

JOINT REGIONAL PLANNING PANEL (Sydney East Region)

JRPP No	2014SYE412 – DA 232/2014
DA Number	232/2014
Local Government Area	Manly
Proposed Development	Re-development of an existing Educational Establishment including partial demolition, construction of three (3) storey buildings with basement car park, refurbishment of buildings, an increase in student numbers by 200, landscaping and a covered play area – Stella Maris College.
Street Address	52 Eurobin Avenue, Manly
Applicant/Owner	Applicant: Sandrick Project Directions (Adam Martinez) on behalf of Stella Maris College. Owner: Trustees of the Sisters of the Good Samaritan
Number of Submissions	Fifty-two (52) submissions were received, including a petition of 30 signatories (note: only twenty (20) signatories are included in the submissions total as only one (1) submission is admissible per household).
Regional Development Criteria (Schedule 4A of the Act)	Development with a capital investment value (CIV) over \$20 million.
List of All Relevant s79C(1)(a) Matters	List all of the relevant environmental planning instruments: s79C(1)(a)(i) • Environmental Planning and Assessment Act 1979 • State Environmental Planning Policy No. 71 – Coastal Protection • State Environmental Planning Policy No. 55 – Remediation of Land • State Environmental Planning Policy (Infrastructure) 2007 • Manly Local Environmental Plan 2013 (as amended) List any proposed instrument that is or has been the subject of public consultation under the Act and that has been notified to the consent authority: s79C(1)(a)(ii) • There is no applicable proposed instrument that has been the subject of public consultation. List any relevant development control plan: s79C(1)(a)(iii) • Manly Development Control Plan 2013 (Amendment 4). List any relevant planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F: s79C(1)(a)(iv) • No planning agreement has been entered into. List any coastal zone management plan: s79C(1)(a)(v) • There is no applicable coastal zone management plan. List any relevant regulations: s79C(1)(a)(iv) eg. Regs 92, 93, 94, 94A, 288 • Building Code of Australia • Australian Standards • Regulations pertaining to stormwater, waste etc. are now included within the standardised MDCP 2013 (Amendment 4).

List all documents submitted with this report for the panel's consideration

List of plans submitted to the Panel for review:

Plan No. / Title	Issue/ Revision & Date	Date Received by Council
DA-100 / Site Analysis – Proposed	Revision B / 11.02.2015	16.02.2015
DA-101 / Existing / Demolition Basement Plan	Revision A / 19.11.2014	21.11.2014
DA-102 / Existing / Demolition Ground Floor Plan	Revision A / 19.11.2014	21.11.2014
DA-103 / Existing / Demolition First Floor Plan	Revision A / 19.11.2014	21.11.2014
DA-104 / Existing / Demolition Second Floor Plan	Revision A / 19.11.2014	21.11.2014
DA-105 / Existing / Demolition Roof Plan	Revision A / 19.11.2014	21.11.2014
DA-106 / Proposed Basement Plan	Revision B / 11.02.2015	16.02.2015
DA-107 / Proposed Ground Floor	Revision C / 11.02.2015	16.02.2015
DA-108 / Proposed First Floor Plan	Revision B / 11.02.2015	16.02.2015
DA-109 / Proposed Second Floor Plan	Revision B / 11.02.2015	16.02.2015
DA-110 / Proposed Roof Plan	Revision B / 11.02.2015	16.02.2015
DA-111 / Site Elevations	Revision B / 11.02.2015	16.02.2015
DA-112 / Materials and Finishes	Revision B / 11.02.2015	16.02.2015
DA-113 / Shadow Diagrams	Revision B / 11.02.2015	
DA-A-201 / Ground Floor Plan (Stage 2)	Revision A / 19.11.2014	21.11.2014
DA-A-202 / First Floor Plan (Stage 2)	Revision A / 19.11.2014	21.11.2014
DA-A-203 / Second Floor Plan (Stage 2)	Revision A / 19.11.2014	21.11.2014
DA-A-204 / Roof Plan (Stage 2)	Revision A / 19.11.2014	21.11.2014
DA-A-301 / Elevations (Stage 2)	Revision A / 19.11.2014	21.11.2014
DA-A-302 / Elevations (Stage 2)	Revision A / 19.11.2014	21.11.2014
DA-A-303 / Sections (Stage 2)	Revision A / 19/11.2014	21.11.2014
DA-S-201 / Car park Plan (Stage 1)	Revision B / 11.02.2015	16.02.2015
DA-S-202 / Ground Floor Plan (Stage 1)	Revision B / 11.02.2015	16.02.2015
DA-S-203 / First Floor Plan (Stage 1)	Revision B / 11.02.2015	16.02.2015
DA-S-204 / Second Floor Plan (Stage 1)	Revision B / 11.02.2015	16.02.2015

DA-S-205 / Roof Plan (Stage 1)	Revision B / 11.02.2015	16.02.2015
DA-S-301 / Elevations 1 (Stage 1)	Revision B / 11.02.2015	16.02.2015
DA-S-302 / Elevations 2 (Stage 1)	Revision B / 11.02.2015	16.02.2015
DA-S-303 / Sections (Stage 1)	Revision B / 11.02.2015	16.02.2015
LPO2 / Landscape Masterplan - Ground Floor Plan	Revision B / 11.02.2015	16.02.2015
LP03 / Landscape Plan Planting - Planting Schedule and Legend	Revision B / 11.02.2015	16.02.2015
LP04 / Landscape Plan – Central Courtyard – Stage 1B	Revision B / 11.02.2015	16.02.2015
LP05 / Landscape Plan – Science and Library Building – Stage 1	Revision B / 11.02.2015	16.02.2015
LP06 / Landscape Plan – Arts Building – Stage 2	Revision B / 11.02.2015	16.02.2015
LP07 / Landscape Plan – First Floor Terrace – Stage 2	Revision B / 11.02.2015	16.02.2015
LP08 / Landscape Plan – Roof Top Terrace – Stage 2	Revision B / 11.02.2015	16.02.2015
LP09 / Native Planting Palette	Revision B / 11.02.2015	16.02.2015
LP10 / Typical Details and Notes	Revision B / 11.02.2015	16.02.2015

List of reference documentation submitted to the Panel for review:

Reference Documentation	Prepared by	Dated	Date Received by Council
<i>Statement of Environmental Effects</i>	<i>Robinson Urban Planning</i>	<i>20.11.2014</i>	<i>21.11.2014</i>
<i>Survey</i>	<i>SDG Land Development Solutions</i>	<i>16.09.2014</i>	<i>21.11.2014</i>
<i>Statement of Heritage Impact</i>	<i>Rappoport Pty Ltd</i>	<i>February 2015</i>	<i>16.02.2015</i>
<i>Arboricultural Impact Report</i>	<i>Landscape Matric</i>	<i>11.02.2015</i>	<i>16.02.2015</i>
<i>Letter from Stella Maris regarding Colour Scheme</i>	<i>Stella Maris</i>	<i>05.02.2015</i>	<i>16.02.2015</i>
<i>Revised Landscape Master Plan</i>	<i>Site Design and Studios</i>	<i>11.02.2015</i>	<i>16.02.2015</i>
<i>Addendum – Response to Request for</i>	<i>Robinson Urban Planning</i>	<i>12.02.2015</i>	<i>16.02.2015</i>

	<i>Additional Information</i>			
	<i>Design Statement</i>	<i>Fulton Trotter Architects</i>	<i>November 2014</i>	<i>21.11.2014</i>
	<i>Stormwater Management Report</i>	<i>Taylor Thomson Whitting</i>	<i>04.11.2014</i>	<i>21.11.2014</i>
	<i>Electrical Services Report</i>	<i>Wood and Grieve Engineers</i>	<i>November 2014</i>	<i>21.11.2014</i>
	<i>Revised Waste Management Plan</i>	<i>Foresight Environmental</i>	<i>09.02.2015</i>	<i>16.02.2014</i>
	<i>Building Code of Australia Section J Assessment Report</i>	<i>Building and Energy Consultants Australia</i>	<i>November 2014</i>	<i>21.11.2014</i>
	<i>Building Code of Australia Report</i>	<i>Vic Lilli and Partners Consulting</i>	<i>31.10.2014</i>	<i>21.11.2014</i>
	<i>Disability Access Report</i>	<i>Cheung Access</i>	<i>11.11.2014</i>	<i>21.11.2014</i>
	<i>Addendum – Disability Access</i>	<i>Cheung Access</i>	<i>10.02.2015</i>	<i>16.02.2015</i>
	<i>Site Assessment Report</i>	<i>Environmental Investigation Services</i>	<i>04.11.2014</i>	<i>21.11.2014</i>
	<i>Clause 4.6 Request to Vary a Development Standard</i>	<i>Robinson Urban Planning</i>	<i>14.11.2014</i>	<i>21.11.2014</i>
	<i>Acoustic Report</i>	<i>Acoustic Studio</i>	<i>11.11.2014</i>	<i>21.11.2014</i>
	<i>Geotechnical Investigations Report</i>	<i>JK Consulting</i>	<i>17.10.2014</i>	<i>21.11.2014</i>
	<i>Addendum – Geotechnical Statement</i>	<i>JK Geotechnics</i>	<i>18.12.2014</i>	<i>16.02.2015</i>
	<i>Alternative Fire Solutions Report</i>	<i>Rawfire</i>	<i>31.10.2014</i>	<i>21.11.2014</i>
	<i>Revised Materials and Colours Statement</i>	<i>Fulton Trotter Architects</i>	<i>11.02.2015</i>	<i>16.02.2015</i>
Recommendation	Approval			
Report by	Philippa Frecklington			

Assessment Report and Recommendation Cover Sheet



Joint Regional Planning Panel Report Sydney East Region

Reference:	2014SYE412 – DA 232/2014			
Date:	6 May 2015			
Location:	Christies Conference Centre, 3 Spring Street, Sydney			
DA No:	232/2014			
Site Address:	52 Eurobin Avenue, Manly			
Proposal:	Re-development of an existing Educational Establishment including partial demolition, construction of three (3) storey buildings with basement car park, refurbishment of buildings, an increase in student numbers by 200, landscaping and a covered play area – Stella Maris College.			
Officer:	Philippa Frecklington			
Application Lodged:	21 November 2014			
Applicant:	Sandrick Project Directions (Adam Martinez)			
Owner:	Trustees of the Sisters of the Good Samaritan			
Estimated Cost:	\$21,903,266.00			
Zoning:	Manly Local Environmental Plan 2013: SP2 - Infrastructure (Educational Establishment). <i>Educational establishments</i> are permissible with consent.			
Surrounding Development:	Residential development consisting of multi-dwelling house and single residential dwelling houses.			
Heritage:	<i>Item</i>	<i>Address</i>	<i>Significance</i>	<i>Item No.</i>
	Convent of the Good Samaritan: Stella Maris	Iluka Avenue	Local	I159
	2 Moreton Bay Figs (<i>Ficus macrophylla</i>)	Iluka Avenue (courtyard in Stella Maris Convent)	Local	I160
	Group of 2 storey Residential Flat Buildings	Eurobin Avenue, northern side (from Pittwater Road to Collingwood Street).	Local	I154
	Street Trees	Collingwood Street from Illuka Avenue to Eurobin Avenue.	Local	I100
NSW LEC:	Not applicable			

SUMMARY:

1. ON 21 NOVEMBER 2014 SANDRICK PROJECT DIRECTIONS ON BEHALF OF STELLA MARIS COLLEGE SUBMITTED DA 232/14.
2. DEVELOPMENT CONSENT IS SOUGHT FOR RE-DEVELOPMENT OF AN EXISTING EDUCATIONAL ESTABLISHMENT INCLUDING PARTIAL DEMOLITION, CONSTRUCTION OF THREE (3) STOREY BUILDINGS WITH BASEMENT CAR PARK, REFURBISHMENT OF BUILDINGS, AN INCREASE IN STUDENT NUMBERS BY 200, LANDSCAPING AND A COVERED PLAY AREA – STELLA MARIS COLLEGE.

3. THE APPLICATION WAS NOTIFIED TO ALL ADJOINING AND NEARBY PROPERTY OWNERS BETWEEN 26 NOVEMBER 2014 TO 12 DECEMBER 2014. THE APPLICATION WAS RE-NOTIFIED BETWEEN 12 JANUARY 2015 AND 13 FEBRUARY 2015 AS 'NOMINATED INTEGRATED DEVELOPMENT'. NOTE: THERE WAS NO CHANGE TO THE PLANS AND DOCUMENTATION NOTIFIED. A TOTAL OF FIFTY-TWO (52) SUBMISSIONS WERE RECEIVED, INCLUDING A PETITION OF 30 SIGNATORIES (NOTE: ONLY TWENTY (20) SIGNATORIES ARE INCLUDED IN THE SUBMISSIONS TOTAL AS ONLY ONE (1) SUBMISSION IS ADMISSIBLE PER HOUSEHOLD).
4. THE APPLICATION WAS REFERRED TO THE NORTH HARBOUR AND OCEAN BEACH PRECINCT COMMUNITY FORUMS FOR COMMENTS WHO DID NOT OBJECT TO THE PROPOSAL.
5. ON 21 NOVEMBER 2014, SANDRICK PROJECT DIRECTIONS ON BEHALF OF STELLA MARIS COLLEGE SUBMITTED DA 232/14.
6. FOLLOWING A PRELIMINARY ASSESSMENT OF THE APPLICATION A REQUEST FOR ADDITIONAL INFORMATION AND LIST OF PLANNING CONCERNS, DATED 8 JANUARY 2015 WAS PROVIDED TO THE APPLICANT.
7. AMENDED PLANS AND SUPPORTING DOCUMENTATION WERE SUBMITTED TO COUNCIL ON 16 FEBRUARY 2015. THE ADDITIONAL INFORMATION SATISFACTORILY ADDRESSED THE ISSUES RAISED.
8. RE-NOTIFICATION OF THE AMENDED PLANS IS NOT REQUIRED.
9. THE APPLICATION INCLUDES A VARIATION TO THE DEVELOPMENT STANDARD.
10. SITE INSPECTION IS RECOMMENDED.
11. THE APPLICATION IS RECOMMENDED FOR **APPROVAL**.

Introduction

Subject Property and surrounding area

Stella Maris is located across two (2) separate sites. The main College Campus at 52 Eurobin Avenue, Manly and the smaller Benedict Campus located at 270 Pittwater Road, Manly.

This DA relates to the Main College Campus located at 52 Eurobin Avenue, Manly and includes Lots 1 and 2 DP 1053093 and Lots 4, 5, and 6 DP9906. For the purpose of this report, 'the site' refers to the Main College Campus located at 52 Eurobin Avenue, Manly.

The main College Campus is located approximately 250m to the west of Queenscliff Beach, 150m to the south Queenscliff Lagoon and 400m to the east of the Benedict Campus.

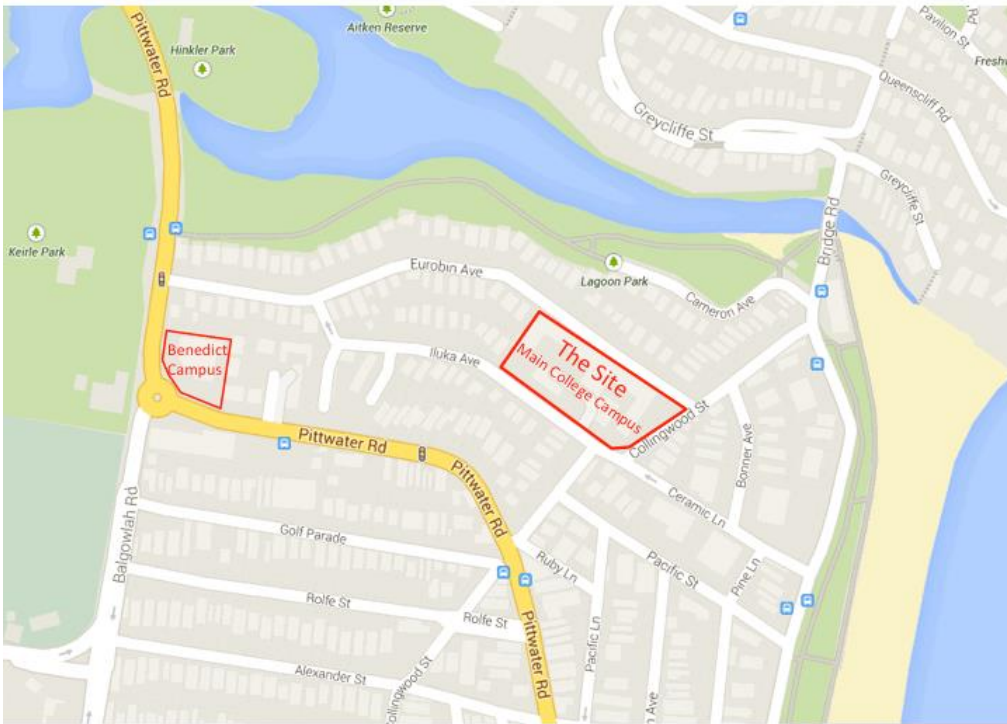
The Main College Campus has an area of 8,658m². The Benedict Campus has an area of 3,421m².

The site has the following boundary frontages:

- Eurobin Avenue (150.95m to the north)
- Collingwood Street (54.98m plus 12.34m to the east)
- Iluka Avenue (124.91m to the south).

The school has a total of 950 students across the combined two (2) sites and 125 staff members. The school has reduced its population from 1050 in 2012 to enable the school to function during the construction phase of the proposed redevelopment.

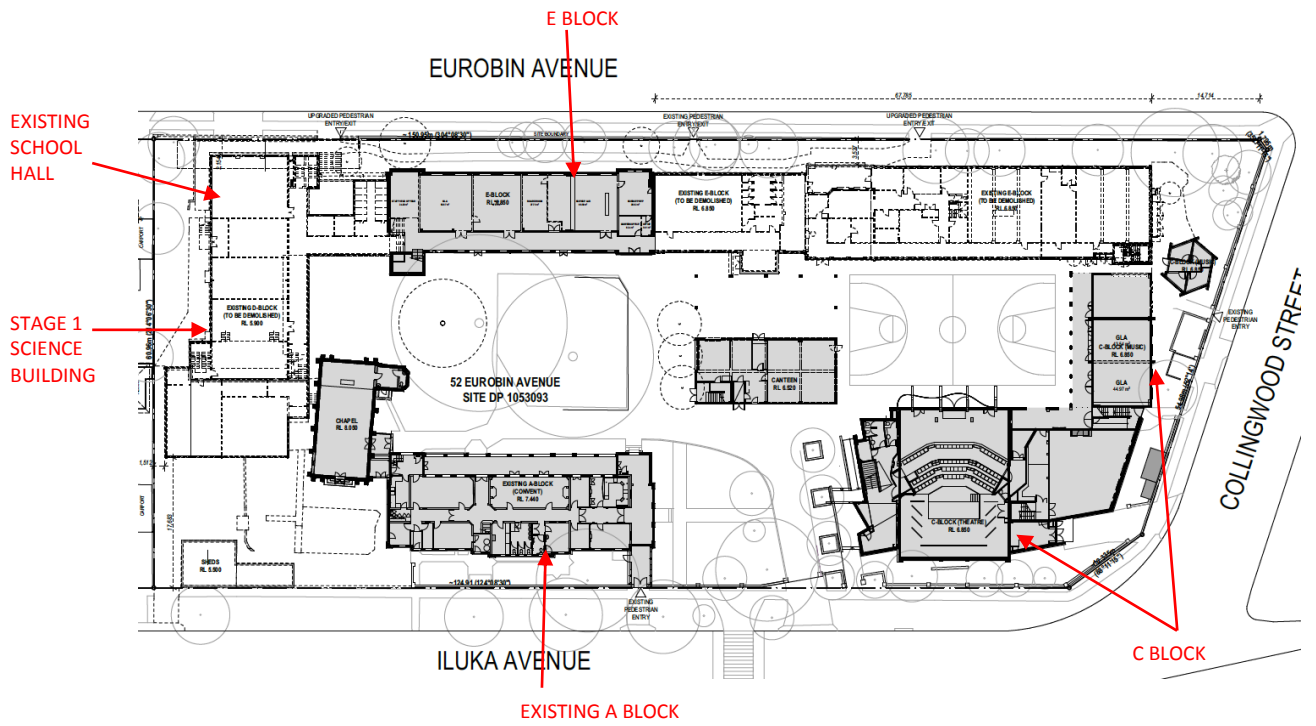
Site and contextual analysis:



LOCATION OF BENEDICT CAMPUS AND MAIN CAMPUS (SOURCE: SEE)



ARIAL PHOTOGRAPH OF THE SITE (SOURCE: NEARMAP)





INTERNAL VIEW OF CONVENT



SCHOOL HALL BUILDING AND 'E' BLOCK WITH FRONTAGE TO EUROBIN AVENUE



'E' BLOCK WITH FRONTAGE TO EUROBIN AVENUE



'E' BLOCK WITH FRONTAGE TO EUROBIN AVENUE (TO BE DEMOLISHED)



SCHOOL HALL ('E' BLOCK) WITH FRONTAGE TO EUROBIN AVENUE (TO BE DEMOLISHED)



'C' BLOCK – MUSIC WITH FRONTAGE TO COLLINGWOOD STREET



'C' BLOCK WITH FRONTAGE TO COLLINGWOOD STREET



EXISTING BASKETBALL COURT (NEW ALL WEATHER ENCLOSURE PROPOSED)



HERITAGE LISTED STREET TREES ALONG COLLINGWOOD STREET LOOKING NORTH

Surrounding development:

To the North: Heritage listed two-storey residential flat buildings on the northern side of Eurobin Avenue. Beyond that Queenscliff Park and Lagoon.



HERITAGE LISTED TWO STOREY RESIDENTIAL FLAT BUILDINGS ALONG THE NORTHERN SIDE OF EUROBIN AVENUE

To the South: A mixture of one (1) and two (2) storey residential dwellings on the opposite side of Iluka Avenue.

To the East: Collingwood Street to the immediate east, which contains a series of single residential dwellings fronting the wide, tree lined street. Beyond that is Queenscliff Beach.

To the West: Fronting Eurobin Avenue is a two (2) storey duplex at 50 Eurobin Avenue. Beyond that is a mixture of one (1) and two (2) storey residential dwellings. To the west of the site fronting Iluka Avenue is a single storey residential dwelling. Beyond that is a mixture of one (1) and two (2) storey residential dwellings.



ADJOINING SINGLE STOREY DWELLING HOUSE (4 ILUKA AVENUE) TO THE NORTH-WEST OF THE LOCATION OF THE NEW SCIENCE BUILDING



50 EUROBIN AVENUE TO THE NORTH-WEST OF THE SITE

Existing vehicular access:

The site is serviced by a total of four (4) access driveways:

1. A 3m wide access driveway central to the Collingwood Street side frontage, servicing a waste enclosure.
2. A 5m wide access driveway in the south-eastern corner of the site connecting Collingwood Street to a loading area servicing the adjoining drama and theatre building.
3. A 6m wide access driveway immediately to the north-west of the junction of Collingwood Street and Iluka Avenue servicing the central reception, playground and sporting areas of the site.
4. A 3m wide driveway within the south-west corner of the site connecting with Iluka Avenue servicing an informal loading area.

These access driveways are to remain unchanged except for the vehicular driveway on the south-west end of Iluka Avenue closest to the immediate neighbour; which is to be removed and the pathway reinstated.

Existing pedestrian access:

1. Three pedestrian gates to Eurobin Avenue
2. Two pedestrian gates to Collingwood Street
3. Three pedestrian gates to Iluka Avenue.

No changes are proposed to the location of existing pedestrian gates. However, a new formal pedestrian entrance is to be created along the Eurobin Avenue Street frontage (western end).

Limitations of the existing site

- Buildings do not fully comply with the access provisions of the BCA or the Disability Discrimination Act.
- Building services are out-dated and are not fitted with energy efficient services.
- Building fabric has poor thermal properties which impacts on the comfort and amenity of the users.
- Building lacks internal amenity.
- Science laboratories are out-dated in design and no longer fit for purpose.
- Library and staff facilities are of inadequate size and functionality.
- External spaces between the buildings lack amenity.
- Inadequate outdoor recreation space.
- No on-site car parking.

Redevelopment is critical to the long-term viability of the College.

Previous Development Consents

Previous relevant Development Consents relating to the Main College Campus:

- Manly Council approved DA 201/2002 on 24 May 2002 for alterations and additions to Stella Maris College. Works include the removal of the School Hall Building, technology rooms and part of the Marion Wing; construction of a new fitness centre and science building as well as a new performing arts complex and three (3) storey canteen and library building within the centre of the site.
- Works included as part of DA 201/2002 include construction of the performing arts complex, which included the theatre and C Block.

Property burdens and constraints

Council's mapping system indicates that there are no burdens or constraints that would preclude the proposed development.

Description of proposed development

Removal/Demolition of the following:

- All structures within the western portion of the site (D Block – School Hall and extensions).
- All structures within the north-east portion of the site (E Block).
- Upper story of the existing library and canteen building (located within the centre of the site)
- The shed and garage located in the south-west corner of the site adjacent Iluka Avenue.
- Removal of a portion of the solid boundary fence fronting Iluka Avenue at its western end.

Construction of the following:

- New three (3) storey building along the western boundary of the site, which will contain staff, library and science classrooms (Science Building)
- The new building will comprise one (1) level of basement car parking containing 31 spaces, which will be accessed via a new vehicle crossing off Eurobin Avenue.
- New three (3) storey building within the north-east portion of the site which will contain art, design and technology classrooms as well as food technology, a multi-media room and general learning areas (GLA – Art Building)
- Refurbishment of the existing Collingwood Block (C Block – Music), which is located along the eastern boundary of the site adjacent Collingwood Street.
- Refurbishment of the remaining E Block, which is located along the northern boundary of the site adjacent Eurobin Avenue.
- Upgrading and configuration of landscape treatments to the centre courtyard and provision of a new open deck space above the canteen.
- New all-weather enclosure over the basketball court.
- New front fence to the western end of Iluka Avenue.

Landscape works

- Retention of two (2) heritage listed Moreton Bay Fig Trees
- New native planting buffer along the western boundary of the site.
- New timber deck and bench seating within the quadrangle.
- Vertical green wall on the south side of the canteen building to create a green façade to Iluka Avenue.
- Vertical green wall along to the western façade of the Science Building adjacent residential dwellings.
- New Spanish stone courtyard adjacent the Chapel entrance off Iluka Avenue including new Spanish gates and new walls to match the walls of the Chapel.
- Roof terrace located off the Art building and new roof terrace above the canteen.

Use of the site:

- Increase in students by 200 (1,150 by 2025)
- Increase in staff numbers from 125 to 136 by 2025.

Project Staging

Construction of the proposal is to be staged to allow the College to function with minimal disruption during the construction period. This DA includes Stages 1 and 2.

Stage 1 – Science Building (Commencement target December 2015)

- Demolition of the existing two-storey building within the western portion of the site (original School Hall building)
- Construction of a new three (3) storey building to replace the abovementioned demolished structures, which will contain staff, library and science classrooms. The new building will include one (1) level of basement car parking containing 31 spaces, which will be accessed via a new vehicle crossing of Eurobin Avenue.
- The refurbishment of the existing E Block.

Stage 2 – Arts Buildings (Anticipated Commencement closer to 2022)

- Demolition of the existing two and three storey building within the north-east portion of the site.
- Construction of a new three storey building to replace the abovementioned demolished structures, which will contain art, design and technology classrooms as well as food technology, a multimedia room and GLAs. A new open space terrace is to be located on the roof of the new art building above the multimedia and design rooms.
- Refurbishment of the existing C Block along the eastern boundary of the site adjacent Collingwood Street.
- Upgrading and reconfiguration of landscape treatments to the centre courtyard and provision of a new open deck space above the canteen.
- New weather-resistant enclosure positioned over the basketball court to create an all-weather play area.

Stage 3 – Redevelopment of Benedict Campus (subject of a separate DA)

- Stage 3 relates to the Benedict Campus and will be subject to a separate application.

Applicant's Supporting Statement

The applicant has provided a Statement of Environmental Effects prepared by Robinson Urban Planning dated 20 November 2014 and received by Council on 21 November 2014 in support of the application. A range of specialist consultant reports are appended to the SEE.

Contact with relevant parties

The officer has been in regular contact with the applicant, architect and planning consultant throughout the assessment process.

Internal Referrals

Engineers Comments

Council's Engineer has commented on the proposal as follows:

"A detailed Stormwater Management Plan (SWMP) is to be prepared and signed-off by a practising Chartered Professional Engineer with NPER at Engineers Australia along with absorption bench calculations with soil report. The SWMP shall include, but not limited to, details of:

- *Increase in impervious area (m²)*
- *Post-development impervious area (%)*
- *Peak flow from the site for 100 year ARI storm events*
- *Discharge points*
- *Full name, NPER No. of the Engineer who signs-off the SWMP."*

A condition to this effect has been included within the Recommendation. Council's Engineer offered no objections to the proposal, subject to inclusion of recommended conditions of consent.

Building Comments

Council's Building Surveyor has offered no objections to the proposal, subject to the inclusion of recommended conditions of consent.

Landscape Officers Comments

Council's Landscape Officer has commented on the proposal as follows on 19 December 2014:

"The Arborist Report is required to have a plan of the site submitted, clearly showing all existing trees to be retained and all existing trees to be removed, as not is included.

Also, the numbers of the trees are required to match in both the Arborist's report and the Landscape Plan by Site Design & studio as currently there are also trees listed in the Arborist report as A, B and C in the Tree Data Summary, but these are not shown on the landscape Plan.

It is further requested that photos of the trees proposed for removal, be included.

Recommendation: Proposal to remove Norfolk Island Pine (Tree No 56) to be removed is not supported. It is recommended that the proposed ramp be relocated and re-designed, so that the Norfolk Island Pine can be retained. It is regarded that this specimen, which is 21 metres high, is significant in the landscape and most likely one of the original plantings of this heritage site. The tree is of good health and structure, despite growing within and above the canopy of the existing large heritage fig, therefore removal of such healthy specimens is not supported within the LGA"

An updated Arboricultural Impact Report prepared by Landscape Matrix Pty Ltd dated 12 February 2015 was received by Council on 16 February 2015. The following comments are stated in the Report in relation to the Norfolk Island Pine (*Araucaria heterophylla* [Tree 56]):

"Located in the vicinity of the proposed new ramp and identified to be removed as part of the works due to past suppression from tree number 55 and on-going conflict between the canopies of tree number 55 (Moreton Bay Fig) and 56. This tree has a lean due to past suppression from the mature Fig trees. There is currently no evidence to suggest the tree is unstable (such as lifted root plate, cracking soil etc.) but an increased trunk lean and canopy bias over time may increase the tree's risk of failure under wind loading, particularly following significant rainfall events. Removal of the tree will prevent future canopy conflict with the fig trees and growth of its canopy towards the adjacent building".

In response to the revised Arboricultural Impact Report, the following comments were provided by Council's Landscape Officer on 19 February 2015:

"Landscape Matrix Pty Ltd's updated Arborist's Report states the existing 21m tall Norfolk Island Pine should be removed to prevent future canopy conflict with fig trees to grow, and growth of its canopy towards the building. It also observes that an increased trunk lean may cause failure. The proposal to delete the Norfolk Island Pine is not supported. The tree should be retained and the proposed ramp re-designed and relocated as previously stated, with no construction works carried out in its TPZ or SRZ, which may prove detrimental to its health, amenity structure or environmental and landscape value".

Assessing Officer's Comments: Removal of the Norfolk Island Pine is supported for the following reasons:

- The justification presented within the updated Arboricultural Impact Report is considered to be well founded and acceptable. Whilst, the current condition of the tree is healthy, the future stability of the tree is potentially compromised by the canopy bias of the Moreton Bay Fig trees in close vicinity as seen in the photograph below:



EXISTING MORETON BAY FIG TREES AND NORFOLK ISLAND PINE

- The nature of the site being a school means that the safety of students, teachers and of any visitors to the school is a significant issue. It seems perilous to hope that the Pine remains healthy, when any potential risk to patrons of the school could be avoided by removing the tree as part of this DA. In practical terms, it makes sense to remove the tree while there is sufficient access during construction works.
- The Norfolk Island Pine is not heritage listed, whereas the Moreton Bag Fig is.

Conditions of consent have been provided by Council's Landscape Officer on 17 April 2014 and are included within the Recommendation. Council's Landscape Officer would like the following comments noted:

"As discussed we do not agree with the removal of the Norfolk Island Pine tree because it is a significant tree, and the ramp can be reconfigured to accommodate the tree".

Heritage Comments

Council's Heritage Officer has commented on the proposal as follows:

"Heritage Status:

The Convent of The Good Samaritan: Stella Maris located at 52 Eurobin Avenue is currently identified as an item of Heritage Significance within Schedule 5 of the Manly Local Environmental Plan 2013 (MLEP), Amendment 3. Item no I159.

The site also contains two Moreton Bay Fig trees which have also been identified as item of Heritage Significance within Schedule 5 of the MLEP, Item no I160.

The property also faces the Group of 2 storey residential flat buildings, located on the northern side of Eurobin Avenue running from Pittwater Road to Collingwood Street, also known as Item No I154 within Schedule 5 of the MLEP.

Comments:

Manly Council's Heritage Advisor, Louise Doherty, undertook a site inspection on 17 December 2014.

The following points were made:

- The proposed removal of the existing buildings is considered to be acceptable and will not impact upon the heritage significance of the place;
- The proposed buildings are generally considered to be an acceptable replacement structures and will not impact on the heritage values of the place. However, there is concern that the proposed colours of the proposed science building will impact on heritage values of the Chapel and Convent building. While it is recognised that the use of the boldly coloured panels is part of the modern imagery of Stella Maris it is considered that the north eastern facade of the building which will result in a visual impact to the surrounding heritage listed items located within Eurobin Avenue. It is also noted that during Phase 2 of this development it is intended to clad further buildings with the highly decorative panels and this will result in a further visual impact on both the items within the school grounds and the surrounding heritage listed items.
- It is noted that the mature Moreton Bay figs are to be retained as part of this development. Every effort should be made to preserve these trees as it is considered that their loss would impact on the heritage values of the site.

Site specific recommendations and policies prepared by external consultants:

External documentation prepared for the Stella Maris College includes:

- Conservation Plan prepared by Ivan McDonald Architects, 2000; and
- Statement of Heritage Impact prepared by Rappoport Pty Ltd, 2014

The Conservation Plan was prepared to provide a long-term management strategy for the site and:

'also address the Stella Maris College's short term needs to adapt the convent as part of an expanding secondary school campus. Appropriate conservation constraints and opportunities are identified and recommendations made to ensure the conservation of the convent's heritage significance.'

The Conservation Plan included the following general and site specific policies which are relevant to the latest phase of development:

- *'Any new work required to update the building or grounds for contemporary needs such as building services should be designed so that the significance of the place is not diminished and significant fabric is not damaged.'*
- *Any new fabric introduced into the overall form of the buildings or grounds should be sympathetic to the character of the place.*

Policy 9: at least one existing cell should be interpreted to demonstrate a pre-Vatican II conventional lifestyle

Policy 14: before any work is commenced; a photographic survey should be carried out, catalogued and placed in an appropriate document archive.

Policy 22: Fabric identified as being of little heritage significance may be removed at any appropriate future time.

Policy 23: Identified intrusive elements should be removed or redesigned at an appropriate future time.

Policy 31: Any new fabric introduced into the place should be sympathetic to the style and design of the place but without being period reproductions or notional reconstructions.

Policy 38: Religious Iconography should be re-introduced to the convent in appropriate locations to help Interpret the place.

Policy 47: Significant elements of the convents setting should be preserved and maintained or reconstructed.

Policy 48: The quadrangle should be preserved.

Policy 51: Landscaping of the convent setting should be master-planned and interpreted to the inter-War era.

Policy 55: The management body should act only in accordance with the policies set out in this plan. Proposals that are not in accordance with this plan should be implemented after a revision of the whole Conservation Plan results in a conclusion that such proposals are consistent with the revised Plan.

Policy 59: A planned and funded maintenance and repair program should be put in place.

Policy 60: This plan should be reviewed at the end of any major refurbishment program and thereafter every five years or when major changes that significantly affect the place occur such as disposal by the sisters of Good Samaritan, change in use or significant damage to or destruction of fabric by natural disaster. Such reviews should include an inventory of zones and elements and a review of the physical condition of the fabric.'

It is noted that the Conservation Plan for the property was prepared in 2000. It is considered that given the extent of work proposed to be carried out an updated Conservation Management Plan complete with cyclical maintenance plans should now be prepared for the convent and chapel building.

The following recommendations have been taken from the Statement of Heritage Impact prepared by Rappoport Pty Ltd:

- 'Care should be exercised in converting the arched glazing at the western end of the 1930 school building into a door opening so that as much of the early timber glazing fabric is retained as possible*
- The recovered eastern facade of the 1930 school building should be retained and incorporated within the new staircase foyer. To maintain its physical and visual integrity, a gap should be provided between the wall and the proposed flight of stairs adjacent. We are given to understand that part of the fire engineering strategy is to convert the eastern wall of the retained 1930 school building into a vertical fire wall to minimise the need to extend fire sprinklers throughout the entire existing building and proposed stage 1 building. We would recommend using the utmost care when carrying out any required installation in order to preserve the significant fabric of the facade and enhance its legibility as the original eastern wall of the School building.'*

Conditions of consent:

Accordingly based on the information above the following Conditions of Consent should be applied:

ANS01

Deletion of colour panels to the proposed science building and submission of an alternate colour scheme as per condition (2HT04)

Reason to ensure the proposed building does not visually impact upon the heritage items located within the site or in the vicinity of the subject site.

ANS02

Preparation of an updated Conservation Management Plan, complete with cyclical maintenance plans for the Convent and Chapel building, to be prepared to the satisfaction of the Council prior to the issue of the Occupation Certificate.

Reason: To ensure the preservation of the historic fabric of the Convent and Chapel building.

ANS03

Care should be exercised in converting the arched glazing at the western end of the 1930 school building into a door opening so that as much of the early timber glazing fabric is retained as possible.

Reason: To retain fabric dating to the 1930s development era of the site.

ANS04

The recovered eastern facade of the 1930 school building should be retained and incorporated within the new staircase foyer. To maintain its physical and visual integrity, a gap should be provided between the wall and the proposed flight of stairs adjacent. We are given to understand that part of the fire engineering strategy is to convert the eastern wall of the retained 1930 school building into a vertical fire wall to minimise the need to extend fire sprinklers throughout the entire existing building and proposed stage 1 building. We would recommend using the utmost care when carrying out any required installation in order to preserve the significant fabric of the facade and enhance its legibility as the original eastern wall of the School building.

Reason: To retain fabric dating to the 1930s development era of the site."

Assessing Officer's Comments: A Supporting Statement for Proposed Colour Schemes for Stage 1 and Stage 2 Works along Eurobin Avenue and Iluka Avenue prepared by Rapport Heritage Consultants dated 12 February 2015 was received by Council on 16 February 2015. The Report addresses:

- a. the revised colour scheme for the checker box pattern for the proposed Stage 1 façade (Eurobin Avenue);
- b. appropriateness of glazing elements for the Stage 1 façade (Eurobin Avenue) within the site's context.
- c. relationship between the Stage 1 façade (along Eurobin Avenue) and the heritage listed residential buildings to the north of Eurobin Avenue and its appropriateness within the site's context;
- d. relationship between the entire Eurobin Avenue campus façade and the heritage listed residential buildings to the north of Eurobin Avenue and its appropriateness within the site's context; and
- e. the revised colour scheme for the checker box pattern for the proposed stage 2 façade as viewed from Iluka Avenue.

The supporting statement is accompanied by a revised materials and colours statement prepared by Fulton Trotter Architects dated 11 February 2015, letter from Stella Maris College regarding the colour scheme dated 5 February 2015, and response from Robinson Urban Planning dated 12 February 2015, all received by Council on 16 February 2015.

The response provided by Robinson Urban Planning is as included below:

“Heritage colours and materials

In response to Council’s concern about the impact the proposed colour scheme will have on the heritage items located both onsite and opposite (Eurobin Avenue), the following amendments to the colour scheme are proposed which can be seen in detail on Drawing DA-112/Issue B:

- *Eurobin Avenue entry box and internal courtyard facade of Art Building (top floor):*
 - *Remove the paint colours ‘Fanta’ and ‘Spinifex’ from the palette, and replace with ‘Yellow Mandarin’ and ‘Orangeade’, as per the original 2004 approved colour palette used on the Star of the Sea Theatre (DA 202/2001)*
- *The central portion of the Science building and the corner junction of the Art building (corner of Eurobin Avenue and Collingwood Street):*
 - *Remove the brighter colours ‘Atlantis Blue Metallic’ and ‘Cyan Blue Metallic’ and replace with ‘Otaki Mist’ and ‘Bennelong Blue’.*

The applicant believes that the proposed materials and colours (as amended) are appropriate for the existing school site whilst also being sympathetic to the heritage items located both on site and opposite.

An updated photomontage of the proposed amended materials and colours is shown below.



A) VIEW OF DEVELOPMENT SITE ALONG EUROBIN AVENUE LOOKING WEST



B) VIEW OF DEVELOPMENT SITE ALONG EUROBIN AVENUE LOOKING EAST



C) VIEW OF DEVELOPMENT SITE (INTERNAL) FROM ILUKA AVENUE

PROPOSED MATERIAL AND COLOUR PHOTOMONTAGES PREPARED BY FULTON TROTTER ARCHITECTS (DRAWING DA-112/ISSUE B) (SOURCE: SEE)

The proposed colour scheme is consistent with the previous 2001 approval, and has been in place for over 10 years. The colour scheme features in parts, a checkerboard of reds and browns that are an abstract interpretation of the colour and patterning of the roof tiles on the heritage listed Convent. This prominent feature of the Main College Campus became such an important part of the school's identity and branding, that it was later incorporated into the refurbishment of the Benedict Campus during 2012, which saw the checkerboard patterning extended across the school's second site.

The current proposal simply seeks to extend this existing concept of checkerboard patterning in two select locations. As an entry statement at the new pedestrian entry point on Eurobin Avenue, and as the 'overhanging box' that protrudes into the internal courtyard opposite the Star of the Sea Theatre (Iluka Avenue).

Whilst it is acknowledged that the opposite side of Eurobin Avenue is a heritage-listed streetscape (residential), the proposed colour scheme is a direct interpretation of the existing roof tiles of the heritage listed Convent. The colour scheme already exists onsite and the proposal simply seeks to incorporate the existing architectural language across the site.

Heritage specialist Rappoport have reviewed the amended colour scheme (see attached) and concluded the proposed materials and colours are in fact sympathetic to both the heritage items located on site and opposite with the proposal considered appropriate given the sites educational use and heritage setting.

The colour palate therefore does not distract from the heritage significance of the items located on site or opposite (Eurobin Avenue). Rather the proposed colour scheme directly reflects the sites historical past. The College treasures its heritage, which is why such great lengths were taken to ensure the proposed works, not only preserved the sites heritage character but also allowed previously hidden heritage items on site to be viewed from the public domain. By removing parts of the boundary wall and angling the facade of the Science building back along the Iluka Street frontage, the proposed design of the Science building at its southern end has allowed the previously hidden Chapel, to be viewed and appreciated from the street greatly improving the sites presentation to the street.

This sensitive approach to the sites redevelopment is also reflected within the school's master plan motto "Building on the Past, Reaching for the Future". With the proposal actively seeking to improve the relationship with its exiting heritage buildings whilst also catering for the schools 21st Century educational needs and expectations. The sites main function is therefore to create an environment for children to learn and grow, and the proposed colour scheme is representative of that. A school should be a place of activity, vibrancy, and excitement to create and foster an environment in which children enjoy spending time.

As such the school wishes to retain the proposed colour panels (as amended) to the Eurobin Avenue entry box. The proposed colour panels in this location act as a clear site identification marker and also identify the location of the sites main pedestrian entry. The proposed colour panels are in keeping with the school's existing site colour palate and the schools existing branding as outlined within the College's visual identity guidelines (see attached).

In regards to the central portion of the Science building, this section of the building is 'commercial' by nature, and is in keeping with the school intention to provide modern facilities for 21st Century learners. To respond to Council's concern however, it is proposed to reduce the number of colours, as well as the contrast between the colours applied to this portion of the facade so it will no longer compete in complexity with the coloured entry box that sits adjacent to it. Removing the stronger blue tones and replacing with lighter more transparent elements this amendment to the Science building is considered in line with Council's request to tone down the Eurobin Avenue street frontage in keeping with its heritage character.

The photographs below show examples of the existing colour palate for both the College's Main Campus and its Benedict Campus located at 270 Pittwater Road, Manly. These photographs clearly demonstrate the College's branding and identity. The proposed revised colour scheme simply reflects what is already in place and is considered appropriate for the sites educational use and heritage context and should be supported in its current form.



STAR OF THE SEA THEATRE VIEWED FROM ILUKA AVENUE



STAR OF THE SEA THEATRE VIEWED FROM ILUKA AVENUE



STAR OF THE SEA THEATRE VIEWED FROM PEDESTRIAN ENTRANCE INTO THE SCHOOL



INTERNAL BASKETBALL COURT



CORNER OF EUROBIN AVENUE AND COLLINGWOOD STREET



SCHOOL CANTEEN BUILDING



BENEDICT CAMPUS COLOUR PALATE

Council's Heritage Officer has commented on the additional information on 25 February 2015, as follows:

"Background:

After consideration of the original DA, heritage comments were provided which included a number of Conditions of Consent specifically prepared in order to address the potential heritage impacts. The following conditions and comments are of relevance:

ANS01

Deletion of colour panels to the proposed science building and submission of alternative colour scheme as per condition (2HT04)

Reason to ensure the proposed building does not visually impact on the heritage items located within the site or in the vicinity of the subject site.

The original comments prepared by Manly Councils Heritage Advisor also raised concerns about the use of these colour panels to other sections of the site:

'While it is recognised that the use of the boldly coloured panels is part of the modern imagery of Stella Maris it is considered that the north eastern facade of the building which will result in a visual impact to the surrounding heritage listed items located within Eurobin Avenue. It is also noted that during Phase 2 of this development it is intended to clad further buildings with the highly decorative panels and this will result in a further visual impact on both the items within the school grounds and the surrounding heritage listed items.'

Further discussion regarding the colour scheme was raised during the meeting held at Manly Council on January 14 2015. Specific reference was made to:

- the juxtaposition of the 'Contemporary Interpretation of Historical Elements' colour scheme and the 'Beach Movement Reflection' colour scheme located to the North west corner of the site (Eurobin Entry Box and central portion of the science building); and*
- the use of the 'Contemporary Interpretation of Historical Elements' colour scheme to the internal courtyard facade of the Art Building (Top Floor).*

Details of additional information provided:

In response to the above comments the applicant's design team submitted additional information to Council which offered the following alternative to the originally proposed scheme:

- Eurobin Avenue entry box and internal courtyard facade of Art Building (top floor): Remove the paint colours 'Fanta' and "Spinifex" from the palette, and replace with 'yellow mandarin ' and "orangeade" as per the original 2004 approved colour palette used on the Star of the Sea Theatre (DA202/2001).*
- The central portion of the Science Building and the corner junction of the art building (corner of Eurobin Avenue and Collingwood Street): Remove the brighter colours "Atlantic Blue Metallic" and Cyan Blue Metallic. The visual imagery regarding the relationship between the Chapel and proposed science building has also been provided by Fulton Trotter architects and reviewed as part of this response.*

The additional documents also included letters from:

- the Principal of Stella Maris College, Ms Elizabeth Carnegie; and*
- Rappoport Heritage Consultants, Project Coordinator, Swati Dhar.*

The letter from Stella Maris detailed the background to the development of the panel colours, explaining that the 'Contemporary Interpretation of Historical Elements' colour scheme had been derived from the imagery of the roof tiles of the heritage listed convent building. Further detail is also given regarding the importance of the colours as a key component of the Colleges visual identity and how they have been incorporated into the Star of the Sea Theatre and nearby Benedict Campus. It is also stated that

'As such it is an important feature that the College desires to show at the new entry on Eurobin Avenue.'

Ms. Carnegie's letter also expands on the schools desire to respect its history, maintain the heritage buildings whilst functioning as a modern school with the appropriate infrastructure required to provide modern teaching and learning practices.

The letter provided by Rappoport Heritage Consultants lends support for the proposed adjustment of the 'Contemporary Interpretation of Historical Elements' colour scheme and 'Beach Movement Reflection' colour scheme to the Eurobin Streetscape and also to the proposed Stage 2 development of the Art building as viewed from Iluka Avenue stating:

'...the revised colour scheme for the checker box pattern is in keeping with the originally approved colour scheme for the theatre building, which already exists on campus. This avoids introducing a third colour scheme onto the site, thus allowing a clearer appreciation of the surrounding heritage buildings.

The use of this colour scheme on the Stage 2 facade of the Art building along Iluka Avenue acts as a clear identifier to mark the main entry from Iluka Avenue. The proposed scheme with the use of modern finishes and patterns would reflect the contemporary design with angular forms. It is not considered to be detracting from the heritage significance of the surrounding buildings and in fact sits well in contrast to the fabric of the heritage items, as it does not attempt to replicate or challenge the significance of the heritage buildings.'

Comments:

After reviewing the proposed amendments and consideration of the supporting documentation, it is acknowledged that the changes made to the colour scheme seen within the Eurobin Avenue facade are acceptable and that they are in keeping with the existing "brand identity" of Stella Maris College. It is considered that the removal of the four brighter colours, two of which are to be replaced by those seen in the original scheme, has reduced the impact of the development on the neighbouring heritage listed items and will result in an improved streetscape appearance whilst retaining the visual identity of Stella Maris College.

It is also considered that the revised 'Beach Movement Reflection' colour scheme to the southern elevation of the science building, in conjunction of the modern angular design, will result in a sympathetic neighbouring development allowing the Chapel building to be clearly read from Iluka Avenue whilst providing a modern education facility that can be easily read as a contemporary layer of development.

However, it is considered that the proposed use of the modified 'Contemporary Interpretation of Historical Elements' colour scheme to the proposed art building, located to the centre of the site, will be clearly visible when viewed in conjunction with the historic Convent building. It is not considered that the use of this colour scheme in this location is sympathetic to the neighbouring historic Convent building. Furthermore the combination of the existing Star of the Sea and Art Building will visually dominate the existing aesthetic heritage values of the Convent building. It is further considered that it is not necessary to provide a "clear identifier to mark the main entry from Iluka Avenue" as there are no changes to the traditional location of the main entry from Iluka Avenue. Furthermore, unlike the building on Eurobin Avenue the proposed art building is not a designated entry building, nor, unlike the Star of the Sea Theatre, a special use building accessible after hours to the general public.

Consideration should be given to amending the colour scheme of the art building to be similar to the southern elevation of the science building. This building, as noted above, is considered to be sympathetic to the neighbouring heritage items, while the Art Building is not. It is further noted that the proposed modern design of the Art Building is clearly and easily read as a contemporary element of the site. It is not considered necessary to be further emphasise this point by the use of the 'Contemporary Interpretation of Historical Elements' colour scheme.

Conditions of consent:

Accordingly based on the above information, it is considered that the modified colour scheme to the Eurobin entrance is acceptable and that proposed ANS01 should be replaced with the following condition.

ANS01

The plans are to be modified to show the Art building to be consistent with the combined Beach movement reflection colour scheme and Historical Reference Spanish Mission colour scheme as indicated on Dwg. No. DA 112 Issue B dated 11/02/2015 received by Council on 16 February 2015. Plans are to be notated accordingly prior to the issue of a Construction Certificate.

Reason: to reduce the visual impact of the proposed building on the recognised aesthetic heritage values of the convent building".

Assessing Officer's Comments: Council's Heritage Officer is generally satisfied that the initial concerns raised have been satisfactorily addressed, with the exception of the colour scheme proposed for the Art Building. This is addressed by way of a condition of consent (ANS01).

The applicant has requested on 20 March 2015 that Condition ANS01 be modified as follows:

"The plans are to be modified to show the southern elevation of the second floor of the Art Building to be consistent with the Beach movement reflection colour scheme and/or Historical Reference colour scheme utilised on the other non-entrance buildings within the site".

Council accepts the amendments to ANS01 above. The condition has been modified accordingly.
Note: The condition reference number has changed.

Waste Officer's Comments

Council's Waste Officer has commented on the proposal on 25 February 2105 as follows:

"The bin storage area is not adequate in size to cater for the proposed bin configuration. All bins are to be stored on the property and screened from the street to Council's satisfaction".

Council's Waste Officer has no objections to the proposal, subject to the inclusion of recommended conditions of consent.

Assessing Officer's Comments: The submitted *Ongoing Operation Waste Management Plan* prepared by Foresight Environmental dated 9 February 2015 and received by Council on 16 February 2015 states that the *"current waste storage area off Collingwood Street provides sufficient capacity for the bins proposed"*. The request to have the bin area screened from the street is addressed by way of a condition within the Recommendation.

Traffic Officer's Comments

Council's Traffic Officer has commented on the proposal as follows:

"The proposed redevelopment of the main campus of the Stella Maris College at 54 Eurobin Avenue is expected to lead to an increase in the numbers of staff and students using the site by approximately 15 staff and 200 students.

Traffic

The traffic impact that may result from intensifying the use of the college site is unlikely to have a noticeable effect on the current performance of key intersections and road sections local to the development site.

The development could attract an addition 128 vehicle trips to the road network (based on the current travel mode share). This when distributed into the peak hours and onto the road network this is a modest increase in traffic volumes and well within the capacity of all of the surrounding roads.

Public Transit

The school is well served by public and chartered bus services with adequate bus parking to provide for increased school bus services if required

Loading

The Development Application proposes the removal of a loading area and access located on Iluka Avenue. However, no alternative arrangement is provided on the plans or discussed in the Traffic Assessment. It would be usual for a development of the scale of the college to have a dedicated loading facility. Detail of how loading will function should be provided as an addendum to the traffic assessment prior to determination.

Pedestrian crossing

The proposed zebra crossing located on Collingwood Street close to Eurobin is not supported. This crossing would likely be better located in Eurobin Avenue. Any zebra crossing to be provided by the development would need to meet the Roads and Maritime Services pedestrian crossing warrants and seek separate approval via the Manly Local Traffic Committee process.

Parking

The Applicant proposes a basement car park to provide 31 parking spaces including 1 space for disabled driver.

Based on the current travel behaviour to the college and the expected increase in staff and students it is estimated that the redevelopment will create a demand for 23 parking spaces off street and 4 additional drop off and pick up spaces on street.

The proposed basement car park could accommodate the likely parking increase that would result from the redevelopment and could contribute 8 additional spaces to reduce the current total parking demand for on street parking by the college.

The traffic report provided with the Development Application does not discuss the existing parking needs of the college or the existing parking availability in the local area.

Based on the current travel behaviour it is estimated that the future college could require a total of 179 parking spaces of which 158 would be all day parking spaces and 21 parking spaces would be for drop off and pick up parking.

This total all day parking demand is partially provided for by:

- 31 proposed car parking spaces within the new development
- 10 parking spaces provided at the Benedict campus
- 30 on-street resident parking permits provided by council for college staff use
- However, there is a shortfall of 87 parking spaces that need to be found on street.

The Ocean Beach area, within which the college is located, is largely residential and being close to the beach and ocean attracts large numbers of visitors seeking a place to park. The existing college parking needs compete with residential and visitor parking for limited on street parking spaces. Parking in the area surrounding the college is in high demand particularly overnight and during the summer season. Most of the on street parking close to the college is either time restricted with exemptions for permit holders or is paid parking.

Recommendations

1. The Applicant should provide details of how loading will be managed within the college site, particularly as the loading area and access off Iluka Avenue is to be removed. It is recommended that this information is provided prior to determination.
2. If the applicant wants to include the zebra crossing proposed on Collingwood Street within their building program, then the applicant should arrange the preparation, by a suitably qualified engineer, of:
 - a. a report for the Manly Local Traffic Committee demonstrating that the Roads and Maritime Service's warrant criteria can be met, and;
 - b. provide a set of detailed engineering drawings of the proposed crossing for consideration by the Manly Local Traffic committee and Council engineers

Councils preferred option for a zebra crossing, if it meets warrants, would be to locate the crossing on Eurobin Avenue where it could provide improved access for the college and the wider community. It is recommended that the cost of preparing the documentation and any engineering works to construct a zebra crossing conditioned to be at the applicant's expense.

3. *Changes to the on-street parking proposed by the applicants transport and traffic engineers, Thompson Stanbury Associates, will need to be considered by the Manly Local Traffic Committee. The applicant will need to prepare a report detailing the proposed changes. It is recommended that the cost of implementing any parking changes be conditioned to be at the applicant's expense.*
4. *The proposal by Thompson Stanbury Associates that the applicant prepare a Operational Management Plan (OMP) to show how parking will be managed is supported and it is recommended that this be conditioned prior to occupation. The OMP should include:*
 - a. *The management of school time parking arrangements for both students and staff*
 - b. *The management of parking arrangements for out of hours activities such as the hire of the theatre, after school activities and weekend activities at the school.*

The objectives of the plan should be to minimise parking impacts on the neighbouring community particularly in the evenings and overnight and to encourage and promote active and sustainable travel choice by students, parents and staff.

It is strongly suggested that the college be encouraged to develop active travel strategies for all its community but particularly for staff. These strategies would aim to reduce car use and so parking needs and encourage active and sustainable transport with the many health and lifestyle benefits.

The OMP could include strategies to:

- *Reduce the barriers to active and sustainable travel by:*
 - *providing suitable storage / lockers for students and staff. Provide showers, towel cleaning service, bicycle maintenance service.*
 - *Improving active travel education / awareness (such as cycle proficiency courses, cycle maintenance training)*
 - *Improved secure cycle parking on campus*
- *Incentivise to car pool –this could include for example guaranteed travel home for staff who arrive via car-pooling, subsidised car-pooling costs, technology infrastructure to make car-pooling easy (car-pooling database)*
- *Discourage single occupancy car use – this could include, for example, restraint on the issue of car parking permits limiting use of off street parking or limiting car trips per week (i.e. each member of staff required to travel to work without a car at least once a week (this gives a 20% reduction in car trips / parking needs)."*

Robinson Urban Planning on behalf of the applicant has provided the following response to the comments from Council's Traffic Engineer:

- *"Existing delivery facilities have been highlighted on the revised ground floor plan (Drawing DA-107/Issue C).*
- *An additional 10 bike storage facilities have been provided within the basement car park level (Drawing Science Building car park – Drawing DA-S-201/issue B).*
- *Bicycle parking provided within the basement car park will be for staff use only.*
- *An additional 20 bike racks are to be provided as part of the amended proposal, bringing the total to 32. The additional bike racks are to be located adjacent the Eurobin Avenue street frontage (Drawing DA-107/Issue C).*
- *An Operational Management Plan will be provided prior to issue of the Occupation Certificate. As part of this OMP, Stella Maris College will also provide an ATP to encourage staff and students to reduce car use and parking needs.*

- *The pedestrian crossing shown on the site plan does not form part of the application. The crossing was placed on the site plan in error. A revised ground floor plan has been prepared (Drawing DA-107 / Issue C) with the pedestrian crossing removed.*
- *The new basement car park will be made available to operator*

Assessing Officer's Comments: The response provided by the applicant is considered to satisfactorily address the issues raised by Council's Traffic Engineer. The recommendations contained within the Traffic Impact Assessment appended to the SEE are included as conditions within the Recommendation. Council's Traffic Engineer has no objections to the proposal, subject to the inclusion of conditions of consent.

Driveway Engineer's Comments

Council's Driveway Engineer has commented on the proposal as follows:

"It appears there is no driveway construction as per the submitted plans"

Council's Driveway Engineer has no objections to the proposal. No conditions of consent have been recommended.

Environmental Health Officer's Comments

Council's Environmental Health Officer has commented on the proposal as follows:

"The following are required:

- 1. Management Plan for Acid Sulfate Soils: Geotechnical Report states they may be encountered at excavation stage.*
- 2. Dewatering: If dewatering is to occur, Council must be notified with plans and disposal system.*
- 3. Noise and Vibration Plan: to be submitted".*

Assessing Officer's Comments: The above requirements have been addressed by way of conditions of consent included within the Recommendation.

Access Committee Comments

The Access Committee commented (Meeting: 15 December 2014) have commented on the proposal as follows:

"The assessing officer is to check if:

- *Ground Floor door between the lift foyer and Finance offices is wide enough for a wheelchair,*
- *First floor door to the science building is accessible by wheelchair – e.g. the second floor door is a sliding door which is fine".*

Robinson Urban Planning have responded on behalf of the applicant as follows:

- *"The ground floor door with alcove leading to the finance offices will be detailed to comply at Construction Certificate Stage. The door schedule is to ensure that the latch side space is 530mm with a clear door opening of 850mm and hinge side space of 110mm in accordance with Fig 31 (in part) (h) Front approach door opens towards user (AS1428.1 – 2009).*
- *The Level 1 library doorway at the top of the stairs will allow sufficient space for the end of the handrails to extend 300mm past the top step and turn 180 degrees. This will be detailed at Construction Certificate Stage."*

Assessing Officer's Comments: The response provided by the applicant is considered to satisfactorily address the issues raised by Council's Access Committee. Further, a condition of consent has been included, which requires a detailed access report and suitably amended plans demonstrating compliance with the original Disability Access Report and addendum letter be submitted to Council/Accredited Certifier, prior to issue of the Construction Certificate to ensure access for people with a disability.

External Referrals

Roads and Maritime Services

The application was referred to the Roads and Maritime Services on 4 March 2015 for comments. The following comments were offered on 25 March 2015:

"Roads and Maritime has reviewed the submitted application and raise no objection to the application"

Office of Water

The application was referred to the Department of Primary Industries Office of Water under s.91A of the Environmental Planning and Assessment Act 1979

Aboriginal Heritage Office

The following comments were received from the Aboriginal Heritage Office on 13 February 2015:

"No sites are recorded in the current development application and the area has been subject to previous disturbance reducing the likelihood of surviving unrecorded Aboriginal sites. Given the above, the Aboriginal Heritage Office considers that there are no Aboriginal heritage issues for the proposed development. Should any Aboriginal sites be uncovered during earthworks, works should cease and Council, the NSW Office of Environment and Heritage (OEH) and the Metropolitan Local Aboriginal Land Council should be contacted".

Sydney Water

The application was referred to Sydney Water for comments.

The following comments were received:

"Due to the scale and type of development the proponent will be required to gain a Section 73 Certificate, according to the Sydney Water Act 1994. We request that Council include the following condition in the development consent to be met before you issue the Occupation Certificate:

'A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water.'

Make an early application for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design. Application must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Plumbing, building and developing > Developing > Land development or telephone 13 20 92

Water:

- *For the proposed development, the drinking water main available for connection is the 150 mm main in Collingwood Street.*
- *Detailed requirements will be provided at the Section 73 application phase.*

Wastewater:

- *The proposed development site can connect to the 150 mm wastewater main traversing the site*
- *Detailed Requirements will be provided at the Section 73 Phase.*

Sydney Water Servicing:

A section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water.

Make an early application for the certificate as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > **Plumbing**, building and developing > Development > Land development or telephone 13 20 92.

Building Plan Approval:

You must have your building plans stamped and approved before any construction is commenced. Approval is needed because construction/building works may affect Sydney Water's assets (e.g. water, sewer and stormwater mains). For further assistance please telephone 13 20 92 or refer to the 'Building over or next to assets' page on the Sydney Water website.

Trade Wastewater Requirements:

If this development is going to generate trade wastewater, the property owner must submit an application requesting permission to discharge trade wastewater to Sydney Water's sewerage system. You must wait for approval of this permit before any business activities can commence. The permit application should be emailed to Sydney Water's Business Customer Services at businesscustomers@sydneywater.com.au.

It is illegal to discharge Trade Wastewater into the Sydney Water sewerage system without permission.

A Boundary Trap is required for all developments that discharge trade wastewater where arrestors and special units are installed for trade wastewater pre-treatment.

Backflow Prevention Requirements:

Backflow is where there is unintentional flow of water in the wrong direction from a potentially polluted source into the drinking water supply.

All properties connected to Sydney Water's supply must install a testable Backflow Prevention Containment Device appropriate to the property's hazard rating. Property with a high or medium hazard rating must have the backflow prevention containment device tested annually. Properties identified as having a low hazard rating must install a non-testable device, as a minimum.

Separate hydrant and sprinkler fire services on non-residential properties, require the installation of a testable double check detector assembly. The device is to be located at the boundary of the property.

'Before you install a backflow prevention device:

- 1. Get your hydraulic consultant or plumber to check the available water pressure versus the property's required pressure and flow requirements.*
- 2. Conduct a site assessment to confirm the hazard rating of the property and its services. Contact PIAS at NSW Fair Trading on 1300 889 099.*

For installation you will need to engage a licensed plumber with backflow accreditation who can be found on the Sydney Water website: <http://www.sydneywater.com.au/Plumbing/BackflowPrevention>".

Department of Primary Industries Office of Water Comments

The following response was received from the NSW Office of Water, dated 16 April 2015:

"Based on the information provided, NOW understands that the project proposal includes the staged construction of a three (3) storey school facility development over a single (1) level of basement car park. Construction of the development will involve excavations to depths of generally 2.8 m below existing ground levels.

Preliminary assessment indicates the groundwater table may not be intercepted as a result of the excavation works.

On the basis of the current information including the supplementary advice prepared by JK Geotechnics (17th October and 18th December 2014), as provided by council, the NSW Office of Water considers that the volume of groundwater to be extracted and the duration of dewatering are both likely to not be significant in terms of resource management. Therefore, an authorisation for the extraction of groundwater for the proposed activity is not considered to be warranted at this time, and consequently no general terms of approval are provided.

However it is noted that there may be some uncertainty identified within the geotechnical report in regard to the groundwater level beneath the property. Should the proposed excavation into the groundwater table result in the requirement for a significantly greater predicted inflow and subsequent dewatering volume, the NSW Office of Water may require an authorisation to be obtained for the activity.”

NSW Police Force

The application was referred to the NSW Police Force on 26 November 2014. NSW Police have no objections or comments to make in respect of this proposal.

Precinct Community Forum Comments

The application was referred to the North Harbour Precinct Community Forum on 25 November 2014 with the following comments received from the March 2015 Meeting:

“The precinct would not be sending any objections as the proposed development does not appear to overshadow the Manly Village School or interfere with the functioning of the school – as was the case with the earlier proposal”.

The application was referred to the Ocean Beach Precinct Community Forum on 25 November 2014. No objections or comments have been received at the writing of this report.

Planning Comments

Environmental Planning & Assessment Act 1979 – Section 79(C)(1)

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

- (a) the provisions of:**
 - (i) any environmental planning instrument, and**

State Environmental Planning Policy No. 71 (SEPP 71) – Coastal Protection

SEPP 71 applies to the site. Clause 2 of SEPP 71 sets out the Policy aims. The proposal is consistent with the relevant aims in that:

- it will not affect public access to and along coastal foreshores;
- it will protect the visual amenity of the coast by sympathetically altering the aesthetics of the building on the site; and
- the principles of ecologically sustainable development are implemented and the bulk and scale is appropriate for the site.

Clause 8 of SEPP 71 sets out the matters for consideration that are to be taken into account when Council prepared a draft LEP and determines DA's. The submitted SEE demonstrates compliance with these matters for consideration.

State Environmental Planning Policy No. 55 (SEPP 55) – Remediation of Land

Clause 7(1)(A) of SEPP 55 requires the consent authority to consider whether land is contaminated. Given the sites extended use for education purposes, the site is unlikely to be contaminated. In addition the Site Investigation Report prepared by Environmental Investigation Services, a copy of which is appended to the SEE, tested the soil conditions and found that the site can be made suitable for the proposed development.

State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)

The proposal is subject to the provisions of the Infrastructure SEPP. The aim of this Policy is to facilitate the effective delivery of infrastructure across the State. Division 3 relates to Educational Establishments under Complying Development. However, as the site contains a heritage item, Complying Development is not applicable.

Based on the number of additional students, Clause 104 of the Infrastructure SEPP (traffic generating developments) is relevant to the proposal, necessitating referral to Roads and Maritime Services. The application was referred to RMS on 4 March 2015, who raised no objections to the proposal.

Manly Local Environmental Plan 2013 (as amended)

The subject site is located is Zoned SP2 –Infrastructure (Educational Establishment) under MLEP 2013 (as amended). *Educational establishments* are permitted with consent.

Zone SP2 – Infrastructure (Educational Establishment)

Objectives of zone

- *To provide for infrastructure and related uses.*

The proposal maintains the existing use of the site as an educational establishment.

- *To prevent development that is not compatible with or that may detract from the provision of infrastructure.*

The proposal provides for additional infrastructure on the site.

- *To minimise loss of views to, from and within heritage items and minimising intrusion on the heritage landscape and visual curtilage of heritage items.*

The proposal is not considered to give rise to any view loss to, from and within listed heritage items in the vicinity of the site, or impact adversely on their curtilage. The proposal is considered to conserve and enhance the listed items within and in the vicinity of the site.

Part 4 Principal development standards

Pursuant to Clause 4.3 of MLEP 2013 (as amended), the site is subject to a 8.5m height development standard. The following heights are proposed on the site:

Element / Building	Existing	Proposed	Difference	Complies
Science Building	RL 15.45 (11.91)	RL 16.17 (11.19m)	+0.72m	No (Variation of 31.65%)
Arts Building	RL 20.60 (14.32m)	RL 18.18 (11.90m)	-2.42m	No (Variation of 40%)
Basketball Court Roof	-	RL 20.42 (13.13m)	-	No (54.47%)

It is noted that there is no Floor Space Ratio development standard is prescribed for the site under MLEP 2013 (as amended). It is noted, however, that Fulton Trotter Architects states that a Gross Floor Area (GFA) of 7,253.21m² is proposed (being 6,329.55m² of existing GFA plus 923.66m². This equates to an overall floor space ratio (FSR) of 0.84:1.

4.6 Exceptions to development standards

An application to vary the height of building development standard has been made, pursuant to Clause 4.6 of the MLEP 2013 (as amended), a copy of which is appended to the SEE.

Clause 4.6(3)

The applicant has submitted a written request that seeks to justify the contravention of the development standard.

- (a) The reasons provided by the applicant as why compliance with the development standard is unreasonable and unnecessary in the circumstances of the case are listed below:
- Strict compliance would preclude completion of approved and construction of the required infrastructure developments on the site.
 - The proposal will accommodate a proportion of the expected projected growth in school aged children in the area.
 - The proposal will generate positive social and economic impacts including:
 - Supporting the continued successful operation of one of Manly's oldest school for girls.
 - Improving educational facilities to existing and future Stella Maris students and staff.
 - Providing opportunities for use of the College by members of the extended school community (including other schools in the catchment).
 - Ongoing employment within the College (+11 jobs) plus construction jobs and expenditure.
 - Providing full accessibility (which is currently not provided).
 - Providing 31 off street car spaces.
 - Providing end of trip facilities for cyclists.
 - The redevelopment has been designed to improve the amount of open space on the site and minimise the loss of deep soil landscaped area.
 - The 8.5m height standard does not appropriately reflect the existing educational establishment on the site.
 - The 8.5m height standard, which would normally reflect a general residential density form, which applies to nearby sites in Zone R1, is not reasonable for the site which is in Zone SP2 and which is occupied by an existing educational establishment.
 - The functional requirements of the proposed non-complying elements (Secondary Schools Laboratory Size Requirements) necessitate a built form that has a height greater than 8.5.
 - Council has recently approved major alterations and additions at St Paul's Catholic College (106 Darley Road, Manly) to a height up to 12m, where the height standard is also 8.5m (DA89/2013).
 - If the applicability of ISEPP was not voided by the presence of heritage items on the site, a height restriction of 12m would apply.
 - The proposed development sits comfortably within the streetscape and is of an appropriate bulk and scale.
 - The freestanding weatherproof structure to be positioned over the basketball court will not be visible from the Eurobin Avenue or the Collingwood Street frontage due to its location behind the main building line. Glimpses of the structure may be possible through the pedestrian entrance and open space corridor from the Iluka Avenue street frontage.
- (b) The applicant's written request considers that there are sufficient environmental planning grounds to justify contravening the development standard, as follows:
- The proposal will not give rise to any unreasonable adverse amenity impacts for surrounding properties (in terms of overshadowing, views/outlook and privacy impacts).
 - The Statement of Heritage Significance concludes that the heritage impacts of the proposal are minimal and positive.

- The traffic assessment by Thomson Stanbury Associates concludes that the traffic impacts of the proposed development will be acceptable.

Clause 4.6(4)

(a) the consent authority is satisfied that:

- i. The applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3).
- ii. The proposed development will be in the public interest because it is consistent with the objectives of the height of the building development standard in that:
 - The proposal will not give rise to any unreasonable or unexpected adverse amenity impacts for surrounding properties (in terms of overshadowing, views and privacy impacts).
 - The proposed height of the new Science and Arts Buildings' are comparable with the approved/commenced building heights (DA202/2001).
 - The photomontages provided illustrate that the proposed development sits comfortably within the streetscape and is of an appropriate bulk and scale.
 - In relation to overshadowing, the shadow diagrams prepared by Fulton Trotter Architects demonstrates that the proposed redevelopment will not affect solar access to more than one third of the existing sunlight accessing any of the surrounding properties, in particular 4 Iluka Avenue.

The proposed development will be in the public interest because it is consistent with the objectives for development within the SP2 Infrastructure Zone in that:

- The proposal is for an infrastructure use.
- The proposal is compatible with the provision of infrastructure and will materially improve the function and amenity of the existing educational establishment on the site.
- The proposal conserves and enhances the natural heritage items on site and does not obstruct or obscure any significant views or vistas to or from the heritage items located on site.

On balance, the variations sought to the height of building development standard are considered to satisfy the requirements under Clause 4.6 of the MLEP 2013 (as amended). The application submitted by the applicant and the reasons provided as to why compliance with the development standard is unreasonable and unnecessary in the circumstances of the case are considered to be well founded. Therefore the variations sought to the height of building development standard as outlined in the table above are supported for approval.

Part 5 Miscellaneous Provisions

Clause 5.9 – Preservation of trees or vegetation

An Arboricultural Impact Assessment has been prepared and is appended to the SEE. Development consent is sought to remove sixteen trees on the site. Council's Landscape Officer has no objections to this generally but does not support removal of a Norfolk Island Pine Tree in the central courtyard area. The justification provided within the Arboriculturist Report for removal of the tree is considered to be well founded. The main reasons given for removing the tree include canopy bias of the two (2) adjacent heritage listed Moreton Bay Fig trees and resultant potential for the trunk of the Pine to lean towards building structures. Accordingly, removal of the Norfolk Island Pine Tree is supported.

Clause 5.10 – Heritage Conservation

A Statement of Heritage Impact has been prepared and is appended to the SEE. The report concludes that the proposal will conserve the heritage significance of the site and Manly. Council's Heritage Advisor has no objections to the proposal, subject to the inclusion of recommended conditions of consent. The recommendations contained within the Heritage Impact Statement have been adopted by Council's Heritage Advisor and are included as conditions of consent within the Recommendation. Notably:

- Preparation of an updated Conservation Management Plan, complete with cyclical maintenance plans for the Convent and Chapel building is to be prepared to the satisfaction of Council's Heritage Advisor, prior to issue of the Occupation Certificate.
Reason: To ensure the preservation of the historic fabric of the Convent and Chapel building and in accordance with the recommendation of Council's Heritage Advisor.
- Care should be exercised in converting the arched glazing at the western end of the 1930 School Building into a door opening so that as much of the early timber glazing fabric is retained as possible.
Reason: To retain fabric dating to the 1930s development era of the site and in accordance with the recommendation of Council's Heritage Advisor.
- The recovered eastern facade of the 1930 School Building should be retained and incorporated within the new staircase foyer. To maintain its physical and visual integrity, a gap should be provided between the wall and the proposed flight of stairs adjacent. We are given to understand that part of the fire engineering strategy is to convert the eastern wall of the retained 1930 School Building into a vertical fire wall to minimise the need to extend fire sprinklers throughout the entire existing building and proposed Stage 1 building. It is recommended using the utmost care when carrying out any required installation in order to preserve the significant fabric of the facade and enhance its legibility as the original eastern wall of the School Building.
Reason: To retain fabric dating to the 1930s development era of the site and in accordance with the recommendation of Council's Heritage Advisor.

Part 6 Local Provisions

The relevant provisions contained within Part 6 of the Manly LEP 2013 (as amended) are referred to below as part of this assessment:

6.	Local Provisions	Complies	Comments
6.1	Acid Sulfate Soils	Yes	Environmental Investigation Services tested the soil conditions and found the site can be made suitable for the proposal.
6.2	Earthworks	Yes	The proposal is consistent with the provisions contained within Section 6.2 of the MDCP 2013 (Amendment 4). A condition of consent is included within the Recommendation, which requires a detailed Construction Management Plan to be prepared and submitted to the Council/Accredited Certifier, prior to issue of the Construction Certificate.
6.3	Flood Planning	Yes	Flood Planning has been considered within the Stormwater Management Report and Plans prepared by Taylor Thomson Whitting in accordance with the Manly LEP 2013 (as amended) and Manly DCP 2013 (as amended). The recommendations contained within the report are included as conditions within the Recommendation.
6.4	Stormwater Management	Yes	A Stormwater Management Report has been prepared, as detailed above.
6.13	Design Excellence	Yes	The SEE offers the following comments in respect of this provision: <i>"The proposal is consistent with the design excellence provisions:</i> – Views toward the Chapel are improved.

			– The proposal uses materials and finishes that are sympathetic to existing heritage structures on site. – The proposal protects the natural features of the site. – Futon Trotter Architects have prepared a Design Statement which is appended to the SEE. – Rappoport prepared a SoHI, which found the proposal to have an acceptable impact on the heritage items on the heritage items located on site.” The applicant is considered to have satisfactorily demonstrated compliance with the principles for design excellence under Section 6.13 of the MLEP 2013 (as amended).
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79C(1)(a)(ii) - any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the draft instrument has been deferred indefinitely or has not been approved), and

There is no applicable Draft Planning Instrument.

79C(1)(a)(iii) - any development control plan, and

Manly Development Control Plan 2013 (Amendment 4):

The following is an assessment of the proposal's compliance with the standards of the Development Control Plan.

Part 3 General Principles of Development

Section	Issues	Consistent with principle	Comments
3.1	Streetscape and Townscapes	Yes	• The proposal is considered to be sympathetic to the streetscapes and surrounding area. • The proposal occupies a portion of the site that already has development consent to construct two (2) three (3) storey buildings (Science Building and Arts Building). The bulk of the approved development as viewed from Eurobin Avenue, Iluka Avenue and Collingwood Street is comparable to the proposed works the subject of this application. • The proposal uses materials and finishes that are sympathetic to existing heritage structures on the site. • The proposed new Science Building has an appropriate street massing that is similar to current and approved conditions along Eurobin Avenue.

			The freestanding weatherproof structure to be positioned over the basketball court will not be visible from the Eurobin Avenue or Collingwood Street frontage due to its location behind the main building line. Glimpses of the structure may be possible through the pedestrian entrance and open space corridor from the Iluka Avenue Street frontage, however this is not considered to have any adverse impact on the streetscape.
3.2	Heritage – In Vicinity	Yes	A Statement of Heritage Impact has been prepared having regard to Section 3.2 of the MDCP 2013 (Amendment 4) and is appended to the SEE. The report concludes that the proposal will conserve the heritage significance of the site and Manly. Council's Heritage Advisor has no objections to the proposal, subject to the inclusion of recommended conditions of consent. The recommendations contained within the Heritage Impact Statement have been adopted by Council's Heritage Advisor and are included as conditions of consent within the Recommendation. Notably: - Care should be taken in converting the arched glazing at the western end of the 1930 School Hall Building into a door opening and as much of the early timber glazing fabric should be retained as much as possible. - As much of the recovered eastern façade of the 1930 School building should be retained and incorporated into the new staircase foyer. To maintain its physical and visual integrity, a gap should be provided between the wall and the proposed flight of stairs adjacent.
3.3	Landscaping	Yes	Landscape Plans have been prepared in accordance with the DCP 2013 (Amendment 4). Council's Landscape Officer is generally satisfied with the proposal subject to the inclusion of recommended conditions of consent, except for the proposed removal of an existing Norfolk Island Pine in the central courtyard. The justification presented within the appended Arboriculturist Report for removal of the tree is considered to be well founded. Accordingly, removal of the Norfolk Island Pine is supported for approval. The remaining fifteen (15) trees proposed to be removed are supported by Council's Landscape Officer.
3.4.1	Sunlight Assess and Overshadowing	Yes	Shadow diagrams for mid-winter and mid-summer have been prepared by Fulton Trotter Architects. The diagrams indicate that from 9:00am-10:00am mid-winter, the proposed Science building will cast a small amount of additional shadow onto the adjoining residential dwelling at 4 Iluka Avenue and that by 11:00am there will be no overshadowing.

			• The additional shadow cast by the new Science Building complies with the solar access requirements under the MDCP 2013 (Amendment 4). • A small amount of additional overshadowing will impact the College's internal open space, mainly as a result of the proposed weather protection structure over the basketball court. • Due to the location and orientation of the site, the proposal will not cast any additional shadows on any of the other nearby residential properties. • A small amount of additional overshadowing will impact Iluka Avenue in the midmorning and Collingwood Street late afternoon; however, these minor impacts to the street are considered reasonable.
3.4.2	Privacy and Security	Yes	• The proposal is deemed to be consistent with the objectives and design principles for privacy and security under the MDCP 2013 (Amendment 4). The proposal encourages passive surveillance of the surrounding streets and proposes windows along the street frontages to encourage casual surveillance of the street. • An acoustic assessment has been prepared in accordance with Cause 3.4.2.4 of the MDCP 2013 (Amendment 4), a copy of which is appended to the SEE. The report concludes that the proposal will have no adverse noise impacts at the nearest sensitive receivers. <u>North:</u> • The proposed new Science Building will accommodate two (2) small meeting rooms at the first floor level and science laboratories at the second level adjacent the Eurobin Avenue Street frontage. To ensure the privacy of the adjoining residents is maintained all windows will have raised window sill heights of 1500mm to prevent overlooking. • The proposed new Art Building fronting Eurobin Avenue is not expected to generate any additional privacy impacts over and above existing conditions. <u>East</u> • Adjoining the site to the east on the opposite side of Collingwood Street is a number of one and two storey residential dwellings. The proposed works will not result in any additional privacy impacts over and above the existing conditions along this street frontage. <u>South</u> • The south facing windows of the Science Building will have raised sill heights to limit overlooking of the one and two storey residential dwellings on the opposite side of Iluka Avenue.

			<u>West</u> The nearest residential dwellings are located along the western boundary of the site. A single storey dwelling is located at 4 Iluka Avenue. A two (2) storey duplex has frontage to Eurobin Avenue at 50 Eurobin Avenue.
			- The proposed new Science Building will be setback 3m at ground floor and 4.1 at level 2 (amended plans). A limited number of windows have been provided along this elevation to protect the privacy of the adjoining dwellings. All windows are to be recessed back into the walls and windows will have raised sill heights of 1500mm to prevent overlooking. The upper level of the Science building has been setback further to maintain to further protect privacy to these properties. <u>Roof Terraces</u> - The proposed roof terrace located off the Art Building and new roof terrace above the canteen are internally orientated towards the centre of the site. These elevated open space areas are not considered to give rise to any privacy impacts.
3.4.3	Maintenance of Views	Yes	The proposal will not adversely affect any public or private views.
3.5	Sustainability	Yes	A 'Section J' assessment has been provided. The findings of the assessment report are such that the proposal is capable of complying with the energy efficiency requirements. A condition is included within the recommendation requiring compliance with the BCA to be demonstrated to the Council/Accredited Certifier, prior to issue of a Construction Certificate.
3.6	Accessibility	Yes	A BCA Assessment Report and Accessibility Report have been prepared. The Reports conclude that the proposed development is capable of complying with the Access to Premises Standard and BCA. A condition is included within the Recommendation requiring a detailed access report and suitably amended plans demonstrating compliance with the original Disability Access Report prepared by Cheung Access dated 11 November 2014 and addendum letter prepared by Cheung Access dated 10 February 2015; to be submitted to the Council/Accredited Certifier, prior to issue of the Construction Certificate. The reason for this condition is to ensure access for people with a disability.
3.7	Stormwater management	Yes	The proposed stormwater management for the site is considered by Council's Engineer to be in accordance with the MLEP 2013 (as amended) and MDCP 2013 (Amendment 4) provisions, subject to the inclusion of recommended conditions of consent.

3.8	Waste Management	Yes	A condition is included within the Recommendation requiring a detailed construction management plan to be submitted to the Council/Accredited Certifier, prior to issue of the Construction Certificate. An operational Waste Management Plan has been provided. Council's Waste Officer has no objections to the proposal, subject to the inclusion of recommended conditions of consent.
3.9	Mechanical Plant Equipment	Yes	The proposed roof top plant and lift tower have been designed to be an integral part of the building in accordance with Section 3.9 of the MDCP 2013 (Amendment 4). An Acoustic Assessment Report has been prepared and is appended to the SEE. The findings of the report conclude that the proposal will have no adverse noise impacts at the nearest sensitive receivers.

Part 4 - Development Controls

Numerical Assessment of the Proposal

Element / Building	Existing	Proposed	Difference
Student population	950	1,150	200
Staff population	125	136	11
Classrooms	43	43	0
Car parking	0	31	31
Bicycle parking	10	10	0
GFA	6,329.55m ²	7,253.21m ²	923.66m ²
FSR	0.73:1	0.84:1	11%
Science Building	RL 15.45 (11.91)	RL 16.17 (11.19m)	+0.72m
Arts Building	RL 20.60 (14.32m)	RL 18.18 (11.90m)	-2.42m
Basketball Court Roof		RL 20.42 (13.13m)	

Setbacks

Building	Existing	Proposed	Difference
Science Building			
North	2.5m	4m	+1.5m
West	1.25m – 7.5m	3m (4.1 Level 2)	Varying
South	17.5m	3.7m	- 13.8m
Arts Building			
North	3.75	4.5m	+ 0.75m
East	15m	14.7m	- 0.3m

Comment:

Setbacks

Concerns were raised by the Assessment Officer about the height and setback of the proposed Science Building as follows:

- The application makes reference to the SEPP (Infrastructure) 2007 in terms of height; however the height limit of 12m applies to Complying Development and the Manly DCP 2013 (Amendment 4) limits the height to 8.5m.
- The shadow diagrams for the proposal have not shown in any detail, the properties to the south of the site.

- The SEPP (Infrastructure) requires a side/rear setback of 5m for Complying Development; the Manly DCP 2013 (Amendment 4) requires a setback of one-third (1/3) the adjacent wall height i.e. nearly 4m, and the proposal nominates a 3m setback for the Science Building.
- In this instance, the proposal is not Complying Development and must be assessed on its merits.

In response to the above, amended plans and a supporting statement were submitted in response to the issues raised about the height and setback of the Science building. The applicant's Statement is considered to be well founded in that it provides a comprehensive justification for the height and setback of the Science Building, as modified. Key points are included below:

- The functional requirements of the proposed non-complying elements including the standards for laboratory space under the Facilities Standards for Secondary Schools and minimum Australian Independent School Standard necessitate a built form that has a height greater than 8.5m.
- Another major design constraint for the Science building is the heritage significance of the Chapel located to the south of the main campus, fronting Iluka Avenue.
- In response to Council's Concern about the impact that the proposed height and setback of the Science building will have on the streetscape and adjoining residential properties to the west amended plans have been submitted, providing the following amendments:

Ground Floor

- Western wall stepped back in selected pockets to articulate the façade.
- Trellis plantings reduced to setback pockets.
- Setback of 3m proposed.

First Floor

- Western wall stepped back in selected pockets to articulate the façade.
- Adjustments to angled wall to Iluka Avenue to compensate lost area due to the side boundary setback.

Second Floor

- Height of masonry sill reduced.
- Setback of western wall increased from 3pm to 4.1m and resulting reduction in actual and perceived bulk.
- Adjustments to angled wall to Iluka Avenue to compensate lost area due to the side boundary setback.

Roof Level

- Roof overhang stepped back 750mm to increase setback from the boundary.

- The angling of the southern façade of the Science Building improves sightlines to the Chapel from Iluka Avenue as evidence below:



- Only a shortfall of 32m² is proposed to the facilities for laboratory space (391.5m² versus 423m²).
- The amended proposal is considered to improve the relationship between the Science building and adjoining residential properties to the west and also the building's presentation to the street. By reducing the masonry sill height to 9m and setting the upper level back approximately 4m, the amended design reduces the visual bulk and scale of the building as viewed from the neighbouring properties and the street. Further, the stepping in of the western wall in parts and removal of the green wall within the boundary setback creates a more textured and varied appearance to the western facade further reducing the visual scale of the building. The proposed Science Building (as modified) as viewed from Eurobin Avenue is highlighted below:



PROPOSED SCIENCE BUILDING VIEWED FROM EUROBIN AVENUE

- The non-complying elements occupy a portion of the site that already has a commenced development consent to construct a three-storey building (DA 202/2001) which exceeds the 8.5m height standard.
- The proposed amended design largely complies with the MDCP 2013 (Amendment 4) residential setback control, which states that buildings are to be setback 1/3 of the building's height. The amended proposal provides a side setback of approximately 3m with a reduced masonry sill height to western wall of 9m. The upper level is then setback approximately 4.1m reducing the area of the second floor by approximately 30m² to the western boundary.
- The proposal will not give rise to any unreasonable or unexpected adverse amenity impacts for surrounding properties in terms of:
 - *Overshadowing*: The revised shadow diagrams prepared by Fulton Trotter Architects (Drawing DA-113/issue B) demonstrates that the amended proposal will not affect solar access to more than one third of the existing sunlight accessing any of the surrounding properties in particular 4 and 9 Iluka Avenue
 - *Views*: The reduced masonry wall sill height to the western boundary and increased upper level setback will improve the amenity of the adjoining residential properties to the west by reducing the bulk and scale of the development and increasing sky sightlines
 - *Privacy*: No change is proposed to the ground and first floor windows along the western wall as part of the amended proposal. All windows are to be recessed back into the walls with windowsill heights raised to 1500mm to prevent angled overlooking. The increased setback to the upper level will also reduce the potential for overlooking further protecting the amenity of the adjoining residential properties.

Therefore, on balance the departure to the maximum building height and the non-compliance with the side boundary setback are considered to be reasonable and acceptable and are accordingly supported for approval.

79C(1)(a)(iia) - any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and
No planning agreement has been entered into.

79C(1)(a) (iv) - the regulations

The application has been assessed having regard to Section 79C of the Environmental Planning and Assessment Act 1979, State Environmental Planning Policy No. 71 – Coastal Protection; State Environmental Planning Policy No. 55 – Remediation of Land; State Environmental Planning Policy (Infrastructure) 2007; Manly Local Environmental Plan 2013 (as amended) and the Manly Development Control Plan 2013 (Amendment 4) and is considered to be satisfactory, subject to conditions.

79C(1)(a)(v) - any coastal zone management plan (within the meaning of the Coastal Protection Act 1979)

There is no Coastal Zone Management Plan applicable for the Manly area.

79C(1) (b) - the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

The proposed development is not considered to give rise to any adverse environmental impacts or social and economic impacts in the locality. The proposed redevelopment of the Stella Maris College improves upon existing facilities that require upgrading in order to deliver a teaching/learning environment of high standard. The supporting documentation and specialist reports demonstrate the proposal's compliance with the relevant policies, planning instruments, standards and where deficient, propose recommendations to ensure the proposal complies. These recommendations are included as conditions of consent within the Recommendation in order to ensure the suitability of the site for the development.

79C(1) (c) - the suitability of the site for the development,

The proposal is considered to be suitable to the site as stated above. The proposal is not considered to give rise to any adverse amenity impacts to surrounding development in terms of privacy, views and overshadowing or visual impacts on the surrounding streetscapes. The Detailed Investigation Report concludes that the site can be made suitable for the proposed development, subject to recommendations, which have been adopted as conditions of consent within the Recommendation. The potential traffic impacts are considered to have been adequately addressed by the Traffic Impact Assessment Report. The findings and recommendations contained within the Traffic Report are also included as conditions of consent.

79C(1) (d) - any submissions made in accordance with this Act or the regulations

The application was notified to all adjoining and nearby property owners in accordance with Section 2.2 of Council's DCP 203 (Amendment 4) between 26 November 2014 to 12 December 2014. The application was re-notified between 12 January 2015 and 13 February 2015 as 'nominated integrated development'. note: there was no change to the plans and documentation notified. A total of fifty-two (52) submissions were received, including a petition of thirty (30) signatories (note: only twenty [20] signatories are included in the submissions total as only one [1] submission is admissible per household), raising the following concerns:

No.	Name	Address	Comments
1	Robyn & James Price	36 Collingwood St Manly	- Object to crossing location and proximity to trees, lack of sight lines and not consistent with the existing pedestrian flows. - Students should use existing beachfront crossing and a new crossing Eurobin Avenue at school entry points.

2	Troy & Phyllis Noyen	8/36-38 Bonner Ave Manly	- Gross overdevelopment of a site in a mainly residential area. - Concerns with traffic impacts. - On-street parking will suffer. - Request to retain trees on border of property to stop residents looking at bland brick walls.
3	Robyn D Eden	7 Iluka Ave Manly	- Problems with subsidence due to digging in the sand. - Noise during construction. - Site too small for the proposed development. - Ridiculous to knock down perfectly good buildings. 200 more students will add to the already disastrous traffic.
4	Helen & Ron Crisp	34 Collingwood St Manly	- Object to crossing location. - Loss of on-street parking for residents. - Pedestrian safety concerns: visibility, and problems at school drop-off and pick-up times. Pedestrian flow is on western side of Collingwood St. Crossing should be on Eurobin Ave.
5	Adrian & Ellie Breakspear	1/49 Eurobin Ave Manly	- Concern regarding brown, red & orange panelling which is very ugly and does not compliment or match any of the heritage listed buildings in Eurobin Ave. - Design would damage streetscape. - View of Chapel will be blocked by new Science building. - Breaches article 5 objectives in the Manly DCP. - Science building is very ugly and is a wall of modern buildings. - Science building's windows face directly into our windows. - Noise disturbance - request double glazing and non-opening windows. - Streetscape & townscape in heritage areas has been overlooked. - Proposal's buildings are not sympathetic to existing heritage buildings and don't use bricks at all, which is a signature look of the street and townscape. - Existing buildings should be reused. - Use of contemporary colours in a non-complimentary way. - Parking issues lack of kiss & ride zone for drop offs. - Lack of regard to local residents, parking, streetscape, townscape and heritage.

6	Ashley McDonald	51 Eurobin Ave Manly	• Three storeys towering over two storey home. • Resembles office block in residential street. • Glazed windows overlooking my property & invade privacy. • Noise from open windows. • Major driveway opposite own driveway. • Traffic congestion. • Ugly checkerboard patterning, not cohesive with heritage. • Disruption during demolition and building - 11 hours a day until 6 pm weekdays and Saturday; Street will not cope with extra traffic and trucks. • Health of family due to dust and dirt. • No drop off zone. • Parking in/across driveways. • Extra 200 students and cars. • Eurobin Ave is a residential street. • Negative impact on home, lifestyle & street.
7	Helen Duffy	6 Iluka Ave Manly	• Reduction in open space for student enjoyment and recreation. • Parking for small number of vehicles to staff. • No visitor parking. • Additional demand with increased enrolment. • Transport issues - cars and extra buses. • Safety arrangements on already congested streets.
8	Angus & Jacqueline Watt	8 Iluka Ave Manly	• Lack of parking - 30 spaces for 140 staff; no student, visitor or function parking on site. • Iluka Ave is narrow and impacts on resident parking. • Theatre hired out to external groups which heightens parking pressure. • Parking restrictions in Iluka are not effective. School should provide for additional car parking for all 140 staff and users. • Overdevelopment for the site. • Aesthetic style not in keeping with surrounding buildings. • Increased staff, students and vehicles will increase noise impact. • More consultation between school, Council and residents required.
9	Judith Conway	49 Eurobin Ave Manly	• Overdevelopment. • Overshadowing. • Lack of privacy. • Increased traffic and congestion. • Lack of consideration to the heritage nature of buildings and those in the area. • Increased noise from development (construction and ongoing use). • Consider the development to be <i>"very ugly and it will be a blight on what is currently a unique and beautiful street"</i>.

10	Julia Gibson	24 Eurobin Ave Manly	- Increased student/teacher numbers effect on pedestrian safety (Collingwood St/Iluka Ave intersection). - Increased traffic during pick-up/drop-off. - Limited parking - increased parking proposed is not sufficient.
11	Maeve Beary & Justin Stoermer	13 Iluka Avenue Manly	- Insufficient parking. - Additional parking should be underground. - Council continues to provide Parking Permits - 30 permits equates to 30 spaces unavailable to local residents. 2 hour parking rarely monitored. - Narrow one-way street - cars damaged and driveways obstructed. - Student parking on-street. - Pedestrian safety and lack of safe crossing to the eastern side of Collingwood St. - Intersection of Collingwood/Iluka Avenue is dangerous.
12	Tammy Stuart	1/1 Iluka Ave Manly	- Traffic impact. Day parking will be further reduced by drop-off zone. - More students will make parking more difficult. 31 car parking spaces is not sufficient. - Narrow Street can't cope with construction traffic. - Additional pedestrian crossings won't be used. - Driveways are used by parents for parking. - Weekend functions at theatre every weekend so additional parking pressures.
13	Kerry Anderson	10 Iluka Ave Manly	- Massive overdevelopment in residential area. - Exacerbate traffic issues. - Objection to car park entrance off Iluka Ave. 31 spaces is not acceptable based on increase in students, buses and cars. - Impact of stormwater drainage - <i>"this development is absolutely in the worst interests for residents in the surrounding streets"</i>.
14	Dr Jon & Mrs Victoria Hayman	14 Iluka Ave Manly	- Lack of car parking for staff, students, admin and daily visitors (volunteers). - Evenings and weekends theatre is hired out to external groups, markets etc. - Vehicles are moved when Council rangers are patrolling. - St Luke's Grammar School in Dee Why was required to provide on-site parking for staff as part of the development. - On-site parking for staff and Star of the Sea theatre users should be mandatory. - Overdevelopment for the size of the land.
15	Keith Blackett on behalf of Winifred Blackett	2/50 Eurobin Ave Manly	- Structure is too high – restrict height limit to that of 50 Eurobin Ave. - Side setback to be maintained to 50 Eurobin Ave. - Loss of privacy with class room windows looking straight into our backyards. - Noise factor and traffic congestion of the streets - <i>"I strongly feel that maybe Stella Maris has outgrown its current allocated space"</i>.

16	Deborah Brooks	10 Eurobin Ave Manly	- Concerned regarding parking during construction period. - Traffic Management Plan <i>"should be an enforceable condition of consent"</i>.
17	Brigid Perrin	102 Pittwater Rd Manly	- Massive overdevelopment in residential area. - Often delayed by people parking across driveway. - An entrance to an underground car park plus a modified drop off zone reduces resident parking. 31 spaces is insufficient. - Star of the Sea Theatre use means noise and traffic outside of school hours - <i>"We feel that the school is asking too much in this proposal in a quiet residential area"</i>.
18	WP & BJ Clarke	44 Eurobin Ave Manly	- Site is already overdeveloped. - Parking facilities are already inadequate and proposed number substantially less than required. - Eurobin Ave buildings are not in keeping with other buildings on the site, unattractive <i>"and contributes to the already hotchpotch of building designs on the property"</i>. - External exercise/leisure areas not adequate. - No drop off/pick up areas. - Increased foot traffic. - Adverse impact on traffic flow from two additional foot crossings. - Additional bus traffic will increase existing safety hazards. - There does not appear to be any consideration to local residents - <i>"Perhaps the time has come for the College to seriously consider relocating the campus to a less restrictive and more spacious area"</i>.
19	Sebastian Arena	1/50 Eurobin Ave Manly	- Concerns regarding FSR, site coverage, setbacks and maximum height. - Additional 200 students will significantly exacerbate traffic congestion. - Reduction in amenity and light. <i>"Any development at the school should not rob our property and the surrounding streets and their residents of the amenity and 'quiet residential enjoyment' they are entitled to..."</i>
20	SP 12627	50 Eurobin Ave Manly	- At 11.9 metres, the height exceeds the maximum permitted by more than 3 metres - an entire additional floor. - At 2.99 metres, the site setback with 50 Eurobin Ave is at least one metre less than required. <i>"The proposal will occupy the majority of open space on the site with the unbroken bulk of an extensive unarticulated industry-style building that will loom over neighbouring properties"</i>. - Not in keeping with amenity of the beachside residential area. - Building design needs to be modified: height, setback, bulk and streetscape.

21	Darman Enterprises	55 Collingwood St Manly	• Proposal exceeds FSR & Site coverage. • Breaches setbacks and maximum height applicable to area. • Unbroken bulk of an extensive unarticulated industrial-style building that will loom over neighbouring properties. • Neighbours cannot develop their sites that exceed the controls. • Additional students will exacerbate existing traffic congestion. • Additional buses and additional cars to pick up and drop off students. • No student parking. • Increase in school garbage collection and incidental street litter. • Proposal is injurious to the amenity of the area: visual impact and congestion. • Setbacks should minimise impact. • Reduced setbacks are an imposition. • Bulk and streetscape impact. • Enlarged facilities should be at another site and in compliance with building codes. • Site already overdeveloped. • <i>"Any perceived benefit to the school would come at a cost to neighbouring properties..."</i>.
22	Phillip & Mary Silipo	4 Iluka Ave Manly	• West facing building will have a height of over 11 metres. • An overdevelopment of the land and undesirable impact on my property. • Iluka Ave is unsuited for the extra traffic from an extra 200 students
23	Nick & Tanya Reid	25 Eurobin Ave Manly	• Traffic, parking, student safety, resident amenity and community safety. • Full and detailed report including full traffic, parking, pedestrian, student drop off strategy and management plan. • Thompson Stanbury report is incorrect as students do park in Eurobin Avenue, Collingwood Street and Iluka Avenue. • Traffic calming devices required in Eurobin Avenue and possibly Collingwood Street. • One-way traffic, pedestrian crossing at eastern end of Eurobin Avenue. Traffic calming and property set down/drop off areas should be included in the scope of works.
24	Max & Maria Horgan	30 Collingwood Street Manly	• Object to new pedestrian crossing on Collingwood due to safety, parking and functionality.
25	Suzannah Esdaile	65 Eurobin Avenue, Manly	• Unsightly miss-match of design styles, ideas and finishes. • Proposal is dominant and non-contextual within the Manly area and particularly Eurobin Avenue. • Gross over-development of the site. • Proposal exceeds height limit of 8.5m.

			• Proposal disrespects setback requirements (particularly front setback) that are consistent along Eurobin Avenue (average of 6m). • The development does not address the objectives of the LEP Land Zone SP2 Infrastructure “minimising intrusion of the heritage landscape and visual curtilage of heritage items”. It is noted that all of the houses and duplexes directly opposite Stella on Eurobin Avenue are heritage listed, and the proposed development clearly does not minimise intrusion. • Finishes are a miss-match of overbearing, highly offensive finishes, patterns and colours. The current theatre is an example of this. • The ‘Beach movement palette’ albeit slightly more tasteful, but not at all complementary to the checkerboard of browns, appear to be highly reflective finishes that will create neighbour issues especially along Eurobin Avenue. • No consideration given to lighting at night to ensure security and safety. • There is no real parking strategy, except adding 30 parking spaces, which is an insignificant number. • No regard has been given to pick-up and drop-off of kids by parents. This is predicted to increase along Eurobin Avenue by 20%. Our driveway is currently blocked every morning and afternoon with parents dropping off and picking up children. • Unacceptable levels of landscaping, particularly mature plants. • No real noise strategy is proposed. • Loss of privacy from proposed windows.
26	Sallyann Jones	43 Eurobin Avenue, Manly	• Inconsistency with prevailing streetscape character of Eurobin Avenue. • No consideration given to existing heritage buildings both in the school and along Eurobin Avenue. • Traffic congestion not adequately addressed. • Consideration needs to be given to the impact the redevelopment and increased in school size will have on the surrounding area. • Surely with the recent purchase and redevelopment of the old Fisherman’s Club site by the school the requirement for increased space is being met. Perhaps a larger building on this site would be a possible alternative as there are other non-residential developments in the immediate area.

27	Chris Thomson	22 Collingwood Street, Manly	• Object to proposed pedestrian crossing over Collingwood Street for the following reasons: ➤ There are large trees at that point on both sides, which may obscure the pedestrians from drivers, or cause them to fail to realise that there is a crossing here. ➤ There are driveways on the other side from the school which would be affected. Even if re-located along the street, some driveways would be affected. ➤ No matter where it was located, a pedestrian crossing would result in reduced parking space for residents. ➤ There is no reasonable need for this crossing.
28	Patrick Kelleher	69 Eurobin Avenue, Manly	• The proposed stage 2, 3-storey building will sit directly across from our property resulting in loss of amenity due to visual bulk, loss of privacy and noise impacts. • The design and colour scheme is inconsistent with the heritage look and feel of Eurobin Avenue. • Proposal exceeds the height and setback requirements along Eurobin Avenue. • Over-development of the site. • Increase in car and pedestrian traffic that is already at dangerous levels especially during drop off and pick-up times. • Increase in noise levels with no real preventative measures in place. • Removal of existing mature trees, which currently soften the landscape.
29	Bruce Clarke	71 Eurobin Avenue, Manly	• Proposal contravenes the height development standard of 8.5m. • Finishes are out of step with the heritage frontage that the street has maintained. • The setback of the redeveloped building is very small compared to the rest of the street. • Mature trees and plants are being removed and not replaced adding to the negative visual impact the design will have. • The plan to have an additional 200 students is not matched by an adequate parking and traffic plan.
30	Barry Claudelle	57 Eurobin Avenue, Manly	• Negative impact on existing traffic conditions and resultant negative impact on residents due to proposed increase in staff and student numbers. • The proposed car park on the College grounds is not a solution to the problem and will become increasingly irrelevant as time goes by. • No information has been provided on construction timetables should this development proceed.

31	Jan de Teliga	59A Eurobin Avenue, Manly	- Obstruction of driveway – existing situation. - The suggested building times are unreasonable. 11 hours a day, six days a week. The disruption created by the noise, dust and traffic has not been adequately addressed. - The School Board should have consulted with neighbours as part of pre-lodgement process. - No confidence in Council being able to keep the road safe as shown by the chaos that is Kenneth Road. f
32	Rebecca Hazel	Reside opposite Stella Maris	- Application does not adequately address traffic issues. - Problems including parents double parking, students getting out of cars in the middle of the road, and pedestrians ignoring vehicular crossings, are not adequately addressed. - Need to ensure safety to students and road network and amenity is maintained to surrounding residents.
33	Petition with 30 signatories. Principal Signatory – Ellie Breakspear. As only one (1) submission can be counted per household, only seventeen (17) submissions have been counted towards the total number of submissions received. Note: The households shaded grey are excluded from the total number of submissions.	Eurobin Ave Manly	We the residents of Eurobin Ave, Manly object to the Stella Maris DA0232/2014 as it has too many negative effects on our streetscape and heritage; traffic and access; houses and everyday lives.
-	Sallyann Jones	43 Eurobin Avenue, Manly	
-	Ellie Breakspear	1/49 Eurobin Avenue, Manly	
-	Adrin Breakspear	1/49 Eurobin Avenue, Manly	
34	Kate Cowan	27 Eurobin Avenue, Manly	
35	Rebecca Cook	45 Eurobin Avenue, Manly	
-	Harry Cook	45 Eurobin Avenue, Manly	
36	Jane Baxter	36 Eurobin Avenue, Manly	
37	Paola Guerrero	1/41 Eurobin Avenue, Manly	

38	Hiromi Slatter	1/8 Eurobin Avenue, Manly
39	Suzzie Nielson	8 Eurobin Avenue, Manly
40	Stephen Bowhill	21 Eurobin Avenue, Manly
41	Kate Cowan	27 Eurobin avenue Manly
-	Andrew Farquharson	50 Eurobin Avenue, Manly
42	Elizabeth Boon	39 Eurobin avenue Manly
43	Gab Stokes	48 Eurobin avenue, Manly
-	Beely Frot	30 Eurobin Avenue, Manly
44	James McLeod	30 Eurobin Avenue, Manly
-	Melita Pows	1/57 Eurobin Avenue, Manly
45	Gary O'Sullivan	1/57 Eurobin Avenue, Manly
-	Louise Hutchinson	7 Eurobin Avenue, Manly
46	Holly Hutchinson	7 Eurobin Avenue, Manly
-	Catherine Clarke	71 Eurobin Avenue, Manly
-	Helene Maches	3/20 Eurobin Avenue, Manly
47	Theodore West	3/20 Eurobin Avenue, Manly
48	Tom Brosnan	4/20 Eurobin Avenue, Manly
-	Ian Derrin	38 Collingwood Street, Manly
49	Belinda Derrin	38 Collingwood Street, Manly
-	Peter Derrin	40 Collingwood Street, Manly
51	Terese Israelsson	40 Collingwood Street, Manly
52	Joe Telipe	7 Cameron Avenue, Manly

Robinson Urban Planning have provided a detailed and comprehensive response to the issues raised within the submissions. This response is included below:

“Summary of submissions by topic and response

Topic	Submission	Response
Traffic congestion	• Street congestion will increase adversely affecting properties, increase in school garbage collection and incidental street litter. • A narrow one-way street is not conducive to more traffic, high incidence of swiped cars. • The Traffic and Parking Impact Assessment Report concludes that road has a good overall level of service with spare capacity, which submission disagrees with. • Increase in foot traffic in Iluka Avenue, Eurobin Avenue and Collingwood Street is excessive for residential streets. Increased student numbers will increase student traffic. • The street is already congested with students driving to school every day, the proposal will only make this worse. • The development is not a remedy for existing traffic problems and will exacerbate the situation. • The additional 200 students will increase cars, buses, noise and congestion. • Roads struggle to accommodate present buses. • Residential status of streets is being eroded. • Over the years Eurobin Avenue has been degraded from a pleasant avenue to a busy, noisy, polluted and potentially dangerous street.	• The school previously operated as a 7-stream school with a total student population of 1,100 in 2010. However, the current student population has been deliberately reduced to enable the school to function during the construction phase of the proposed redevelopment. Therefore the potential traffic impact from the proposed additional 200 students will be manageable, as the school has previously operated at this capacity. • However, the development is projected to generate additional traffic demand compared to current levels to and from the site associated with the increase in school population from 950 to 1,150 students and 125 to 140 staff, with the following additional vehicle trips to and from the site during peak school start and finish periods: - 15 additional inbound staff vehicle trips during the morning peak - 37 additional inbound and outbound parent vehicle trips during the morning peak - 15 additional outbound staff vehicle trips during the afternoon peak - 17 inbound and outbound parent vehicle trips during the afternoon peak. • The development is therefore projected to generate in the order of 89 and 49 additional vehicle trips during school start and finish periods respectively. This equates to a maximum of approximately one and a half additional movements per minute during peak periods. This minor increase in traffic as a result of the development is therefore considered acceptable, with only a minimal change to existing conditions to be experienced. • It is not expected that the additional student numbers will necessitate the provision of additional bus services as the additional students are to be spread over the numerous existing services. • Observations and consultation with the school indicate that approximately 100 students currently walk to/from the school on a daily basis. The proposed additional students are expected spread across the existing services. Therefore the increase in students walking to and from school

		will be minimal and will continue to operate in a safe and efficient manner. • To assist in reducing the impact of the school's operation during school start and finish times a separate application is to be made to Council's Traffic Committee regarding changes to the parking restrictions in the immediate area. As part of that application it is proposed to extend the formalised No Parking area within Iluka Avenue along the northern kerb alignment to the west to capture the full frontage of the site. This would result in a further 60m of kerb space being available for the formalized setting-down/picking-up of students during school start and finish periods. It is also proposed that the one space set-down/pick-up No Parking zone on the southern side be removed and replaced with a No Stopping zone to improve sight distance of student crossing. • Notwithstanding the above, prior to the issue of an Occupation Certificate, the school is to implement an Operational Management Plan (OMP) to govern school associated traffic impacts. The purpose of this OMP is to improve the safety and efficiency with which students are set-down / picked-up by buses and private vehicles. The OMP will address issues, which are considered vital to the safety of school students as well as to the sound site and public road management as they relate to traffic and pedestrian safety. • Given the limited number of additional traffic movements expected as a result of the increase to student population, the implementation of a OMP, as well as improvements to student set-down / pick-up conditions and existing parking, the surrounding road network is projected to be capable of accommodating such a level of additional traffic in a safe and efficient manner.
Street parking	• Incorrect statement regarding the 2-hour parking restriction. "these restriction generally result in a reasonable turnover of kerb-side parking within the immediate area as such that there is capacity to accommodate additional demands during most operational periods of the school".	• The proposal involves the provision of a new internal staff passenger vehicle parking area containing 31 parking spaces, to be accessed via a new access driveway connecting with Eurobin Avenue in the north-western corner of the site. • Whilst the subject proposal has the potential to generate a minor level of additional parking demand associated with the provision of 15 additional staff, the subject proposal involves the provision of 31 formalised off-street

	• 2 hours parking restriction is rarely monitored on Iluka Avenue • Loss of on street parking from development and increase in students. • School has not considered the needs of residents in Iluka and Eurobin Avenues. • Stella Maris cars regularly take Iluka Avenue parking. Visitors are unable to park. • Difficulty in reversing out of our driveway. • The proposed kiss and drop zone will further limit day parking. • The parking issue is exacerbated on many evening weekends when the school hires out the Theatre to external groups. • Staff and students without parking permits still park in Iluka Avenue and when rangers patrol, word is quickly spread and students move the cars.	parking spaces within the main campus, which is to be allocated to staff. The proposal is therefore likely to result in a nett external reduction in parking demand of approximately 16 spaces. • It is acknowledged that the Traffic and Parking Impact Assessment Report recommends that approximately 60m of existing 2 Hour time limited parking along Iluka Avenue be converted to a No Parking zone. Incorporating this recommended loss of kerb space (equating to approximately 10 spaces), the abovementioned nett reduction in external parking demand within the vicinity of the site is reduced to 6 spaces. • The nett result of the development is therefore projected to be a reduction in long-term school generated parking demand accommodated within areas external to the site. The proposal is therefore envisaged to improve the level of parking amenity afforded to the surrounding community. • To further reduce the need for onsite car parking an additional 10 bike storage facilities have been provided within the basement car park level (Drawing Science building car park - Drawing DA-S-201/issue B) for staff. An additional 20 bike racks are also proposed as part of the amended proposal, bringing the total to 30. The additional bike racks are to be located adjacent the Eurobin Avenue street frontage (Drawing DA-107/issue C) and will assist in reducing the demand for on-street parking by encouraging students to ride their bikes to school. • As part of the OMP incentives to encourage staff and students to reduce their car use will be adopted. • The new basement car park will be made available to operators of the Star of the Sea Theatre during out-of-school hours, reducing the demand for on street parking during these times in accordance with the OMP. • The 2 Hour parking restrictions, which surround the site, are consistent with the rest of the Manly Local Government Area (LGA). These restrictions were not brought in as a result of the school; they were an independent action introduced by Manly Council to assist with the shortfall of parking currently experienced throughout the LGA. Manly Council is responsible for its enforcement.
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		The proposed increase to student numbers will not result in more frequent garbage collection. Any increase to student waste will be accommodated within existing services. Street litter will be addressed and managed within the OMP.
Drop-off and pick-up times / kiss and drop zone	- Increasing the students by 200 will increase existing problems. - Parents presently park illegally (particularly double parking) and block driveway access to houses. The development will increase this. - Traffic in AM/PM peak and drop off and pickup times are chaos. - Iluka Avenue cannot handle the additional traffic from extra students - Parents and students totally ignore the road rules and this will be exacerbated by the increase in students - Proposal does not adequately address the issues of traffic flow and safe drop collection - The school is aware of these problems and has failed to manage the situation - Proposal should include a kiss and ride zone for parents to drop off students.	- Survey of current school operation indicates that the school generates 184 and 82 private vehicle set-down/pick-up movements during school start and finish periods respectively. It could be expected that this demand could increase by approximately 20% (returning to similar levels of the past) associated with the proposed increase in student population from 950 to 1,150 students; thereby generating an additional 37 and 17 private vehicles to and from the site during school start and finish periods. - As stated above, the extension of the existing formalised No Parking zone within Iluka Avenue increases the capacity of the zone from 4 to 14 vehicles (an increase of 350%). The minor level of additional private vehicle set-down/pick-up demand associated with the expansion of the school population is therefore projected to be suitably accommodated within the recommended extended No Parking zone within Iluka Avenue. - The abovementioned extended No Parking zone is also projected to result in a reduction or elimination of the existing undesirable student set-down/pick-up activity within Eurobin Avenue and Collingwood Street. - As stated above the ongoing management of drop-off and pick-up times will be addressed within the OMP. - Observations of conditions within Iluka Avenue during peak school start and finish periods indicate that the road functions with a good overall level of service with spare capacity, despite the concentrated influx of demand associated with the school operation. As stated above and addressed within the Traffic and Parking Impact Assessment Report the development is projected to generate in the order of one and a half additional movements per minute during peak periods. The surrounding local road network is projected to be capable of accommodating such a level of additional traffic in a safe and efficient manner.

Proposed car park	• Insufficient provision of parking. An allocation of 31 car spaces is not adequate for a school population of 1,200 students (+ 200 students). • Parking facilities are already inadequate. • The proposed increase in parking spaces is not sufficient to meet the demands of the proposed increase in student/teacher and visitor population • The school has made no provision for student parking and support staff, visiting parents, and functions held in the evenings. • Staff or students often take parking around Keirle Park. The school advised that more than 31 extra parking spaces is not possible, but underground parking is a viable solution. • Senior students in residential streets park across driveways and often take up two car spaces. • The parking issue is heightened on many evenings and weekends when the school hires out the Theatre to external groups, on top of the regular school functions. The car park should be made available for parents, staff and users of the Theatre as a mandatory condition of consent. • No real parking strategy, except adding 30 car spaces which is an insignificant number • St Luke's Grammar School in Dee Why provides parking for the entire staff (approximately 130). Likewise we believe Manly Council should make on-site car parking for all 140 staff and users of the Theatre a mandatory condition on the DA. • Proposed increase of 200 students and 15 teachers will have a major impact on the number of vehicles using Eurobin Avenue and	• The maximum capacity will be 1,150 over a 10-year period, not 1,200 students. • The school previously operated as a 7-stream school with a total student population of 1,100 in 2010. However, the current student population has been deliberately reduced to enable the school to function during the construction phase of the proposed redevelopment. Therefore the potential impact from the proposed additional 200 students will be manageable, as the school has previously operated at this capacity. • The main campus currently does not provide any formalised on-site passenger vehicle parking. Long term parking demand (generated by staff) is therefore accommodated within the surrounding local road network and public off-street parking areas. • As addressed above, the nett result of the development is projected to be a reduction in long-term school generated parking demand accommodated within areas external to the site. The proposal is therefore envisaged to improve the level of parking amenity afforded to the surrounding community. • The school explored the provision of additional parking. However, due to site flooding, existing heritage buildings and dimensions of the site, the provision of additional parking was not feasible. To accommodate the required gradients, distance and turning circles within the car park, it would mean that a large number of car spaces were lost to obtain a small amount of additional car spaces on the level underneath. The small nett gain in car spaces by providing additional levels of basement car parking was not considered financially feasible, especially given the sites existing flood constraints. Additional car parking in this location would also result in more traffic in the immediate area as cars enter Eurobin Avenue to access the car park. Therefore the provision of 31 car spaces was considered suitable, resulting in a nett reduction in demand for on-street car parking. • As addressed above the ongoing management of student parking in the surrounding streets will be addressed within the OMP. • The number of visitors during school hours is minimal; the local road network is
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	neighbouring streets, parking should be provided for every student and teacher who drives to school. • DA should be amended to provide extra parking.	capable of accommodating this very small demand. • St Luke's Grammar can accommodate additional parking on site, due to its location, typography and surrounding road network. The site is also not constrained by heritage or flooding. Each site needs to be assessed independently and you cannot compare one site to another.
Proposed driveway	• Objection to car park entrance from Iluka Avenue as it is a narrow road. Proposed new driveway will increase traffic within the street. • The driveway to the school car park is opposite my driveway. It will be the main entrance and car thoroughfare to the school. It means cars will be stopping outside my home regularly causing traffic congestion in our busy street which is a major thoroughfare between Pittwater Road and the beachfront.	• The car park entrance will be located on Eurobin Avenue. There will be no access to the car park from Iluka Avenue. • The car park is for staff only; car spaces are to be allocated to individual staff members to stop cars entering Eurobin Avenue unnecessarily searching for a space within the car park. This will ensure traffic associated with the car park is controlled. • Traffic queuing will not occur as a result of the driveway and car park, as stated previously the car spaces are to be allocated to individual staff to ensure traffic associated with the use of the car park is kept to a minimum. • Staff accessing the car park will also occur outside peak AM/PM school drop-off and pick-up times, as staff generally arrive before, and leave after students.
Pedestrian crossing	• There are 20+ children who live in Iluka Avenue and attend Manly Village primary school and St Mary's College. Most cycle or walk to school up Iluka Avenue to try and cross at Collingwood Street. The street is full of bikes, scooters and mums with strollers. There is no safe place for them to cross to the eastern side of Collingwood Street as they connect to the bike path along the beach. The nearest crossing is at Pittwater Road, which is too far away. The proposed intersection at Collingwood and Iluka Avenue is extremely dangerous, especially during peak times and a pedestrian crossing here would be an enormous help. As this area is extremely dangerous and we have seen several near collisions with cars and small children	• The pedestrian crossing shown on the site plan does not form part of the application. The crossing was placed on the site plan in error. A revised ground floor plan has been prepared (Drawing DA-107/issue C) with the pedestrian crossing removed. • As stated previously, the school is to implement an OMP to govern all school associated pedestrian and traffic impacts. The purpose of this OMP is to improve the safety and efficiency with which students travel to and from, set-down/picked-up by buses and private vehicles. The OMP will address issues, which are considered vital to the safety of school students, as well as to the surrounding site and public road management as they relate to traffic and pedestrian safety.

	• The provision of two additional foot crossings will adversely affect the flow of traffic. • Additional pedestrian crossings are a waste of money. • Objection to proposed pedestrian crossing over Collingwood Street for the following reasons. A large tree would be required to be removed. There are driveways on the other side from the school, which would be affected. A new crossing would result in a reduction to onsite car parking. There is no reasonable need for the crossing. • Objection to proposed pedestrian crossover on Collingwood Street due to safety, parking loss and functionality. • Objection to the pedestrian crossing on Collingwood Street on the corner of Eurobin Avenue. • Heritage listed Norfolk Island pine and Fig tree, would obscure sightlines.	
Safety	• The school has not indicated how they will make this area safe with the new development and 200 families commuting to school. • Safety issues would be compounded if the request from the school below is approved as many more cars will use Iluka Avenue as a set down. • "recommended consideration be given for the formalised No Parking area within the Iluka Avenue being extend along the northern kerb alignment to the west to capture the full frontage of the site. This would result in a further 60m kerb space being available for the formalized setting /down / pick up of students during the school start and finish, which would be separate from the formalised bus zones within	• As stated above, the school is to implement an OMP. The purpose of this OMP is to improve the safety and efficiency with which students travel to and from, set-down/picked-up by buses and private vehicles. The OMP will address issues, which are considered vital to the safety of school students, as well as to the surrounding site and public road management as they relate to traffic and pedestrian safety. • The operation and management of the school set down/pick-up zone will be detailed within the OMP. • Changes to existing traffic conditions (such as traffic calming measures) will be reviewed as part of a separate application to Council's Traffic Committee. • The use of bikes and skateboards by students will be reviewed and safety measures included within the OMP. • As previously stated it is not expected that additional student numbers will necessitate the provision of additional bus services as the additional students are to

	<i>Collingwood Street and Eurobin Avenue”.</i> • <i>Pedestrian safety. There is currently no safe way to cross Collingwood Street where it intersects with Iluka Avenue. This will become more hazardous if student numbers increase.</i> • <i>Existing bus traffic already creates a safety hazard. In Eurobin Avenue, any additional bus traffic will increase these potential safety hazards.</i> • <i>Concerned for the safety of people riding bikes and skateboards as the cars parked on the street obscure vision.</i> • <i>What arrangements are proposed for safety requirements on already congested streets.</i> • <i>Traffic calming devices such as landscaped chicanes in Eurobin Avenue and possibly Collingwood Street should be adopted or alternatively Eurobin Avenue and Collingwood Street should become one-way.</i>	<i>be spread over the numerous existing services.</i>
Parking permits	• <i>Objection to Council continuing to seek Parking Permits. The school is a For-Profit-Business and could provide more parking in lieu of applying to Council for 30 permits. This equates to 30 car spaces unavailable for residents in the area.</i>	• <i>When Manly Council introduced the 2 Hour time limited parking, Stella Maris was entitled to purchase 30 car-parking permits from Council, which is roughly equivalent to the School's street frontage.</i> • <i>The School is a not for profit organisation, and staff are entitled to park within the area.</i>
Benedict campus	• <i>The Benedict Campus when purchased had approximately 50 car spaces; this would have been a great opportunity for the school to provide more parking. This site now only has 11 spaces, the previous application failed to consider the needs of the residents</i> • <i>The Benedict Campus would be better suited for redevelopment due to its location.</i>	• <i>The Benedict Campus at 270 Pittwater Road, Manly is located approximately 400m to the west of the Main College Campus and was acquired in 2010. On 12 April 2013 DA 420/2012 approved a new educational campus containing the following facilities: seven general-purpose classrooms and one staff room, fitness centre, large outdoor covered area that can be used for wet weather sport, assemblies and special functions, a seminar room and small senior classes, and ten on-site car parking spaces for staff.</i> • <i>The site was purchased to meet the growing demand placed on the school's resources. The DA was for works only,</i>

		with no increase in student numbers, as the site was to act as an overflow for the Main College Campus. Teaching space was the most critical element to be provided at that time, not car parking. • Stage 3 of the school's overall Master Plan proposes to redevelop the Benedict campus (which will be subject to a separate DA). The provision of additional parking at this location will be explored.
Construction	• Concerns in relation to loss of amenity and child safety from construction traffic in narrow residential streets. • A construction traffic management plan must be prepared (impose condition). • Concern about loss of parking during construction. • Concerns about noise, dust and potential health impacts. • The plans state construction will take place 11 hours a day, till 6pm, 6 days a week, which is not acceptable. • Inadequate information on construction timetables. • Council unable to keep the road safe during construction.	• Prior to the issuing of a Construction Certificate, a Construction Management Plan (CMP) will be prepared and submitted to Council/Private Certifier for approval. • Concern raised about the loss of on street parking to accommodate construction vehicles and access is noted. This will be reviewed as part of the CMP • Construction timetables will be made available once the CMP has been finalised and approved by Council/Private Certifier. • Management of dirt and dust during construction will be regulated by the relevant rules and regulations for construction. Specific management measures will be detailed within the CMP. • Council has recommended a condition of consent which restricts the use of heavy vehicles during construction outside school peak hours (0700 - 0900 and 1500 - 1700 Monday to Friday during College terms) to minimise the impact of heavy vehicles, maintain road safety and minimise traffic congestion during school drop off and pick up times. • The proposed hours in which construction can take place are standard and are applied across NSW. They are inline with relevant noise and construction guidelines and therefore considered acceptable. • The use of heavy vehicles down Iluka Avenue will not be permitted due to its small size and residential nature. • Some disruption to the road network is expected, however traffic impacts and also proposed traffic changes to accommodate construction will be assessed and reviewed as part of the CMP. • The proposed redevelopment will be carried out in stages to minimise the impact on the surrounding road network. • Where feasible construction will occur outside of school terms, to further limit its impact on the surrounding areas.

		• The construction and management of the new Manly swim centre is not related to this application. • The operation and management of the Catalina development is not related to this application.
Overdevelopment of the site	• Gross overdevelopment of the site of this size in a mainly residential area. • The site is already over developed. The proposal will exacerbate the level of over-development. • The proposal exceeds the FSR, site coverage, setbacks and maximum building height controls. • Any benefit to the school would come at a cost to neighbouring properties that are not permitted by Council to overdevelop to this extent.	• The proposed development occupies a portion of the site that already has a commenced development consent to construct two three-storey buildings (Science building and Arts building) (DA 202/2001) which exceed the 8.5m height standard. The bulk of the approved development as viewed from Eurobin Avenue, Iluka Avenue and Collingwood Street is comparable to the proposed works the subject of this application • No prescribed FSR standard applies to the site, this is due to the site being zoned SP2 - Infrastructure (Educational Establishment) and having different needs and requirements compared to a residential dwelling. • No prescribed site coverage or setback controls apply to the site as a result of its educational zoning. • The development proposes an additional 923.66m² of gross floor area (GFA) with a total of 7,253.21m² proposed. This equates to an overall floor space ratio (FSR) of 0.84:1 on the site compared with 0.731 existing. This minor increase is considered reasonable, as the proposed additional GFA is to bring the school into line with current educational design standards, providing suitable amounts of general purpose and specialist classroom space. • The proposal will not give rise to any unreasonable or unexpected adverse amenity impacts for surrounding properties (in terms of overshadowing, views and privacy impacts). • The proposal is compatible with the provision of infrastructure and will materially improve the function and amenity of the existing educational establishment on the site.
Heritage	• Buildings are too high, too close to the boundary, and do not compliment or match any of the existing heritage buildings on site. • Lack of consideration to the heritage nature of the buildings and the heritage buildings in the area.	• Only part of the site is identified as a heritage item, that which contains the Convent of the Good Samaritan and two Moreton Bay Fig trees in the College's quadrangle. To the north of the site on the opposite side of Eurobin Avenue is a group of two-storey heritage listed residential flat buildings. To the east, the street trees located along Collingwood

	<i>Buildings do not retain original detailing.</i> • <i>Design and heritage report make no reference to streetscape or townscape, the proposal does not compliment the local heritage character.</i> • <i>Proposal does not retain original and traditional roof form; proposed buildings have flat roofs that are not sympathetic to the style of the heritage buildings.</i> • <i>The DA has not made a fair case that the current buildings are incapable of reasonable reuse.</i> • <i>The architectural style of the building not in keeping with the other buildings on the site, unattractive in design and contributes to the already hotchpotch of buildings on the property.</i> • <i>Eurobin Avenue has a streetscape consistent with the early to mid 20th century. The proposed building is in no way in keeping with this streetscape.</i> • <i>The development does not address the SP2 objectives "minimizing intrusion on heritage landscape, curtilage of heritage items".</i> • <i>The design of the new three storey building is out of character not only with the Chapel and existing school buildings along Eurobin Avenue but also to the majority of the buildings in Eurobin Avenue which have been kept to the theme for which that have been heritage listed. It is not acceptable that this new building is so demonstrably out of sympathy with the existing design ambience of the whole street. This represents a significant conflict with all the considerations, which have resulted in a heritage listing by council. The design should be revised accordingly.</i> • <i>Proposed development looks like an office block and makes</i>	<i>Street are also identified as items of significance.</i> • <i>The proposal retains and preserves all heritage items located on site.</i> • <i>The proposed new buildings are comparable in height relative to the buildings being replaced and the heritage buildings being retained.</i> • <i>The heritage listed Moreton Bay Figs trees are to be retained and protected.</i> • <i>The College treasures its heritage, which is why such great lengths were taken to ensure the proposed works, not only preserved the sites heritage character but also allowed previously hidden heritage items on site to be viewed from the public domain. By removing parts of the boundary wall and angling the facade of the Science building back along the Iluka Avenue street frontage, the proposed design of the Science building at its southern end has allowed the previously hidden Chapel, to be viewed and appreciated from the street greatly improving the site's presentation to the street.</i> • <i>Limitations with the current College facilities include buildings that do not fully comply with the access provisions, building services that are out-dated and lack internal amenity, science, library and staff facilities of inadequate size, inadequate outdoor space and no on-site car parking. For these reasons it is proposed to demolish parts of the site and construct two new fit for purpose educational buildings to meet the academic needs of the students as the existing buildings on site can not be adapted.</i> • <i>Consistent with the Zone SP2 objectives the proposal as detailed above conserves and enhances the natural heritage items located on site and the proposed works do not obstruct or obscure any significant views or vistas to or from the heritage items, rather the development improves them.</i> • <i>Heritage specialist Rappoport reviewed the amended proposal and concluded:</i> • <i>The proposed finishes and colour scheme are distinctively new and contemporary to reflect the new modern design. Generally the scheme is considered to be complementary to the fabric of the surrounding buildings. The proposed finishes do not attempt to slavishly replicate the heritage buildings, hence</i>
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	<i>no consideration for heritage character of the street.</i>	<i>giving more respect to the heritage items on site and thus preserving their significance.</i> <i>The heritage significance of the row of two storey residential dwellings located on the northern side of Eurobin Avenue opposite the school, are defined by being a group of similar blocks with cohesive architectural character. The proposed design of the façade along the Eurobin Avenue frontage is considered suitable to the heritage significance of these dwellings in terms of its three-storey scale, as the residential dwellings themselves are two to three storeys high. The sitting of the new buildings maintains the existing configuration of buildings already on site without any additional footprint. Hence the proposed three storey additions are not likely to dominate or overwhelm the existing heritage listed buildings opposite.</i> <i>The large street width, proposed front setbacks and front setbacks to the residential dwellings provides adequate visual separation between the proposed buildings and the heritage listed dwellings, thus mitigating any visual impact in terms of their setting.</i> <i>The use of contemporary design with modern finishes and materials is not considered to be detracting from the heritage significance of the residential dwellings on the opposite side of Eurobin Avenue as the proposal sits well in contrast to the fabric of the heritage items, thus proving clear appreciation of the dwellings.</i>
Materials and colours	<i>Object to red, orange and brown panelling proposed for the Eurobin Avenue frontage as colours would damage the heritage streetscape.</i> <i>Proposal has a lot of colour, using very contemporary colours in a non-complimentary way. Proposal introduces materials that are not seen anywhere else in the street. Houses in the street typically display just one brick colour.</i> <i>Unsightly miss match of design styles, ideas and finishes.</i> <i>Dominant and not contextual within the Manly area in particular Eurobin Avenue.</i>	<i>In response to the public and Council's concern about the impact the proposed colour scheme will have on the heritage items located both onsite and opposite (Eurobin Avenue), the following amendments to the colour scheme are proposed which can be seen in detail on Drawing DA-112/Issue B:</i> <i>Eurobin Avenue entry box and internal courtyard facade of Art Building (top floor): Remove the paint colours 'Fanta' and 'Spinifex' from the palette, and replace with 'Yellow Mandarin' and 'Orangeade', as per the original 2004 approved colour palette used on the Star of the Sea Theatre (DA 202/2001)</i> <i>The central portion of the Science building and the corner junction of the Art building (corner of Eurobin Avenue and Collingwood Street): Remove the brighter</i>

	• The beach movement palette appears to have highly reflective finishes creating neighbor issues. • The finishes are out of character with the heritage frontage • Checkerboard patterning is an eyesore. • If approved will there be stipulations on keeping trees on the border of the property to stop residents looking at bland brick walls as the case with the ugly mural wall this school already has in the corner of Collingwood Street and Iluka Avenue.	colours 'Atlantis Blue Metallic' and 'Cyan Blue Metallic' and replace with 'Otaki Mist' and 'Bennelong Blue'. • The applicant believes that the proposed materials and colours (as amended) are appropriate for the existing school site whilst also being sympathetic to the heritage items located both on site and opposite. Updated photomontage of the proposed amended materials and colours have been submitted to Council • The proposed colour scheme is consistent with the previous 2001 approval, which has been in place for over 10 years. The colour scheme features in parts, a checkerboard of reds and browns that are an abstract interpretation of the colour and patterning of the roof tiles on the heritage listed Convent. This prominent feature of the Main College Campus became such an important part of the school's identity and branding, that it was later incorporated into the refurbishment of the Benedict Campus during 2012, which saw the checkerboard patterning extended across the school's second site. • The current proposal (as amended) simply seeks to extend this existing concept of checkerboard patterning in two select locations. As an entry statement at the new pedestrian entry point on Eurobin Avenue, and as the 'overhanging box' that protrudes into the internal courtyard opposite the Star of the Sea Theatre (Iluka Avenue). • Whilst it is acknowledged that the opposite side of Eurobin Avenue is a heritage-listed streetscape (residential), the proposed colour scheme is a direct interpretation of the existing roof tiles of the heritage listed Convent. The colour scheme already exists onsite and the proposal simply seeks to incorporate the existing architectural language across the site. • Heritage specialist Rappoport reviewed the amended colour scheme and the proposed development's overall presentation to the Eurobin Avenue street frontage and concluded the proposed materials and colours are sympathetic to both the heritage items located on site and opposite, with the proposal considered appropriate given the site's educational use and heritage setting. • The sites main function is to create an environment for children to learn and
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		grow, and the proposed colour scheme is representative of that. A school should be a place of activity, vibrancy, and excitement to create and foster an environment in which children enjoy spending time. • As such the school wishes to retain the proposed colour panels (as amended) to the Eurobin Avenue entry box. The proposed colour panels in this location act as a clear site identification marker and also identify the location of the site's main pedestrian entry. The proposed colour panels are in keeping with the school's existing site colour palate and branding as outlined within the College's visual identity guidelines.
Science building	• Non-compliance with the 8.5m height standard (11.9m), resulting in a development that will dwarf the other building in the street. • Science building will reach a height of 11m. The height and length is an overdevelopment and will have an undesirable impact on my property as well as the property behind mine. • Three-storey building will change the character of the area. • The building height needs to reduce so that the setback is proportional to the height alternatively, setbacks should increase. • Science building is ugly, with disproportion number of windows. • The proposed development will occupy the majority of open space, with the unbroken bulk of an extensive unarticulated industrial style building that will loom over neighbouring properties.	• In response to the public and Council's concern about the impact the proposed height and setback of the Science building the following amendments are proposed: • Ground floor • Step back western 'masonry wall' in select pockets by 350mm to create a more textured and varied appearance to the western façade. This results in an additional setback of approximately 8.5 lineal metres, and a total of 3m² of area removed. • Reduce trellis plantings to the proposed setback pockets only, to minimise the intrusion of elements in the setback zone. • First floor • Step back western 'masonry wall' in select pockets by 350mm to create a more textured and varied appearance to the western facade This results in an additional setback of approximately 8.5 lineal metres, and a total of 3m² of area removed. • Adjust angled wall to Iluka Avenue facade to compensate for lost area due to the increased setbacks (approximately 8m² of internal area added). • Second floor • Reduce height of masonry sill to western wall to approximately 9m above ground level. • Step back entire western wall by 750mm (increasing the setback from boundary to 4.1m), reducing the area of the second floor by approximately 30m² to the western boundary. • Adjust internal planning to accommodate loss of area • Adjust angled wall to Iluka Avenue facade to compensate the lost area due to the

		side boundary setback with approximately 8m² of internal area added. • Roof • Step back roof overhang by 750mm to increase setback from boundary, and to retain current proposed level of shading. • The practical laboratory space now provided as part of the amended proposal is 391.5m², a shortfall of 32m² in comparison to the Facilities Standard. • The amended proposal therefore improves the relationship between the Science building and adjoining residential properties to the west and also the building's presentation to the street. By reducing the masonry sill height to 9m and setting the upper level back approximately 4m, the amended design reduces the visual bulk and scale of the building as viewed from the neighbouring properties and the street. Further, the stepping in of the western wall in parts and removal of the green wall within the boundary setback creates a more textured and varied appearance to the western facade further reducing the visual scale of the building. • The Science building is 'commercial' by nature, and is in keeping with the school's intention to provide modern facilities for 21st Century learners. To respond to the public and Council's concern, it is proposed to reduce the number of colours, as well as the contrast between the colours applied to the facade so it will no longer compete in complexity with the coloured entry box that sits adjacent to it. Removing the stronger blue tones and replacing with lighter more transparent elements this amendment to the Science building is considered in line with Council's request to tone down the Eurobin Avenue street frontage in keeping with its heritage character. • The amended design of the Science building is therefore considered appropriate for the following reasons: • The functional requirements of the proposed non-complying elements necessitate a built form that has a height greater than 8.5m. • The non-complying elements occupy a portion of the site that already has a commenced development consent to construct a three-storey building (DA 202/2001) which exceeds the 8.5m height standard.
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		• The proposed amended design largely complies with the MDCP 2013 residential setback control, which states that buildings are to be setback 1/3 of the building's height. The amended proposal provides a side setback of approximately 3m with a reduced masonry sill height to western wall of 9m. The upper level is then setback approximately 4.1m reducing the area of the second floor by approximately 30m² to the western boundary. • The proposal will not give rise to any unreasonable or unexpected adverse amenity impacts for surrounding properties in terms of: • Overshadowing: The revised shadow diagrams prepared by Fulton Trotter Architects (Drawing DA-113/issue B) demonstrates that the amended proposal will not affect solar access to more than one third of the existing sunlight accessing any of the surrounding properties in particular 4 and 9 Iluka Avenue • Views: The reduced masonry wall sill height to the western boundary and increased upper level setback will improve the amenity of the adjoining residential properties to the west by reducing the bulk and scale of the development and increasing sky sightlines • Privacy: No change is proposed to the ground and first floor windows along the western wall as part of the amended proposal. All windows are to be recessed back into the walls with windowsill heights raised to 1500mm to prevent angled overlooking. The increased setback to the upper level will also reduce the potential for overlooking further protecting the amenity of the adjoining residential properties. • For the reasons outlined above the departure to the maximum building height and the minor non-compliance with the residential side boundary setback control are considered reasonable in this instance.
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Population	• <i>Stella Maris has outgrown its allocated space and should consider relocating to a less restricted and more spacious site.</i> • <i>Primary concern is regarding increase of student and staff numbers.</i>	• <i>The College operates across two separate sites, the Main College Campus and the Benedict Campus at a ratio of approximately 85% at the Main College Campus and 15% at the Benedict Campus.</i> • <i>The school (on the combined two sites) has a total population of 950 students enrolled in October 2014 (6-stream school). There are currently 125 staff members consisting of 72 full-time and 53 part-time employees.</i> • <i>The school previously operated as a 7-stream school with a total student population of 1,050 in 2012. However, the current student population has been deliberately reduced to enable the school to function during the construction phase of the proposed redevelopment.</i> • <i>The proposal will provide the potential for up to 200 additional students to be introduced progressively over a 10-year period (ie. total 1,150/ 7-stream) and 11 additional employees (approximately) over a 10-year period, which will match the previous 2012 capacity.</i> • <i>The proposed increase in numbers is in keeping with previous years and is not largely out of character to how the school has operated in the past.</i> • <i>Providing educational facilities in locations that are convenient and accessible to the local community is critical. Demand for a place at the school greatly exceeds its capacity, demographic data for the Northern Beaches indicates an increase in the demand for female high school places of approximately 30% over the coming 10 years (Australian Bureau of Statistics 2011 census data). An increase of 200 students (or 20%) only partially caters for this growing demand.</i> • <i>Relocating the school to another site only transfers the issues and in some cases exacerbates them, as the school is no longer in a location in which local residents can easily access. Relocating the school outside of the area would be detrimental to the local community and is not considered to be an appropriate solution.</i> • <i>The school needs to upgrade its campus to provide facilities that meet current educational standards. The section of the school to be redeveloped was built haphazardly over a thirty-year period (1950s to 1980s), resulting in buildings</i>
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		that are disconnected and learning spaces that are now out of date and no longer fit for purpose. The proposed redevelopment is therefore critical for the long-term viability of the school and not about securing additional student numbers.
Privacy	• Privacy concerns raised by the following properties: • 49 Eurobin Avenue • 50 Eurobin Avenue • 51 Eurobin Avenue • 65 Eurobin Avenue • 69 Eurobin Avenue • 71 Eurobin Avenue	• North • The Science building which fronts onto Eurobin Avenue to the north has three storeys with a basement level car park. The building will be setback off the front boundary approximately 4m, an increase of 1.5m compared to the existing building on site and separated (by approximately 25m) from the residential dwelling on the northern side of Eurobin Avenue by a two-lane street. • At the ground floor level adjacent the street will be a staff study room, the first floor level will accommodate two small staff meeting rooms and a General Learning Area (GLA) and science laboratories at the second level. • The use of the building along this frontage is therefore limited, in terms of its occupants and the restricted hours in which it will be used. Standard school hours are between 9am and 4pm Monday to Friday, which is when residents are not normally home. The Science building will therefore not be regularly occupied between the hours of 4pm and 8am the next day, ensuring the visual privacy of adjoining residential properties is preserved. • To ensure the privacy of the adjoining residents is maintained when it is being used all windows on this frontage will have raised windowsill heights of 1500mm to prevent overlooking. • West • The nearest residential dwellings are located along the western boundary of the site, a single storey residential dwelling fronting Iluka Avenue (4 Iluka Avenue) and a two storey, two-unit apartment block fronting Eurobin Avenue (50 Eurobin Avenue). • The proposed new Science building to be constructed along the western boundary will be setback 3m – 4.1m from this shared boundary. A limited number of windows have been provided along this elevation to protect the privacy of the adjoining dwellings. All windows are to be recessed back into the walls with windowsill heights that have been raised

		to 1500mm to prevent angled overlooking into the adjoining properties. The upper level of the Science building has also been setback along the western boundary to further protect the amenity of these properties. As mentioned previously the use of the Science building is restricted in terms of its occupants and also the hours in which it operates. The privacy of the adjoining residential properties to the west will therefore be preserved through appropriate design solutions and its restricted use.
Noise	- Noise impact for the residents of Iluka Avenue. - Existing noise intrusion every weekend when functions are held at the Theatre. - We strongly oppose the building being constructed any closer to the boundary with 50 Eurobin Avenue as this will create a serious noise factor with classrooms practically on top of us. - No noise strategy, the school is often heard playing loud music over the speakers. - One building includes a playground on the roof, potentially creating a noise disturbance. - Noise disturbance due to increase in number and size of windows. All windows should be double glazed and fixed. - Increased noise from the development both in construction stage and resulting from more students at the school.	- Science building - The Science building will be appropriately treated to ensure noise impacts from its operation will not cause a nuisance to the adjoining properties. - Windows will be acoustically treated where necessary to prevent noise spillage from the buildings. - To assist in reducing noise impacts minimal openings are proposed along the shared boundary to the west to protect the amenity of the nearby residential dwellings. - As stated previously the use of the Science building is restricted in terms of its use and hours ensuring the acoustic amenity of the adjoining residents is preserved. - Theatre - No increase to the capacity or the hours in which the Theatre operates is proposed. Appropriate conditions of consent are already in place to ensure the Theatre operates in a respectful manner. - Elevated outdoor space - The proposed roof terrace located off the Art building and new roof terrace above the canteen are internally orientated towards the centre of the site, which is currently used for recreational purposes. These elevated open space areas are located internally below the ridge of the buildings that bound the site and will therefore have little impact on the acoustic amenity of the surrounding area due to their location and orientation. - The elevated spaces are small in size, and have been specifically designed to provide intimate areas in which the girls can sit and eat their lunch. These areas will not be used for active outdoor recreational purposes. - As mentioned previously these spaces will only be used during standard school

		hours ensuring the acoustic amenity of the surrounding area is maintained. • Construction noise • Construction noise is managed through appropriate conditions of consent. Noise during construction is required to comply with the relevant standards. The hours in which construction can take place are also restricted to help preserve the amenity of the area. • Prior to the issuing of a Construction Certificate, a CMP will be required to be prepared and approved by Council/Private Certifier prior to any works taking place on site. • Noise assessment and ongoing management • Acoustic Studio carried out an acoustic assessment where external noise emissions associated with the operation of the existing and proposed development were assessed. • Long-term ambient noise monitoring was carried out to establish the existing background noise levels of the neighbourhood, and at the boundary of the nearest affected residential premises. • The acoustic assessment determined that the proposed development was capable of complying with the relevant noise standards. • Appropriate conditions of consent have been recommended by Council to ensure noise is managed responsibly on site during its operation. • The school will restrict the use of amplified music on the site. • The school previously operated as a 7-stream school with a total student population of 1,100 in 2010. However, the current student population has been deliberately reduced to enable the school to function during the construction phase of the proposed redevelopment. Therefore noise from the proposed additional 200 students will be manageable, as the school has previously operated at this capacity.
Landscaping	• Mature plants and trees are to be removed and not replaced, having a negative visual impact. • Unacceptable level of landscaping, particular mature plants.	• An Arboricultural Assessment was prepared by Landscape Matrix and noted the removal of nineteen (19) trees on the site due to their health, species or location in respect of the proposed development. • The landscape plan for the site proposes an additional 84 trees/palms (ranging in height from 5m - 10m) and an additional 1,196 shrubs.

		Any impact as a result of the removal of the existing 19 trees on site will be more than compensated for by the proposed new planting. In addition all new plants to be introduced on the site are native to the Manly area.
Safety of neighbourhood	- The excessive height and minimal setbacks off the road do little to promote neighbourhood security and casual surveillance in the area. - The street can be dark at night and no regard has been given to security or safety in the area.	- The operation of the school is to remain unchanged. At night, the site will be secured as it is now and when functions are held at night staff manage access and egress to the site. - The proposed height and setbacks of the buildings do not reduce neighbourhood safety or diminish casual surveillance of the street. The development will actually improve existing conditions by demolishing the solid masonry wall along Iluka Avenue sightlines into and out of the site will be significantly improved. The new Science and Arts buildings with additional window openings will also support and improve casual surveillance of the street.
Loss of value	Potential to devalue property value.	- Established in 1931 Stella Maris College is one of the oldest school's for girls in the area. The school has therefore been operating in this location for over 80 years. - The proposed redevelopment is in the best interest of local residents as it provides a highly valuable and in demand service to the local community. It is essential that school's are located within the community ensuring equitable access to education is provided. - The area is characterised by a mix of uses not just residential, as the area contains educational and commercial development. The area is also surrounded by large amounts of public open space with Manly Beach to the east, Manly Lagoon to the north and Keirle Park to the west. The proposed redevelopment of the existing school is therefore in keeping with the character of the area and will not impact on its residential amenity. - Property values are not a consideration under the Environmental Planning and Assessment Act 1979 (EP&A Act).
Stormwater	- Stormwater runoff with less open ground, the outlet outside 4 Iluka Avenue causes road and verge flooding in heavy rain and will not cope with extra water. - Impact of stormwater drainage on sloping streets	- A Stormwater Management Report was prepared by Taylor Thomson Whitting, which concluded that the proposed stormwater management would provide sufficient on-site absorption. - From a stormwater management perspective, the site is considered to be suitable for the proposal as any impacts of the proposal on the existing water

		<i>quantity and quality are capable of being ameliorated.</i>
Open space	<i>Reduction of open space for student enjoyment and recreation opportunities.</i>	<i>One of the main reasons the school is undertaking the proposed redevelopment is to increase and improve the amount of outdoor recreational space available.</i> <i>The development will include an additional 891.03m² (covered and uncovered) playground mainly by utilising available roof space.</i>
Views	<i>Vista of the Chapel from our first floor windows will be blocked as a result of the redevelopment (1/49 Eurobin Avenue, Manly)</i>	<i>When assessing the view impacts of a development, the NSW Land and Environment Court relies on the planning principle outlined in Tenacity v Warringah Council (2004) NSWLEC 140. The four assessment steps used to and the compliance of the development are considered below:</i> <i>Assessment of views to be affected. Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, e.g. a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.</i> <i>The existing Chapel vista (which captures its roof form) is not considered highly valuable, it is a land view, which does not contain a significant iconic feature (the Chapel is not identified as a listed heritage item).</i> <i>The protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic</i> <i>The view is available across a side boundary, a two-lane street (Eurobin Avenue), and the development site. Where this view is experienced from is not known, as a site inspection has not been carried out.</i> <i>The extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact of views from living areas is considered more significant and the extent of the impact should be considered qualitatively.</i> <i>The proposed development (Science building) will obscure the view of the</i>

		Chapel roof when viewed from the property, however as discussed previously the development will actually significantly improve sightlines to the building from the public domain (Iluka Avenue). • The reasonableness of the proposal. A development that complies with all planning controls is considered more reasonable than a development that breaches the controls. With a complying development proposal the issue is whether the same development potential could be achieved with a more skillful design without affecting the view of the neighbours. • The proposed development will obscure the view of the roof of the Chapel, which is currently experienced across a side boundary, a two-lane street and the development site. Whilst the proposal does exceed the height standard, it is considered reasonable, as the development will actually improve sightlines of the Chapel and Convent from the public domain.
Overshadowing	• Overshadowing of 49 Eurobin Avenue.	• The proposed development will not overshadow 49 Eurobin Avenue, as the school is located to the south.
Consultation	• More consultation between the school, Council and residents is required.	• In designing the proposal, Stella Maris College and its consultant team consulted with Manly Council, local residents, the Stella Maris school community as well as relevant utilities providers. • A community event, which was open to the public, was held on 8 October 2014 and individual landowners adjoining the school were also consulted on 16 October 2014. • As part of the development application assessment Manly Council notified and advertised the proposal for a period of 8 weeks (over two separate notification periods)."

Assessing Officer's Comments:

The detailed response submitted by the applicant is considered to adequately address the issues raised by the submitters. Additional comments are included below:

- One of the key concerns raised is the effect that an additional 200 students will have on the surrounding traffic network both during and after construction; and on surrounding residents, particularly during peak drop-off and pick-up times. A Traffic Impact Assessment has been prepared as part of the DA submission. The report concludes there to be no unreasonable traffic impacts. The findings and recommendations contained within the report are included as conditions within the Recommendation. Council's Traffic Engineer has no objections to the proposal, subject to the inclusion of recommended conditions of consent. A condition has been included that requires a detailed Construction Management Plan to be submitted to the Council/Accredited Certifier, prior to issue of the Construction Certificate.

- The proposal is not considered to have any adverse impact on the adjoining residential properties to the west in terms of privacy and overshadowing. The proposal is considered to have adequately addressed the objectives and design criteria for the amenity principles of privacy, views and overshadowing in accordance with the MDCP 2013 (Amendment 4).
- The amended plans are considered to have satisfactorily responded to concerns raised about the height and setback of the proposed science building as well as satisfactorily addressed the impact of the new science building on the adjacent heritage listed Chapel and Convent. The height and setbacks of this building are constrained by its proximity to the heritage listed buildings; and laboratory size requirements for secondary schools standards. The introduction of a greater setback at second floor level and further articulation of the western façade is considered to address the concerns raised as successfully as possible in light of the site and design constraints.
- The amendments proposed to the external colours and finishes are supported from a planning perspective in light of the addendum reports submitted. Council's Heritage Advisor is generally supportive of the amendments to the external finishes and materials schedule, subject to modifications to the colour scheme proposed for the new Art Building. A condition to this effect has been included within the Recommendation.
- A Statement of Heritage Impact has been prepared and is appended to the SEE. The report concludes that the proposal will not have any detrimental impact on the heritage items listed on the site and those items in the vicinity of the site, subject to recommendations. These recommendations are supported by Council's Heritage Advisor and have been adopted as conditions of consent within the Recommendation.
- The variation sought to the height of building development standard is supported for the reasons contained within this report. The applicant's request to vary the height of building development standard pursuant to Clause 4.6 of the MLEP 2013 (as amended) is considered to be well founded in that it is considered to have adequately demonstrated that compliance with the standard is unreasonable and unnecessary in the circumstances of the case; that the proposal is acceptable on environmental planning grounds; and that the proposal is not contrary to the public interest.
- Council's Landscape Officer is generally satisfied with the proposal including the removal of 15 trees. However, Council's Landscape Officer does not support removal of a large Norfolk Island Pine Tree in the central courtyard area based on the view that the ramp can be redesigned to accommodate retention of the tree. The justification presented in the Arborist report for removal of the tree is considered to be well founded. The main reason cited include canopy bias of the two (2) heritage listed Moreton bay figs in close proximity to the Pine and future potential for lean in the trunk of the Pine. For these reasons, removal of the tree is supported. Given the use of the site as an educational establishment, the potential risk associated with retention of the tree exceeds any benefit from its retention.

79C(1) (e) - the public interest.

It is considered that the proposal will not have any detrimental effect on the public interest, subject to the recommended conditions of consent being imposed.

S94 Contribution towards provision or improvement of amenities or services

This part of the Act relates to the collection of monetary contributions from applicants for use in developing key local infrastructure. The Act reads as follows:

- '(1) If a consent authority is satisfied that development for which development consent is sought will or is likely to require the provision of or increase the demand for public amenities and public services within the area, the consent authority may grant the development consent subject to a condition requiring:*
- (a) the dedication of land free of cost, or*
 - (b) the payment of a monetary contribution,*
 - or both.*

- (2) *A condition referred to in subsection (1) may be imposed only to require a reasonable dedication or contribution for the provision, extension or augmentation of the public amenities and public services concerned.'*

Comments:

The proposed alterations and additions to an existing educational establishment located within the SP2 Infrastructure Zone will improve upon the existing community facilities and services offered by Stella Maris College and is accordingly not subject to payment of a section 94 contribution.

CONCLUSION:

The application has been assessed having regard to Section 79C of the Environmental Planning and Assessment Act 1979, State Environmental Planning Policy No. 71 – Coastal Protection; State Environmental Planning Policy No. 55 – Remediation of Land; State Environmental Planning Policy (Infrastructure) 2007; Manly Local Environmental Plan 2013 (as amended) and the Manly Development Control Plan 2013 (Amendment 4) and is considered to be satisfactory, subject to conditions.

RECOMMENDATION

In consideration of the written request made by the applicant pursuant to Clause 4.6 of the Manly Local Environmental Plan 2013, the consent authority is satisfied that compliance with the development standard contained in Clause 4.3 (Height of Buildings) of the Manly Local Environmental Plan 2013 (as amended) is unreasonable or unnecessary in the circumstances and that there are sufficient environmental planning grounds to justify contravening the development standard.

That Development Application No. 232/2014 for re-development of an existing Educational Establishment including partial demolition, construction of three (3) storey buildings with basement car park, refurbishment of buildings, an increase in student numbers by 200, landscaping and a covered play area – Stella Maris College at 52 Eurobin Avenue, Manly be **Approved**, subject to the following conditions:

ANS01

The plans are to be modified to show the southern elevation of the second floor of the Art Building to be consistent with the Beach movement reflection colour scheme utilised on the other non-entrance buildings within the site.

Reason: To reduce the visual impact of the proposed building on the recognised aesthetic heritage values of the convent building and in accordance with the recommendations of Council's Heritage Advisor.

ANS02

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water, prior to issue of the final Occupation Certificate.

Note: Make an early application for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design. Application must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Plumbing, building and developing > Developing > Land development or telephone 13 20 92.

Reason: In accordance with the recommendation of Sydney Water.

ANS03

Building plans must be stamped and approved by a Sydney Water Quick Check Agent before any construction is commenced.

Reason: To ensure construction/building works do not affect Sydney Water's assets and in accordance with the recommendation of Sydney Water.

ANS04

A bunded liquid/hazardous waste storage cabinet is to be implemented in the art project store on the first floor and the science prep/chemical store room on the second floor for the safe storage of any paints, solvents or liquid chemicals associated with dark room/science lab activities. These wastes should then be collected by a specialist contractor directly.

Reason: In accordance with the recommendations contained within the Ongoing Operation Waste Management Plan prepared by Foresight Environmental dated 11 November 2014 and received by Council on 21 November 2014.

ANS05

Preparation of an updated Conservation Management Plan, complete with cyclical maintenance plans for the Convent and Chapel building is to be prepared to the satisfaction of Council's Heritage Advisor, prior to issue of the Final Occupation Certificate.

Reason: To ensure the preservation of the historic fabric of the Convent and Chapel building and in accordance with the recommendation of Council's Heritage Advisor.

ANS06

Care should be exercised in converting the arched glazing at the western end of the 1930 School Building into a door opening so that as much of the early timber glazing fabric is retained as possible.

Reason: To retain fabric dating to the 1930s development era of the site and in accordance with the recommendation of Council's Heritage Advisor.

ANS07

The recovered eastern facade of the 1930 School Building should be retained and incorporated within the new staircase foyer. To maintain its physical and visual integrity, a gap should be provided between the wall and the proposed flight of stairs adjacent. We are given to understand that part of the fire engineering strategy is to convert the eastern wall of the retained 1930 School Building into a vertical fire wall to minimise the need to extend fire sprinklers throughout the entire existing building and proposed Stage 1 building. It is recommended using the utmost care when carrying out any required installation in order to preserve the significant fabric of the facade and enhance its legibility as the original eastern wall of the School Building.

Reason: To retain fabric dating to the 1930s development era of the site and in accordance with the recommendation of Council's Heritage Advisor.

ANS08

A detailed Stormwater Management Plan (SWMP) is to be prepared and signed-off by a practising Chartered Professional Engineer with NPER at Engineers Australia along with absorption bench calculations with soil report. The SWMP shall include, but not limited to, details of:

- Increase in impervious area (m²)
- Post-development impervious area (%)
- Peak flow from the site for 100 year ARI storm events
- Discharge points
- Full name, NPER No. of the Engineer who signs-off the SWMP.

Reason: In accordance with the recommendations of Council's Engineer.

ANS09

The recommendations contained within Part 4.0 of the *Building Code of Australia Section "J" Assessment Report* prepared by Building & Energy Consultants Australia Pty Ltd dated September 2014 and received by Council on 21 November 2014, specifically:

- Part J1 – Building fabric;
- Part J2 – Glazing;
- Part J3 –Building sealing;
- Part J7 – Hot water supply; and

- Part J8 – Access for maintenance and facilities for monitoring are to be fully complied with.

Reason: To ensure compliance of the development with Section J of the Building Code of Australia in relation to energy efficiency.

ANS10

The Landscape Plan and the Arborist Report need to correlate the tree numbers so that the correct trees are identified on both documents.

Reason: In accordance with the recommendations of Council's Landscape Officer.

ANS11

All works shall comply with AS 4970-2009 Australian Standard for Protection of Trees on Development Sites and Amendment No. 1 (26 March 2014).

Reason: To ensure no damage occurs to existing trees on the site or on neighbouring sites, throughout the demolition and construction works of the development.

ANS12

The trees identified for removal in Table 5 contained under Section 7.1 of the Arboricultural Impact Report prepared by Landscape Matrix Pty Ltd dated 12 February 2014 and received by Council on 16 February 2015 are accepted for removal as listed.

Reason: In accordance with the recommendations of Council's Landscape Officer.

ANS13

A structural engineer is to inspect the existing retaining walls lining the northern site boundary and the southern portion of the western site boundary, as well as adjacent sections of existing school buildings and structures that will remain, to assess their stability and provide any details regarding appropriate propping.

Reason: In accordance with the recommendation contained within the Geotechnical Investigation Report prepared by JK Geotechnics Geotechnical & Environmental Engineers dated 17 October 2014 and received by Council on the 21 November 2014.

ANS14

Prior to, or at the commencement of demolition, the footings supporting the retaining wall lining the northern site boundary are to be exposed by excavating test pits. A geotechnical investigation is to be undertaken behind the retaining wall in conjunction with localised test pits to confirm the buried geometry of the retaining wall and determine the need and extent of any wall strengthening and/or reconstruction that may be necessary. The test pits are to be inspected by the geotechnical and structural engineers and to assess the long term stability of the retaining wall. The need and extent of any wall strengthening and/or reconstruction may then be determined.

Reason: In accordance with the recommendations contained within the Geotechnical Investigation Report prepared by JK Geotechnics Geotechnical & Environmental Engineers dated 17 October 2014 and received by Council on the 21 November 2014.

ANS15

Where paved surfaces abut adjacent buildings, structures or paved surfaces within or outside the site, a saw cut is to be provided prior to the removal of paved surfaces. Saw cut pieces are to be removed using ripping tyne and bucket attachments to hydraulic excavators and a rock breaker if required.

Reason: In accordance with the recommendations contained within the Geotechnical Investigation Report prepared by JK Geotechnics Geotechnical & Environmental Engineers dated 17 October 2014 and received by Council on the 21 November 2014.

ANS16

Demolition is to cease and geotechnical advice sought if rock breakers are adversely affecting neighbouring buildings and paved surfaces. If excessive vibrations are occurring, it will be necessary to use lower energy equipment such as smaller rock breakers. They will be orientated towards the face and be operated one at a time in short bursts to reduce amplification of vibrations. When using rock breakers or saws, the resulting dust should be suppressed by spraying with water. Sudden stop/start movements of tracked equipment should be avoided in order to reduce transmission of ground vibrations to adjoining buildings and structures due to poorly compacted fill and loose natural sands.

Reason: In accordance with the recommendations contained within the Geotechnical Investigation Report prepared by JK Geotechnics Geotechnical & Environmental Engineers dated 17 October 2014 and received by Council on the 21 November 2014.

ANS17

Dewatering of the basement excavation is not expected to be required. However, there should be a contingency for localised dewatering of lift pit, service trench or footing excavations should there be a greater than expected rise in groundwater levels following heavier or more prolonged rainfall than occurred over the monitoring period. The extracted water should be recharged within the site.

Reason: In accordance with the recommendations contained within the 'Additional Geotechnical Advice' prepared by JK Geotechnics dated 18 December 2014 and received by Council on 16 February 2015.

ANS18

The basement shoring system, if adopted only required to be designed for stability considerations, i.e. it is not required to form a partial cut-off and so computer based groundwater modelling will also not be required.

Reason: In accordance with the recommendations contained within the 'Additional Geotechnical Advice' prepared by JK Geotechnics dated 18 December 2014 and received by Council on 16 February 2015.

ANS19

Where battering can be accommodated, a conventional retaining is to be constructed at the base of the batter and subsequently backfilled. Where battering cannot be accommodated within the site geometry, or is not preferred, a full depth engineered retention system is to be installed prior to excavation commencing.

Reason: In accordance with the recommendations contained within the Geotechnical Investigation Report prepared by JK Geotechnics Geotechnical & Environmental Engineers dated 17 October 2014 and received by Council on the 21 November 2014.

ANS20

A piled wall retention system is suitable for the site. Due to the potentially collapsible nature of the sandy soil profile, the presence of groundwater and the need to control potential movement of adjacent ground surfaces, buildings and structures, we consider that bored piles are not suited to this site. A grout injected (cfa) contiguous or secant piled wall is preferred. However, allowance must be made for making good gaps between contiguous piles and/or secant piles in order to reduce the loss of retained soils and possible seepage and consequent inducement of adjacent ground surface movements. In this regard, consideration may be given to providing a shotcrete face to the contiguous pile wall. The shotcrete facing would need to be applied in 'lifts' of maximum 1.5m vertical height and must be applied on the same day as completion of excavation in front of the contiguous pile wall. If dewatering and basement tanking is required (believed to be unlikely) then a secant piled wall would be a preferable shoring system.

A diaphragm wall or a modified diaphragm wall proprietary in-situ soil and grout mixing systems within a low strength cement/bentonite slurry would also be suitable alternative retention systems if a tanked basement was required but are unlikely to be cost effective on a small site.

A sheet piled wall retention system is not considered a suitable alternative as the sheet pile walls would not be able to be incorporated into the footing system and there would be concerns in relation to noise and vibrations.

The toe of the pile walls should be embedded below bulk excavation level to sufficient depth to satisfy stability and founding considerations and to provide an adequate partial 'cut-off' to groundwater, if dewatering is required.

The pile walls may be incorporated into the footing system.

The piled wall will require temporary propping achieved by using ground anchors. If anchors cannot be installed or are not preferred, then internal propping will be required. It is assumed that permanent propping of the retention system will be provided by the proposed floor slabs.

Reason: In accordance with the recommendations contained within the Geotechnical Investigation Report prepared by JK Geotechnics Geotechnical & Environmental Engineers dated 17 October 2014 and received by Council on the 21 November 2014.

ANS21

As the temporary anchors would extend below neighbouring properties, permission from neighbours is to be sought. With regard to the western and eastern site boundaries, the anchors are to be installed at sufficient depth to extend below adjacent footings. Alternatively, the ground floor slab may be poured to support the pile heads and the proposed basement subsequently excavated using 'top-down' construction techniques. Further, due to the need to protect the nearby buildings and structures, construction of the retention system and anchors is to be of high quality and only experienced contractors shall be employed.

Reason: In accordance with the recommendations contained within the Geotechnical Investigation Report prepared by JK Geotechnics Geotechnical & Environmental Engineers dated 17 October 2014 and received by Council on the 21 November 2014.

ANS22

The following characteristic earth pressure coefficients and subsoil parameters are to be adopted for the static design of the proposed basement walls, any underpins supporting a soil profile and for strengthening or reconstruction of the retaining wall lining the northern site boundary:

- Progressively anchored or internally propped walls, where minor movements can be tolerated (i.e. northern and southern sides of the proposed basement), uniform rectangular earth pressure distribution of $6H$ (retained height in Metres) kPa for the soil profile shall be used.
- Progressively anchored or propped walls which support areas which are highly sensitive to lateral movement (i.e. western and eastern sides of the proposed basement), uniform rectangular earth pressure distribution of $8H$ kPa for the soil profile, where 'H' is the retained height in metres, shall be used.
- For design of conventional walls that will be supported by the structure and/or underpins supporting a soil profile we recommend the use of a triangular lateral earth pressure distribution with an 'at rest' earth pressure coefficient (k_0) of 0.55 for the soil profile, assuming a horizontal backfill surface.
- Where some movements of the retaining wall may be tolerated (e.g. landscape walls), they may be designed using a triangular lateral earth pressure distribution and a coefficient of 'active' earth pressure, (k_a), of 0.35 for the soil, assuming a horizontal backfill surface.
- All surcharge loads affecting the walls (e.g. due to traffic, compaction stresses, construction loads, sloping backfill surfaces, adjacent high level footings, etc) must be considered in the wall design using the appropriate earth pressure coefficient from above.

- The 'passive' toe resistance of the perimeter piled walls may be estimated using a triangular lateral earth pressure distribution and a 'passive' earth pressure coefficient, K_p , of 3, for the loose or medium dense sands, assuming horizontal ground in front of the walls. A factor of safety of at least 2 should be adopted due to significant movement. Toe restraint for low height (say <1m) landscape walls founded in the soil profile may also be provided by the passive pressure of the soil below adjacent surface levels using a similar 'passive' earth pressure coefficient and Factor of Safety. The upper 0.3m below the adjacent surface levels should be ignored in this analysis in order to take excavation tolerances into account. All other localised excavations in front of the walls (such as for buried services, lift overrun pits, etc) are to be taken into account in the wall designs.
- A bulk unit weight of 20kN/m³ shall be adopted for the loose or medium dense sands above the groundwater level and reduced to 10kN/m³ below the groundwater level.
- Piled walls must be designed as permanently drained and UPVC pipes should be installed at nominal 1.2m horizontal spacing just above the adjacent floor level (unless a tanked basement is required). Holes will need to be drilled to allow installation of the pipes and/or use of gaps between contiguous piles. The end of the pipe penetrating the retained profile behind the wall must be wrapped in a non-woven geotextile fabric, such as Bidim A34, to act as a filter against subsoil erosion. The pipes should discharge into the perimeter drainage system for controlled disposal to the stormwater system.
- Conventional retaining walls are to be designed as drained and provision made for permanent and effective drainage of the ground behind the walls. Subsurface drains shall incorporate a non-woven geotextile fabric, such as Bidim A34, to act as a filter against subsoil erosion. The subsoil drains should discharge into the storm water system.
- A tanked basement retention system, if selected, must be designed to withstand full hydrostatic pressures.
- Soil anchors bonded into the loose or medium dense or denser sands should be designed for an effective angle of internal friction, ϕ' , of 30°. All anchors should be bonded behind a theoretical failure plane projected up for the base of the excavation at an angle of 45°. All anchors should be proof-tested to 1.3 times the working load under the direction of an experienced engineer or construction superintendent, independent of the anchor contractor.

Reason: In accordance with the recommendations contained within the Geotechnical Investigation Report prepared by JK Geotechnics Geotechnical & Environmental Engineers dated 17 October 2014 and received by Council on the 21 November 2014.

ANS23

Only experienced contractors are to be considered for the anchor installation. Permanent anchors are to be designed for corrosion resistance and for long term durability.

Reason: In accordance with the recommendations contained within the Geotechnical Investigation Report prepared by JK Geotechnics Geotechnical & Environmental Engineers dated 17 October 2014 and received by Council on the 21 November 2014.

ANS24

If groundwater monitoring indicates that groundwater levels are likely to be above the basement floor level and a tanked basement retention system is required, it must be designed to withstand full hydrostatic pressures as outlined in Section 4.4.3, of the Geotechnical Investigation Report. Care is required with the tanking details particularly at the connections between the floor slab and the basement wall and other underground structures. In addition, ground anchors to resist uplift forces may be required.

If groundwater levels will not rise above the basement floor level, a drained basement will be required. A drainage layer will need to be provided beneath the basement floor slab, comprising a continuous layer or a 'herring bone' system. Any proposed service trenches may be incorporated into the underfloor drainage system provided they are backfilled with appropriate drainage material preventing build-up of hydrostatic pressures and possible leakage of water into the basement via construction joints etc, during periods of elevated groundwater levels. If Council permits, this is to be discharged to the stormwater system through a sump and pump system.

The drained basement slab should be designed to be separated from all walls, columns, footings, etc to permit relative movements (i.e. 'floating') to allow leakage at basement walls and underground structures if drainage fails. The concrete floor slab should be provided with effective shear connection of joints by using dowels or keys. The capacity for leakage will reduce build-up of hydrostatic forces beneath the slab which may cause extensive cracking and damage to the floor slab.

The basement underfloor drainage should comprise single sized, washed gravel (e.g. 'blue metal'). A non-woven geofabric such as Bidim A34 will need to be provided at the interface between the drainage layer and the subgrade to act as a filter against sub-soil erosion.

Reason: In accordance with the recommendations contained within the Geotechnical Investigation Report prepared by JK Geotechnics Geotechnical & Environmental Engineers dated 17 October 2014 and received by Council on the 21 November 2014.

ANS25

Suitable footing systems may comprise shallow (pad or strip) footings or piles founded within the natural sands.

Pad footings (at least 1m width) or strip footings (at least 0.5m width) with an embedment depth of 0.5m founded within loose sands or existing sandy fill may be designed using a maximum allowable bearing pressure of 100kPa. If groundwater levels are expected to be at, or close to the base of the footing then the allowable bearing pressure would reduce to 50kPa. Pad footings (at least 1m width) or strip footings (at least 0.5m width) founded within medium dense sands with an embedment depth of 0.5m may be designed using a maximum allowable bearing pressure of 200kPa. If groundwater levels are expected to be at, or close to the base of the footing then the allowable bearing pressure would reduce to 100kPa. The allowable bearing pressures should be checked by a geotechnical engineer for actual footing widths proposed.

For perimeter piles and/or internal pile footings installed into medium dense sands and founded at least 2.5m below bulk excavation level, a maximum allowable end bearing pressure of 800kPa may be adopted. The depth of embedment of perimeter piles must also be checked against the stability of the walls.

The internal pile footings, if adopted, may comprise cfa piles (i.e. similar to the basement retention piles) or, alternatively, steel screw piles may be considered. Assuming a 0.45m diameter pile, for a pile embedment depth equivalent to at least 6 pile diameters below design subgrade level and embedded into medium dense sands, piles may be designed on the basis of an allowable end bearing pressure of 800kPa. The allowable bearing pressures assume a groundwater level a maximum of about 1m above the base of the pile.

To avoid the potential for long term differential settlements and possible 'punching' failure into the weaker layers, piles would need to be founded below any such layers. Whilst no such layers were encountered in the current investigation, their presence cannot be discounted and further EFCP testing is to be completed following demolition in order to confirm our assumptions regarding the subsurface profile.

Based on the advice provided in AS 2159 – 2009, “Piling – Design and Installation” we have assessed the ‘basic geotechnical strength reduction factor’ (ϕ_{gb}) to be 0.48 (assuming a ‘low redundancy system’) or 0.56 (assuming a ‘high redundancy system’).

In order to provide a stable working platform for the piling rig, consideration is to be given to determining the working platform thickness once the piling plant size and loads are known. The assessment of the working platform thickness is to be based on the methodology outlined in BRE 2004 ‘*Working Platforms for Tracked Plant*’. Construction of such a working platform will also need to be considered in the design of any dewatering system.

Once the structural loads have been finalised, additional bearing capacity and settlement analyses should be carried out to assess the suitability of the footing options.

The serviceability of the proposed buildings is to be checked with regard to the above differential settlements and appropriate articulation provided. This will be of particular importance at any interfaces between sections of old and new structures that are designed to be structurally connected.

Reason: In accordance with the recommendations contained within the Geotechnical Investigation Report prepared by JK Geotechnics Geotechnical & Environmental Engineers dated 17 October 2014 and received by Council on the 21 November 2014.

ANS26

All pad and strip footings are to have their bases compacted using a hand operated, prior to pouring, concrete. Qualitative vibration monitoring is to be carried out by site personnel to assess vibration levels on nearby buildings. If vibrations are considered to be excessive, then compaction is to cease and further advice sought.

Reason: In accordance with the recommendations contained within the Geotechnical Investigation Report prepared by JK Geotechnics Geotechnical & Environmental Engineers dated 17 October 2014 and received by Council on the 21 November 2014.

ANS27

An experienced geotechnical engineer is to conduct DCP testing from the base of all pad and strip footing excavations to confirm that the design foundation material has been reached and to check initial assumptions about ground conditions and possible variations that may occur between the test locations. Trafficking of the footing excavations are to be kept to a minimum, preferably not at all, and protected by a blinding layer of concrete immediately after inspection.

Reason: In accordance with the recommendations contained within the Geotechnical Investigation Report prepared by JK Geotechnics Geotechnical & Environmental Engineers dated 17 October 2014 and received by Council on the 21 November 2014.

ANS28

High level footing excavations may encounter groundwater and seepage at the toes of temporary batter slopes may affect the stability of the footing excavation sides and effective preparation of the footing base. Accordingly, some allowance should be made for localised dewatering of such excavations as discussed in Section 4.3 of the Geotechnical Investigation Report.

Reason: In accordance with the recommendations contained within the Geotechnical Investigation Report prepared by JK Geotechnics Geotechnical & Environmental Engineers dated 17 October 2014 and received by Council on the 21 November 2014.

ANS29

The recommendations provided below should be read in conjunction with the comments on the tanked basement presented in Section 4.5 of the Geotechnical Investigation Report and complemented by reference to AS3798-2007 ‘*Guidelines on Earthworks for Commercial and Residential Developments*’:

Preparation of the subgrade will be required to improve the trafficability of the sandy subgrade and, if required, the basement dewatering will need to have lowered the groundwater level a sufficient depth below the subgrade level in order to allow earthworks plant to effectively compact the subgrade. If piles are to be installed from bulk excavation level, then further consideration will be required to determine the working platform thickness once the piling plant size and loads are known.

Over soil subgrade areas where on-grade floor slabs and external paved areas are to be constructed and to improve trafficability, the sandy soil subgrade should be prepared as follows:

- The exposed subgrade should be proof-rolled with a light vibratory or impact roller. The purpose of proof-rolling is to density the upper sand profile and to identify any soft or unstable areas within the subgrade. Within any restricted site areas consideration may need to be given to the use of a smaller roller and/or hand held plate compactor to proof roll the base of the excavation. To avoid "bogging" of the roller, the first few passes are to be carried out without vibrations. If the subgrade level needs to be topped up following compaction, then filling is to be carried out using engineered fill (see Section 4.7.2 of the Geotechnical Report prepared by JK Geotechnical & Environmental Engineers).
- Proof rolling should be closely monitored by the site supervisor to detect soft or unstable areas which should be removed and replaced with engineered fill (as outlined in Section 4.7.2 of the Geotechnical Report prepared by JK Geotechnical & Environmental Engineers).
- Care should also be taken when using vibrating equipment not to cause damage to adjacent existing structures and/or buried services. If there is any cause for concern then proof rolling should cease and further geotechnical advice sought. Alternatively, where appropriate, the static (non-vibration) mode may be used.

It is noted that if the floor slabs are suspended no particular subgrade preparation is required. In addition, if a tanked basement is required then proof rolling will only be required to improve the trafficability of the subgrade.

Reason: In accordance with the recommendations contained within the Geotechnical Investigation Report prepared by JK Geotechnics Geotechnical & Environmental Engineers dated 17 October 2014 and received by Council on the 21 November 2014.

ANS30

Engineered fill is to be free from organic materials, other contaminants and deleterious substances and have a maximum particle size not exceeding 40mm. Excavated sands may be used as engineered fill. Engineered fill is to be placed in layers of maximum 100mm loose thickness and compacted with the above mentioned roller to achieve a minimum Density Index (I_D) of 75%. However, the I_D may be reduced to 70% in landscaped areas.

Backfill to conventional retaining walls should also comprise engineered fill. The excavated sands or well graded granular materials such as ripped sandstone and demolition rubble are suitable for this purpose. This granular fill is to be free of deleterious substances and should have a maximum particle size of 40mm. Such fill should be compacted in horizontal layers as above using a hand held plate compactor. Care will be required to ensure excessive compaction stresses are not transferred to the retaining walls.

Density tests are to be carried out at a frequency of one test per layer per 500m² or three tests per visit, whichever requires the most tests, to confirm the above specification has been achieved. For backfilling of localised excavations, such as behind retaining walls, service trenches or localised soft spots, testing is to consist of one test per two layers per 50m². At least Level 2 testing of earthworks should be carried out in accordance with AS3798. Any areas of insufficient compaction will require reworking.

If single sized granular material (or 'no fines' gravel) is used as backfill to retaining walls then only nominal compaction (with no compaction testing) will be required. The drainage material is to be wrapped in a non-woven geotextile fabric (such as Bidim A34) to act as a filter against subsoil erosion. Further, the retaining walls are to be provided with a clay plug at surface level to reduce the likelihood of stormwater surcharging the retaining walls.

Reason: In accordance with the recommendations contained within the Geotechnical Investigation Report prepared by JK Geotechnics Geotechnical & Environmental Engineers dated 17 October 2014 and received by Council on the 21 November 2014.

ANS31

Slab-on-grade construction is feasible for the on-grade floor slabs and external paved areas provided the areas of exposed soil subgrade are prepared. Where floor slabs are suspended no particular subgrade preparation is required.

The proposed concrete floor slabs, unless suspended or tanked, are to be separated from all walls, footings etc (i.e. designed as 'floating') to permit relative movement. Slab joints should be capable of resisting shear forces but not bending moments by providing dowels or keys.

Based on the previous laboratory test results on the natural sand samples, a design soaked CBR value of 8% is to be adopted. The reduced CBR value will take into account any variations in the state of compaction and/or density of the sandy subgrade. A short term Youngs Modulus of 30MPa or a Long Term Youngs Modulus of 25MPa may also be adopted for design.

A sub-base layer of 100mm of DGB20 (or equivalent), compacted to at least 100% of Standard Maximum Dry Density (SMDD) is to be used beneath the drained basement floor slabs and external paved areas to provide more uniform slab support for traffic loads and reduce 'pumping' of 'fines' at joints. Concrete pavements should be provided with effective shear connection at joints by using dowels or keys.

Reason: In accordance with the recommendations contained within the Geotechnical Investigation Report prepared by JK Geotechnics Geotechnical & Environmental Engineers dated 17 October 2014 and received by Council on the 21 November 2014.

ANS32

Based on the advice provided in AS2159-2009 and AS3600-2009 the chemical test results on the soils have indicated that:

- For concrete piles or structures, an A2 or B1 or 'Mild' or 'Moderate' Exposure Classification will apply. The adoption of a B1 or 'Moderate' Exposure Classification is recommended.
- For steel screw piles a 'Non-Aggressive' Exposure Classification will apply.

Reason: In accordance with the recommendations contained within the Geotechnical Investigation Report prepared by JK Geotechnics Geotechnical & Environmental Engineers dated 17 October 2014 and received by Council on the 21 November 2014.

ANS33

The scope of further geotechnical work recommended within the Geotechnical Investigation Report includes the following:

- Modelling of the basement excavation dewatering, if required.
- WALLAP analysis of the proposed basement retention system.
- Dilapidation reports of adjoining buildings and structures.
- Inspection of test pits exposing existing footings.
- Additional analysis of allowable bearing pressures and settlements for proposed footing design.
- Witnessing proof testing of ground anchors.
- Inspection and testing of footing bases.
- Directing proof rolling.
- Density testing of engineered fill.

Geotechnical works are to be carried out in accordance with the recommendations contained within the Geotechnical Investigation Report prepared by JK Geotechnics dated 17 October 2014 and received by Council on 21 November 2014.

Reason: To minimise the risk of landslip and subsidence on the site.

ANS34

The building shall fully comply with the performance requirements of the Building Code of Australia (BCA), as applicable within NSW.

Reason: In accordance with the recommendation contained within the Fire Safety Report prepared by Rawfire Fire Safety engineering on 31 October 2014 and received by Council on the 21 November 2014.

ANS35

Prior to the commencement of work, the sACM is to be removed from the western site boundary by a qualified contractor in accordance with relevant codes and standards. An asbestos clearance certificate should subsequently be provided.

Reason: In accordance with the recommendations contained within the Stage 1 Preliminary Environmental Site Assessment and Acid Sulfate Soil Assessment Report prepared by Environmental Investigation Services dated 17 October 2014 and received by Council on 21 November 2014.

ANS36

A hazardous building materials inspection is to be undertaken by a suitably qualified person prior to the commencement of demolition. All demolition is to be undertaken in accordance with the relevant codes and standards, as well as the provision of an asbestos clearance certificate at the completion of the removal of any hazardous substances.

Reason: In accordance with the recommendations contained within the Stage 1 Preliminary Environmental Site Assessment and Acid Sulfate Soil Assessment Report prepared by Environmental Investigation Services dated 17 October 2014 and received by Council on 21 November 2014.

ANS37

Following demolition of the buildings, additional waste classification samples should be obtained and analysed to confirm the waste classification. The waste classification should be completed by a suitably qualified consultancy registered as a member of the Australian Contaminated Land Consultants Association (ACLCA).

Reason: In accordance with the recommendations contained within the Stage 1 Preliminary Environmental Site Assessment and Acid Sulfate Soil Assessment Report prepared by Environmental Investigation Services dated 17 October 2014 and received by Council on 21 November 2014.

ANS38

An ASS management plan (ASSMP) is not considered necessary for the proposed development provided that soil disturbance below a depth of approximately RL-0.2M. In the event that the piling methodology generates spoil from below this depth, the potential risks associated with ASS/PASS would be expected to be relatively low. However, if this is to occur an ASSMP should be prepared to manage the piling spoil.

Reason: In accordance with the recommendations contained within the Stage 1 Preliminary Environmental Site Assessment and Acid Sulfate Soil Assessment Report prepared by Environmental Investigation Services dated 17 October 2014 and received by Council on 21 November 2014.

ANS39

Consideration is to be given to the extension of the formalised No Parking area within Iluka Avenue being is to be extended along the northern kerb alignment to the west to the capture the full frontage of the site in the area of the existing 2 Hour time limited parking space. This would result in a further 60m of kerb space being available for the formalised setting-down / picking-up of students during school start and finish periods, being quite separate to the operation of the Bus Zones within Collingwood Street and Eurobin Avenue.

It is also recommended the effective one space set-down / pick-up No Parking zone on the southern side be removed and replaced with a No Stopping zone for one space to improve sight distance of student crossing. This No Parking space can be substituted for a new space on the northern side thus eliminating the need for students when being set-down or picked-up from crossing Iluka Avenue over the pedestrian crossing.

All traffic management features on the public road, including parking controls, must have approval from Council and be recommended to Council by the Manly Local Traffic Committee.

Reason: In accordance with the recommendation contained within the Traffic and Parking Impact Assessment Report prepared by Thompson Stanbury Associates dated November 2014 and received by Council on the 21 November 2014.

ANS40

An Operational Management Plan (OMP) to govern the use of on and off-side parking and student set-down/pick-up areas is to be provided to the Council/Accredited Certifier, prior to issue of the Final Occupation Certificate. The OMP is to include an Active Travel Plan (ATP) to encourage staff and students to reduce car use and parking needs.

Reason: In accordance with the recommendation contained within the Traffic and Parking Impact Assessment Report prepared by Thompson Stanbury Associates dated November 2014 and received by Council on the 21 November 2014.

ANS41

Trees to be retained are to be clearly identified by signage as protected trees. The tree protection zones of trees to be retained are to be protected by fencing during the entire construction period except for specific areas directly required to achieve construction works. The tree protection fence shall be constructed of galvanised pipe at 2.4m spacing, connected by securely attached chain mesh fencing to a minimum height of 1.8m, and shall be installed prior to work commencing. The tree protection fencing shall be installed as closely as possible to the alignment of the identified tree protection zone and shall be approved and certified by the site arborist prior to commencement of any construction or demolition works on the site.

Reason: In accordance with the recommendations contained within the Arboricultural Impact Report prepared by Landscape Matrix Pty Ltd dated 12 February 2015 and received by Council on 16 February 2015.

ANS42

Any excavation within the identified root protection zones of trees to be retained shall be carried out by hand to minimise disturbance to tree roots. Roots greater than 25mm are not to be damaged or severed without prior assessment by an arborist to determine likely level of impact and the restorative actions required to minimise the impacts of root damage. Tree roots between 10mm and 25m diameter, severed during excavation, shall be cut cleanly by hand by an experienced Arborist/Horticulturist with a minimum qualification of the Horticulture Certificate or Tree Surgery Certificate.

Reason: In accordance with the recommendations contained within the Arboricultural Impact Report prepared by Landscape Matrix Pty Ltd dated 12 February 2015 and received by Council on 16 February 2015.

ANS43

The following activities/actions are prohibited from the tree protection zones:

- Soil cut or fill including excavation and trenching
- Soil cultivation, disturbance or compaction
- Stockpiling storage or mixing materials
- The parking, storing, washing and repairing of tools, equipment and machinery
- The disposal of liquids and refuelling
- The disposal of building materials
- The sitting of offices or sheds
- Any action leading to the impact on tree health or structure

Reason: In accordance with the recommendations contained within the Arboricultural Impact Report prepared by Landscape Matrix Pty Ltd dated 12 February 2015 and received by Council on 16 February 2015.

ANS44

Canopy pruning of trees identified for protection which is necessary to accommodate approved building works shall be undertaken in accordance with Australian Standard 4373-2007 'Pruning of Amenity Trees'.

Reason: In accordance with the recommendations contained within the Arboricultural Impact Report prepared by Landscape Matrix Pty Ltd dated 12 February 2015 and received by Council on 16 February 2015.

ANS45

A detailed access report and suitably amended plans demonstrating compliance with the original Disability Access Report prepared by Cheung Access dated 11 November 2014 and addendum letter prepared by Cheung Access dated 10 February 2015, both received by Council on 16 February 2015 is to be submitted to Council/Accredited Certifier, prior to issue of a Construction Certificate.

Reason: To ensure access for people with a disability.

ANS46

A detailed Construction Management Plan is to be prepared and submitted to the Council/Accredited Certifier, prior to issue of a Construction Certificate.

Reason: To ensure the impacts of construction are minimised.

DA1

The development, except where modified by the conditions of this consent, is to be carried out in accordance with the following plans and reference documentation;

Drawings affixed with Council's 'Development Consent' stamp relating to Development Consent No. 232/2014:

Plan No. / Title	Issue/ Revision & Date	Date Received by Council
DA-100 / Site Analysis – Proposed	Revision B / 11.02.2015	16.02.2015
DA-101 / Existing / Demolition Basement Plan	Revision A / 19.11.2014	21.11.2014
DA-102 / Existing / Demolition Ground Floor Plan	Revision A / 19.11.2014	21.11.2014
DA-103 / Existing / Demolition First Floor Plan	Revision A / 19.11.2014	21.11.2014
DA-104 / Existing / Demolition Second Floor Plan	Revision A / 19.11.2014	21.11.2014
DA-105 / Existing / Demolition Roof Plan	Revision A / 19.11.2014	21.11.2014
DA-106 / Proposed Basement Plan	Revision B / 11.02.2015	16.02.2015
DA-107 / Proposed Ground Floor	Revision C / 11.02.2015	16.02.2015
DA-108 / Proposed First Floor Plan	Revision B / 11.02.2015	16.02.2015
DA-109 / Proposed Second Floor Plan	Revision B / 11.02.2015	16.02.2015
DA-110 / Proposed Roof Plan	Revision B / 11.02.2015	16.02.2015

DA-111 / Site Elevations	Revision B / 11.02.2015	16.02.2015
DA-112 / Materials and Finishes	Revision B / 11.02.2015	16.02.2015
DA-A-201 / Ground Floor Plan (Stage 2)	Revision A / 19.11.2014	21.11.2014
DA-A-202 / First Floor Plan (Stage 2)	Revision A / 19.11.2014	21.11.2014
DA-A-203 / Second Floor Plan (Stage 2)	Revision A / 19.11.2014	21.11.2014
DA-A-204 / Roof Plan (Stage 2)	Revision A / 19.11.2014	21.11.2014
DA-A-301 / Elevations (Stage 2)	Revision A / 19.11.2014	21.11.2014
DA-A-302 / Elevations (Stage 2)	Revision A / 19.11.2014	21.11.2014
DA-A-303 / Sections (Stage 2)	Revision A / 19/11.2014	21.11.2014
DA-S-201 / Car park Plan (Stage 1)	Revision B / 11.02.2015	16.02.2015
DA-S-202 / Ground Floor Plan (Stage 1)	Revision B / 11.02.2015	16.02.2015
DA-S-203 / First Floor Plan (Stage 1)	Revision B / 11.02.2015	16.02.2015
DA-S-204 / Second Floor Plan (Stage 1)	Revision B / 11.02.2015	16.02.2015
DA-S-205 / Roof Plan (Stage 1)	Revision B / 11.02.2015	16.02.2015
DA-S-301 / Elevations 1 (Stage 1)	Revision B / 11.02.2015	16.02.2015
DA-S-302 / Elevations 2 (Stage 1)	Revision B / 11.02.2015	16.02.2015
DA-S-303 / Sections (Stage 1)	Revision B / 11.02.2015	16.02.2015
LPO2 / Landscape Masterplan - Ground Floor Plan	Revision B / 11.02.2015	16.02.2015
LP03 / Landscape Plan Planting - Planting Schedule and Legend	Revision B / 11.02.2015	16.02.2015
LP04 / Landscape Plan – Central Courtyard – Stage 1B	Revision B / 11.02.2015	16.02.2015
LP05 / Landscape Plan – Science and Library Building – Stage 1	Revision B / 11.02.2015	16.02.2015
LP06 / Landscape Plan – Arts Building – Stage 2	Revision B / 11.02.2015	16.02.2015
LP07 / Landscape Plan – First Floor Terrace – Stage 2	Revision B / 11.02.2015	16.02.2015
LP08 / Landscape Plan – Roof Top Terrace – Stage 2	Revision B / 11.02.2015	16.02.2015
LP09 / Native Planting Palette	Revision B / 11.02.2015	16.02.2015
LP10 / Typical Details and Notes	Revision B / 11.02.2015	16.02.2015

Reference Documentation affixed with Council's stamp relating to Development Consent No. 232/2014:

Reference Documentation	Prepared by	Dated	Date Received by Council
<i>Statement of Environmental Effects</i>	<i>Robinson Urban Planning</i>	<i>20.11.2014</i>	<i>21.11.2014</i>
<i>Survey</i>	<i>SDG Land Development Solutions</i>	<i>16.09.2014</i>	<i>21.11.2014</i>
<i>Statement of Heritage Impact</i>	<i>Rappoport Pty Ltd</i>	<i>February 2015</i>	<i>16.02.2015</i>
<i>Arboricultural Impact Report</i>	<i>Landscape Matric</i>	<i>11.02.2015</i>	<i>16.02.2015</i>
<i>Letter from Stella Maris regarding Colour Scheme</i>	<i>Stella Maris</i>	<i>05.02.2015</i>	<i>16.02.2015</i>
<i>Revised Landscape Master Plan</i>	<i>Site Design and Studios</i>	<i>11.02.2015</i>	<i>16.02.2015</i>
<i>Addendum – Response to Request</i>	<i>Robinson Urban Planning</i>	<i>12.02.2015</i>	<i>16.02.2015</i>

<i>for Additional Information</i>			
<i>Design Statement</i>	<i>Fulton Trotter Architects</i>	<i>November 2014</i>	<i>21.11.2014</i>
<i>Stormwater Management Report</i>	<i>Taylor Thomson Whitting</i>	<i>04.11.2014</i>	<i>21.11.2014</i>
<i>Electrical Services Report</i>	<i>Wood and Grieve Engineers</i>	<i>November 2014</i>	<i>21.11.2014</i>
<i>Revised Waste Management Plan</i>	<i>Foresight Environmental</i>	<i>09.02.2015</i>	<i>16.02.2014</i>
<i>Building Code of Australia Section J Assessment Report</i>	<i>Building and Energy Consultants Australia</i>	<i>November 2014</i>	<i>21.11.2014</i>
<i>Building Code of Australia Report</i>	<i>Vic Lilli and Partners Consulting</i>	<i>31.10.2014</i>	<i>21.11.2014</i>
<i>Disability Access Report</i>	<i>Cheung Access</i>	<i>11.11.2014</i>	<i>21.11.2014</i>
<i>Addendum – Disability Access</i>	<i>Cheung Access</i>	<i>10.02.2015</i>	<i>16.02.2015</i>
<i>Site Assessment Report</i>	<i>Environmental Investigation Services</i>	<i>04.11.2014</i>	<i>21.11.2014</i>
<i>Clause 4.6 Request to Vary a Development Standard</i>	<i>Robinson Urban Planning</i>	<i>14.11.2014</i>	<i>21.11.2014</i>
<i>Acoustic Report</i>	<i>Acoustic Studio</i>	<i>11.11.2014</i>	<i>21.11.2014</i>
<i>Geotechnical Investigations Report</i>	<i>JK Consulting</i>	<i>17.10.2014</i>	<i>21.11.2014</i>
<i>Addendum – Geotechnical Statement</i>	<i>JK Geotechnics</i>	<i>18.12.2014</i>	<i>16.02.2015</i>
<i>Alternative Fire Solutions Report</i>	<i>Rawfire</i>	<i>31.10.2014</i>	<i>21.11.2014</i>
<i>Revised Materials and Colours Statement</i>	<i>Fulton Trotter Architects</i>	<i>11.02.2015</i>	<i>16.02.2015</i>

In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

Reason: To ensure that the form of the development undertaken is in accordance with the determination of Council

GENERAL CONDITIONS RELATING TO APPROVAL

1 (1AP04)

Alteration and demolition of the existing building is limited to that documented on the approved plans (by way of notation). No approval is given or implied for removal and/or rebuilding of any portion of the existing building which is not shown to be altered or demolished.

Reason: To ensure compliance with the approved development.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

2 (2AP01)

Four (4) copies of architectural drawings consistent with the development consent and associated conditions are to be submitted to the Council/Accredited Certifier prior to the issue of a Construction Certificate.

Reason: To comply with the Environmental Planning and Assessment Act 1979.

3 (2BS01)

Detailed plans and specifications must be provided prior to the issue of a Construction Certificate complying with the requirements of Australian Standard 4764-2004 (Design, Construction and Fit-out of a Food Premises)

Reason: To ensure compliance with legislation and to protect public health and safety.

4 (2CD01)

Pursuant to Section 97 of the Local Government Act, 1993, Council requires prior to the issue of a Construction Certificate, or commencement of any excavation and demolition works, payment of a Trust Fund Deposit as per the current rates in Council's Fees and Charges. The Deposit is required as security against damage to Council property during works on the site. The applicant must bear the cost of all restoration works to Council's property damaged during the course of this development. All building work must be carried out in accordance with the provisions of the Building Code of Australia.

Note: Should Council property adjoining the site be defective e.g. cracked footpath, broken kerb etc., this should be reported in writing, or by photographic record, submitted to Council at least seven (7) days prior to the commencement of any work on site. This documentation will be used to resolve any dispute over damage to infrastructure. It is in the applicants interest for it to be as full and detailed as possible.

Where by Council is not the Principal Certifying Authority, refund of the trust fund deposit will also be dependent upon receipt of an Occupation Certificate by the Principal Certifying Authority and infrastructure inspection by Council.

Reason: To ensure security against possible damage to Council property.

5 (2CD02)

A Dilapidation Report is required for this development. A photographic survey of adjoining properties detailing the physical condition of those properties, both internally and externally, including walls, ceilings, roof, structural members and other such items, is to be submitted to Council and the Accredited Certifier (where Council does not issue a Construction Certificate) prior to the issue of a Construction Certificate. This survey is to be prepared by an appropriately qualified person agreed to by both the applicant and the owner of the adjoining property/ies.

All costs incurred in achieving compliance with this condition must be borne by the person entitled to act on this Consent.

If access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate, in writing, to Council's satisfaction attempts have been made to obtain access and/or advise the affected property owner of the reason for the survey and these attempts have been unsuccessful. Written concurrence must be obtained from Council in such circumstances.

Note: This documentation is for record keeping purposes only, and may be used by an applicant or affected property owner to assist in any action required to resolve any dispute over damage to adjoining properties arising from the works. It is in the applicant's and adjoining owner's interest for it to be as full and detailed as possible.

Reason: To maintain proper records in relation to the proposed development.

6 (2CD03)

The applicant is to lodge a Hoarding Application with Council for any protective hoardings, fences and lighting which are to be provided on Council assets during demolition, excavation and building works. The Hoarding Application is to be submitted to Council with the appropriate fee, prior to any works on site or prior to the issue of a Construction Certificate.

All hoardings must be in accordance with Council's Hoarding Application Form and must comply with the requirements of the Department of Industrial Relations, Construction Safety Act, the WorkCover Authority and relevant Australian Standards.

Note: On corner properties, particular attention is to be given to the provision of adequate sight distances.

Reason: To ensure public safety and amenity on public land.

7 (2CD05)

Detailed engineering drawings of all work must be submitted for approval by the Council/Accredited Certifier prior to the release of a Construction Certificate.

Reason: To ensure the provision of public infrastructure of an appropriate quality arising from the development works to service the development.

8 (2CD07)

A Certificate of Adequacy signed by a practising structural engineer stating the existing structure is capable of supporting the proposed additions, is to be submitted to the Council/Accredited Certifier prior to the issue of a Construction Certificate.

Reason: The existing building must be able to support proposed additional loading.

9 (2DS01)

A detailed stormwater management plan is to be prepared to fully comply with Council's Specification for On-site Stormwater Management 2003 and Specification for Stormwater Drainage 2003 and must be submitted to Council for approval prior to issue of a Construction Certificate. The stormwater management plan and designs are to be prepared by a suitably qualified engineer with experience in hydrology and hydraulics.

Reason: To ensure appropriate provision is made for the disposal and management of stormwater generated by the development, and to ensure that infrastructure reverting to Council's care and control is of an acceptable standard.

10 (2DS02)

A system of Onsite Stormwater Detention (OSD) or Onsite Stormwater Retention (OSR) is to be provided within the property in accordance with Council's Specification for On-site Stormwater Management 2003. The design and details must be submitted to Council and be approved by Council prior to the issue of a Construction Certificate. The stormwater management plan and designs must be prepared by a suitably qualified engineer with experience in hydrology and hydraulics.

Reason: To ensure appropriate provision is made for the disposal and management of stormwater generated by the development, and to ensure public infrastructure in Council's care and control is not overloaded.

11 (2FR01)

A Fire Safety Schedule specifying the fire safety measures (both current and proposed) which should be implemented in the building premises must be submitted with a Construction Certificate application, in accordance with Part 9 Clause 168 of the Environmental Planning and Assessment Regulation 2000.

Note: A Construction Certificate cannot be issued until a Fire Safety Schedule is received.

Reason: Compliance with the Environmental Planning and Assessment Act 1979.

12 (2HT01)

Prior to the issue of a Construction Certificate an Interpretation Strategy for the site must be submitted to and approved by Manly Council. The Interpretation Strategy should include, but is not limited to, the provision of details, of public art interpretation through design and/or the display of selected artefacts and/or appropriate signage and/or other material appropriate to the education of the public in the history and significance of the site.

Reason: To reveal the cultural significant aspects of the place as a historical record.

13 (2HT02)

The applicant is to commission an experienced heritage consultant to work with the consultant team throughout the design development, contract documentation and construction stages of the project. The heritage consultant is to be involved in the resolution of all matters where existing significant fabric and spaces are to be subject to preservation, restoration, reconstruction, adaptive reuse, recording and demolition. The heritage consultant is to be provided with full access to the site and authorised by the applicant to respond directly to Council where information or clarification is required regarding the resolution of heritage issues throughout the project. Written details of the engagement of the experienced heritage consultant must be submitted to Council prior to issuing any Construction Certificate for works on the site.

Reason: To ensure that all matters relating to significant fabric and spaces are resolved using best practice for heritage conservation.

14 (2HT04)

The external colour schemes of new buildings are to be in keeping with the original character of the heritage buildings on the site. On the heritage buildings the external colour scheme for surfaces intended for painting is to be based where possible on physical and documentary evidence in keeping with the architectural style and period of the buildings.

Reason: To ensure the proposed colour scheme is appropriate to the type and style of the building and the surrounding area.

15 (2HT07)

A photographic archival record is to be made of all the existing buildings and structures (including the interiors and exteriors and their setting) in accordance with NSW Heritage Council Guidelines prior to commencement of works or any demolition works. The record is to include measured drawings of the existing buildings. Two copies are to be submitted to Council's satisfaction prior to the release of a Construction Certificate. Written confirmation that the Council reserves the right to use the photographs for its own purposes and genuine research purposes is also to be included.

Reason: To provide a historic record of heritage significant works on the site for archival purposes.

16 (2LD04)

The heritage listed trees are to be protected from damage during construction. Details of the method of protection of the trees must be submitted to Council for approval prior to the issue of a Construction Certificate. Annotated photographs of the trees, with particular emphasis on the lower part of the trees, must be submitted to Council prior to the commencement of any building work.

Reason: To ensure appropriate tree protection measures are adopted to preserve significant community assets.

17 (2MS01)

Where construction or excavation activity requires the disturbance of the soil surface and existing vegetation, details including drawings and specifications must be submitted to Council accompanying a Construction Certificate, which provide adequate measures for erosion and sediment control. As a minimum, control techniques are to be in accordance with Manly Council Guidelines on Erosion and Sediment Control, or a suitable and effective alternative method. The Sediment Control Plan must incorporate and disclose:

- 1) all details of drainage to protect and drain the site during the construction processes,
- 2) all sediment control devices, barriers and the like,
- 3) sedimentation tanks, ponds or the like,
- 4) covering materials and methods, and
- 5) a schedule and programme of the sequence of the sediment and erosion control works or devices to be installed and maintained.

Details from an appropriately qualified person showing these design requirements have been met must be submitted with a Construction Certificate and approved by the Council/Accredited Certifier prior to issuing of a Construction Certificate.

Reason: To protect the environment from the effects of sedimentation and erosion from development sites.

18 (2NL01)

Details are to be submitted to the Council/Accredited Certifier indicating the method of sound attenuation and/or acoustic treatments for all roof terraces, decks and balconies in compliance with the Building Code of Australia, prior to issue of a Construction Certificate.

Reason: To protect the acoustic amenity of neighbouring properties and the public.

19 (2NL02)

Any air conditioning unit on the site must be installed and operated at all times so as not to cause "Offensive Noise" as defined by the Protection of the Environment Operations Act 1997. Domestic air conditioners must not be audible in nearby dwellings between 10:00pm to 7:00am on Monday to Saturday and 10:00pm to 8:00am on Sundays and Public Holidays.

Details of the acoustic measures to be employed to achieve compliance with this condition must be prior to the issue of a Construction Certificate.

Reason: To ensure compliance with legislation and to protect public health and safety.

20 (2NL03)

Details of the proposed mechanical exhaust systems, detailing compliance with the relevant requirements of Clause F4.12 of the Building Code of Australia and Australian Standard 1668 Parts 1 and 2 are to be submitted to Council or the Principal Certifying Authority for approval prior to the issue of a Construction Certificate.

Reason: To ensure compliance with legislation and to protect public health and safety.

21 (2NL04)

Prior to the issue of a Construction Certificate, a Noise and Vibration Management Plan is to be prepared by a suitably qualified person addressing the likely noise and vibration from demolition, excavation and construction of the proposed development and provided to Council or the Principal Certifying Authority.

The Plan is to identify amelioration measures to ensure the noise and vibration levels will be compliance with the relevant legislation and Australian Standards. The report that itemises equipment to be used for excavation works. The Plan shall address, but not limited to, the following matters:

- Identification of activities carried out and associated noise sources
- Identification of potentially affected sensitive receivers, including residences, churches, commercial premises, schools and properties containing noise sensitive equipment
- Determination of appropriate noise and vibration objectives for each identified sensitive receiver
- Noise and vibration monitoring, reporting and response procedures
- Assessment of potential noise and vibration from the proposed demolition, excavation and construction activities, including noise from construction vehicles
- Description of specific mitigation treatments, management methods and procedures to be implemented to control noise and vibration during construction
- Construction timetabling to minimise noise impacts including time and duration restrictions, respite periods and frequency
- Procedures for notifying residents of construction activities likely to affect their amenity through noise and vibration
- Contingency plans to be implemented in the event of non-compliances and/or noise complaints. A register should be kept of complaints received, and the action taken to remediate the issue.

Reason: To protect acoustic amenity of surrounding properties and the public.

22 (2NL05)

Mechanical plant situated on the roof area of the premises must be acoustically treated to ensure noise emissions are not audible at the nearest residential premises. Details are to be submitted to the Council/Accredited Certifier prior to the issue of a Construction Certificate.

Council may require the owner or occupier of the premises to engage the services of a suitably qualified professional to undertake an acoustic assessment of the premises in the event concerns regarding the emission of 'offensive noise' are raised and/or justified by Council.

Reason: To protect the acoustic amenity of neighbouring properties.

23 (2PT01)

The driveway/access ramp grades, access and car parking facilities must comply with the Australian/New Zealand Standard AS/NZS 2890.1:2004 - Parking facilities - Off-street car parking.

Reason: To ensure compliance with Australian Standards relating to manoeuvring, access and parking of vehicles.

24 (2PT02)

All driveways, car parking areas and pedestrian paths are to be surfaced and sealed. Details of treatment to these areas are to be submitted to the Council/Accredited Certifier prior to issue of a Construction Certificate.

Reason: To provide suitable stormwater disposal and to prevent soil erosion and runoff.

25 (2PT03)

The dimensions of car parking bays and aisle widths in the car park are to comply with Australian/New Zealand Standard for Off-Street Parking AS/NZS 2890.1-2004.

Reason: To ensure compliance with this consent and Australian Standards relating to manoeuvring, access and parking of vehicles.

26 (2WM02)

A Construction Waste Management Plan is to be submitted with the application prior to a Construction Certificate being issued in accordance with the Manly Development Control Plan 2013.

The plan should detail the type and estimate the amount of demolition and construction waste and nominate how these materials will be sorted and dealt with. Weight dockets and receipts must be kept as evidence of approved methods of disposal and recycling. All demolition and excess construction materials are to be recycled where ever practicable. It should include consideration of the facilities required for the ongoing operation of the premises' recycling and waste management services after occupation. A template is available from the Manly Council website.

Reason: To plan for waste minimisation, recycling of building waste and on-going waste management.

CONDITIONS TO BE SATISFIED PRIOR TO ANY COMMENCEMENT

27 (3BM01)

The floor surfaces of bathrooms, shower rooms, laundries and WC compartments are to be of an approved impervious material properly graded and drained and waterproofed in accordance with Australian Standard AS 3740. Certification is to be provided to the Principal Certifying Authority from a licensed applicator prior to the fixing of any wall or floor tiles.

Reason: To prevent the penetration of dampness through walls and floors.

28 (3CD01)

Building work, demolition or excavation must not be carried out until a Construction Certificate has been issued.

Reason: To ensure compliance with statutory provisions.

29 (3CD03)

An adequate security fence is to be erected around the perimeter of the site prior to commencement of any excavation or construction works, and this fence is to be maintained in a state of good repair and condition until completion of the building project.

Reason: To protect the public interest and safety.

30 (3CD04)

The hoarding be in place prior to the commencement of works on the site. Trees which are affected by the hoarding and located outside the boundaries of the allotment are not to be cut, trimmed or removed without the prior approval of Council. The hoarding will be removed immediately at the applicant's expense, if any of these conditions relating to hoardings are not fully complied with.

Reason: To ensure public safety and amenity on public land.

31 (3LD01)

All healthy trees and shrubs identified for retention on the submitted landscape drawing are to be suitably marked for protection before any construction works start.

Reason: To ensure the trees conditioned to stay on the site are suitably protected during any construction works.

32 (3LD03)

Where trees greater than 5 metres in height which are not within the proposed footprint (i.e. not directly affected by the development) and are proposed for removal, a tree permit is required subject to the Tree Preservation Order 2001 criteria.

Reason: Retain the number of existing trees on site which are protected by the Tree Preservation Order and not directly in the way of development.

33 (3PT01)

In accordance with the Roads Act 1993, written consent from Council must be obtained and must be in hand prior to any track equipped plant being taken in or onto any roadway, kerb & gutter, footway, nature strip, or other property under Council's control.

Reason: To ensure appropriate protection of public infrastructure and facilitate access for public and vehicular traffic.

34 (3PT02)

Applications for a construction zone on a local road require 28 days notice to Council indicating location and length. All construction zones require the approval of the Manly Traffic Committee.

Reason: To ensure Council and the Traffic Committee have sufficient time and information to assess the traffic and access implications of a proposed construction zone and to develop appropriate responses to those implications.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

35 (4AP02)

A copy of all stamped approved drawings, specifications and documents (including a Construction Certificate if required for the work incorporating certification of conditions of approval) must be kept on site at all times so as to be readily available for perusal by any officer of Council or the Principal Certifying Authority.

Reason: To ensure the form of the development undertaken is in accordance with the determination of Council, public information and to ensure ongoing compliance.

36 (4BS01)

The construction and fit-out of the food premises must comply with the following:-

- Australian Standard AS 4674-2004: Design, construction and fit out of food premises,

Reason: To ensure compliance with legislation and to protect public health and safety.

37 (4CD01)

All of the following are to be satisfied/complied with during demolition, construction and any other site works:

- 1) All demolition is to be carried out in accordance with Australian Standard AS 2601-2001.
- 2) Demolition must be carried out by a registered demolition contractor.
- 3) A single entrance is permitted to service the site for demolition and construction. The footway and nature strip at the service entrance must be planked out.
- 4) No blasting is to be carried out at any time during construction of the building.

- 5) Care must be taken during demolition/ excavation/ building/ construction to prevent any damage to adjoining buildings.
- 6) Adjoining owner property rights and the need for owner's permission must be observed at all times, including the entering onto land for the purpose of undertaking works.
- 7) Any demolition and excess construction materials are to be recycled wherever practicable.
- 8) The disposal of construction and demolition waste must be in accordance with the requirements of the Protection of the Environment Operations Act 1997.
- 9) All waste on the site is to be stored, handled and disposed of in such a manner as to not create air pollution (including odour), offensive noise or pollution of land and/or water as defined by the Protection of the Environment Operations Act 1997. All excavated material should be removed from the site in an approved manner and be disposed of lawfully to a tip or other authorised disposal area.
- 10) All waste must be contained entirely within the site.
- 11) Section 143 of the Protection of the Environment Operations Act 1997 requires waste to be transported to a place which can lawfully accept it. All non-recyclable demolition materials are to be disposed of at an approved waste disposal depot in accordance with legislation.
- 12) All materials on site or being delivered to the site are to generally be contained within the site. The requirements of the Protection of the Environment Operations Act 1997 must be complied with when placing/stockpiling loose material, disposing of concrete waste, or other activities likely to pollute drains or water courses.
- 13) Details as to the method and location of disposal of demolition materials (weight dockets, receipts, etc.) should be kept on site as evidence of approved methods of disposal or recycling.
- 14) Any materials stored on site must be stored out of view or in such a manner so as not to cause unsightliness when viewed from nearby lands or roadways.
- 15) Public footways and roadways adjacent to the site must be maintained and cleared of obstructions during construction. No building materials, waste containers or skips may be stored on the road reserve or footpath without prior separate approval from Council, including payment of relevant fees.
- 16) Building operations such as brick-cutting, washing tools or paint brushes, and mixing mortar not be performed on the roadway or public footway or any other locations which could lead to the discharge of materials into the stormwater drainage system.
- 17) All site waters during excavation and construction must be contained on site in an approved manner to avoid pollutants entering into waterways or Council's stormwater drainage system.
- 18) Any work must not prohibit or divert any natural overland flow of water.

Reason: To ensure that demolition, building and any other site works are undertaken in accordance with relevant legislation and policy and in a manner which will be non-disruptive to the local area.

38 (4CD02)

In order to maintain the amenity of adjoining properties and unless otherwise agreed to with Council (for specific works), audible site works must be restricted to between 7.00am and 6.00pm, Monday to Friday and 7.00am to 1.00pm Saturday (including works undertaken by external contractors). No site works can be undertaken on Sundays or public holidays.

Unless otherwise approved within a Construction Traffic Management Plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

Reason: To prevent disturbance to the surrounding community.

39 (4CD03)

Toilet facilities are to be provided at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 person or part of 20 persons employed at the site, by effecting either a permanent or temporary connection to the Sydney Water's sewerage system or by approved closets.

Reason: To maintain sanitary conditions on building sites.

40 (4CD04)

All hoardings must be lit between the hours of sunset and sunrise. Lights are to be erected at intervals of not greater than 5.0 metres for the length of the hoarding. The applicant must keep the hoarding presentable to the public for the whole of the time it is erected. There must be no catch points or protrusions likely to cause injury or damage to the public from the hoarding. The hoarding must be constructed of demountable timber frame sections lined with a smooth face material, and painted with an approved white paint which will not wash or rub off.

Reason: To ensure public safety and amenity on public land.

41 (4CD07)

Anyone who removes, repairs or disturbs bonded or a friable asbestos material must hold a current removal licence from Workcover NSW. Before starting work, a work site-specific permit approving each asbestos project must be obtained from Workcover NSW. A permit will not be granted without a current Workcover licence.

All removal, repair or disturbance of or to asbestos material must comply with the following:

- The Work Health and Safety Act 2011.
- The Work Health and Safety Regulation 2011.
- How to Safely Remove Asbestos Code of Practice – WorkCover 2011.

The owner or occupier of the premises must consult an appropriately qualified and Australian Institute of Occupational Hygienists registered professional to undertake an assessment of the site to determine the potential for contamination. The owner or occupier must develop a management plan and be issued with Clearance Certificate before the commencement of any work.

Reason: To ensure the health of site workers and the public.

42 (4DS01)

A suitable sub-surface drainage system is to be provided adjacent to all excavated areas and such drains being connected to an approved disposal system. The details of this drainage system should be shown in a plan and submitted to Council/Accredited Certifier prior to issue of a Construction Certificate.

Reason: To prevent uncontrolled seepage entering excavated areas.

43 (4DS02)

Any de-watering from the excavation or construction site must comply with the Protection of the Environment Operations Act 1997 and the following:

- 1) Ground water or other water to be pumped from the site into Council's stormwater system must be sampled and analysed by a NATA accredited laboratory or Manly Council for compliance with ANZECC Water Quality Guidelines, and
- 2) If tested by NATA accredited laboratory, the certificate of analysis issued by the laboratory must be forwarded to Manly Council as the appropriate regulatory authority under the Protection of the Environment Operations Act 1997, prior to the commencement of de-watering activities; and
- 3) Council will grant approval to commence site de-watering to the stormwater based on the water quality results received, and
- 4) It is the responsibility of the applicant to ensure during de-watering activities, the capacity of the stormwater system is not exceeded, there are no issues associated with erosion or scouring due to the volume of water pumped; and turbidity readings must not at any time exceed the ANZECC recommended 50ppm (parts per million) for receiving waters.

Reason: To ensure compliance with legislation and to protect the surrounding natural environment.

44 (4HT01)

The proposed works are to be carried out in a manner which minimises any demolition, alteration, new penetrations/fixing or irreversible damage to the significant fabric of the existing buildings which are listed as heritage items in Schedule 5 – Environmental Heritage of the Manly Local Environmental Plan 2013. Particular care must be taken to minimise damage to the significant fabric of the building during the carrying out of the internal fit out and any electrical or plumbing works.

Reason: To ensure the heritage significance of the site is not adversely affected and best practice for heritage conservation is undertaken.

45 (4HT04)

Should any potentially historic relics be discovered on the site during excavation, all excavation or disturbance to the area is to stop immediately and the Heritage Division of the NSW Department of Environment and Heritage should be contacted for advice.

Should any potentially significant Aboriginal material be discovered on the site, all excavation or disturbance of the area is to stop immediately and the Heritage Division of the NSW Department of Environment and Heritage is to be contacted for advice.

Reason: To ensure the proper management and preservation of potentially significant archaeological material.

46 (4LD02)

All healthy trees and shrubs identified for retention on the drawing are to be:

- (a) suitably protected from damage during the construction process, and
- (b) retained unless their removal has been approved by Council.

Reason: This is to ensure that the trees on the site which do not have approval to be removed on the site are suitably protected during any construction works.

Internal Note: This condition is to be imposed with 3LD01.

47 (4LD03)

The felling, lopping, topping, ringbarking, wilful destruction or removal of any tree/s unless in conformity with this approval or subsequent approval is prohibited.

Reason: To prohibit the unnecessary damage or removal of trees without permission from Council during any construction.

48 (4LD04)

The following precautions must be taken when working near trees to be retained:

- harmful or bulk materials or spoil must not be stored under or near trees,
- prevent damage to bark and root system,
- mechanical methods must not be used to excavate within root zones,
- topsoil from under the drip line must not be added and or removed,
- ground under the drip line must not be compacted, and
- trees must be watered in dry conditions.

Reason: This is to ensure no damage is caused to trees from various methods of possible damage.

49 (4LD05)

Trees and shrubs liable to damage (including, but not limited to street trees) are to be protected with suitable temporary enclosures for the duration of the works. These enclosures are to only be removed when directed by the Principal Certifying Authority.

The enclosures are to be constructed out of F62 reinforcing mesh 1800mm high wired to 2400mm long star pickets, driven 600mm into the ground and spaced 1800mm apart at a minimum distance of 1000mm from the tree trunk.

Reason: To ensure protection of the trees on the site which could be damaged during any development works and to outline the type of protection.

50 (4LD07)

Where development/construction necessitates the pruning of more than 10% of existing tree canopy, a permit application must be lodged with the Council's Civic Services Division, subject to the Tree Preservation Order 2001.

Reason: To ensure those trees are maintained appropriately and compliance with Australian Standard AS 4373:2007 – Pruning of Amenity Trees.

51 (4LD08)

Retain and protect trees and planting on council's Road Reserve during construction.

Reason: To maintain the number of street trees and preserve the amenity of the local area.

52 (4MS04)

An approved Erosion and Sediment Management plan is to be implemented from the commencement of works and maintained until completion of the development.

The design and controls addressed in the Sediment and erosion management plan must comply with the criteria identified in:

- Manly Development Control Plan 2013, Amendment 2, and
- Manly Councils Guidelines for Sediment and Erosion Controls on building sites, 2005, and
- The document "Managing Urban Stormwater: Soils and Construction" Volume 1, 2004.

Reason: To protect the environment from the effects of sedimentation and erosion from development sites.

53 (4NL01)

Noise arising from demolition and construction works must be controlled in accordance with the requirements of the Protection of the Environment Operations Act 1997 and guidelines contained in the New South Wales Environment Protection Authority Environmental Noise Control Manual.

Reason: To prevent disturbance to the surrounding community during construction.

54 (4PT01)

All requirements of the Local or Regional Traffic Advisory Committees are to be complied with.

Reason: To ensure appropriate measures have been considered for site access, storage and the operation of the site during all phases of the construction process in a manner which respects adjoining owner's property rights and residential amenity in the locality, without unreasonable inconvenience to the community.

55 (4WM02)

Removal of trackable wastes from the site must comply with the Protection of the Environment Operations (Waste) Regulation 2005 for the transportation, treatment and disposal of waste materials. Waste materials must not be disposed on land without permission of the land owner and compliance with the provisions of the Protection of the Environment and Operations Act 1997.

Reason: To ensure compliance with legislation.

56 (4WM03)

Hazardous waste must be contained, managed and disposed of in a responsible manner in accordance with the Protection of Environment and Operations Act 1997.

Reason: Compliance with the provisions of the Protection of the Environment and Operations Act 1997.

57 (5HT01)

The approved Interpretation Strategy must be implemented to the satisfaction of the Council prior to the issue of the Occupation Certificate.

Reason: To reveal the cultural significant aspects of the place as a historical record.

58 (5MS01)

At the completion of the installation of the mechanical exhaust ventilation system, a certificate from a practising mechanical engineer shall be submitted to Council or the Principal Certifying Authority prior to the issue of the Occupation Certificate indicating compliance with Australian Standard AS 1668.

Reason: To ensure the mechanical exhaust ventilation system complies with Australian Standard AS1668.

59 (5NL01)

An Acoustic Compliance Report, prepared by a qualified and experienced acoustical consultant, must be submitted certifying noise levels emitted from the (building's/premises) (services, equipment, machinery and ancillary fittings) does not exceed 5dBA above the background level in any octave band from 63.0 Hz centre frequencies, inclusive at the boundary of the site.

Note: This method of measurement of sound must be carried out in accordance with Australian Standard AS 1055.1-1997.

Reason: To ensure compliance with legislation and to protect public health and amenity.

60 (5WM01)

The applicant must contact Sydney Water (Tel.- 131110) to determine whether a Trade Waste Permit is required before discharging any trade waste to the sewerage system.

Reason: To comply with legislation.

ONGOING CONDITIONS RELATING TO THE OPERATION OF THE PREMISES OR DEVELOPMENT

61 (6AQ01)

The use of the premises must not give rise to air impurities in contravention of the Protection of the Environment Operations Act 1997 and must be controlled in accordance with the requirements of this Act.

Reason: To ensure compliance with legislation and to protect public health and amenity.

62 (6BS02)

The ongoing operation and fit out of the premises must be maintained in accordance with the following requirements:

- Australian Standard AS4674-2004: Design, construction and fit out of food premises

Reason: To ensure compliance with legislation and to protect public health and safety.

63 (6LP01)

No existing street trees can be removed without Council approval. Where such approval is granted, the trees must be replaced at full cost by the applicant with an advanced tree of a species nominated by Council's relevant officer.

Reason: To encourage the retention of street trees.

64 (6LP02)

No tree other than on land identified for the construction of buildings and works as shown on the building drawing can be felled, lopped, topped, ringbarked or otherwise wilfully destroyed or removed without the approval of Council.

Reason: To prevent the destruction of trees on other properties adjoining the development site.

65 (6LP03)

Landscaping is to be maintained in accordance with the approved Landscaping Drawing.

Reason: This is to ensure that landscaping is maintained appropriately.

66 (6MS02)

No person shall use or occupy the building or alteration which is the subject of this approval without the prior issue of an Occupation Certificate.

Reason: Statutory requirement, Environmental Planning and Assessment Act 1979.

67 (6NL03)

The ongoing use of the premises/property must not give rise to 'offensive noise' as defined under the provisions of the Protection of the Environment Operations Act 1997.

Reason: To ensure compliance with legislation and to protect public health and amenity.

68 (6NL04)

External sound amplification equipment or loud speakers must not be used for the announcement, broadcast, playing of music (including live music) or similar purposes before 8:00am or after 8:00pm.

Reason: To protect the acoustic amenity of neighbouring properties and the public.

69 (6NL09)

Patron noise must be controlled so as not to disturb or intrude upon the surrounding residential community. Noise arising from patrons located within the grounds of the premises whether indoors, in the courtyard or within any approved outdoor dining area must not be audible within any residential habitable room at any time.

Reason: To minimise noise disturbance to neighbouring residential properties.

70 (6WM03)

Waste bins used for commercial premises are to be left on public footpaths for the minimum time necessary for waste collection and then promptly removed. Lids should be closed to prevent littering.

Reason: To ensure waste and bins are promptly removed from public places following collection; to limit obstruction of footpaths or roads; and to minimise public amenity impacts.

71 (6WM04)

All non-recyclable waste from commercial premises must be presented for collection in a lidded receptacle. Waste receptacles are not to be stored in public spaces such as footpaths.

Reason: Public amenity and litter minimisation.

72 (6WM05)

No waste generated on site from any commercial operation is to be placed in public place bins. Commercial operators must maintain their commercial waste bins in an organised, clean and sanitary condition, preventing potential for litter from overflowing bins.

Reason: To communicate policy regarding illegal trade waste dumping in public bins; and maintenance of trade waste bins.

73 (6WM06)

Signage on the correct use of the waste management system and materials to be recycled must be posted in the communal waste storage cupboard/room or bin bay prior to receiving the Final Occupation Certificate. Signs are available from Manly Council's Customer Service.

Reason: To ensure all residents are aware of Council's waste and recycling system with regard to their dwelling.