

**REVISED STATEMENT OF
ENVIRONMENTAL EFFECTS**

**PROPOSED ALTERATIONS & ADDITIONS TO
CLANCY CATHOLIC COLLEGE**

201 CARMICHAEL DRIVE, WEST HOXTON

On behalf of
Catholic Education Office, Archdiocese of Sydney

March 2016

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STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Alterations & Additions to Clancy Catholic College

201 Carmichael Drive, West Hoxton

Prepared under instructions from

Fulton Trotter Architects



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APPENDIX LIST
(Separate Document)

Appendix	Document	Prepared by
A	Site Survey Plans	Vince Morgan Surveyors
B	Architectural Plans, Site Analysis & Shadow Diagrams	Fulton Trotter Architects
C	Landscape Plan	Site Design + Studios
D	Stormwater Management Plans	AJ Whipps Consulting Group
E	Arboricultural Impact Assessment Report	Jacksons Nature Works
F	Access Report	Funktion
G	Traffic & Parking Assessment Report	Lyle Marshall & Associates P/L
H	DA Acoustic Assessment	Acoustic Studio
I	Building Code of Australia Compliance Statement	Anthony Protas Consulting P/L
J	Bushfire Hazard Assessment Report	Building Code & Bushfire Hazard Solutions P/L
K	Waste Management Plan	Fulton Trotter Architects
L	Cost Summary Report	Wilde and Woollard

1. INTRODUCTION

1.1 Executive Summary

This Statement of Environmental Effects accompanies a Development Application lodged on behalf of the Catholic Education Office, Archdiocese of Sydney in relation to the carrying out of alterations and additions to Clancy Catholic College and which is located upon land at 201 Carmichael Drive, West Hoxton.

By way of background it is advised that the existing school was originally approved for the site under DA 288/05 and which was approved by Council on the 7th March 2005 subject to Conditions. It is understood that there have been a number of Section 96 Modification Applications which have subsequently been approved by the Council. Relevant to this application are Condition 3 (car parking) and Conditions 116 & 117 (hours of operation), all of which are proposed to be modified as part of this application.

The subject site is currently zoned R2 - Low Density Residential under the Liverpool Local Environmental Plan 2008 and the use of the site as an Educational Establishment remains a permissible use with the consent of the Council.

It is advised that a pre-DA Meeting was held with Council on the 10th June 2015 and for which formal minutes have been issued. Those minutes have been taken into consideration in the preparation of this application.

It is proposed that this report will demonstrate that the subject site is suitable for the development as proposed and that the proposal is compliant with the relevant aims and objectives and subject to Council's support of the accompanying Clause 4.6 variation the applicable prescriptive requirements of the Council and on this basis is development which is worthy of the support of the Council.

2. THE SITE

2.1 Site Description

The proposal relates to the existing Clancy Catholic College and which is located on the western side of Carmichael Drive adjacent to its intersection with Moondarra Drive.

As a result of the local road network configuration the subject site is a single isolated allotment separated from the adjoining and nearby residential lands by Carmichael Drive to the east and south, Moondarra Drive to the north and a drainage reserve and Dryander Avenue to the west.

The subject allotment is identified as Lot 1013 in DP 1079422 and is known as 201 Carmichael Drive, West Hoxton.

The property is an irregular shaped allotment having a total allotment size of 47,016m².

The written consent of the owners of the site has been obtained for the making of this application and is included with the Development Application form.

The subject site is a gently sloping allotment having a typical fall from north to south. The fall is fairly constant over the site except for areas where localised excavation has previously occurred as part of the existing development upon the site. In this regard there are a number of battered embankments of varying heights located around the site.



Site Location Map

Existing drainage infrastructure located upon the site includes a 10m wide drainage easement which runs parallel with the sites western boundary and which adjoins an open drainage channel/watercourse. All collected surface water from the school is collected and drained to this drainage easement. The proposal seeks to maintain this drainage arrangement.

Existing vegetation located on and adjoining the sites comprises of a mixture of predominantly Australian native species set with in maintained areas together with large expanses of lawn/playing fields. The northern portion of the site comprises of a restricted development area and which contains an area of Cumberland Plains Woodland. This area will be unaffected by the proposal.

An assessment of the existing vegetation located upon the site has been undertaken by Jacksons Nature Works and whose report is included as an Appendix to this report.

Currently extending along the street frontages is a concrete footpath in good condition together with kerb and guttering.



An aerial view of the subject site

2.2 Existing Development

The subject site currently supports the Clancy Catholic College. The College was approved by Council via DA 288/05 on the 7th March 2005 and was constructed shortly after that.

As previously identified the subject site is an isolated parcel of land which is separated from nearby residential properties by the local road network.

The subject site essentially comprises of three distinct areas. The northern portion of the site comprises of a restricted development area and which contains an area of Cumberland Plains Woodland. This area will be unaffected by the proposal. The central portion of the site contains the existing school development and which comprises of a number of one and two storey attached and detached educational buildings. The buildings are linked via a series of covered and uncovered pathways and ramps. The third portion of the site is located to its south and supports the existing playing fields.

The existing site and buildings are not heritage listed and are not considered to have any heritage significance which would be impacted upon by the proposed development.

Vehicular access to the site is currently via a two way access driveway and crossing accessed via Carmichael Drive and located in the sites north eastern corner. This driveway gives access to the main car parking area and which comprises of 3 x double sided car parking bays and which contain a total of 97 car spaces.

A secondary access point and driveway is accessed via Moondarra Drive and is located within the north western corner of the site.



A view looking from Carmichael Drive towards the location of Proposed Block M



A view from within the school site looking towards Proposed Block L



A view from within the site towards Existing Block C



A view from within the site to the location of Proposed Block M

2.3 Surrounding Environment

The area surrounding the subject site is predominantly residential in its character and is characterised by a range of typically single dwelling houses interspersed with other forms of low density housing including dual occupancy developments.

The surrounding buildings are of recent construction (similar in age to the existing school buildings) and are of modern design comprising of a combination of face or rendered and painted brickwork with either pitched or flat roofs.



An aerial view of the subject site and surrounding locality

The other distinguishing feature of the locality and evidenced from the above aerial photo is the large areas of semi-rural land located to the north and west of the site together with the treed line watercourses to the south of the site.

3. THE PROPOSAL

The proposal seeks approval for the carrying out of alterations and additions to the existing school known as Clancy Catholic College and which is located at 201 Carmichael Drive, West Hoxton.

The existing school was approved by Council in 2005 and was constructed shortly after. The proposed works are required in order to allow for the minor expansion of the school population as well as to allow for the significant improvement in the quality and quantity of teaching facilities and ancillary facilities provided upon the site. A detailed schedule of the alterations and additions proposed is detailed below.

The proposed building works have been designed by the original project architects for the school thus ensuring that the works are compatible with the original design intent and the existing built form. It is considered that the proposal will result in the continued presentation of a high quality outcome for the site and its setting.

As detailed above the proposal seeks approval for the increase in the existing approved school population. The original consent granted by the Council (DA 288/05) provided for a total of 1030 students and a total of 99 staff. The subject application seeks approval to increase the number of students to a maximum of 1150 and the number of staff members to a total of 103.

The proposal also seeks approval (formalisation) for the carrying out of a number of mainly after-hours events (7.00pm to 9.30pm) upon the school grounds and which are directly associated with the school use. There are approximately a total of 20 events which occur over the course of a year and which attract on average approximately 300-400 people (parents and carers). It is noted that each year there is one large event (a Mother's Day Mass) and which typically attracts up to 1,400 attendees. Reference is made to Section 4.5 of the accompanying Traffic & Parking Assessment Report and which deals with the management and in particular car parking associated with these types of events.

The following is a detailed summary of all works associated with the proposal.

Block A - Administration Building - alterations & additions (1 storey)

- Enclose spaces under existing roof lines to create new entry foyer, interview rooms and larger student services space.

Block B - Science & GLA Building - alterations & additions (2 storey)

- Extension to ground floor to create new GLA.
- Demolish existing external stair to verandah and construct new, wider stair to improve circulation.
- Enclose existing verandah on first floor
- New Science lab extension above new GLA on first floor.
- Reconfigure existing GLA's and multipurpose lab to create 2 x science labs (internal works).

- Increase to the envelope of the building towards the west.
- Reconfiguration of associated stair and verandah.

Block C - Music Building (1 storey)

- Enclose existing verandah.
- Extend verandah around east side of building to provide access link to lecture theatre
- New lift and stair access to be located at the end of the ramp to the Music Building.
- Extension between Music and Lecture theatre to create new Music Practice Rooms and storage.

Block F - TAS Building - alterations & additions (2 storey)

- Remove existing kiln and enclose space under existing slab to create a GLA (previously the TAS covered workshop).
- Minor refurbishment to existing spaces to create flexible learning spaces and GLAs
- Minor extension to the building to create a GCA/HSC Display Classroom

Block G - Lecture Theatre (1 storey) - existing shell

- New tiered seating with control booth
- Demolish existing change rooms for new Dance studio
- New larger Change rooms
- New roof over existing toilets.

Block H - Library/Staff Building - alterations & additions (2 storey)

- Extension to staff study under line of existing roof to create larger staff work area.
- Refurbishment of existing canteen area into staff study space.
- Remove balcony to create extension to existing staff lounge.
- Increase to the envelope of the extension to staff study under line of existing level over to north and west side of building to create larger staff work area.

Block J - Year 9 & 10 Building - alterations (2 storey)

- Reduction in size of existing first floor break out area.

Block K - Year 7 & 8 Building and Year 11 & 12 Building - alterations (2 storey)

- Modifications to the envelope of the breakout space to allow wider circulation on the verandah and direct access to the GLA's.

Block L - New Art & Fitness Building (2 storey)

- Including Art studios, Kiln, Clay & Print Room, Fitness Room, GLA's, Change Rooms, and Lift.

Block M - Gallery & Hall (1 storey)

- New Gallery located between existing lecture theatre building and new Hall.
- To include access to both the lecture theatre, Hall and toilets, plus food servery and storage spaces.
- New Hall to include multi-purpose court, storage, Control Room on mezzanine, stage with mechanical plant rooms above.
- New entry courtyards to both east and west sides of the Gallery.

Block N - New Canteen & FLA (2 storey)

- To be located between existing Year 11+12 building and new art & fitness building.
- To include new Canteen with undercroft area and new Flexible Learning Area above

External Works & Demountables

- Reposition demountables on the site to allow construction of 2 x multi-purpose courts.
- Extend existing driveway to provide delivery access to Canteen and overflow parking to the courts.
- Access carpark within existing visitors car park to be made compliant.
- New amphitheatre type seating and hard/soft landscaping opposite the new Art & Fitness Building.

In addition to the proposed building works described above the proposal also seeks to undertake stormwater management works and landscape works as detailed on the accompanying Stormwater Management Plans and landscape plans which accompany this application.

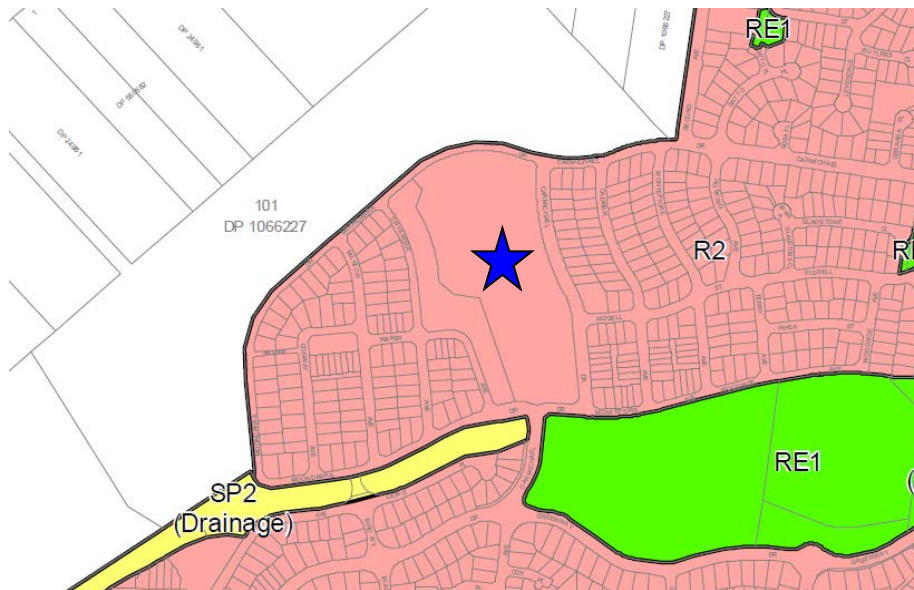
The development indices associated with the proposal are:

Site Area	47,016m²
Existing Built Upon Area	12,723m² or 27%
Proposed Additional Built Upon Area	5,760m² or 12.3%
Total Built Upon Area	18,483m² or 39.3%
Existing Floor Area	7,550m² or 0.16:1
Proposed Additional Floor Area	4,013m² or 0.085:1
Proposed Floor Area	11,563m² or 0.246:1

4.2 Liverpool Local Environmental Plan 2008

The subject site is zoned R2 - Low Density Residential under the provisions of the Liverpool Local Environmental Plan 2008.

The use of the site for the purpose of an “educational establishment” is permissible with the consent of the Council.



Extract of Council Zoning Map

An *educational establishment* is defined under the LEP as:

educational establishment means a building or place used for education (including teaching), being:

- (a) a school, or*
- (b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.*

The proposal which provides for the carrying out of alterations and additions to an existing school is considered to provide for a use which continues to satisfy this definition.

The following is an assessment of the proposal against the relevant provisions of the LEP.

Clause 4.3 - Height

The subject site is located within Height Area “I” under the LEP and as such is subject to a maximum building height of 8.5m.

The proposal will result in the construction of both new buildings and alterations and additions to existing buildings both of which will exceed Council's maximum building height control.

In relation to the proposed new buildings it is advised that they will each have the following maximum building heights:

- Building L - Maximum building height - 9.92m
- Building M - Maximum building height - 10.4m
- Building N- Maximum building height - 10.0m

Given that the proposed building heights exceed the maximum permitted heights of the Council for this area a Clause 4.6 Variation is required in support of the non-compliance. Council's attention is therefore directed to the Clause 4.6 submission below. It is considered that this submission is well founded and is worthy of the support of the Council.



Extract of Council Building Height Map

Clause 4.4 - Floor Space Ratio

The subject site is located in Floor Space Ratio Area "F" and is subject to a maximum floor space ratio of 0.6:1.

The proposal will result in development having a maximum FSR of 0.246:1 and which complies with the requirements of this clause.



Extract of Council FSR Map

Clause 4.6 - Exceptions to Development Standards

Introduction

As detailed above, the site is subject to a maximum building height of 8.5m. The proposal provides for the construction of three new buildings as part of proposed alterations and additions to an existing school and which will have building heights which exceed 8.5m in height. The subject buildings and their respective heights are:

- Block L - 9.92m
- Block M - 10.4m
- Block N - 10.0m

It is submitted that the maximum building height requirement as required by Clause 4.3 of the LEP is a development standard as defined and that any variation of its requirements requires the preparation of a submission pursuant to Clause 4.6 of the LEP.

The following assessment of the proposed variation against the requirements of Clause 4.6 is therefore provided.

1. **What are the objectives of Clause 4.6 and is the proposal consistent with them.**

The objectives of Clause 4.6 of the LEP are:

- (a) *to provide an appropriate degree of flexibility in applying certain development standards to particular development, and*
- (b) *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

It is my opinion, as is demonstrated by the responses to the questions below, that the proposed variation is consistent with the objectives of this clause in that through the application of flexibility as to the required maximum building height school buildings can be constructed which will provide spaces having a high level of amenity and flexibility for students and in a manner which will not result in any unreasonable impacts upon adjoining or nearby residential properties.

2. Is the standard to be varied a Development Standard to which Clause 4.6 applies.

Clause 4.3 is contained within Part 4 of the LEP and which is titled Principal Development Standards and its wording is considered to satisfy case law of what constitutes a development standard. On this basis it is considered that the subject clause is a development standard for which Clause 4.6 applies.

3. Is compliance with the development standard unreasonable or unnecessary in the circumstances of this case.

It is my opinion that compliance with the requirements of Clause 4.3 is both unreasonable and unnecessary in the circumstances of this case for the following reasons:

- The proposal is considered to provide for an outcome which satisfies the objectives of Clause 4.3 of the LEP.
- The subject site is an isolated site and which is separated from adjoining lands by a perimeter public road network.
- The subject site supports a non-residential use (educational establishment and which whilst being permissible within the zone typically has a built form different to that of the predominant land use (dwellings) within the surrounding R2 zone.
- Educational buildings typically have user requirements and characteristics which dictate higher building heights (particularly internal heights) in order to achieve flexibility and amenity.
- The proposed buildings and their respective heights as a result of high quality architectural design combined with the buildings being located upon a large isolated site with generous setbacks will have a scale which does not dominate their surroundings and which will make a positive contribution to the character of the locality.
- The proposed buildings will not result in any amenity impacts upon adjoining or nearby properties particularly overshadowing of adjoining properties.

On this basis it is my opinion that strict compliance with the standard is unreasonable and unnecessary in the circumstances of this case.

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

It is considered that a contravention of the development standard is justified given that:

- Compliance is unreasonable and unnecessary in the circumstances of this case.
- The non-compliance will not result in any unreasonable impacts upon adjoining properties.
- The non-compliance will not result in any unreasonable impacts upon the public domain.
- The proposal will not result in any adverse environmental impacts.
- The proposed heights are required in order to ensure that the buildings can be used for a range of school related activities such as an indoor sports hall and the like.
- The proposed heights are required in order to ensure that appropriate light and ventilation are provided to the respective spaces and to reduce reliance upon artificial light and ventilation.

5. Is the proposed development 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.

The proposed development is in my opinion in the public interest because it is compliant with the zone objectives and the objectives of the particular standard.

In this regard the proposal is considered to be consistent with the relevant objectives of the R2 - Low Density zone as detailed previously within this report.

In relation to the objectives of Clause 4.3 of the LEP the following assessment is provided:

- (a) to establish the maximum height limit in which buildings can be designed and floor space can be achieved,*

Comment

It is submitted that the height control is reflective of the predominant land use (dwelling houses) associated with the R2 - Low Density Zone and that such a height is not always appropriate or

desirable for an alternate permissible land use such as an educational establishment.

- (b) *to permit building heights that encourage high quality urban form,*

Comment

It is submitted that the proposed building heights do provide for a high quality urban form and that this is in part attributable to the proposed building heights.

- (c) *to ensure buildings and public areas continue to receive satisfactory exposure to the sky and sunlight,*

Comment

The proposal as evidenced by the shadow diagrams which form part of the architectural plans will not result in any unreasonable overshadowing of adjoining buildings or public spaces.

- (d) *to nominate heights that will provide an appropriate transition in built form and land use intensity.*

Comment

The subject site is an isolated site which is separated from adjoining residential properties by a perimeter public road network. It is considered that this separation together with the building setbacks proposed will ensure that the proposal does provide for an appropriate transition in built form and land use intensity particularly when combined with the relatively low FSR of the overall development.

The proposal therefore in my opinion is consistent with the applicable objectives of both Clause 4.3 of the LEP and the R2 - Low Density Residential Zone.

6. Whether contravention of the development standard raises any matter of significance for state or regional environmental planning.

It is my opinion that contravention of the standard does not raise any matters of significance for State or Regional environmental planning.

7. What is the public benefit of maintaining the development standard.

It is my opinion that there is no public benefit in maintaining the development standard in this instance given the absence of any unreasonable detrimental impacts and the public benefit that arises from the provision of improved facilities to an existing educational establishment.

Conclusion

It is therefore my opinion based upon the content of this submission that a variation of the maximum building height requirement as required by Clause 4.3 of the Liverpool Local Environmental Plan 2008 is appropriate in this instance.

Clause 5.9 - Preservation of Trees or Vegetation

The proposal will require the removal of a number of trees from the site as detailed on the accompanying plans and within the Arboricultural Report.

It is not considered that any of the trees are of such significance as to warrant retention and their removal is acceptable in the circumstances of this case.

Clause 5.10 - Heritage Conservation

The subject property is not heritage listed and is not considered to have any heritage significance.

Similarly the property is not located in the vicinity of any heritage items and is not located within a heritage conservation area.

On this basis it is considered that the proposal satisfies the requirements of Clause 5.10 of the LEP.

Clause 7.6 - Environmentally Significant Land

The subject site is not identified as comprising of environmentally significant land under this Clause.

Clause 7.7 - Acid Sulfate Soils

The subject site is not identified as comprising of acid sulphate soils under this Clause.

Clause 7.8 - Flood Planning

The subject site is not identified as comprising of flood prone land under this Clause.

Clause 7.31 - Earthworks

The proposed development does not involve significant earthworks or excavation.

Summary

There are no other provisions of the Liverpool Local Environmental Plan 2008 which are considered to be relevant to the subject sites.

It is my opinion based upon this assessment that subject to Council's support of the accompanying Clause 4.6 variation that the proposal satisfies the relevant provisions of the Liverpool Local Environmental Plan 2008.

4.3 Liverpool Development Control Plan 2008

The Liverpool Development Control Plan 2008 applies to all development within the Liverpool Local Government Area.

The following is an assessment of the proposal against the relevant sections of the DCP.

Part 1 - General Controls for all Development

Section 2 - Tree Preservation

A detailed assessment of the existing trees located upon the site together with an assessment of the relationship of the proposed works to these trees has been undertaken by Ross Jackson of Jacksons Nature Works.

Their report forms part of the information accompanying this application.

In conclusion their report states that:

The majority of the trees assessed as part of this report show good vitality and form.

The site is an existing College with an increasing number of students attending this school.

Accordingly the proposed development is supported to meet this demand.

Where possible the existing trees have been retained and with a number that can be re-used on site, rather than merely cutting them down.

On the basis of this assessment and the accompanying landscape plan which provides for both the transplanting of trees as well as the provision of replenishment vegetation, it is my opinion that the proposal provides for an acceptable outcome in relation to the existing trees.

Section 5 - Bushfire Risk

The subject site is identified on the Council's Bushfire Prone Lands Map as partly containing Bushfire Prone Land - Vegetation Buffer.

In such circumstances a school is identified as a Special Fire Protection Purpose.

A Bushfire Hazard Assessment report has therefore been prepared in support of the proposal by Building Code and Bushfire Hazard Solutions P/L. That report within its conclusion states that:

In accordance with the bushfire safety measures contained in this report, and consideration of the site specific bushfire risk assessment it is our opinion that when combined, they will provide a reasonable and satisfactory level of bushfire protection to the subject development and also satisfy both the Rural Fire Service's concerns and those of Council in this area.

On this basis it is my opinion that the proposal appropriately responds to the bushfire risk applicable to this site.

Section 6 - Water Cycle Management

The proposal provides for a detailed plan for the management of all collected surface waters associated with the proposed alterations and additions to the existing school.

In this regard all collected stormwater will be discharged to the drainage reserve and channel which runs parallel with the site's western side boundary.

Section 8 - Erosion & Sediment Control

An erosion and sediment control plan has been prepared and forms part of the information accompanying this application.

Section 20 - Carparking & Access

A detailed assessment of the existing and proposed car parking and traffic implications of the proposal has been undertaken by Lyle Marshall & Associates P/L and their assessment forms part of the information accompanying this application.

In summary the proposal seeks approval for a minor variation to the current car parking requirements of Council having regard to the existing DA consent conditions and the proposed increases in student and staff populations.

In this regard when the school was originally approved it was to provide for a total of 1030 students and 99 staff. This resulted in a carparking requirement via Condition 3 of DA 288/05 of 119 car spaces.

This application seeks to increase the school population to a maximum of 1150 students and 103 staff.

It is submitted that the additional 120 students and 4 staff will generate a requirement for an additional 4 student spaces and 4 staff spaces (8 spaces in total).

When added to the current parking requirement of 119 spaces, a total of 127 car spaces are now required.

The proposal seeks to provide for a total of 124 on-site car spaces resulting in a shortfall of 3 spaces.

In support of this variation reference is made to Part 4.4 of the Traffic report where it states that:

As discussed in Section 3.4, the maximum number of staff present on any day in a typical week was 99 compared with the Staff Roster of 101. In addition, on the 2 survey days in March, the number of students present was 1046 and 1058 compared with the enrolment of 1097.

It follows that 124 on-site parking spaces are adequate to meet the maximum demand on any day for the future staff of 103 and peak student enrolment of 1150.

In addition to the above and in response to the confirmation of after-hours events proposed by this application it is noted that the proposed multi-purpose hall will have a maximum capacity of 1,400 persons.

The Council's DCP for an entertainment facility would require the provision of a total of 1 space per 6 seats and which would equate to a total of 234 spaces.

In response to this requirement it is advised that the following after hours parking provision is available both on and adjoining the site and noting that a total of 56 spaces can be accommodated on the playing courts.

Location	No. of Spaces
Designated Parking (on-site)	124 spaces
On-site Overflow Parking (playing courts)	56 spaces
Nearby on-street time restricted parking spaces (non-residential street frontages)	78 spaces
On-street after hours parking spaces (adjacent to the school)	33 spaces
Total	291 spaces

On this basis it is my opinion that there is appropriate car parking provided both on and adjacent to the school site to cater for both the increased school population (students and staff) as well as the range of during and after school activities proposed within the multi-purpose hall.

Part 3.8 - Non-Residential Development in Residential Zones

Section 3 - Educational Establishments

Clause 3.3 - Setbacks

Council's DCP requires street setbacks of 5.5m to a main street and 4m to a secondary street.

Applying the above setbacks to the subject site a 5.5m setback is required from Carmichael Drive.

In response to this requirement it is submitted that all proposed buildings comply with this requirement except for part of proposed Block C whereby an open verandah structure located within the north-eastern corner of the building will encroach 1.384m into the setback area. A minimum setback of 4.115m will be provided from this part of the building.

It is my opinion given the minor nature of the breach, the open nature of the structure and the existing landscaping adjacent to the front boundary that the proposal will not result in any unreasonable impacts particularly upon the streetscape or character of the locality.

Clause 3.4 - Open Space & Landscaped Area

The DCP requires that a minimum of 25% of the site area and 50% of the front setback area be provided as soft landscaping.

The proposal will provide for a 61% of the total site area as soft landscaping.

It is also considered that in excess of 50% of the front setback area is soft landscaping.

The proposal is therefore considered to satisfy the requirements of this Clause of the DCP.

Clause 3.5 - Building Form, Style and Streetscape

The proposal is considered to provide for a high quality, architect designed outcome for the site. The proposed buildings have been designed so as to complement the architectural style of the existing buildings and which when combined with the external finishes and landscaping will ensure that the proposal makes a positive contribution to the locality.

Clause 3.6 - Landscaping & Fencing

A landscape plan has been prepared as part of the application and forms part of the information accompanying this application.

The landscape plan provides for a range of planting particularly around the perimeter of the new structures so as to ensure that they make a positive contribution to both the internal amenity of the site and the streetscape.

The proposal does not propose any change to the existing perimeter fencing of the site.

Clause 3.7 - Car Parking & Access

Reference is made to the discussion above in reference to Part 1 -Section 20 of the DCP in relation to the provision of carparking for the proposal.

It is advised that as part of the documentation accompanying this application that an Access Report has been prepared by Funktion. Their report within its conclusion states that:

The provision of access for people with a disability in the proposed new work at Clancy College potentially provides continuous accessible paths of travel and the equitable provision of accessible facilities including accessible sanitary facilities to provide inclusive design to meet the anticipated requirements of staff, students and visitors.

The proposal is therefore considered to provide for a compliant outcome in relation to accessibility.

Clause 3.8 - Amenity & Environmental Impact

The following comments are provided in respect of potential amenity impacts resulting from the proposal.

Acoustic Impacts

An assessment of the potential acoustic impacts associated with the proposal has been undertaken by Acoustic Studio. In summary their report has found that:

- *The design and construction of the new hall and refurbished theatre will result in noise from the proposed activity scenarios being less than the noise limiting criteria (and inaudible) at the nearest residential boundaries.*
- *The design and construction of the new buildings will ensure that noise from general internal classroom teaching activities will meet the noise limiting criteria.*

- *There will be no significant increase in noise from general external playground activities.*
- *Noise controls and appropriate attenuation measures will be included in the selection and design of all mechanical plant and air-conditioning equipment to ensure that the noise limiting criteria are met.*
- *Noise from gams activities on the multi-purpose playing courts will be less than the acceptance criterion, will be insignificant and generally inaudible compared with existing daytime background sound levels.*
- *There will be no significant increase in noise from traffic associated with the development, including vehicle access and drop off points, and new car parking areas.*

On this basis it is my opinion that there will not be any unreasonable acoustic impacts associated with the proposal.

Overshadowing

It is my opinion as evidenced by the accompanying shadow diagrams that the proposal will not result in any overshadowing of adjoining properties or areas of public domain.

Privacy

It is my opinion that there will be no overlooking or privacy impacts upon adjoining properties as a result of the proposal.

There are no other provisions of the DCP which it is considered are relevant to the proposal.

Based upon the above assessment it is therefore my opinion that the proposal satisfies the relevant provisions of Council's DCP.

5. SECTION 79C(1) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Environmental Planning Instruments - Section 79C(1)(a)(i)

The proposed development is development permissible with the consent of the Council under the provisions of both the Environmental Planning & Assessment Act 1979 and the Liverpool Local Environmental Plan 2008.

The provisions of all relevant environmental planning instruments have been addressed previously within this report and the proposals relationship to them discussed.

The proposal is considered to satisfy the applicable provisions of all documents except those relating to building height and for which the accompanying Clause 4.6 variation has been prepared. It is considered that the Clause 4.6 variation is well founded and is worthy of the support of the Council. A minor variation is all proposed in relation to the number of car parking spaces to be provided and for which appropriate justification has been provided.

There are no other environmental planning instruments applying to the site.

Proposed Environmental Planning Instruments - Section 79C(1)(a)(ii)

There are no draft environmental planning instruments applicable to the site.

Impacts of the Development - Section 79C(1)(b)

It is not considered that the proposal will result in any unreasonable detrimental impacts upon the amenity of the adjoining properties or upon the character of the surrounding area. The proposal will result in the carrying out of alterations and additions to an existing school in a manner which is generally consistent with the requirements of the Council.

As has been demonstrated by this report the proposal is generally compliant with the objectives of the applicable controls together with the applicable prescriptive requirements except for those relating to building height and car parking and for which sufficient grounds are considered to exist for a variation.

Suitability of the Site - Section 79C(1)(c)

The subject site is zoned R2 - Low Density Residential under the Liverpool Local Environmental Plan 2008 and the use of the site for the purpose of an educational establishment (school) is permissible with the consent of the Council.

It is considered that in the absence of any detrimental impacts as has been demonstrated by this report that the subject site is considered to be suitable for the development proposed by this application.

Public Interest - Section 79C(1)(e)

The proposed development is considered to be in the public interest as it seeks to provide for an improvement in the extent and quality of educational facilities provided upon the site and in a manner which will not result in any unreasonable impacts upon adjoining properties or the streetscape.

6. CONCLUSION

The proposed development is identified as Integrated development permissible with the consent of the Council under the terms of the Environmental Planning and Assessment Act 1979 and has been assessed against the requirements of Section 79C(1) of the Act, the Liverpool Local Environmental Plan 2008 and Council's Policies. In my opinion the proposal satisfies the aims and objectives of the above controls.

The proposal does result in a non-compliance with Council's applicable building height controls and for which a Clause 4.6 variation has been prepared. It is considered that the variation is well founded and is worthy of the support of the Council.

Importantly it is my opinion that the proposal will not result in any unreasonable detrimental impacts upon the amenity of adjoining properties or upon the character of the area.

It is therefore considered that the proposal for the carrying out of alterations and additions to the existing educational establishment located at Clancy Catholic College, 201 Carmichael Drive, West Hoxton is worthy of the support of Council.

Andrew Minto

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GLENDINNING MINTO & ASSOCIATES PTY LTD

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