

**JOINT REGIONAL PLANNING PANEL
(Southern)**

JRPP No	2016STH019
DA Number	298-2016
Local Government Area	Queanbeyan-Palerang Regional Council
Proposed Development	Demolition of two classrooms and construction of three storey distance education centre
Street Address	42 Surveyor Street, Queanbeyan
Applicant/Owner	Department of Public Works / Department of Education
Number of Submissions	None
Regional Development Criteria (Schedule 4A of the Act)	Crown development with a capital investment value of more than \$5 million
List of All Relevant s79C(1)(a) Matters	<ul style="list-style-type: none"> • State Environmental Planning Policy No. 55 – Contaminated Land Management • State Environmental Planning Policy (Infrastructure) 2007 • Queanbeyan Local Environmental Plan 2012 • Queanbeyan Development Control Plan
List all documents submitted with this report for the panel's consideration	<ul style="list-style-type: none"> • Architectural Plans as amended – Prepared by Thorn Architecture • Traffic Impact Assessment – Prepared by GTA Consultants • Acoustic Assessment Report – Prepared by Rudds Consulting Engineers • Stormwater report and calculations – Prepared by EFWW consulting engineers • Plan of Management Prepared by NSW Department of Education • Civil engineering plans – Prepared by EFWW Consulting Engineers • Development Engineering Referral
Recommendation	Deferred commencement approval
Report by	Rebecca Templeman – Town Planner Queanbeyan-Palerang Regional Council
Report date	26 September 2016

Overview of Report

1.0 Executive Summary

This application seeks approval for construction of a distance education centre located on the grounds of Queanbeyan High School (42 Surveyor Street Queanbeyan). The proposed building comprises three stories including offices, teaching spaces and amenities. The building will accommodate up to 105 staff and 40 students. Provision has been made for accommodation of 5 vehicles in a detached garage to the west of the proposed building. No additional on-site parking is proposed.

The development application is a Crown Development under Division 4 of Part 4 of the *Environmental Planning and Assessment Act 1979* and the consent authority is the Joint Regional Planning Panel (Southern) as it meets the criteria under Schedule 4A of the *Environmental Planning and Assessment Act 1979* for Regional Development being *development with a Capital Investment Value (CIV) over \$5 million lodged by or on behalf of the Crown*.

The proposal is permissible by virtue of the *State Environmental Planning Policy (Infrastructure) 2008* and the main issues raised in the assessment relate to the:

- 1) exceedance of the maximum height of 8.5m under the *Queanbeyan Local Environmental Plan 2012*,
- 2) lack of adequate car parking for the vehicles and traffic that will be generated and the subsequent non-compliance with the Queanbeyan Development Control Plan
- 3) adequacy of arrangements for waste management and collection; and lastly
- 4) impact over overlooking on the adjoining properties due to the height and placement of windows of the building.

The application proposes a variation to the maximum height control contained within Clause 4.3 of the Queanbeyan Local Environmental Plan 2012. The variation is considered to be acceptable in this instance for the following reasons:

- The applicant has submitted a suitable request for variation in accordance with Clause 4.6;
- The development is generally consistent with the objectives of Clause 4.3 and the objectives of the R2 – Low Density Residential Zone.
- The development is unlikely to result in significant adverse impact to adjoining properties by way of overshadowing. Overlooking impacts can be suitably mitigated through screening to south facing glazing.
- The proposed development is consistent with the pattern of development on the school site, responds to the physical characteristics of the land and is unlikely to result in significant adverse impact to the character of the site or surrounding locality.

The issues identified relating to waste management and privacy are able to be dealt with by conditions. In terms of the waste issue it is not clear from the submitted plans that waste is able to be satisfactorily collected from the site. A condition has been recommended requiring the submission of a waste management plan clearly demonstrating that suitable arrangements can be made for the collection and removal of waste from the site. For the privacy and overlooking issue, the addition of suitable screening on the windows facing the private open space areas of the dwellings on Early Street would mitigate the impact. To this end, a condition has been included requiring this screening to be incorporated to that section of the building that faces those Early Street properties.

The proposal is likely to result in significant adverse impact to the surrounding street network as a result of failing to provide on-site car parking to satisfy the parking demand generated by the proposed development. The site is not constrained in such a way that would prevent the provision of on-site parking and it is not considered in the public interest to support the provision of only 5 additional car parking space onsite for a 3 storey school building housing 105 teacher and 40 students. To address this concern and impact it is recommended that a Deferred Commencement Consent be issued subject to the submission of amended plans showing the provision of suitable on-site car parking in the form of a basement car park and provision of on-street parking bays on the west side of Agnes Avenue south of the existing bus parking bay.

As a crown development, the imposition of the draft conditions and this deferred commencement consent condition will require the approval of the applicant (NSW Public Works). The conditions have been referred to the applicant. The Panel will need to take into account the applicant's comments and only include conditions that have been approved.

Development Description

2.0 Description of Proposal

The subject application seeks approval for the construction of a new distance education centre on land at Queanbeyan High School, 42 Surveyor Street, Queanbeyan.

The proposal specifically involves:

- Demolition of two existing classrooms adjacent to a parking area accessed from Agnes Avenue;
- Bulk earthworks associated with the construction of the building and access;
- Construction of a three storey educational facility including offices, teaching spaces and storage;
- Installation of solar panels to roof of proposed building;
- Construction of carport for storage of fleet vehicles and construction of access to the car port; and
- Removal of 39 trees.



Figure 1 – Artists impression of proposed building

Background

3.0 Site Description and History

3.1 Site and Locality Description

The subject site is known as 42 Surveyor Street, Queanbeyan and consists of Lots 12-13 Section 16 DP 1892, Lots 1-8 DP 36588 and Lots 91-96 DP 14341. The site is currently occupied by Queanbeyan High School. The location of the proposed building is currently open, landscaped area as demonstrated in the aerial photograph below.



Figure 2 – Locality Plan

The proposed building will be located and involve demolition/construction works within Lots 91-95 DP 14341, part of Lot 1 DP 121484 and part of Lot 12 Section 16 DP 1892 as shown below in Figure 2A.



Figure 2A Lot plan (old aerial image)

The site currently contains a variety of school buildings varying in height from one to three storeys. The development site slopes generally from north west to south east with a fall of approximately 9m across the site.

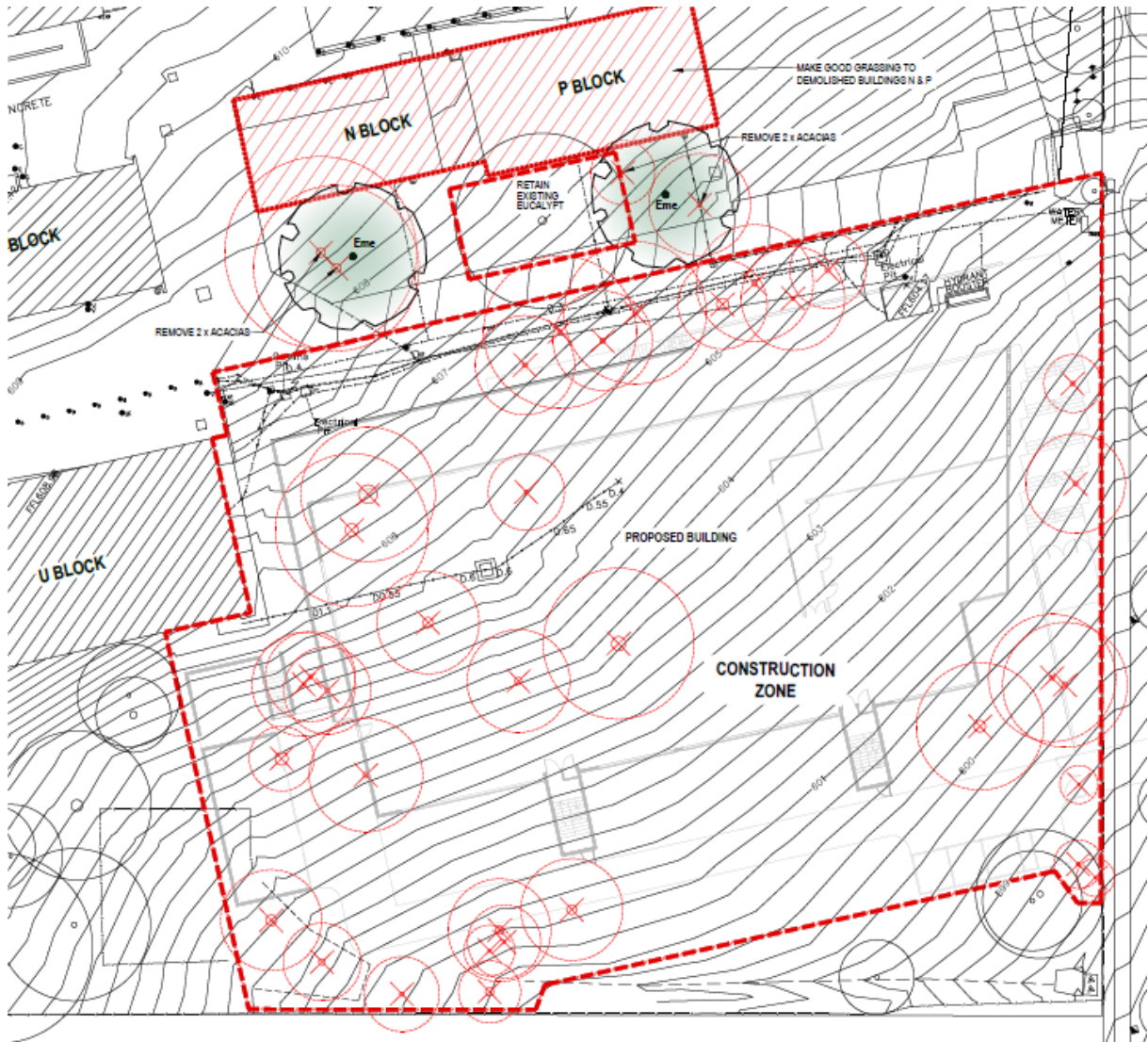


Figure 3 – site slope and tree removal

3.2 Development History

Queanbeyan High School was established on the subject site in 1960. Over time the school has been added to with new classrooms being constructed during the 1970's. From 1990 significant additions and improvements have been made to the school including construction of a library, auditorium, gymnasium and special education facilities and a trade school in 2008.

The proposed development, though located on the high school site, is not directly linked to the activities of the high school. The portion of land on which the distance education centre is proposed is currently a sloping landscaped area which is not formally used in association with any particular school activity.

Assessment

4.0 Council Policies, Procedures and Codes to Which the Matter Relates

- State Environmental Planning Policy No.55 – Remediation of Land
- State Environmental Planning Policy (Infrastructure) 2007
- Queanbeyan Local Environmental Plan 2012
- Queanbeyan Development Control Plan

5.0 Section 79C Matters for Consideration

The following is an assessment of the application with regard to the heads of consideration under the provisions of Section 79C of the EP&A Act:

5.1 Environmental Planning Instruments

State Environmental Planning Policy No.55 – Remediation of Land

Clause 7(1) prescribes that a consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated. A site inspection was conducted on 25 July 2016. The development site is currently open landscaped space. A review of available aerial photographs and records did not indicate any previous potentially contaminating activities on the site. It is understood the development area has been continually landscaped. It is considered that there is no evidence to suggest potentially contaminating uses of the site.

State Environmental Planning Policy (Infrastructure) 2007

The provisions of this Policy have been considered in the assessment of the application.

Division 3 of the SEPP relates to educational establishments. The site is located within the R2 – Low Density Residential zone as specified in the *Queanbeyan Local Environmental Plan 2012*. The R2 zone is a prescribed zone in accordance with clause 27 of the SEPP.

The proposed development is for an educational establishment to be established on land on which there is an existing education establishment and is permissible with consent as established by clause 28 of the SEPP.

Clause 104 contains provision for traffic generating development. Schedule 3 refers to educational establishments with more than 50 students being a traffic generating development. The applicant has indicated that the maximum number of students present on the site will not exceed 40, therefore the development is not considered to be a traffic generating development for the purpose of the SEPP.

However it is noted that unlike a traditional education establishment where student numbers would be expected to be greater than the number of teachers, the proposed development will accommodate up to 105 staff on site at any one

time. Assuming that the majority of those staff would drive to the site, the traffic generated by the development could have the potential to exceed traffic generated by a development with 50 students. As such, Council referred the application to RMS for comment. The RMS did not raise any concern with the proposed development.

The site is not located in or adjacent to road corridor nor does it have a frontage to a classified road. The site is not located within or immediately adjacent to an easement for electricity purposes or immediately adjacent to an electricity substation. No development is proposed within 5m of an overhead powerline and no ground penetrating work is proposed within 2m of any underground electricity services.

The proposed development is considered to satisfy the requirements of the SEPP.

Queanbeyan Local Environmental Plan 2012

The subject site is zoned R2 – Low Density Residential. Permissibility for the proposed development is established under *State Environmental Planning Policy (Infrastructure) 2007* as discussed above.

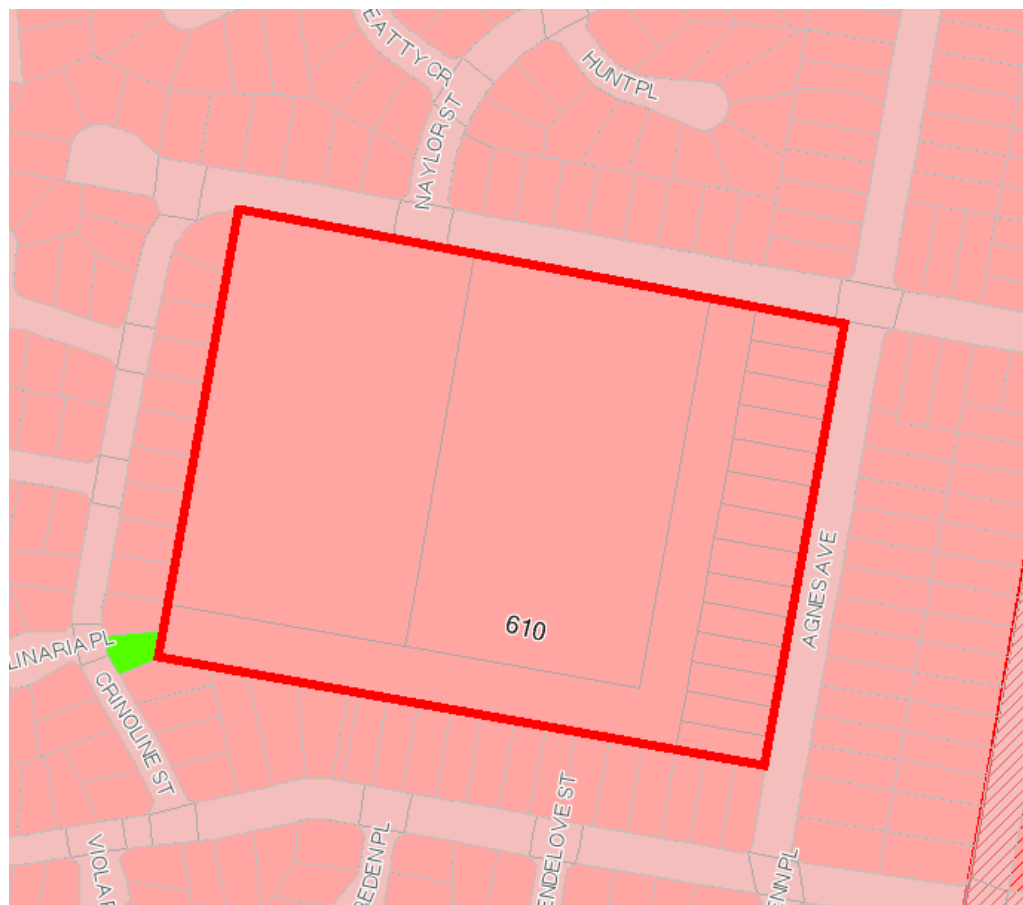


Figure 4 – Zoning Map

Clause 4.3 specifies a maximum height of buildings. The subject site is identified as having a maximum height of 8.5m. The application proposes a building with a maximum height above natural ground level of 15.8m



Figure 5 – Eastern elevation to Agnes Avenue. Red dashed line indicates LEP maximum height level.

The applicant has requested a Clause 4.6 variation to the height control contained in Clause 4.3.

The objectives of Clause 4.3 are as follows:

- (a) to ensure that the height of buildings complement the streetscape or the historic character of the area in which the buildings are located,
- (b) to protect the heritage character of Queanbeyan and the significance of heritage buildings and heritage items,
- (c) to nominate heights that will provide a transition in built form between varying land use intensities.

Clause 4.6 (3) specifies matters which must be addressed by the applicant in their request for variation. The applicant's response to these criteria is described below:

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

Compliance with the maximum building height development standard is unreasonable and unnecessary in the circumstances of this DA for the following reasons:

- Although the proposed building is three storeys in height, the maximum height of the building between ground level and roof parapet is a result in the substantial gradient slope which affects the development site;

- *The portion of the site on which the proposed building is to be constructed has a considerable north-south gradient. The building has been designed to follow the site gradient thus minimising the site cut and fill is proposed such that the height of the building above the finished ground level is less than the maximum height above existing ground level. Accordingly, the height of the proposal, notwithstanding the requested variation to the height standard, is appropriate for the conditions and topography of the site and its context;*
- *There are generous setbacks from the street and southern boundary which are proposed to be landscaped;*
- *The non-compliant element of the proposed building will not result in any significant additional overshadowing to the rear of the properties along Early Street;*
- *The proposed building is compatible with the existing use and function of the site; and*
- *The proposed building does not result in any significant amenity impacts on adjoining land or properties in relation to overshadowing or visual intrusion.*

Compliance with the maximum building height development standard is therefore unreasonable and unnecessary given the circumstances of the site and proposal.

Are there sufficient environmental planning grounds to justify contravening the development standard?

The contravention of the maximum building height development standard is justified on environmental planning grounds specific to this development for the reasons set out above.

Clause 4.6(4) specifies that development consent must not be granted for development that contravenes a development standard unless:

- a) The consent authority is satisfied that:**
- (i) The applicant's written request has adequately addressed the matters require to be demonstrated by subclause (3), and**
 - (ii) The proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out**

Council is generally satisfied that the applicant's written request has addressed the matters specified in subclause (3). The applicant has provided the following comment in relation to the objectives of the development standard:

In relation to objective (a) of Clause 4.3, the height of the proposed building complements the function and scale of the site which contains an existing educational use (i.e. the Queanbeyan High School).

In relation to objective (b) of Clause 4.3, the site does not contain any items of heritage significance and is not located within a designated heritage conservation area.

In relation to objective (c) of Clause 4.3, the proposal does not conflict with built forms between the existing educational land use of the site and surrounding residential land uses.

It is considered that the development is consistent with the objectives of the Clause.

The subject site is within the R2 – Low Density Residential Zone. The objectives of the zone are:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To encourage development that considers the low density amenity of existing and future residents.*
- *To encourage development that is designed to recognise the bushland character of the locality where appropriate and to minimize the impact of urban development, particularly on the edge of the urban area.*

The applicant's request for variation does not specifically address the above objectives, rather it makes reference to the Infrastructure SEPP as the source of permissibility for the proposal.

Notwithstanding, it is considered that the proposed development is generally consistent with the above objectives for the R2 zone. The development is an extension of an existing education establishment which provides a service to meet the needs of residents in the locality. The nature of the proposal is such that it will service the needs of residents from outside the immediate locality as well. The development does not result in any increase to residential densities in the locality and does not impact on the provision of housing stock.

The proposed development is considered to be generally consistent with the objectives of the standard and the zone.

There is an existing building within the school which similarly has an increased height to the south to compensate for the slope of the site. The building is located adjacent to the car park on the norther side of the development site.



Figure 7 – School building to the north of the development site.

The adjoining residential properties on Agnes Avenue generally vary between one and two storeys. Due to the slope of the street there are significant height variations as the dwellings step down the hill as shown in the image below.



Figure 8 – View along Agnes Avenue looking north – the development site is located directly to the west

It is considered that the proposed development is generally consistent with the established character of the locality. The building is unlikely to detract from the streetscape and responds to the physical constraints of the site. Two storey development on Agnes Avenue and Early Street provide a transition in height between the proposed building and single storey dwellings on the southern side of Early Street.

(b) the concurrence of the Secretary has been obtained.

This matter falls within the assumed concurrence granted to council as notified under Planning Circular PS 08-003 issued on 9 May 2008 and Circular B1 issued on 17 March 1989.

It is considered that the proposed variation is acceptable for the following reasons:

- The applicant has submitted a suitable request for variation in accordance with Clause 4.6;
- The development is generally consistent with the objectives of Clause 4.3 and the objectives of the R2 – Low Density Residential Zone.
- The development is unlikely to result in significant adverse impact to adjoining properties by way of overshadowing. Overlooking impacts can be suitably mitigated through screening to south facing glazing.
- The proposed development is consistent with the pattern of development on the school site, responds to the physical characteristics of the land and is unlikely to result in significant adverse impact to the character of the site or surrounding locality.

Clause 5.9 specifies that consent is required for the removal of certain trees. The proposed development includes application to remove 39 trees. The proposed tree removal is discussed in detail in the Development Control Plan section of this report.

Clause 7.9 specifies that development consent must not be granted unless the consent authority is satisfied that the development can be adequately serviced. The site is considered to be suitably serviced by electricity, water and sewer. Vehicle access is proposed via a new driveway to Agnes Avenue which is considered to be acceptable.

5.2 Draft Environmental Planning Instruments

There are no draft environmental planning instruments applicable to the proposed development.

5.3 Development Control Plans

Queanbeyan Development Control Plan

Part 1 – About this plan

The application was notified to adjoining land owners in accordance with section 1.8 of the Queanbeyan Development Control Plan. The application was notified in the Queanbeyan Age on 22 July 2016 and The Chronicle on 26 July 2016. The closing date for submissions was 8 August 2016. No submissions were received during the notification period.

Part 2 – All zones

2.2 - Car Parking

The objectives of Section 2.2 are as follows:

- 1) Car parking is to be provided on-site which will cater for the increased demand brought about by the development of the site.*
- 2) Adequate car parking for people with disabilities.*
- 3) The provision of car parking which is functional, safe and attractive.*

- 4) *Functional loading and unloading facilities are provided to cater for the development of the site.*
- 5) *The construction of car parking areas, service areas and associated areas to be in accordance with good engineering practice.*

It is considered that in its current form, the proposed development does not satisfy the above objectives.

The development proposes only 6 car parks within the proposed garage. No additional parking is to be provided for staff or students. It is considered that the proposed parking on-site does not adequately cater for the increased demand generated by the proposed development. The development does not provide any on-site parking for people with disabilities. As will be discussed in section 2.3, the development does not provide sufficient area for a waste collection vehicle to enter and exit the site in a forward direction.

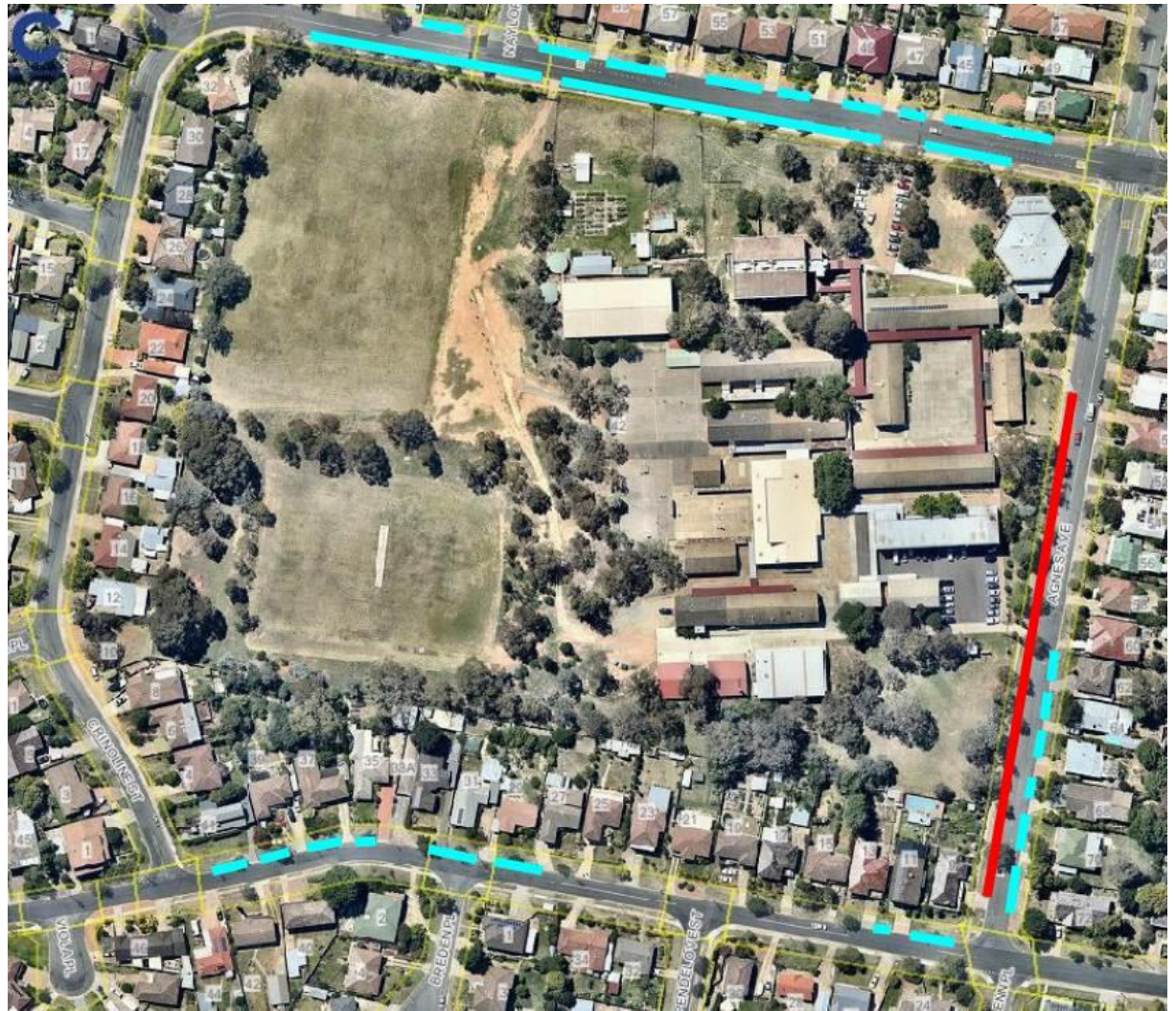
The car parking rate required for the proposed development, based on Table 1, Part 2, for educational establishments is 1 space per each full time employee plus one space for persons with disabilities plus an additional 10% of the total for visitors.

Based on the information submitted by the applicant, there are 66 full time employees (though it is noted that the total number of employees including part time staff is 105), therefore:

Rate	Spaces required
66 full time employees x 1 space	66
1 x accessible space	1
10% total	7
TOTAL	74 spaces

The application includes a traffic impact assessment prepared by GTA Consultants.

It is considered that the proposed development is likely to result in a significant adverse impact on the surrounding residential streets, particularly Agnes Avenue and that this impact has not been adequately addressed in either the Statement of Environmental Effects or the traffic impact assessment. The traffic impact assessment concludes that the existing street network is capable of absorbing the additional parking required, however this position is not supported. The report has undertaken an empirical assessment indicating a parking demand of 55 spaces on a 'typical' day and up to 85 spaces on occasion. At 55 spaces the report estimates approximately 360m of kerbside would be required to accommodate parking.



Kerbside parking

parking restrictions during school hours

Figure 9 – Kerbside Parking

The traffic impact assessment indicates that on street parking could be provided on the eastern side of Agnes Avenue south of the existing entry, on the northern side of Early Street, along Surveyor Street and into Agnes Avenue north of Surveyor Street.

On Agnes Avenue and the north side of Early Street approximately 175m of kerb is available.

In theory, existing parking on Surveyor Street is approximately 380m and could accommodate the demand for the proposed development. However, it is noted that this area, particularly on the southern side, is utilised by staff, students and parents of the high school for parking. Should it be taken that this area is able to accommodate parking for the new development, consideration must also be given to the displacement of vehicles that currently use these areas to park. The hours of operation for the proposed development are such that parking demand will be generated earlier than for the high school. The result being the displacement of current users of the site. The applicants traffic impact

assessment has not given due consideration to the impact of the proposed development on existing road users.

It is noted that Council have received numerous complaints over the past few years and specifically between July and August of this year regarding traffic and parking issues around the school in Agnes Avenue and Surveyor Street. Complaints have largely been focused on parking on both sides of Agnes Avenue restricting traffic flow in this area. There are currently no parking signs erected on the western side of Agnes Avenue with restricted parking on the eastern side. In 2013 the Local Traffic Committee recommended restricting parking on both sides of Agnes Avenue. Council have not proceeded with the recommendation owing to concern from residents over the removal of parking adjacent to residential dwellings.

On the 25th July an inspection was undertaken of the site including observation of parking and traffic around the school. The inspection was conducted from 2.30pm to 3.10pm to coincide with the end of the school day. At 2.30pm it was observed that the southern side of Surveyor Street had vehicles parked from the intersection of Surveyor Street and Agnes Avenue to the intersection of Surveyor Street and Naylor Street. By 3.10pm cars extended past Naylor Street and were parked in available spaces on the northern side of Surveyor Street between Naylor Street and Agnes Avenue. Surveyor Street and the northern end of Agnes Avenue became particularly busy at the end of the school day.



Figure 10 – View looking west on Surveyor St, 2:35pm Figure 11 – view looking east on Surveyor St, 3:00pm

It is considered that the site is capable of accommodating additional car parking in order to reduce the demand for on-street car parking and conflict with existing road users. Despite the applicant's insistence that there is no requirement to provide on-site parking, it is considered to be in the public interest to provide parking on site in order to mitigate and avoid adverse traffic impacts which Council believe would result from the proposed development.

The site contours and building design lend themselves towards the provision of undercroft or basement parking. Based on the current design it is considered that an undercroft or basement would be capable of accommodating 30-40 vehicles. Another 10 vehicles may be able to be accommodated at ground level to the southern elevation of the building. This would greatly reduce the impact of parking needs generated by the proposed development.

The existing on-street car parking arrangements are not considered to be capable of absorbing the demand created by the proposed development. The site is not constrained in such a way that would prevent the provision of on-site car parking. Failure to provide on-site parking is considered likely to result in significant adverse impact to the surrounding street network which is not supported.

In order for the application to be supported, on site parking must be provided on-site, details of which are to be provided to and endorsed by Council. Whilst there is a preference for this information to be provided prior to determination, it is considered that the matter may be addressed as a deferred commencement matter requiring submission of amended plans showing a basement car park capable of accommodating a minimum 30 vehicles, with additional parking to be provided between the stairwells on the southern elevation of the building to the satisfaction of Council. It's acknowledged that this will not accommodate the entire of the parking demand, therefore in addition to the provision of on-site parking it is considered that widening of the western side of Agnes Avenue to create indented parking bays will be required. This work should be undertaken by the applicant and is to be included in the deferred commencement condition.

2.3 – Environmental Management

The objectives of Section 2.3 are as follows:

- 1) *Facilitate the development of building design excellence appropriate to a regional city.*
- 2) *Ensure environmental impacts of new development are managed in a sustainable and economical way.*
- 3) *Ensure a healthy environment.*
- 4) *Provide an adequate and renewable supply of resources.*
- 5) *Ensure application, where appropriate, of the BASIX or Building Code of Australia energy efficiency provisions.*

The proposed development is considered to be consistent with the above objectives.

The proposed building incorporates energy efficient building techniques and accessories including large areas of north facing glazing, minimizing west facing glazing. The building incorporates solar panels to the roof for additional electricity generation.

The building will be required to comply with section J of the National Construction Code, details to be provided prior to issue of a construction certificate.

A waste management area is proposed to the south of the site adjacent to the Agnes Avenue entrance and includes separate hoppers for recyclable waste and general waste. There is concern that the waste management area does not permit a waste collection vehicle to enter and exit in a forwards direction. A waste management plan has not been provided with the application. A condition is proposed requiring a waste management plan to be prepared detailing the location and proposed collection of waste. The plan should include details of how collection vehicles can enter and exit the site in a forwards direction.

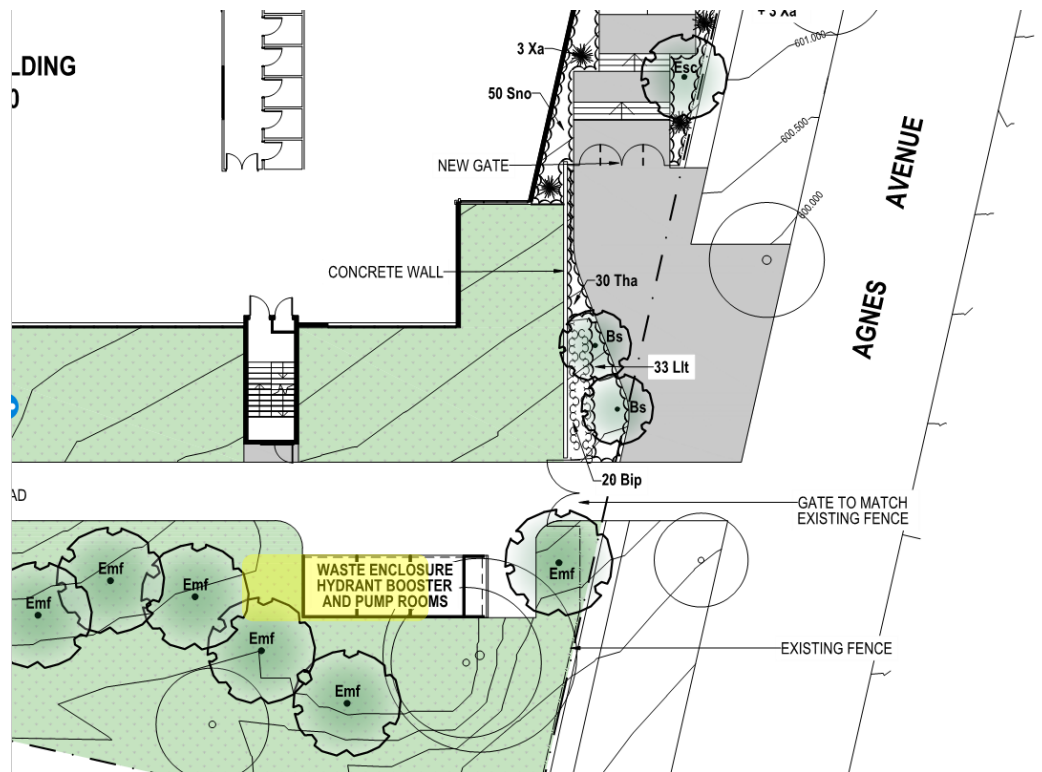


Figure 12 – location of proposed waste area. The proposed location does not appear to permit a waste collection vehicle to enter and exit the site in a forwards direction.

The application includes the demolition of two existing classrooms. Standard conditions have been proposed requiring the submission of an asbestos report prior to demolition of the buildings.

2.6 - Landscaping

The DCP requires the submission of a landscaping plan prepared by a Category 2 accredited landscape designer. A landscaping plan has been submitted,







designed by Neil Hobbs of Harris Hobbs Landscapes, an accredited category 2 designer.

The relevant objectives of section 2.6 are as follows:

- 1) Landscape plans to reflect good quality design and construction works to be of a high standard and in accordance with approved plans.*
- 2) Landscape consultants and landscaping contractors, accredited by Council, to prepare plans and implement landscaping works.*
- 3) Landscape design to be considered in association with proposed works, building and subdivision design as early as possible.*
- 4) A living and working environment which is pleasant and safe to all people.*

The proposed landscape plan is considered to satisfy the above objectives. The plan is considered to represent a good quality design, prepared by a suitably accredited person. The plan respects the nature of the building, the site and its relationship to surrounding land uses and will result in a pleasant working environment for occupants of the building.

The plan identifies 23 trees for planting around the building including the following species

Tree Name	Description
<i>Eucalyptus melliodora</i>	Mature height 15-30m Mature spread 8-10m
	
<i>Eucalyptus mannifera</i>	Mature height 10-20m Mature spread 13m
	
<i>Eucalyptus Scoparia</i>	Mature height – 20m Mature spread – 12m
	

The landscaping proposed will complement the site and provide screening to the adjoining properties to the south. It is considered that the proposed landscaping plan generally satisfies the objectives and controls of Section 2.6 and is acceptable in this instance.

2.9 - Safe Design

The application was referred to NSW Police for comment in regard to Crime Prevention through Environmental Design (CPTED). The Police assessment is that the proposed development presents a moderate crime risk. Refer to Section 6.2 of this report for detailed comment in response to the NSW Police Assessment.

It is considered that the proposed development suitably addresses safe design principles and is acceptable in this instance subject to conditions.

2.13 - Preservation of Trees and Vegetation

The objectives of this section are as follows:

- *To preserve the amenity of the area, including biodiversity values through the preservation of trees and other vegetation.*
- *To protect significant trees and vegetation from removal to enhance Queanbeyan streetscape character*

The proposed development requires the removal of 39 trees, 30 of which have a canopy spread greater than three metres and therefore require consent for removal. The trees are required to be removed to accommodate the building footprint and access.

The landscaping plan proposed includes the planting of 23 new trees, predominantly along the southern boundary of the site. The proposed removal and replanting is considered to be acceptable and will provide a buffer between the development site and adjoining dwellings to the south on Early Street.

It is considered that the proposed development is generally consistent with the objectives of the section. The development proposes suitable planting to compensate for the loss of trees within the development footprint and will maintain the amenity of the surrounding area.

Part 3 Urban Residential Development

The subject site is located within a residential zone and as such is subject to Part 3 of the DCP. The part does not contain controls specific to non-residential uses within residential zones, therefore the application has been assessed on its merits.

The relevant objectives of the part are as follows:

- 1) Encourage development that complements and enhances the built environment and has minimal impact upon the existing amenity and the scenic protection areas as identified in the Queanbeyan Local Environmental Plan 2012.*
- 3) Encourage and promote development which is ecologically sustainable.*
- 4) Dwellings and ancillary development are compatible with the scale and bulk of existing development and any likely future residential development on adjacent lands.*
- 6) Dwellings and ancillary development are designed to consider the topography of the site, minimise cut and fill, maintain the natural vegetation where possible and minimise the impact on streetscape. External colours and materials should be compatible with the local environment.*


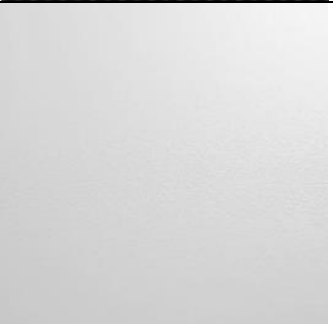
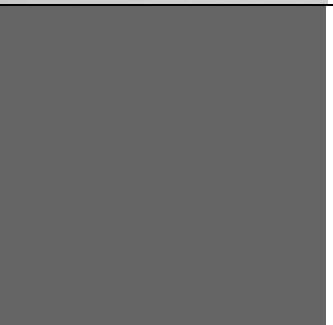

The proposed development is considered to be generally consistent with the above objectives. The development is considered to complement the building environment. The development is designed to minimise impact on the amenity of adjoining neighbours and can be conditioned to further mitigate impacts by way of overlooking and privacy.

The building responds to the topography of the site and retains vegetation where possible. Additional planting is proposed to compensate for vegetation to be removed.

External colours and materials are considered to be generally complimentary to the locality.

External Materials

The chosen pallet of external materials is predominantly mid to dark greys highlighted with timber. The chosen pallet is not highly reflective and the darker colours will help to reduce the visual height of the building. The proposed materials are considered to be generally compatible with existing development on the school site and adjoining neighbours.

Location	Material	Sample
External Cladding	Colorbond custom orb – Night Sky-Black	
Screening panels and base	Precast concrete – Light grit blast	
Roof Cladding	Colorbond – Basalt	
Timber screen wall	Black Butt	

Siting and Building Setbacks

The proposed building is setback a minimum 5.45m from the eastern property boundary adjoining Agnes Avenue and a minimum 15.275m from the rear boundary, not including the stairwells which are setback a minimum 12.3m from the rear boundary.

The proposed setbacks are generally considered to be acceptable. The setback provides sufficient space for the provision of access stairs and landscaping to the rear and side boundary to soften the appearance of the development. The rear setback provides a reasonable distance between the building and adjoining residential properties to the south.

Efficiency in layout

The subject site slopes generally diagonally from the north west to south east. The building is proposed to be cut into the north western corner with a maximum retained cut of 3.6m, the cut to the north eastern corner of the building is filled approximately 1m. Rather than step down the site, the rear of the building is elevated to a maximum 4.2m above ground level, the area beneath the ground floor is proposed to be left as a void.

It is acknowledged that the slope of the site is such that cut and fill would be required to site a building on the site. Changes to the design including stepping the building down the slope may have assisted in reducing the overall bulk and scale of the building, however it is noted that this would have presented challenges in regards to internal layout.

Bulk and Scale

The building will have a noticeable presence on the site and will be visible from surrounding residential streets. The design includes several measures in an attempt to reduce the visual bulk and scale of the building. To the southern façade, the stairwells extend from the main body of the building, separating the building into three well defined segments. Blade walls are further employed to provide a vertical focus and break up the horizontal plane.

The use of contrasting materials including glazing, vertical corrugated cladding and lighter concrete panels assists in breaking up the façade of the building and reducing visual bulk.



Figure 13 – View to southern elevation of the proposed building

To the north, the building is partially set into the hill. A verandah extends over the ground level entry area and adopts a grid pattern, assisting in breaking up the horizontal and vertical planes of the façade. Extensive use of glazing on the

northern façade provides visual permeability and reduces the visual bulk of the building.



Figure 14 – View to northern elevation of the proposed building

The bulk and scale of the proposed building generally exceeds that of similar buildings on the subject site and surrounding residential development. However it is considered that the measures employed to reduce the visual bulk of the building are sufficient in this instance and will assist the building to integrate with its surrounding.

Views, Shadowing and Privacy

Whilst the proposed building will be visually prominent it will not impact on any significant views from adjoining properties.

The applicant has submitted shadow diagrams which indicate that the building will retain a minimum 3 hours sunlight to private open space of adjoining dwellings on 21 June. This is considered to be acceptable.

There is concern that the proposed building could result in adverse overlooking to sensitive areas of private open space to dwellings directly adjoining the site to the south. Of particular concern are No's 9, 11, 13 and 15 Early Street. It is acknowledged that the building is setback a minimum 15m from the boundary and that screen planting is proposed. The eucalypt chosen to be planted along the rear boundary *Eucalyptus Mannifera* is typically slow growing and may take ten years or more to reach its mature height. Vertical blade features on the windows will prevent some cross views, however given the significant difference in height between the proposed finished floor levels of the building, which for the third storey is over 11m, some direct overlooking of the adjoining private open space to the south is inevitable. It is recommended that to reduce the impact of overlooking to these properties that a condition be placed on the consent requiring fixed screening to glazing on the second and third storeys on the southern elevation.



Figure 15 – approximate location of proposed building and approximate distance to rear boundary with adjoining residential properties.

5.4 Planning Agreements

There are no planning agreements applicable to the proposed development.

5.5 Regulations

Matters specified under the EP&A Regulations 2000 have been considered in the assessment of this application.

5.6 Likely impacts of the Development, including Environmental Impacts on both the Natural and Build Environments, and Social and Economic Impacts in the Locality

These matters have been considered in the assessment of this application.

The subject site is not identified within Council's Terrestrial Biodiversity map as contained within the LEP. The site is not considered to be of specific environmental significance. The development requires the removal of a number of established trees, with replacement plantings proposed as part of the landscaping plan for the site.

Impacts on the built environment in relation to bulk and scale have been previously addressed in the DCP section of this report. It is considered that the bulk and scale of the development, whilst greater than that of surrounding development, has been suitably mitigated through physical and visual articulation of the building to reduce the appearance of bulk when viewed from the surrounding locality.

The development is considered to have a positive social impact on the locality and Council area at large by providing educational services.

It is considered that the proposed development will not result in any significant adverse impact upon the natural or building environments or negative social or economic impacts upon the locality.

5.7 Suitability of the site for the Development

The site is generally considered to be suitable for the proposed development subject to conditions regarding provision of car parking to reduce traffic impact on the surrounding neighbourhood.

The proposed built form suitably addresses the physical constraints of the site.

5.8 Public Notification

See part 7 of this report

5.9 The Public Interest

The proposed is considered to be generally in the public interest and will provide a valuable service to the public. The adoption of the recommendation for a deferred commencement consent to allow for adequate onsite car parking and suitable area for waste vehicles to maneuver will ensure the public interest is maintained and the public amenity in terms of traffic and safety is not compromised.

6.0 Referrals

The development application was referred internally to Council's Building Surveyor, Environmental Health Officer, Development Engineer and also to the local Traffic Committee. The development application was also referred to the Road and Maritime Service (RMS) and the NSW Police Service. Details of their responses are included in the following sections of this report.

As a Crown development, the draft conditions of consent have been referred to the applicant for their approval as required by Section 89 (1)(b) of the *Environmental Planning and Assessment Act 1979*. Their response will need to be considered by the Panel.

6.1 Internal

Building Surveyor

Council's building surveyor has raised no concern with the application subject to conditions regarding demolition and construction. The building should be fully contained within a lot and not be constructed over lot boundaries. Consolidation of lots and or boundary adjustment will be required to achieve this.

Environmental Health

Concern raised in relation to the collection of waste from the proposed waste storage area. A condition has been imposed requiring the applicant to demonstrate that a waste collection vehicle can enter and exit the site in a forwards direction prior to issue of a construction certificate for the site.

Development Engineer

Council's Development Engineer has raised significant concern in relation to the traffic impacts of the proposed development as detailed in the DCP section of this report. A copy of the full development engineering assessment is included as Attachment 1 to this report.

Traffic Committee

The application has also been referred to the Local Traffic Committee. The committee meet on 27 September and any minutes should be taken into account by the Panel.

6.2 External**NSW Police**

Police Comment	Response
<p>Surveillance</p> <ul style="list-style-type: none"> • Due to the placement of stairs, plant enclosure, and garage on the western side of the proposed building, the access entry point on this side has limited natural surveillance. It is critical that appropriate lighting and security measures are in place on this location. • It is noted that CCTV equipment will be installed within this new Cameras should be installed both within the around the premises to maximize surveillance opportunities. <ul style="list-style-type: none"> ○ Cameras should monitor access and egress points. If there is a limited number of cameras in use, ones should be placed on areas where natural surveillance is the poorest and in areas where theft and damage cost could be the highest (i.e. computer room). ○ It is recommended that a camera be placed on the access door on the western wall where natural surveillance is minimal. ○ TV monitors should enable staff to monitor activities on the camera. ○ Recording equipment should be securely installed in an effort to avoid tampering. • There is a concrete wall planned for the eastern side of the building. This wall will restrict natural surveillance of the area. It is recommended that this concrete wall be replaced with a semi permeable structure. This will ensure directional way finding of the area remains the same, yet it will improve natural surveillance of the area. 	<ul style="list-style-type: none"> • Noted • Noted – detail may be included as a note on the consent. • Recommend condition that some elements of visual permeability be added to the wall adjacent to the stairs on the eastern side of the building to increase passive surveillance of this area.
<p>Landscaping</p> <ul style="list-style-type: none"> • It is noted that a number of native trees will be selected for planting in the area. It is important that these trees are well maintained to ensure that no entrapment or concealment opportunities exist under the trees. This is of particular importance in the area where they are planted around the garage area as natural surveillance to this area is already limited. • Care should be taken when placing plants in areas where there will be lighting to ensure they do not cast 	<ul style="list-style-type: none"> • Noted • Noted

Police Comment	Response
<p>unnecessary shadows. Consideration should be given to where shadows may be cast once the trees become mature. Shadowed areas can create concealment opportunities for the 'would be' criminal to hide.</p> <ul style="list-style-type: none"> • It is important that the proposed planter boxes are adequately secured. This will reduce the chances of items being used from the planter boxes to gain access to the building, causing damage or to be used as weapons. It is also important that the planter boxes are adequately positioned away from the building so they cannot be used as a climbing aid to gain access to upper levels of the building. • A landscaping maintenance policy should be established for this area. 	<ul style="list-style-type: none"> • Noted • Noted – may be included as a note on the consent.
<p>Lighting</p> <ul style="list-style-type: none"> • As lighting structures in similar locations are often targeted for malicious damage it is important that the structures are designed from material that will minimise damage sustained from such attacks. Bollard lighting is often damaged. • It is important that lighting provides an even distribution of light, with no glare. This is to ensure that lighting doesn't create dark areas that can be used as entrapment or concealment locations. • Install security lighting on approach to entry/exit points. NB: Consider installing sensor lighting, which is cost effective as it only, activates when movement is detected within the zone. It is important to note that lighting should match any CCTV equipment installed. This is to ensure the CCTV captures clear images that will assist in the identification of all persons, and activities, within the recorded area. <p>A lighting maintenance policy needs to be established for the development.</p>	<ul style="list-style-type: none"> • Noted • Noted • Recommend condition requiring lighting over entries. • Noted • Noted – may be included as a note on the consent.
<p>Territorial Re-enforcement</p> <p>There is no information to indicate signage, which might be used in and around the development. Confusion resulting from vague entry design can legitimize exploration, trespassing and excuse making by opportunistic criminals. Entries should be legible</p>	<ul style="list-style-type: none"> • Noted

Police Comment	Response
<p>and inviting.</p> <ul style="list-style-type: none"> • All gates should be kept closed and locked when not in use and regularly maintained to assist with the protection of the property. • Effective signage and directions will provide guidance to visitors/customers in locating main areas and keep them away from restricted areas. • Signs can also assist in controlling activities and movements throughout the premises. • Signage also needs to be provided at entry/exit points and throughout the development to assist users and warn intruders they will be prosecuted. 	<ul style="list-style-type: none"> • Noted • Noted • Noted • Noted – may be included as a note on the consent.
<p>Environmental Maintenance</p> <ul style="list-style-type: none"> • It is important that the garage and plant room are adequately secured when not in use. • Windows should also be fitted with key operated locksets (Australia and New Zealand Standard — Lock Sets) to restrict unauthorised access to the development. • Windows can also be re-enforced to restrict unauthorised access by applying shatter resistant film or by using laminated glass. Internal doors to rooms with high value equipment should also be adequately locked when not in use. • To enhance the security of the premises a monitored intruder alarm system is recommended. <p>Consider incorporating a duress facility into the system to enable staff to activate the system manually in the event of an emergency.</p>	<ul style="list-style-type: none"> • Noted • Noted • Noted • Noted • Noted <p>May be included as a note on the consent.</p>

Roads and Maritime Service

The application was referred to NSW Roads and Maritime Service (RMS) for comment. RMS have raised no objection to the development and do not consider that the development meets the definition of traffic generating development.

7.0 Public Consultation

In accordance with Part 1 Section 1.8 of the QDCP 2012 and Section 79A of the EP&A Act, the application was notified as advertised development from 22 July to 8 August 2016. A notice of the development was also placed in the local newspaper as required under the EP&A Regulation 2000.

No submissions were received during the notification period.

8.0 Financial Implications

The following table provides calculations for the applicable ETs for the development, based on Water Directorate *Section 64 Determinations of Equivalent Tenements Guidelines* (May 2009):

<u>Item</u>	<u>No of Units</u>	<u>ETs per Unit</u>	<u>ETs</u>
<u>Water</u>			
Education – School - Number of persons	100	0.03	3
<u>Sewer</u>			
Education - School - Number of persons	100	0.02	2

Therefore, S64 water and sewer contributions should be sought, with the amounts stipulated being based on current rates in Council's adopted S64 Developer Servicing Plans and will need to be adjusted to the rate applicable at time of payment. At the time of writing the calculated contribution is \$15542.12

9.0 Conclusion

The application has been assessed in accordance with the provisions of the EP&A Act with all matters specified under Section 79C(1) having been taken into consideration.

The application proposes a variation to the maximum height control contained within Clause 4.3 of the Queanbeyan Local Environmental Plan 2012. The variation is considered to be acceptable in this instance for the following reasons:

- The applicant has submitted a suitable request for variation in accordance with Clause 4.6;
- The development is generally consistent with the objectives of Clause 4.3 and the objectives of the R2 – Low Density Residential Zone.
- The development is unlikely to result in significant adverse impact to adjoining properties by way of overshadowing. Overlooking impacts can be suitably mitigated through screening to south facing glazing.
- The proposed development is consistent with the pattern of development on the school site, responds to the physical characteristics of the land and is unlikely to result in significant adverse impact to the character of the site or surrounding locality.

The application is considered likely to result in significant adverse impact to the surrounding street network as a result of failing to provide on-site car parking to satisfy the parking demand generated by the proposed development. The site is not constrained in such a way that would prevent the provision of on-site parking. As such it recommended that the application be granted a Deferred Commencement Consent subject to the submission of amended plans showing the provision of suitable on-site car parking in the form of a basement car park.

It is not clear from the submitted plans that waste is able to be satisfactorily collected from the site. As such a condition has been recommended requiring the submission of a waste management plan clearly demonstrating that suitable arrangements can be made for the collection and removal of waste from the site.

It is considered that the application generally satisfies the objectives and controls of the Queanbeyan Local Environmental Plan 2012 and Queanbeyan Development Control Plan, subject to the provision of amended plans as discussed and detailed in the recommended conditions of consent forming part 10 of this report.

10.0 Recommendation

That the Southern Joint Regional Planning Panel as the consent authority pursuant to Clause 80(1)(a) and 80(3) of the Environmental Planning and Assessment Act 1979 (as amended) grant “Deferred Commencement” consent to Development Application No. 298-2016 for demolition of two classrooms and construction of a three storey distance education centre on Lots 12-13 Sec 16 DP 1892, Lots 1-8 DP 36588 and Lots 91-96 DP 14341 and Lot 26 DP 1042890, known as 42 Surveyor Street, Queanbeyan, subject to the following conditions:

CONDITIONS

DEFERRED COMMENCEMENT

A. “Deferred Commencement” consent is granted subject to:

- i) **Matters pertaining to conditions B and C (below) being addressed to Council’s satisfaction. The applicant is to produce evidence to Council sufficient to enable it to be satisfied as to those matters, within twelve (12) months of “Deferred Commencement” consent being granted. If these matters are not addressed within the prescribed period, the “deferred Commencement” consent will lapse.**

REASON: To make it clear that the development consent will not commence until the nominated conditions have been satisfied and that the consent will lapse unless they are satisfied within the timeframe specified. This is in accordance with Section 80(3) of the *Environmental Planning and Assessment Act 1979*.
(54.02)

B. ON-SITE CAR PARKING

The applicant shall submit amended plans showing:

- i) **Provision of a basement car park capable of accommodating a minimum of 30 vehicles with up to 10 additional vehicles to be accommodated above ground between the stair wells on the southern elevation of the building.**

REASON: To provide adequate on-site car parking to service the development.
(54.01)

C. ON-STREET PARKING

The applicant shall submit amended plans showing:

- i) **Indented parking bays, complying with the requirements of AS2890.5 -1993 – On-street parking, are to be provided on the west side of Agnes Avenue adjacent to the subject site, south of the existing bus bay near Surveyor Street.**

A design for the parking shall be submitted to the Road Authority (Council) for approval. The design shall retain the existing street trees and service infrastructure.

REASON: To provide additional on street parking and to improve traffic safety.
(54.01)

Conditions of Operative Consent

DEMOLITION CONTROL

1. SUBMIT ASBESTOS INSPECTION REPORT

Prior to demolition works commencing an asbestos inspection report must be undertaken and submitted to Council.

REASON: To satisfy the requirements of the *Work Health and Safety Act 2011* and to protect public health. **(55.05)**

PRIOR TO COMMENCEMENT

2. BUILDING CONTRIBUTIONS TO BE PAID

Prior to the lodgment of the Notice to Commence Building Work and Appointment of a Principal Certifying Authority the contributions specified in Schedule 1 of this consent must be paid to Council under the provisions of Section 94 of the Environmental Planning and Assessment Act 1979, Section 64 of the Local Government Act 1993 and Division 5 of Part 2 of Chapter 6 of the Water Management Act 2000.

REASON: To provide for the funding of augmentation and provision of services and community facilities. **(57.02)**

3. CERTIFICATION OF CROWN BUILDING WORK

The building work cannot be commenced unless the building work is certified by or on behalf of the Crown to comply with the technical provisions of the State's building laws in force as at:
(a) the date of the invitation for tenders to carry out the Crown building work, or
(b) in the absence of tenders, the date on which the Crown building work commences

REASON: To satisfy the requirements of Section 109R of the Environmental Planning and Assessment Act 1979 **(57.01)**

4. SCREENING OF WINDOWS

Glazing to the second and third storeys of the southern elevation of the building area to be fitted with fixed screening to mitigate overlooking to adjoining neighbours on Early Street. Details to be submitted to and endorsed by Council prior to commencement.

REASON: To reduce the impact of overlooking to private open space of adjoining dwellings. **(59.01)**

5. WASTE MANAGEMENT AND COLLECTION

Prior to commencement an amended site plan is to be submitted to and endorsed by Council, clearly demonstrating that a suitable waste management area can be located on the site and that a front-lift loading collection vehicle can enter and exit the site in a forwards direction to collect waste from the waste management area.

REASON: To ensure that suitable arrangements can be made for the removal of waste from the site **(57.01)**

6. ERECT A SIGN FOR ANY DEVELOPMENT WORKS

A sign must be erected and maintained in a prominent position on any site on which building or demolition work is being carried out;

- (a) Showing the name, address and telephone number of the Principal Certifying Authority for the work.**
- (b) Showing the name of the principal contractor (if any) for the building work and a telephone number on which that person may be contacted outside working hours.**
- (c) Stating that unauthorised entry to the work site is prohibited.**

REASON: To satisfy the provisions of Clause 136B and 227A of the Environmental Planning and Assessment Regulation 2000. **(57.08)**

7. SUBMIT A TRAFFIC MANAGEMENT PLAN

Prior to work commencing a Traffic Management Plan for the construction works must be submitted to, and approved by, Council under the provisions of Section 138 of the Roads Act 1993.

REASON: To ensure that adequate arrangements are made for traffic and pedestrian safety during the construction works. **(57.13)**

8. PROVIDE WORKERS TOILET FACILITIES

Adequate toilet facilities for workers must be provided at or in the vicinity of the work site.

REASON: To provide suitable and hygienic toilet facilities for use by people visiting or working on the site. **(57.09)**

SITE MANAGEMENT DURING DEMOLITION AND CONSTRUCTION

9. PROVIDE WASTE STORAGE RECEPTACLE

A waste receptacle must be placed on the site for the storage of waste materials.

REASON: To prevent pollution of surrounding areas. **(58.02)**

10. INSTALL EROSION AND SEDIMENT CONTROLS

Erosion and sediment controls must be installed on the site and maintained during the construction period.

REASON: To prevent soil erosion, water pollution and the discharge of loose sediment on surrounding land. **(58.03)**

11. HOURS OF OPERATION FOR WORKS

All works associated with the construction of this development must be carried out between the following hours:

Weekdays:	7.00am to 6.00pm
Saturdays:	8.00am to 4.00pm
Sundays and Public Holidays:	NIL

REASON: To reduce the chance of offensive noise being created and to minimise the impacts of the development in its locality. **(58.04)**

12. WORK ON ADJOINING LAND IS LIMITED

The verge and other adjoining lands must not be used for storage of materials or disturbed by construction activities except for:

- (a) Installation of a temporary, stabilised construction access across the verge.**
- (b) Installation of services.**
- (c) Construction of an approved permanent verge crossing.**

REASON: To minimise interference with the verge and its accessibility by pedestrians. **(58.05)**

13. REPAIR DAMAGED PUBLIC PROPERTY

All damage caused to public property during the establishment of the development must be repaired or reinstated prior to the issue of any Occupation Certificate.

REASON: To ensure that all public property in the vicinity of the development is maintained in its pre-development condition. **(58.06)**

14. WORKS SITES TO BE FENCED

A fence must be erected between the development site and public places before commencement of any other work.

REASON: To ensure that an effective barrier is provided to preserve the safety of people and property in public places. **(58.07)**

15. TEMPORARY VEHICLE ACCESS

Temporary vehicle access to the site must be stabilised to prevent the tracking of sediment onto the roads and footpath. Soil, earth, mud or similar materials must be removed from the roadway by sweeping, shovelling, or a means other than washing, on a daily basis or as required. Soil washings from wheels must be collected and disposed of in a manner that does not pollute waters.

REASON: To minimise transfer of soil from the site onto the road pavement.
(58.08)

GENERAL CONDITIONS

16. IN ACCORDANCE WITH THE APPROVED PLANS

The development must be carried out generally in accordance with all of the documents accompanying the development application and with the plans bearing the Council approval stamp, and any amended plans approved under subsequent modification(s) to the development consent, except where varied by notations made in red ink by Council or conditions of approval.

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail.

REASON: To ensure the development is completed in accordance with the approved plans and the development consent. **(59.02)**

BUILDING

17. COMPLY WITH THE BUILDING CODE OF AUSTRALIA

All building work must be carried out in accordance with the requirements of the Building Code of Australia.

REASON: This is a prescribed condition under the provisions of clause 98 of the Environmental Planning and Assessment Regulation 2000. **(60.02)**

18. **ALL WORKS TO BE CONFINED TO THE SITE**
All demolition, excavation, backfilling, construction and other activities associated with the development must:-
- (a) Be carried out entirely within the allotment boundaries unless otherwise approved by Council.
 - (b) Comply with the requirements of AS 2601-2001 – The demolition of structures.
 - (c) If within one metre of the verge, the site must be protected by a hoarding which must be erected prior to the commencement of the demolition works.
 - (d) Be kept clear of stormwater, sewer manholes and service easements on the site.

REASON: To ensure that all development activity associated with the development does not pose a hazard to life or property and that the effectiveness of public services is not impaired. **(60.05)**

19. **SUBMIT SURVEY PLAN SHOWING BOUNDARY SETBACKS**
The building must be set out by a Registered Surveyor in accordance with the datum shown on the approved plans. A survey plan that identifies the location of the building in relation to the allotment boundaries must be prepared upon completion of the base course brickwork and then be submitted to the Principal Certifying Authority.

REASON: To ensure building has been sited in accordance with the approved plans. **(60.08)**

FIRE SAFETY MEASURES

20. **SUBMIT FINAL FIRE SAFETY CERTIFICATE**
At the completion of works, a Final Fire Safety Certificate detailing each essential fire safety measure provided in the building must be issued by the owner and must be submitted to Council. Copies the certificate must also be given to the Fire Commissioner and be prominently displayed in the building.

REASON: To ensure compliance with the Environmental Planning and Assessment Regulation 2000. **(61.02)**

21. **SUBMIT ANNUAL FIRE SAFETY STATEMENT**
Each year, the owner of the building must submit to Council an Annual Fire Safety Statement for the building. The Annual Fire Safety Statement must address each Essential Fire Safety Measure in the building.

REASON: To ensure compliance with the Environmental Planning and Assessment Regulation 2000. **(61.03)**

CARPARKING AND ACCESS**22. DRIVEWAY CONSTRUCTED OVER THE VERGE**

The development must include the construction of a commercial type driveway over the verge at the location shown on the approved plans.

This driveway vehicle kerb crossing and the driveway apron must be constructed by Council or by a Council approved contractor at no cost to the Council.

A driveway application form must be submitted to and approved by Council prior to the commencement of driveway works.

REASON: To ensure satisfactory construction of a driveway over the verge.
(66.02)

23. ALL SURFACES TO BE CONCRETE OR BITUMEN SEALED

All parking spaces, loading bays, driveways and turning aisles must be concrete or bitumen sealed, with all parking spaces line marked.

REASON: To ensure car parking spaces are functional prior to use of the premises. **(66.06)**

24. DRIVEWAY APPLICATION FORM

A driveway application form must be submitted to and approved by Council prior to commencement of driveway works and construction of the driveway across Council's footway area must be undertaken by Council or contractors approved by Council, at no cost to the Council.

REASON: To ensure the construction of the driveway on public land meets Council's requirements. **(66.10)**

CONSTRUCTION OF INFRASTRUCTURE

25. INSPECTIONS – ROAD AUTHORITY

Inspections must be performed by the Road Authority (Council) when works in the public road reach the following stages:

- (a) immediately prior to pouring of kerb and/or gutter;
- (b) immediately prior to connection of new storm water pipes to the existing stormwater network,
- (c) subgrade immediately prior to the placement of sub-base material, and
- (d) sub-base immediately prior to the placement of base material;
- (e) .base immediately prior to the placement of pavement material; and
- (f) final inspection.

Council's Development Engineering section must be given 24 hours notice of the need for these inspections.

***Note** Any inspections carried out by Council do not imply Council approval or acceptance of the works, and do not relieve the Developer from the requirements to provide an Engineering Construction Certificate Report in accordance with Council's Design and Construction Specifications.*

REASON: To ensure that road works are constructed in accordance with Council requirements. **(67.03)**

26. WORK IN ACCORDANCE WITH ENGINEERING SPECIFICATIONS

All construction and restoration work within the road reserve must be carried out strictly in accordance with the approved drawings and Council's *Queanbeyan Design and Construction Specifications* (Version 3.2, dated January 2013).

REASON: To ensure construction and restoration work is in accordance with Council's requirements. **(67.05)**

27. PROTECTION OF WORKS ON PUBLIC ROADS

Lighting, fencing, traffic control advanced warning signs must be provided for the protection of works and for the safety and convenience of the public, in accordance with Council's *Queanbeyan Design and Construction Specifications* (Version 3.2, dated January 2013).

Traffic movement in both directions on public roads and vehicular access to private properties must be maintained at all times, during the currency of the works.

REASON: To ensure an adequate level of public safety and convenience during construction. **(67.06)**

SAFER BY DESIGN

28. LIGHTING IN CAR PARKS AND PUBLIC SPACES

Lighting in public spaces must comply with AS 2890.1:2004 – Parking Facilities – Off-Street Car Parking and AS 1158 - Lighting for Roads and Public Spaces.

REASON: To ensure the provision of adequate lighting within the development.
(71.02)

29. ENTRANCE LIGHTING

A light must be installed to illuminate each entrance to the building.

REASON: To ensure that entries are clearly identified. **(71.03)**

30. PASSIVE SURVEILLANCE TO EASTERN STAIRS

Elements of visual permeability must be added to the wall adjacent to the stairs on the eastern side of the site in order to allow passive surveillance to and from the stairway and entry to the building as viewed from Agnes Avenue.

REASON: To reduce concealment opportunities and provide passive surveillance to the stairs and entry to the building. **(71.01)**

LANDSCAPING

31. RETAIN AND PROTECT TREES

Trees nominated to be retained on the approved plan must be protected by cyclone/chain mesh fencing.

The fencing must:

- (a) extend around the drip line of the tree;**
- (b) be erected prior to commencement of work; and**
- (c) remain in place until all site works have been completed.**

REASON: To ensure that trees are protected from damage during construction.
(73.08)

32. LANDSCAPING WORKS COMPLETED BY AN ACCREDITED CONTRACTOR

All landscaping must be completed by a Council accredited Category 2 landscape contractor in accordance with approved landscape plan bearing the Council approval stamp.

REASON: To help ensure a high standard of landscape works. **(73.02)**

ENVIRONMENTAL

33. ASBESTOS REMOVAL AND DISPOSAL

Asbestos material found on the site must be removed and disposed of in accordance with the *Work Health and Safety Act 2011*, and the NSW WorkCover Guidelines.

Asbestos material must be disposed of to a landfill site approved for that purpose by the Environmental Protection Authority of NSW or equivalent authority in the ACT. Written evidence that the material has been disposed of to the approved landfill must be submitted to the Principal Certifying Authority.

REASON: To ensure the proper disposal of asbestos material. **(76.07)**

PRIOR TO ISSUE OF OCCUPATION CERTIFICATE

34. OBTAIN OCCUPATION CERTIFICATE BEFORE OCCUPATION

Occupation or use of whole or part of the building must not commence unless an Occupation Certificate has been issued in relation to the building or part.

REASON: To satisfy the provisions of Section 109M of the Environmental Planning and Assessment Act 1979. **(78.02)**

34A. CONSOLIDATION / BOUNDARY ADJUSTMENT

Prior to the issue of a final occupation certificate, the lots containing the proposed building and works shall be consolidated to ensure the building is not located across lot boundaries.

ON-GOING MANAGEMENT OF THE DEVELOPMENT

35. MAINTAIN CAR PARKING AREAS AND DRIVEWAY SEALS

All sealed car parking areas, loading bays, manoeuvring areas and driveways must be maintained in a trafficable condition.

REASON: To ensure car park areas are useable. **(79.02)**

36. CAR PARKING SPACES TO BE KEPT FREE AT ALL TIMES

All car parking spaces, loading and unloading areas, vehicle manoeuvring and driveway areas must not be used for the storage of any goods or materials and must be available for their intended use at all times.

REASON: To ensure such areas are available for occupants and visitors of the site. **(79.05)**

PLUMBING AND DRAINAGE

37. PLUMBING AND DRAINAGE INSTALLATION REGULATIONS

Plumbing and drainage work must be carried out in accordance with the requirements of the Local Government (General) Regulation 2005, the Plumbing and Drainage Act 2011 and Regulations under that Act and with the Plumbing Code of Australia. Such work must be carried out by a person licensed by the NSW Department of Fair Trading.

REASON: This is a mandatory condition under the provisions of the Local Government (General) Regulation 2005. **(80.02)**

38. INSPECTION OF PLUMBING AND DRAINAGE

Plumbing and Drainage must be inspected by Council at the relevant stages of construction in accordance with Council's inspection schedule.

REASON: To ensure compliance with the inspection requirements of Plumbing and Drainage Regulation 2012 and Council's inspection schedule. **(80.03)**

39. FLOOR LEVEL TO BE 150mm ABOVE YARD GULLY

The floor level of areas with fixtures connected to sewer must be at least 150mm above overflow level of the yard gully and surface water must be prevented from entering the yard gully.

REASON: To ensure any sewage surcharges occur outside the building and to prevent surface water from entering the sewerage system. **(80.05)**

40. HEATED WATER NOT TO EXCEED 50 DEGREES C

All new heated water installations, must deliver hot water at the outlet of all sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding 50° Celsius.

All heated water installation for any accessible facility must deliver hot water at a temperature not exceeding 45° Celsius.

REASON: To prevent accidental scalding. **(80.07)**

41. STORMWATER DISPOSAL REQUIREMENTS

All stormwater from the site must be trapped and piped to the street stormwater system via an on-site detention system to limit the discharge from the site to the pre-development rate for a 1 in 5 year recurrence interval storm event.

REASON: To provide satisfactory stormwater disposal. **(80.08)**

42. **INSULATE HEATED AND COLD WATER SERVICE PIPES**
Heated and cold water service pipes installed in the following areas of the building must be insulated in accordance with the requirements of AS 3500: Plumbing and Drainage:
- (a) **unheated roof spaces**
 - (b) **locations near windows, ventilators and external doors where cold draughts are likely to occur**
 - (c) **locations in contact with cold surfaces such as metal roof and external metal cladding materials.**

REASON: To prevent the water service being damaged by water freezing within the pipes due to local climatic conditions. **(80.12)**

NOTE

NSW POLICE COMMENTS

NSW Police provide the following recommendations in relation to Crime Prevention through Environmental Design.

- **It is noted that CCTV equipment will be installed within this new development. Cameras should be installed both within the around the premises to maximize surveillance opportunities.**
- **Cameras should monitor access and egress points. If there is a limited number of cameras in use, ones should be placed on areas where natural surveillance is the poorest and in areas where theft and damage cost could be the highest (i.e. computer room).**
- **It is recommended that a camera be placed on the access door on the western wall where natural surveillance is minimal.**
- **TV monitors should enable staff to monitor activities on the camera.**
- **Recording equipment should be securely installed in an effort to avoid tampering.**
- **It is noted that a number of native trees will be selected for planting in the area. It is important that these trees are well maintained to ensure that no entrapment or concealment opportunities exist under the trees. This is of particular importance in the area where they are planted around the garage area as natural surveillance to this area is already limited.**
- **Care should be taken when placing plants in areas where there will be lighting to ensure they do not cast unnecessary shadows. Consideration should be given to where shadows may be casted once the trees become mature. Shadowed areas can create concealment opportunities for the 'would be' criminal to hide.**

- It is important that the proposed planter boxes are adequately secured. This will reduce the chances of items being used from the planter boxes to gain access to the building, causing damage or to be used as weapons. It is also important that the planter boxes are adequately positioned away from the building so they cannot be used as a climbing aid to gain access to upper levels of the building.
- As lighting structures in similar locations are often targeted for malicious damage it is important that the structures are designed from material that will minimise damage sustained from such attacks. Bollard lighting is often damaged.
- It is important that lighting provides an even distribution of light, with no glare. This is to ensure that lighting doesn't create dark areas that can be used as entrapment or concealment locations.
- Install security lighting on approach to entry/exit points. NB: Consider installing sensor lighting, which is cost effective as it only, activates when movement is detected within the zone.
- It is important to note that lighting should match any CCTV equipment installed. This is to ensure the CCTV captures clear images that will assist in the identification of all persons, and activities, within the recorded area.
- A lighting maintenance policy needs to be established for the development.
- All gates should be kept closed and locked when not in use and regularly maintained to assist with the protection of the property.
- Effective signage and directions will provide guidance to visitors/customers in locating main areas and keep them away from restricted areas.
- Signs can also assist in controlling activities and movements throughout the premises.
- Signage also needs to be provided at entry/exit points and throughout the
- development to assist users and warn intruders they will be prosecuted.
- It is important that the garage and plant room are adequately secured when not in use.
- Windows should also be fitted with key operated locksets (Australia and New Zealand Standard — Lock Sets) to restrict unauthorized access to the development.
- Windows can also be re-enforced to restrict unauthorized access by applying shatter resistant film or by using laminated glass. Internal doors to rooms with high value equipment should also be adequately locked when not in use.
- To enhance the security of the premises a monitored intruder alarm system is recommended.
- Consider incorporating a duress facility into the system to enable staff to activate the system manually in the event of an emergency.

(81.01)

**ATTACHMENT 1
DEVELOPMENT ENGINEERING REFERRAL**

To: Development Engineer

Name: Keith Davies

42 Surveyor Street, CRESTWOOD NSW 2620

Lodgement Date: 08-Jul-2016

Date referred: 23-Sep-2016
**(IF NOT RETURNED WITHIN 7 DAYS FROM ABOVE DATE,
APPLICATION MAY BE DETERMINED WITHOUT**

COMMENT)

DA Number: 298-2016

**Description: Erection of an educational establishment
(distance education facility) 3 storey.**

Referral Officer: Rebecca Templeman

Sewer Available: yes _____

Driveway: _____

Water Available: yes _____

Kerb and Gutter: slope face

Flood Category: N/A _____

Footway Width: ____

Natural Water Course: _____no

____ Footway Grade: 4%

Drainage Easements: ☐ ~~existing easement over adjoining land~~

☐ ~~easement required over property or adjoining land~~

Hydraulics: ☐ attached ☐ ~~unavailable at time of assessment~~

☐ irrelevant

Is Construction Certificate – Subdivision required: ☐ ~~Yes~~ ☐ No

Development Engineer's comments:

Water:

The applicant has submitted a hydraulic consultant's report that indicates the existing 50mm meter and service can accommodate the additional hydraulic load

generated by the development. The meter is remote from the proposed development

The existing fire service booster pump station will require relocation, but the existing service does not require relocation.

Sewer:

The hydraulic consultant's report indicates that sanitary drainage can be connected to the existing sewer tie in Agnes Avenue via a pump out system in the basement of the building.

Stormwater:

The hydraulic consultant's report and the submitted drawings provide for the installation of an OSD tank in the basement of the building and pump out connection to the existing stormwater

Traffic

The applicant has submitted a traffic report as part of the SoEE. Part of the report analyses road and intersection capacities and concludes that the existing road network can accommodate the additional traffic generation anticipated for the development. This is generally concurred with however parking, as discussed below, could impact on the Level of Service and safety of Agnes Avenue.

Parking:

The facility is intended to house approximately up to 105 staff, with work hours primarily between 7:00 a.m. and 6:00 p.m. on normal school days. Each term up to 40 students may attend a one week "mini school" at the site. Some minimal weekend work may occur.

It is proposed that a new vehicular access driveway will be constructed in Agnes Avenue to service a delivery bay and a 5-6 car space parking area (for use by pool cars and a trailer). No on-site parking is proposed for staff or visitors.

The SoEE advises that the development does not meet the threshold for referral to RMS as a Schedule 3 (Traffic Generating Development) pursuant to the NSW Infrastructure SEPP as it will have less than 50 students in attendance. Council staff did not concur with this assessment as it is a development additional to the

use of the existing school and includes 105 staff. Consequently the development was referred to RMS for comment. RMS has advised no objection to the proposal as it does not consider there to be any significant impact on the state road network.

The traffic report has correctly assesses that Queanbeyan DCP 2012 requires that 1 off street car space should be provided for each full time employee plus 1 space for persons with disabilities plus 10% of the above total for visitors. The traffic report indicates that there will be 66 full time staff, hence a total of 74 spaces should be provided.

The traffic report also has done an empirical review of potential parking demand based on 2011 census data for Queanbeyan “mode of travel”. Based on 83% car usage, the analysis indicates demand to be somewhere between 55 and 85 spaces.

The traffic report also references the NSW Government Motor Vehicle Policy 2014 and advises that Clause 4.8 of that document states that no persons with 100% private use of a Government vehicle are not entitled to a parking space on Government leased or owned premises. This is a rather spurious argument not to provide parking. The policy relates to the management of government department fleet and it is noted that five fleet car spaces are in fact proposed on site. Allowing for these fleet vehicles, the majority of the staff will be arriving at the site via private vehicle.

The traffic report identifies that Agnes Avenue and Early Street have a 9.0 m wide carriageway and that parking can realistically only be accommodated one one side of the street so as to provide for two travel lanes. Restricting parking to one side of the street would be a further inconvenience to nearby residents who are already affected by the parking restrictions in place in Agnes Avenue and Surveyor Street.

Council’s Road Safety Officer has provided details of numerous complaints in regard to traffic/parking conditions around the existing school. The RSO presented a report to the Local Traffic Committee (LTC) that detailed traffic issues in Agnes Avenue and made recommendations in regard to parking restrictions (see copy of report appended). Council at that time decided not to implement the recommendations of the LTC but to further consider resident comments. The recommendations were subsequently not proceeded with due to adverse comment in regard to the proposed loss of parking outside residences

on the east side of the street. The LTC report and subsequent comments highlight the fact that additional parking will be required if the proposed development is to proceed.

The site contours and the building design readily allow the proposed building to be provided with an undercroft basement carpark that could accommodate at least 30 vehicles and probably up to 40 vehicles. Furthermore, about another 10 vehicles could be accommodated between the southern wall of the building and the proposed internal access road.

Additional on-street parking can realistically only be provided by widening the west side of Agnes Avenue or by the creation of indented parking bays between the existing street trees, utility services and school driveways (existing and proposed). The indented bays will provide far less spaces but would have less impact on the streetscape. In either case the additional on-street parking provision will be far less than required for the facility.

Therefore, it is recommended that the development should be provided with a basement carpark and further consideration be given to the provision of on-street parking bays on the west side of Agnes Avenue outside the school site, south of the existing bus bay near Surveyor Street.

If the above recommendation is not supported then the western side of Agnes Avenue should be widened for its entire length to provide for parking on both sides of Agnes Avenue and 2 x 3.5 m wide travel lanes.

Access:

The proposed driveway will require relocation of a stormwater pit and will need to be constructed as a commercial driveway.

Any other Engineering comments:

The proposal has been referred to the Local Development Committee meeting of 27/09/16 for discussion. The minutes of that meeting will be forwarded in due course.

Section 64 Headworks Contribution Calculations

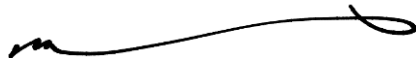
The following table provides calculations for the applicable ETs for the development, based on Water Directorate *Section 64 Determinations of Equivalent Tenements Guidelines* (May 2009):

<u>Item</u>	<u>No of Units</u>	<u>ETs per Unit</u>	<u>ETs</u>
<u>Water</u>			
Education – School - Number of persons	100	0.03	3
<u>Sewer</u>			
Education – School - Number of persons	100	0.02	2

Therefore, S64 water and sewer contributions should be sought, with the amounts stipulated being based on current rates in Council's adopted S64 Developer Servicing Plans and will need to be adjusted to the rate applicable at time of payment –

ENGINEERING CONDITIONS

57.02, 57.13, 58.05, 58.06, 58.08, 66.02, 66.03, 66.04, 66.06, 66.08, 66.10,
67.01, 67.03, 67.05, 67.06, 79.02, 79.05 & 80.08



Signed: Keith Davies (Development Engineering Coordinator)

Date: 23/09/16

ATTACHMENT – HPRM Doc_C13127216 – LTC Report on Parking in Agnes Avenue

ATTACHMENT 2 LTC REPORT ON PARKING IN AGNES AVENUE

AGENDA LOCAL TRAFFIC COMMITTEE

TUESDAY, 03 DECEMBER 2013

REPORT NUMBER:	C13127216
SUBJECT:	AGNES AVE – Parking Lane
REPORT SOURCE:	INTERNAL
RESPONSIBLE OFFICER:	MARK CUTTING

PURPOSE OF REPORT:

- To remove existing 'No Parking' zones on Agnes Ave to 'No Stopping' zones
- To install a 2.3m parking lane on the western side of Agnes Ave, between Early St and Surveyor St.

KEY ISSUES:

- A stopped vehicle on Agnes Ave results in traffic having to move over the double divider lines to pass the vehicle.
- There is poor line of sight in both directions along Agnes Ave, due to a crest in the road.

LEGISLATION:

Road Transport Act 2013

INTRODUCTION/BACKGROUND:

Simon Upward, the ranger supervisor at the Queanbeyan City Council, has drawn attention to the dangerous driving practices on Agnes Ave, between Surveyor St and Early St. Due to a crest on the road, mid block at the location of Queanbeyan High School, there is reduced line of sight in both directions, along Agnes Ave.

Agnes Ave has 'No Parking – 8:00am-9:30am and 2:30pm-4:00pm' on both sides of the road, starting at Surveyor St and continuing south for 165m. There is a bus bay located on the school, prior to the intersection of Agnes Ave and Surveyor St. (See Map in attachments) The width of Agnes Ave, between Surveyor St and Early St, is 8.4m.

When a parent pulls over along Agnes Ave, to drop their child off for school, any traffic behind them will pull out over the double lines to pass the stationary vehicle. This includes buses, as can be seen in the attached photos, which could lead to a collision.

The stopping sight distance on approach from the south (Early St) is 33m at the location of the blue arrow on the map below.

The stopping sight distance on approach from the north (Surveyor St) is 32.5m at the location of the red arrow on the map below.

Following a site visit with the police and RMS representative, it was decided that a 2.3m parking lane on the western side of Agnes Ave would be the appropriate solution.

A letter was sent out to the residents of Agnes Ave (see attachments), to inform them of the council's findings, and Council's intent to implement the solution. The Road Safety officer's phone number was provided in the letter, so as to receive any comments or concerns from the residents.

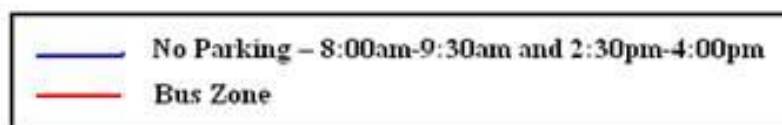
PROPOSED SOLUTION:

Remove the 'No Parking - 8:00am-9:30am and 2:30pm-4:00pm' along Agnes Ave.

Install a 2.3m wide parking lane for the entire length of Agnes Ave on the western side of the road, between Early St and Surveyor St.

Have the centre line of Agnes Ave, between Surveyor St and Early St, removed and repainted 1m to the east.

ATTACHMENTS:**INTERNAL INVESTIGATION REQUIREMENTS:****MAP**





**3m from vehicle*



