisory Panel Meeting held on 16 January 2014 at the Administration Centre, Sutherland Shire Council, Eton Street, Sutherland. The report documents the Panel's consideration of the proposed development described above.

**"2. Consideration of Development Application No. 13/1167 – Master Plan Design and Alterations & Additions to St John Bosco College at 35A & 35B Waratah Road and 87 Banksia Avenue, Engadine – JRPP Application**

Council's Peter Brooker and Christine Edney outlined the proposal for the Panel, including providing details of Council's relevant codes and policies.

Greg Isaac, Nikki Kounavis, Michelle Nurman, Alan Sewell and David Vago addressed the Panel regarding further development of the proposal and how they have addressed the issues raised by the Panel at the previous meeting.

Description of the Site and Proposal

The site is bounded by Waratah Road, Banksia Road and Bullecourt Avenue, Engadine. The site is comprised of Lot 1 DP593896 known as 35A Waratah Road, Lot 3 DP1142162 known as 87 Banksia Road and Lot 4 DP1142162 and Lots A and B DP343749 known as 35B Waratah Road, Engadine. All lots other than Lot 35A Waratah Road are owned by the Salesian Society and leased by the Catholic Church for the use of St John Bosco College.

All lots that are part of the proposal are within Zone 12 - Special Uses (Educational Establishment) under Sutherland Shire Local Environmental Plan 2006 (SSLEP 2006). The maximum building height is 2-storeys, 7.2 metres to the top of ceiling, 9 metres to the top of roof. There is no density or landscaped area control. The site area is 33,260sqm.

The proposal is for a staged redevelopment of the site incorporating the erection of a multi-purpose hall, a chapel/COLA, a performing arts building, a staff/administration building, the removal of demountables, the demolition of the existing hall and part of the TAS building, and the renovation/refurbishment of existing buildings.



## Applicant's Submission

### Context

In this case, the context involves both time and locality. The heritage of Boys Town, although outside the site, nevertheless adds an extra dimension to the continuity of the role of the school. The school also sits within large eucalypt and brush box trees, both in the grounds and on the street. The street address of the school is unremarkable with poor entry expression. So too are the grounds which comprise a number of formless courtyards on a sloping terrain with little comfort, definition or interaction with adjacent buildings. It is therefore timely to upgrade the school's grounds and supplement its quite tired looking buildings.

### Scale

The scale of the proposal is generally respectful of the existing buildings. However the lack of a comprehensive site plan and long sections, describing current conditions of the buildings, new additions and resultant key spaces is of concern.

Buildings appear to have been designed in isolation, even when they compose the same open space or courtyard. Opportunities for constant eave heights or horizontal datum to unify courtyards have been almost totally overlooked, which is disappointing. The scale of individual buildings is also obscured by the many lean-to roof solutions employed, which appear both to reduce each building's civic presence and its capacity to relate to building. And some measures seem very heavy handed – such as the awning extending from the new hall, which is somewhat brutal, especially as this is described as '*...the centre of community life of the College.*'

The only scaling device is the skillion roof element which needs further consideration as to its visual impact; and its function to provide a cohesive reading and a harmonious feel to the parts, rather than create visual tension. It might be more helpful to consider the relationship between a parapet and skillion hybrid that might better link and unite the expression. Increased use of passive designed glazed highlights and solar collection should be considered.

### Built Form

Generally, the overall site planning appears to have been improved, however without clear plans and long sections showing all buildings it is very hard to understand how the proposed and existing buildings will interrelate and create memorable, comfortable open spaces.

As noted in 'Scale', each building seems separately designed and provided with skillion roof arrangements that appears to devalue their civic and architectural potential. Perspectives provided do not suggest any clear objectives in terms of character or architectural expression. The buildings perform a function but appear to be given little thought beyond that. The arrangement of the proposed new buildings and their relationship to the street is awkward; the entry court denies references between each of its sides and appears cluttered; the central axis appears to be bisected – this time by a large low lean to roof. Whether constrained by budget or client direction or both, the currently proposed building forms appear not to recognize their potential to collectively make the school campus and its open courtyard spaces elegant, dignified and beautiful places to be.

There is a better sense of entry and orientation that could still be improved by reconsidering certain elements such as the location of the chapel, giving it its own space rather than placing it in the middle of the new quadrangle.

### Density

The density is acceptable.

### Resource, Energy and Water Efficiency

Despite the numerous new and existing roof spaces, solar energy has not been explored. With its abundance of land, slope and area for collection, water storage is adequate, however the extent of roof area allows for extra underground water storage under various car parks for possible bush fires. Shade to courtyards and protection to walkways remains unresolved.

### Landscape

The Panel makes the following suggestions with regard to landscape:

#### *Masterplanning strategy:*

At the Masterplan stage, it is important to show small options diagrams and how they are derived from the analysis and lead to the landscape concept. As this has not been done, it is impossible to understand intentions and outcomes.

#### *Central linear spine:*

There is no sense of hierarchy of spaces or the individual character of each courtyard. As an organising device, the emphasis on a strong linear connection from north to south, focusing on the 'song-line' paving pattern and associated linearity of rows of colourful trees possibly acts against the spatial hierarchy. It is suggested that the paving pattern 'song-lines' could be faded in open courtyards and increased in intensity under linear tree planting.

The central spine should be seen in landscape and not graphic terms. It is organic, made of trees and planters, integrated with steps and seats.

#### *Spatial hierarchy:*

Each of the courtyard spaces has the potential to reflect its particularity and identity, making a much more intriguing and empathetic environment.

#### *Central gathering space:*

This does not read as such on the landscape plan. The large central area defined by the music building, new administration building, new hall, playing court and GLA is the main open space and therefore needs to be designed as one cohesive space rather than being bisected in the centre with a row of trees. Possibly this row of deciduous trees could be turned 90 degrees and relocated across the music and GLA buildings. This would break up the unrelenting axis through the site.

### *New school entry:*

The building arrangement and landscape design at the new school entry from Banksia Avenue does not convey its importance. It appears cluttered and indecisive. The concept of contributing to the public domain along Banksia Avenue is laudable, but this needs to be more clearly articulated. With the new arrangement of buildings creating an entry court, the chapel appears not to fit – it could be relocated to a position at the end of the central spine for example.

### *Public domain on Banksia Avenue:*

This is a pleasant civic gesture and could be enhanced by pulling the fence-line closer to buildings and allowing tree planting in open grass to read more strongly, including the corner with Waratah Road.

### *Bus layby:*

It is not clear how this important area works: there are no shelters. Where do the students wait?

### *North-facing podium near new hall:*

This area, plus the green area down to Bullecourt Avenue, is very pleasant and will provide significant amenity for the new hall and performing arts complex.

### Amenity

Internal amenity of individual buildings appears reasonable in terms of access. Solar access, natural ventilation and general arrangement appear to be slightly improved since the pre-DA proposal. Entries appear to be focused more to the central spine for example. Courtyards however remain formless and lacking sufficient formality – in terms of landscape, enclosure, consistency of built form, height or architectural expression round edges – to create character or sense of place. Built form and its resultant amenity should be explored more in terms of courtyards, entries, and public domain along Banksia Avenue. It is suggested that the large central area defined by the music building, new administration building, new hall, playing court and GLA is the main open space and should be designed as one cohesive space.

### Safety and Security

The proposal still appears to suffer from a lack of visual and physical coherence, which on a sloping site will affect safety and security. Should extra water storage tanks, possibly located under various car parks, be included in case of bush fire?

### Social Dimensions

The expression to the street – especially at its most public courtyard space – does not invite access or express the civic aspirations or history and culture of the school. This is a major failing of the proposal. The fence around the staff open space is alienating – perhaps a low hedge would be less authoritarian.

The spill-out space is pragmatic and not very conducive of the excitement and social interaction. The main entry quadrangle is multi-use and would benefit from possibly having the chapel relocated to the north-eastern side of the performance art centre: to become a focal point along the spine, visible from both the playing fields and the spine as the symbolic centre of the school.

### Aesthetics

Without long elevations and sections, it is difficult to get an overall picture of the aesthetic, particularly the character and external expression: how its material choices and colours work overall; how it contributes to the physical and visual environment; and how it creates character and expression remains hidden. The materiality is reasonable in concept but some of the colour choices seem a little harsh and hard. Building profiles and colours appear utilitarian at best, as if the proposal is merely a series of individual interventions. This is not adequate for such an important project. The existing scribbly gums create a strong landscape aesthetic which could be reinforced with new tree planting.

### **Recommendations and Conclusions:**

While progress has been made and a much improved and more professional proposal was presented, it is hard to fully comprehend the site and building design due to a lack of overall plans, elevations and sections, clearly illustrating design intentions and outcomes. Construction Management drawings do not include the required TPZ for all existing trees as noted in the Arboriculture Report.

The current design seems under-developed, conflicted and unconvincing for such a large intervention.

As part of the resolution of design quality issues, the applicant is requested to respond to the suggestions of this ARAP report. The Applicant's response should be descriptive and adopt a format of Panel suggestion and response, clearly transcribing the suggestion from the report, followed by the Applicant's response under each Principle."

Frank Stanistic  
ARAP Chairman

03 February 2014

# Fulton Trotter

ARCHITECTS

10 March 2014

The General Manger  
**Sutherland Shire Council**  
 Administration Centre  
 Locked Bag 17  
 Sutherland NSW 1499

Dear Sir/Madam,

**Re: Development Application No. DA13/1167**  
**Masterplan Design and Alterations and Additions to St John Bosco College**  
 Property: 35A and 35B Waratah Rd and 87 Banksia Avenue, Engadine

On behalf of our client, the Archdiocese of Sydney Catholic Education Office, we wish to respond to Council's Architectural Review Advisory Panel (ARAP) letter dated 13 February for the above project as follows. As requested we have set out this letter in a Panel Suggestion and Response format.

### **Panel Suggestion – Context**

*In this case, the context involves both time and locality. The heritage of Boys Town, although outside the site, nevertheless adds an extra dimension to the continuity of the role of the school. The school also sits within large eucalypt and brush box trees, both in the grounds and on the street. The street address of the school is unremarkable with poor entry expression. So too are the grounds which comprise a number of formless courtyards on a sloping terrain with little comfort, definition or interaction with adjacent buildings. It is therefore timely to upgrade the school's grounds and supplement its quite tired looking buildings.*

### **Response**

1. This is a note. No response required.

### **Panel Suggestion – Scale**

*The scale of the proposal is generally respectful of the existing buildings. However the lack of a comprehensive site plan and long sections, describing current conditions of the buildings, new additions and resultant key spaces is of concern.*

*Buildings appear to have been designed in isolation, even when they compose the same space or courtyard. Opportunities for constant eaves heights or horizontal datum to unify courtyards have been almost totally overlooked, which is disappointing. The scale of individual buildings is also obscured by the many lean-to roof solutions employed, which appear to both reduce each building's civic presence and its capacity to relate to building. And some measures seem very heavy handed – such as the awning extending from the new hall, which is somewhat brutal, especially as this is described as "... the centre of community life of the College."*

*The only scaling device is the skillion roof element which needs further consideration as to its visual impact; and its function to provide a cohesive reading and a harmonious feel to the parts, rather than create visual tension. It might be more helpful to consider the*

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### **CERTIFICATION**

BSI Certified Quality  
 Management System  
 ISO 9001 FS 520602

### **MEMBERSHIPS**

Australian Institute of  
 Architects (AIA)

Council of Educational Facility  
 Planning International (CEFFPI)

Green Building Council of  
 Australia (GBCA)



*relationship between a parapet and skillion hybrid that might better link and unite the expression. Increase use of passive designed glazed highlights and solar collection should be considered.*

### **Response**

1. We attach additional site long sections to assist with an understanding of the scale of new and existing buildings.
2. Existing buildings current condition was reviewed by the project team as part of the design process. A photographic survey is available if Council requires as a manner of understanding the condition of existing buildings.
3. Levels. The priority was for access to all floor levels and courtyard spaces in a manner that satisfies accessibility requirements for schools and the Building Code of Australia (BCA). The floor levels between the proposed TAS building and the existing classroom building adjacent were considered. The functions of the new building required specific floor to floor heights. Facilitating access between buildings largely determined floor levels. This was a greater priority than a superficial relationship between existing and proposed eaves heights.
4. Courtyard levels are intended to vary as they are situated down the gently sloping site. The priority was the relationship of levels between the main circulation boulevard and each adjoining courtyard.
5. The awning extending from the new Hall requires additional design resolution. It is anticipated that this will occur during the construction certificate process.
6. Parapet roof forms were ruled out of the design as being inappropriate for this design, in favour of skillion roofs that related to the forms of existing buildings. The proposed skillions are intended to be lighter in character and presence, giving the impression of a more modern, flexible, less rigid building form.

### **Panel Suggestion - Built Form**

*Generally, the overall site planning appears to have been improved, however without clear plans and long sections showing all buildings it is hard to understand how the proposed and existing buildings will interrelate and create memorable, comfortable open spaces. As noted in 'Scale', each building seems separately designed and provided with skillion roof arrangements that appears to devalue their civic and architectural potential. Perspectives provided do not suggest any clear objectives in terms of character or architectural expression. The buildings perform a function but appear to be given little thought beyond that. The arrangement of the proposed new buildings and their relationship to the street is awkward; the entry court denies references between each of its sides and appears cluttered; the central axis appears to be bisected – this time by a large low lean to roof. Whether constrained by budget or client direction or both, the currently proposed building forms appear not to recognize their potential to collectively make the school campus and its open courtyard spaces elegant, dignified and beautiful places to be. There is a better sense of entry and orientation that could still be improved by reconsidering certain elements such as the location of the chapel, giving it its own space rather than placing it in the middle of the new quadrangle.*

### **Response**

1. We attach additional site long sections to assist with an understanding of the relationship between existing and proposed built forms.

2. While the school is an important community building, a greater design emphasis was to improve the internal character of the arrangement for general and specialist teaching spaces and to create street presence and more formal entry.
3. The Entry has been emphasised in the arrangement of Administration, Theatre and Chapel buildings.
4. The intention is to create elegant, dignified and beautiful open courtyard spaces. Additional detail is proposed at each construction certificate application stage.
5. The Chapel location has been carefully considered. It was positioned on axis in volume, but oriented to be off axis in entry and function. Broadly, the Chapel was to be seen from the street as an important element of a proudly Catholic School, rather than be hidden away like it currently is in a converted classroom. The position of the Chapel, while visible from the street, is substantially set back from the boundary. It is seen, glimpsed and hinted at, and is not fully realised until the visitor experiences the building close up. Relocation of the Chapel to the end of the central spine, while possible and a valid design approach was considered less desirable in this instance.

***Panel Suggestion – Density***

*The density is acceptable.*

**Response**

1. No response required.

***Panel Suggestion - Resource, Energy and Water Efficiency***

*Despite the numerous new and existing roof spaces, solar energy has not been explored. With its abundance of land, slope and area for collection, water storage is adequate, however the extent of roof area allows for extra underground water storage under various car parks for possible bush fires. Shade to courtyards and protection to walkways remains unresolved.*

**Response**

Solar energy remains a future possibility with the correct design and setup of electrical switchboards in the first instance. Similarly, water storage over and above onsite stormwater detention and some water storage for landscaping is possible in the future and would be considered as funds permit. Shade to courtyards is currently provided by existing and proposed shade trees as well as verandahs that are attached to buildings. There was a conscious decision not to have covered ways crisscrossing the main central boulevard; this was in response to the previous Council ARAP meeting comments.

***Panel Suggestion – Landscape***

*The Panel makes the following suggestions with regard to landscape:*

*Masterplanning Strategy:*

*At the Master plan stage, it is important to show small options diagrams and how they are derived from the analysis and lead to the landscape concept. As this has not been done, it is important to understand intentions and outcomes.*

*Central Linear Spine:*

*There is no sense of hierarchy of spaces or the individual character of each courtyard. As an organising device, the emphasis on a strong linear connection from north to south, focusing on the 'song-line' paving pattern and associated linearity of rows of colourful trees possibly acts against the spatial hierarchy. It is suggested that the paving pattern 'song lines' could be faded in open courtyards and increased in intensity under linear tree planting.*

*The central spine should be seen in landscape and not graphic terms. It is organic, made of trees and planters, integrated with steps and seats.*

*Spatial Hierarchy:*

*Each of the courtyard spaces has the potential to reflect its particularity and identity, making a much more intriguing and empathetic environment.*

*Central Gathering Space:*

*This does read as such on the landscape plan. The large central area defined by the music building, new administration building, new hall, playing court and GLA is the main open space and therefore needs to be designed as one cohesive space rather than being bisected in the centre with a row of trees. Possibly this row of deciduous trees could be turned 90 degrees and relocated across the music and GLA buildings. This would break up the unrelenting axis through the site.*

*New School Entry:*

*The building arrangement and landscape design at the new school entry from Banksia Avenue does not convey its importance. It appears cluttered and indecisive. The concept of contributing to the public domain along Banksia Avenue is laudable, but this needs to be more clearly articulated. With the new arrangement of buildings creating an entry court, the chapel appears not to fit – it could be relocated to a position at the end of the central spine for example.*

*Public Domain on Banksia Avenue:*

*This is a pleasant civic gesture and could be enhanced by pulling the fence-line closer to buildings and allowing tree planting in open grass to read more strongly, including the corner with Waratah Road.*

*Bus Layby:*

*It is not clear how this important area works: there are no shelters. Where do the students wait?*

*North Facing Podium near new wall:*

*This area, plus the green area down to Bullecourt Avenue, is very pleasant and will provide significant amenity for the new hall and performing arts complex.*

## **Response**

Refer attached response from the Landscape Architect Habitation.

### **Masterplanning Strategy:**

Landscape Architect Response:

It is however not a requirement as part of the DCP or LEP and therefore a personal request from the panel.

Central Linear Spine:

There is a clear goal to make the central spine distinctly different from the adjoining courtyards. The use of the 'song lines' reinforces this. To extend the song lines to the courtyards would water down the intensity of the device as a linking mechanism to the whole school.

Landscape Architect Response:

That is correct there is no hierarchy of courtyard spaces as most spaces are existing and serve a purpose either for student or staff use. We don't think it is beneficial to have a hierarchy of courtyard spaces in a school as we do not want to favour different year groups or staff through landscape design.

The character of the spaces has been explained with text. Courtyards feeding off the main circulation spine are of a "bush school" character incorporating as many existing trees, paving and features as possible due to budget restrictions. This is not a new school with an endless budget. It is a refurbishment and expansion project.



We do not agree that the central spine and avenue of trees works against the spatial hierarchy. We deliberately used the spine as a formal feature connecting device from north to south like an avenue where courtyards that extend off this "avenue" are private and of a different nature.

A detailed landscape plan at a larger scale shall better define the extent of paving and how it integrates with the existing school areas and courtyards. This will be decided at the discretion of the landscape architect and client and will no doubt be influenced by works staging and budget considerations that were not considered by the panel.

**Spatial Hierarchy:**

The aim is to further develop detailed designs for each of the courtyards during the construction certificate process.

**Landscape Architect Response:**

This is a personal subjective opinion by the panel unsubstantiated with precedents or facts from the design of educational facilities. It is our opinion that the architecture and pure geometry of the spaces (and the end users) shall define the courtyard spaces, most of which are existing. The new work serves to retain as much existing landscape in these courtyards while adding more "bush school" type planting.

**Central Gathering Space:**

While re-orienting rows of trees may be possible, an unrelenting axis through the site is one feature that gives the design strength and discipline.

**Landscape Architect Response:**

This is a subjective opinion. As stated above the design intention is to create a strong central axis. The row of trees helps define this axis avenue. From this avenue there are courtyards that have various experiences from sitting passive areas to more active areas for handball and the like. We look to set up simple structures and let the kids define the use of the space through their social groups and lunchtime hobbies.

Turning the row 90 degrees is not a viable option as it breaks the central axis and is not in keeping with our design vision.

**New School Entry:**

Further landscape design detail is required in the entry area and is proposed at the Construction Certificate stage.

**Landscape Architect Response:**

It is hard to judge whether the entry is important or not as the scale and level of detail is not there to make that assumption.

Schools are not civic buildings; we do believe the entry needs to be formal and inviting but we question the panels request for it to be grand.

Our design has placed two formal courtyards in front of the chapel and on Banksia Avenue. This concept was to ensure views through to the chapel and indicate that this part of the school was the more formal external space for events, gatherings and overflow for outdoor mass.

**Public Domain on Banksia Avenue:**

**Agree.**

**Landscape Architect Response:**

It is our opinion that the fence line is as far back and close to the buildings as it should be and the school has been more than generous with the contribution to the streetscape with this formal entry courtyard.

Conceptually there are already existing trees to be retained here and additional Eucalyptus trees to be planted. Hedges are low and define the space.

There is no intention of touching the corner on Waratah road, this space remains existing due to it being well used and liked in its current state and budget restrictions. Refer to our

point above about this being a "refurbishment and expansion" not a complete new schools design.

Bus Layby:

The operation of students using buses remains as it is existing at present. Students wait within the school grounds until appropriate buses can be accessed.

Landscape Architect Response:

Can be identified and detailed in the detailed stage of drawings. This is an existing arrangement and alterations have major budget implications.

North Facing Podium near new wall:

Noted. No response required.

Landscape Architect Response:

Agree.

### **Panel Suggestion – Amenity**

*Internal amenity of individual of individual buildings appears reasonable in terms of access. Solar access, natural ventilation and general arrangement appear to be slightly improved since the pre-DA proposal. Entries appear to be focused more to the central spine for example. Courtyards however remain formless and lacking sufficient formality – in terms of landscape, enclosure, consistency of built form, height or architectural expression round edges – to create character or sense of place. Built form and its resultant amenity should be explored more in terms of courtyards, entries and public domain along Banksia Avenue. It is suggested that the large central area defined by the music building, new administration building, new hall, playing court and GLA is the main open space and should be designed as one cohesive space.*

### **Response**

A decision to hug the slope of the land as much as possible has inevitably lead to courtyards being less formal in a classical or symmetrical sense. This is considered appropriate for the site particularly in its relationship with existing native vegetation that is of and will be of varying ages and heights. When positioning buildings at a close to existing natural ground level, the result is buildings with differing heights and roof lines. This can be thought of as providing diversity rather than consistency. Consistency will be achieved in material and colour selection for new buildings and in terms of building form for circulation spaces (verandah design in the case of new verandahs to existing buildings). Cohesion of the main open space will be achieved by the use of materials, landscape forms, colours, relationship of pavement to building etc.

### **Panel Suggestion - Safety and Security**

*The proposal still appears to suffer from a lack of visual and physical coherence, which on a sloping site will affect safety and security. Should extra water storage tanks, possibly located under various car parks, be included in case of bush fire?*

### **Response**

While a sloping site, it is of a gentle nature and in the most part, quite readily accessible using 1:14 ramps and 1:20 pathways. The design purposefully creates courtyards off the main central spine that have some separation, but maintain at least casual surveillance opportunity. Location of landscaping will reinforce safety and visual access opportunities.

### **Panel Suggestion - Social Dimensions**

*The expression to the street – especially at its most public courtyard space – does not invite access or express the civic aspirations or history and culture of the school. This is a major failing of the proposal. The fence around the staff open space is alienating – perhaps a low hedge would be less authoritarian.*

*The spill-out space is pragmatic and not very conducive of the excitement and social interaction. The main entry quadrangle is multi-use and would benefit from possibly having the chapel relocated to the north-eastern side of the performance art centre: to become a focal point along the spine, visible from both the playing fields and the spine as the symbolic centre of the school.*

## **Response**

The proposed new master plan will assist the school in continuing the evolution of the history and culture of the school in its built form. A softer approach to creating a separate staff open space is agreed.

Landscape Architect Response:

The landscape character of the streetscape is largely maintained and represents the “bush school” theme that St John Bosco College prides itself on.

The “public open space” is not a public open space for use like a public park, it is simple forecourt to the building that frames an existing Eucalyptus tree while providing some level of formality symbolizing that this is the entry to the school. That character is different to the informal “bush school” planting that surrounds the school.

We will explore the notion of removing the fence around the staff courtyard with the client and consultant team.

This is a subjective opinion that is not in line with the design vision agreed to by the consultant team and the school.

The space is simple and pragmatic as it needs to hold 100’s of school kids and be open for recess and lunchtime play. It is an undercover area and the largest undercover outdoor space in the school.

In the detail stage we will look at paving patterns, furniture and other items to the periphery of the space.

We would like to keep the long axis/avenue/views through the school from the top school down to the open space areas.

## **Panel Suggestion – Aesthetics**

*Without long elevations and sections, it is difficult to get an overall picture of the aesthetic,*

*particularly the character and external expression: how its material choices and colours work overall: how it contributes to the physical and visual environment: and how it creates character and expression remains hidden. The materiality is reasonable in concept but some of the colour choices seem a little harsh and hard. Building profiles and colours appear utilitarian at best, as if the proposal is merely a series of individual interventions. This is not adequate for such an important project. The existing scribbly gums create a strong landscape aesthetic which could be reinforced with new tree planting.*

## **Response**

The proposal includes a palette of colours and materials that is purposefully broad to allow decisions to be made over the life of the master plan that will allow either diversity or cohesiveness.

Landscape Architect Response:

These items can be explored in the detail stage. Some of these issues will be determined by budget and staging. We can explore the use of more tree planting on the site.

*Council's Landscape Architect has made the following comments regarding the proposal: The sense of arrival to the new group of buildings from Banksia Avenue is poor. The path to the performing arts building should continue out to the street and the central courtyard should read as a single space, not broken up by walls or hedges.*

Landscape Architect Response:

Extending the path out to the street from the Performing arts centre will confuse the entry to the school. At this stage the main access is through the administration building entry. We will review the courtyards and the detail stage exploring options. Currently the hedge acts as screen to the security fence.

*It was stated at both ARAP meetings that the colours of the buildings represented the colours of the bark of Scribbly Gums (Eucalyptus haemastoma) found on the site yet formal rows of exotic deciduous trees are proposed along the central spine.*

*The colour scheme would be more meaningful if Scribbly Gums were dominant along the central spine, supported by other local tree species.*

Landscape Architect Response:

This is a subjective opinion. The spine is a formal element with a civic/campus theme. It is designed to contrast with much of the existing school courtyards with a "bush school" theme. In this way the design intention is that the surrounding native landscape penetrates the school and stops at this formal axis. There are enough native trees species in the courtyards and surrounding the school to compliment the building colour scheme.

*The siting of the formal rows of trees along the central spine will obstruct the vista down through the site. Tree trunks should be set back to reduce this encroachment and better frame the vista.*

Landscape Architect Response:

This is an incorrect statement. Due to the topography and the nature of the exotic trees that will be used (slim line such as Pyrus sp.) the views will be maintained directly through the site. The trees are set back from the centre line of the axis.

*It was also stated at ARAP that the curvilinear paving pattern along the central spine represents Aboriginal songlines, yet input from local Aboriginal representatives was not being sought. The curvilinear paving pattern should therefore be thought of as a simple linking device that contrasts with the rectilinear nature of the buildings.*

Landscape Architect Response:

Agreed. It was always a simple linking device. It was generated from reading stories about how the Aboriginal people used song lines as way finding. It is not to be taken literally. It's a beautiful concept interpreted for this site.

Sometime cultures offer beautiful customs and beliefs that can have an influence on landscape design concepts.

*The courtyards are rather amorphous and lack character. A program and detailed design should be developed for each space that creates an individual character while at the same time complimenting the character and materials of the central spine. Deciduous trees could be utilised in smaller spaces where solar access is required.*

Landscape Architect Response:

The courtyards shall be detailed in the next stage. It is important to note that due to staging and funding, many of the existing courtyards shall remain as they are with minor maintenance upgrades.

We are retaining as many native trees wherever possible in the courtyard spaces and supplementing them with more native trees. We feel that the strong formal axis needs to

be of contrast to these areas so deciduous trees will not be used here. There are plenty of areas that have winter sun.

*If the central walkway is open to the elements then a continuous covered way that runs parallel to the spine (N-S), as well as covered connections that link across the site (E-W) from the various entry points in Waratah Rd and Banksia Ave, should be provided. This has not been achieved in the current proposal.*

Landscape Architect Response:

The proposed buildings have extended eaves and verandas and there is access from the top of the school to the bottom undercover if a student chooses this route.

*There are opportunities to provide indigenous street trees that reinforce the existing trees on both street frontages (note that there are no overhead power lines on either Banksia Ave or Waratah Rd). This would provide a strong visual framework for the school.*

Landscape Architect Response:

We will explore the use of more street trees.

### **Recommendations and Conclusions**

1. Additional site section drawings will be submitted with this response to clarify the proposal.
2. The Construction Management drawings will be adjusted to include the required TPZ for all existing trees.
3. Generally:

While the ARAP proposals are generally well received and appreciated in terms of indicating a clear need to further develop the design for the construction certificate process, some aspects clearly differ to the suggestions of the panel. Without being combative, some design elements are considered as a result of specific school and client brief desires or requirements, site considerations and architectural and landscape decision making.

The level of detail in drawings and reports was considered appropriate for a development application. Further detail design will be undertaken in order to progress to the construction certificate and construction stages.

The fact that documents were submitted for consideration of development consent is evidence that the applicant is serious in its desire to proceed with the project largely in its current form, while taking into consideration many appreciated comments and suggestions from the ARAP process. The CEO and the College community are indeed convinced that the proposal is suitable and desirable for this site.

We remain happy to provide further information and have further discussion with Council to assist in any way necessary to progress the development consent process.

Yours faithfully



**Fulton Trotter Architects**

Greg Isaac

Director

## 7. OBJECTION PURSUANT TO STATE ENVIRONMENTAL PLANNING POLICY NO 1

### VARIATION OF A DEVELOPMENT STANDARD REGARDING THE MAXIMUM BUILDING HEIGHT OF A BUILDING AS REQUIRED BY CLAUSE 33(4) OF THE SUTHERLAND SHIRE LOCAL ENVIRONMENTAL PLAN 2006.

**For:** Proposed Alterations & Additions to an Existing School  
**At:** 87 Banksia Avenue and 35A & 35B Waratah Road, Engadine  
**Applicant:** Catholic Education Office, Archdiocese of Sydney

#### Introduction

This objection is made pursuant to the provisions of Clause 6 of State Environmental Planning Policy No.1 (SEPP No.1). In this regard it is requested that Council support a variation with respect to compliance with the maximum height control provisions contained at Clause 33(4) of the Sutherland Shire Local Environmental Plan 2006.

Clause 33(4) of the SSLEP requires that:

#### *33(4) Height of building generally—default position*

*A building must comply with each of the following:*

- (a) the building must not comprise more than 2 storeys,*
- (b) the building must not exceed the following:*
  - (i) a height of 7.2 metres, as measured vertically from ground level to any point on the uppermost ceiling in the building,*
  - (ii) a height of 9 metres, as measured vertically from ground level to the highest point of the roof of the building.*

The proposal provides for the construction of a number of new buildings upon the subject site which will in part have a ceiling height greater than 7.2m and/or an overall height greater than 9m.

The proposed heights are detailed in the following table:

<b>Building</b>	<b>Proposed Ceiling Height</b>	<b>Ceiling Height Non-compliance</b>	<b>Proposed Building Height</b>	<b>Building Height Non-compliance</b>	<b>Comments</b>
Building A - TAS	8.12m	920mm	9.345m	345mm	The departure is located at the northern end of the building and results from the localised change in level of this

					part of the site. It is not feasible to step the building to accommodate this departure.
Building B - Hall	8.65m	1450mm	10.05m	1050mm	The departure occurs as a result of the proposed building use and which requires ceiling and building heights as proposed.
Building D - Performing Arts	9m	1800mm	11.81m	2810mm	The departure occurs as a result of the proposed building use and which requires ceiling and building heights as proposed.
Building 1 - Library	Compliant	Not Applicable	10.03m	1030mm	The departure is attributed to a proposed lift which is proposed in order to provide equitable access between the library and the Patrick Laws Building.

This SEPP 1 objection has been structured in accordance with the approach adopted by the Land & Environment Court of NSW in *Winten Property Group v North Sydney Council* [2001] NSWLEC 46 at [26] and more recently in *Wehbe v Pittwater Council* [2007] NSW LEC 827.

It is my opinion that the objection is well founded and is worthy of the support of the Council.

**1. Is the control to be varied a development standard**

It is my opinion that the controls contained at Clause 33 of the LEP satisfy the definitions of a development standard as defined by Section 4 of the Environmental Planning and Assessment Act, 1979.

**2. What is the underlying object or purpose of the development standard?**

The objects of the standard are set out at Clause 33(2) of the LEP and are:

- (a) *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,*
- (b) *to allow reasonable daylight access to all buildings and the public domain,*
- (c) *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.*

It is my opinion for the reasons as set out in response to Question 4 of this Objection that the proposal is capable of satisfying the above objectives.

**3. Is compliance with the development standard consistent with the aim of SEPP No. 1**

The aim of SEPP No.1 is to:

*Provide flexibility in the application of planning controls operating by virtue of development standards in circumstances where strict compliance with those standards would, in any particular case, be unreasonable or unnecessary or tend to hinder the attainment of the objects specified in Section 5(a)(i) and (ii) of the Act.*

In this regard the objects of Section 5(a)(i) and (ii) of the Act are:

- (i) *The proper management, development and conservation of natural and artificial 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;*
- (ii) *The promotion and co-ordination of the orderly and economic use and development of land;*

It is considered that strict compliance with the development standard is not consistent with the aim of SEPP No.1 as it does not allow flexibility in building design in this instance and fails to recognise the proposed use of the buildings, the architectural philosophy and merit of the design.



In this regard it is noted that the subject site is zoned for use as an education establishment. The proposed buildings which are ancillary to the approved use of the site as an educational establishment typically as a result of the intended functions of the respective buildings are required to have heights which exceed the maximum requirements of the Council.

This is particularly the case in relation to the proposed hall and the performing arts building.

Other factors which result in the proposed non-compliances include an existing localised change in ground levels associated with Building A and the provision of a lift and its associated lift overrun in relation to Building 1.

**4. Why compliance with the standard is unreasonable or unnecessary in the circumstances of this case**

It is my opinion that 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 building 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 in 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.

In summary it is my opinion that the proposal will provide for a built form outcome particularly in terms of height which is consistent with the objectives of the Council and which will not result in any unreasonable amenity impacts upon adjoining properties or upon the character of the surrounding locality.

### Conclusion

Consistent with the findings of the Chief Justice of the Land & Environment Court in *Wehbe v Pittwater Council* [2007] NSW LEC 827, it is my opinion that the above objection is well founded on the basis that it satisfies one of the nominated tests in that:

1. *The objectives of the applicable development standards are achieved notwithstanding the proposed non-compliances.*

On this basis I submit that it would be both unreasonable and unnecessary for strict compliance with the maximum height control requirements of Clause 33(4) of the Sutherland Shire Local Environmental Plan 2006 to be imposed in this instance.

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