

Panel Reference	2017SSH032 – Georges River
DA Number	DA2017/0216
LGA	Georges River Council
Proposed Development	Construction and use of a new educational establishment on the former South Hurstville Bowling Club Site
Street Address	29A Greenacre Road, South Hurstville
Applicant/Owner	Applicant: Aver- Steve Huang Owner: Trustees of the Roman Catholic Church for the Archdiocese of Sydney
Date of DA lodgement	10 July 2017
Number of Submissions	Eight (8)
Recommendation	Approval
Regional Development Criteria (Schedule 4A of the EP&A Act)	As the proposal relates to an <i>educational establishment</i> with a CIV of more than \$5 million but less than \$30 million, it is regional development pursuant to the EP&A Act, Schedule 4. The Sydney South Planning Panel is the consent authority for regional development.
List of all relevant s79C(1)(a) matters	<ul style="list-style-type: none"> • Draft Environment SEPP • State Environmental Planning Policy No 55 - Remediation of Land • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 • State Environmental Planning Policy (Vegetation in Non Rural Areas) 2017 • Kogarah Local Environmental Plan 2012 • Kogarah Development Control Plan 2013
List all documents submitted with this report for the Panel's consideration	<ul style="list-style-type: none"> • Amended plans
Report prepared by	Bernard Moroz- Consulting Planner
Report date	9 February 2017
Summary of s79C matters	<p>Have all recommendations in relation to relevant s79C matters been summarised in the Executive Summary of the assessment report?</p> <p>Yes</p>
Legislative clauses requiring consent authority satisfaction	<p>Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report?</p> <p>e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP</p> <p>Yes</p>

Clause 4.6 Exceptions to development standards	<p>If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?</p> <p>NA</p>
Special Infrastructure Contributions	<p>Does the DA require Special Infrastructure Contributions conditions (S94EF)?</p> <p>Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions</p> <p>Not Applicable</p>
Conditions	<p>Have draft conditions been provided to the applicant for comment?</p> <p>Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report</p> <p>Yes</p>

EXECUTIVE SUMMARY

1. Council is in receipt of an application for the construction of a new educational establishment on the former South Hurstville Bowling Club Site.
2. The site is a battle-axe allotment with three access handles (one to Rickard Road and two to Greenacre Road) and comprises of a total site area of 1.342ha.
3. The proposed development is permissible within the purpose zoning of SP2 Infrastructure Zone – Educational Establishment with the consent of Council and is considered to be consistent with the objectives of the zone.
4. The proposed development has been assessed with regard to the provisions of the relevant planning instruments. There are no applicable FSR or Height controls for the site.
5. No significant adverse amenity impacts to adjoining property owners in terms of privacy, overshadowing or views are anticipated. With regards to traffic, concern is raised from Council's Traffic Engineers as to the traffic being generated by this development and the impact on the local roads and the intersection at King Georges Road and Connells Point Road. After discussion with the applicant, it is considered that the development is an acceptable built form and scale provided the number of students proposed is reduced to 380. It is further suggested that the applicant consult with the RMS to possibly modify signal phasing should they wish to increase numbers in the future.

RECOMMENDATION

THAT the application be granted consent in accordance with the conditions included in the report, including the reduction of numbers to 380 students.

1. THE PROPOSAL

The proposal involves the demolition of all existing structures on site and associated site works (except the heritage listed former bowling clubhouse which is to be conserved and adaptively reused) and the construction of a new *educational establishment* that is to become a Junior Campus (Years 7 and 8) for Marist Catholic College Penshurst. More specifically, the proposal includes:

- a. Provision for up to 432 Year 7 and 8 students (co-ed) and 28 full time equivalent staff
- b. Conservation and adaptive reuse of the former clubhouse building for school administration purposes (Building A)
- c. New Buildings B, C and D (ranging in scale from two to three storeys)
- d. A total gross floor area of 5,403.8sqm
- e. Twenty five (25) classrooms and one multipurpose hall
- f. Multipurpose courts and other play/recreation areas
- g. Off street car parking for 58 cars, an on-site pick-up/drop-off facility and pedestrian and car entries
- h. Landscaping to the site
- i. Site and drainage works including two on-site detention tanks
- j. Lighting, fencing, gates, identification signage and new substation.



Fig.1 – Proposed 3D Perspective

	Proposed
Site area	1.342ha
Student population	432 students
Staff population	28 staff
Car parking	
• Visitor	42
• Staff	16
• Total	58
GFA	5,403.8m ²
FSR	0.38:1
Height	
• Building A (existing clubhouse)	2 storeys/8.2m
• Building B	2-3 storeys/13.8m
• Building C	2 storeys/9.25m
• Building D	2 storeys/8.0m
Classrooms (including specialist rooms)	25
Entries	
• Greenacre Road (north)	Pedestrian only access
• Greenacre Road (south)	Main vehicle entry (two-way) + pedestrian entry
• Rickard Road	Staff and service vehicle entry (one way)

Table 1- Numeric overview of the proposal

2. THE SITE AND CONTEXT

The site is a battle-axe shaped allotment with three access handles (one to Rickard Road and two to Greenacre Road) and comprises of a total site area of 1.342ha. The site has significant fall from the north east to the south west, accommodated by three main terraced levels.

The upper terrace accommodates an existing bowling green formed by a sandstone retaining wall, the main terrace has the car park and former clubhouse building formed by a natural rock cliff and sandstone retaining walls and the lower terrace is occupied by two more greens and associated outbuildings. The site boundaries are defined by a mix of standard, predominantly profiled metal fences.

The site is currently not in use. The vacant bowling clubhouse, derelict storage sheds, rundown bowling greens and associated structures remain on the site.



Fig.2 – Aerial photo of the site



Fig.3 – Existing site plan

3. BACKGROUND

The following relevant background is provided with respect to the proposal:

On 10 July 2017, the Development Application subject of this report was lodged with Council.

From 26 July to 9 August 2017, the application was placed on neighbour notification for a period of 14 days. Eight (8) submissions were received raising a number of concerns which will be discussed in more detail in the later stages of this report.

On 7 September 2017, the application was reviewed by the Design Review Panel. The Panel was generally in support of the proposal but raised a number of concerns that were reflective of issues initially raised by Council with the application. These included:

- The potential impact the scale of Building B would have to the adjacent villas located to the sites immediate edge.
- The type of landscaped tree species proposed to be planted along the south-eastern boundary adjacent to Building B. Medium tree species are recommended in this location in order to reduce the level of overshadowing into the neighbouring villas.
- The relationship between Building B and the neighbouring villa development located at 37-39 Greenacre Road. This interface has not been adequately resolved and would result in the unacceptable impacts in relation to overshadowing and visual bulk caused by both the building and the proposed large tree planting in this area.

On 4 October 2017 the Sydney South Planning Panel was briefed on the application. The key issues discussed were as follows:

- Interface of the buildings with the surrounding residential developments.
- Potential noise impacts and mitigation measures.
- Building height in relation to adjoining residential developments and broader suburban context.
- Traffic impact on public road system.
- Impact of traffic on residential developments near main access, car parking area and set down facility
- Privacy – overlooking and window treatment.
- Public transport facilities – bus transfers of students from Penshurst College.
- Applicability of school standard documents
- Onsite accessibility ramps
- Landscaping treatment and insulation of developments from adjoining premises.
- Restoration and adaptation of heritage item.
- Regulation of after school activities and weekend social activities.
- Development of onsite activities plan of management.

The applicant was provided via email details of the key issues raised by the SSPP, and was requested to have regard to these issues with any application amendments.

On 13 November 2017, the applicant was sent a letter advising that the following issues were to be addressed:

- **Heritage** - Insufficient documentation was provided to determine the potential heritage impacts. Additionally, a number of errors and omissions were presented on both the drawings and the Schedule of Conservation.
- **Traffic** - Concern was raised to the information provided in the traffic report and the overall impact the proposal would have to the road network. Also, a Management Plan was required to be submitted that gave consideration to the operation of the internal car park.
- **Stormwater** - The provision of water quantity and quality modelling was required. Concern was also raised to the impact the proposal would have to the street drainage network. Additional detail was required to be provided allowing further assessment to take place.
- **Design Review Panel**- A number of design recommendations were made by the Design Review Panel that were reflective of the outstanding concerns Council had with the application. Architectural modification in response to the Panels comments was requested.

On 13 February 2018, amended plans and supplementary information were submitted by the applicant. A brief summary of the design amendments are as follows:

- I. Movement and rotating of Building B away from the south east boundary to improve the amenity of adjoining dwellings at 37 & 39 Greenacre Road
- II. The further reduction of the impact of Building B on the south east side by removing the general learning area and outdoor terrace
- III. The upper level of Building C was amended to include the removed general learning area from Building B and a teacher resource room was added to continue the two storey extent of the building, linking it with Building B.
- IV. The lower level of Building C was amended to allow for the infill of the upper level.
- V. Provision of further traffic, heritage, landscaping and stormwater detail.

The amended plans as submitted resulted in a notable reduction to the scale and potential impact of the building when viewed from neighbouring properties. As a result, further notification was not required.

These amended plans and supplementary information are relied upon for assessment in this report.

4. COMPLIANCE AND ASSESSMENT

The following is an assessment of the application with regard to Section 79C(1) of the Environmental Planning and Assessment Act 1979.

(1) *Matters for consideration – general*

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

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

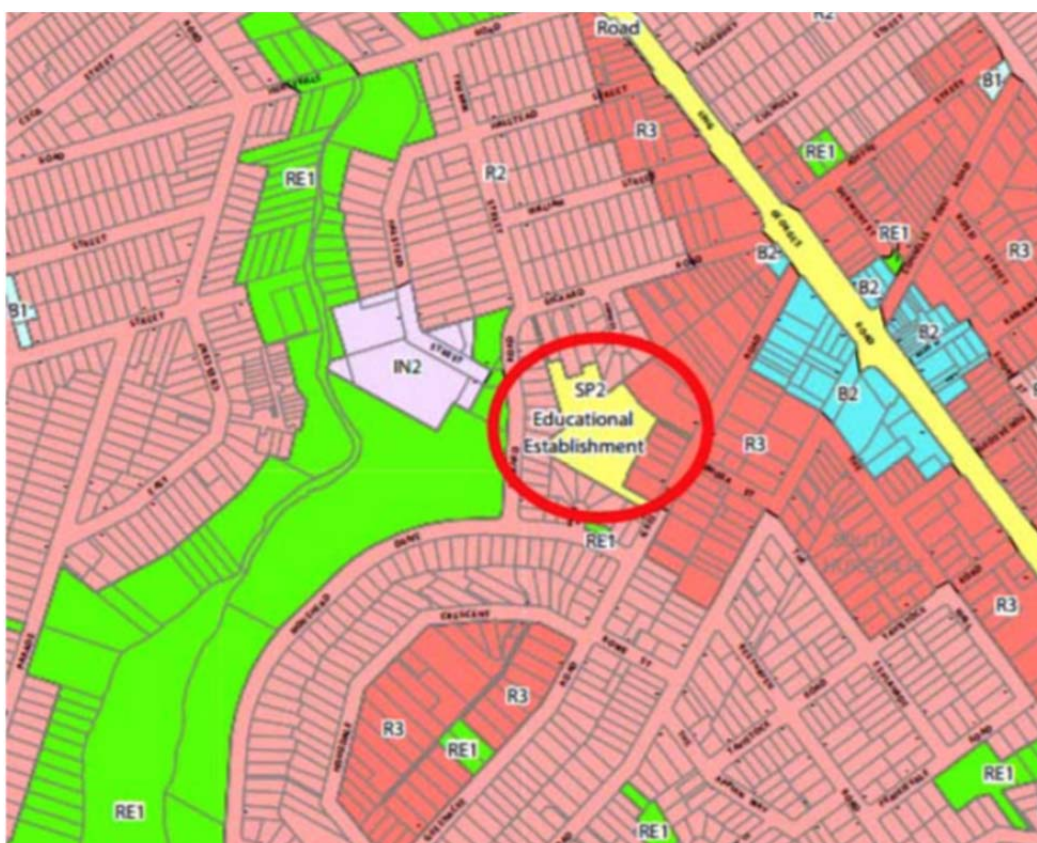


Fig 4. – Zoning map of the site and surrounds under KLEP 2012

Development Control Table – KLEP 2012

Clause	Standard	Proposal	Complies
1.2 – Aims of the Plan	In accordance with Clause 1.2 (2)	Consistent with the aims of the plan	Yes
2.3 - Zone objectives and Land Use Table	Development must be permissible with consent Objectives of zone <ul style="list-style-type: none"> <i>To provide for infrastructure and related uses</i> <i>To prevent development that is not compatible with or that may detract from the provision of infrastructure.</i> 	The purpose shown on the Land Zoning Map is “Educational Establishment”, therefore the proposed educational establishment is permitted with consent. The proposal is consistent with the zone objectives as it provides education infrastructure.	Yes
4.3 – Height of Buildings	No standards have been adopted for the site		N/A

4.4 – Floor Space Ratio	No standards have been adopted for the site		N/A
5.10 – Heritage Conservation	Must consider the effect of the proposed development on the heritage significance of the item concerned.	The subject site is listed in Schedule 5- Environmental Heritage. See discussion below	Yes
6.1 – Acid Sulfate Soils	Requires consideration of an acid sulphate soils (ASS) report if mapped as ASS	The site is affected by Class 5 Acid Sulfate Soils. See discussion below	Yes
6.2 – Earthworks	Subject to the matters under clause 6.2(3)	The proposed earthworks are considered acceptable having regard to the provisions of this Clause	Yes
6.3 – Flood Planning	Applies to land identified as flood planning area on the flood planning map	The site has been identified as being flood affected. See discussion below	Yes

Clause 5.10 – Heritage

The subject site is listed in Schedule 5 Environmental Heritage in Kogarah LEP 2012 as the former South Hurstville Bowling Club. The Statement of Significance in the NSW State Heritage Inventory (SHI) report for the place is as follows:

29A Greenacre Road (former South Hurstville Bowling Club) is a representative example of a two-storey Post War Functionalist style institutional building which is relatively rare within the Kogarah LGA. The place is of importance to a past and present identifiable group within the local community as a social institution, and an important contributor to the historical growth of Kogarah LGA.

There are glimpses only of the building in short-range views to the place from Greenacre Road, Morshead Drive and Mimosa Street. From the above analysis, the building is not considered to be prominent in the streetscape or provide a positive contribution to same.

From review of 1943 aerial photography there appears original development on the subject site including a bowling green abutting the southern boundary and an adjacent single -storey brick building, both which survive. The outbuilding may have been the original clubhouse.

Finally, the A.J. (Bert) Davis Memorial Green wrought iron archway/plaque located adjacent to the original bowling green commemorates a person of importance to the South Hurstville Bowling Club.



Fig 5. – Extract from the KLEP 2012 Heritage Map

The proposal was forwarded to Council's Heritage Advisor for comment who raised a number of concerns to the proposal on Heritage grounds. These are as follows:

- i) Proposed demolition or obscuring original fabric without sound justification as noted below;
 - External staircase to front façade is proposed to be demolished. NB This is the original stair which provided access to Level 1, unless evidence can be provided to the contrary;
 - Tiled external step to front façade is proposed to be obscured. NB Section B in drawing A301 shows a new concrete slab finishing level with the existing tiled entrance floor;
 - Balcony double door leafs on level 2 to front façade are proposed to be demolished. NB There is no evidence provided to suggest these doors are not original fabric; and
 - Freestanding columns on the front façade are proposed to be demolished. NB Figure 9 in the SoHI shows the existing columns extant in 1956 – three years after the construction of the building.
- ii) Removal of original timber window frames and sashes for offsite repair is considered unnecessary and would only be considered if an additional methodology statement is provided by a reputable builder with demonstrated experience in working on historic buildings.
- iii) Insufficient documentation to determine potential adverse heritage impacts for proposed new works as detailed below;
 - Sliding double doors to Level 1, South Elevation; and
 - Metal sunshades to all glazed window openings
- iv) Basic omissions on the drawings of existing original fabric which is to be conserved as noted below;

- The architectural drawings do not document the following existing original fabric:
 - String courses on East, West and North elevations;
 - Clock and flagpole on South Elevation; and
 - South Hurstville Bowling Club sign mounted on balcony roof. It was noted during my latest site visit that the sign has been vandalized and there are parts of same which have been displaced or are missing.
- v) Errors and omissions in the Schedule of Conservations which need to be corrected as detailed below;
- Patch repair of original external fabric to match sound adjacent original finishes following removal of redundant fixtures, fittings, and services.
 - Patch repair of damaged/chipped nosing tiles to south elevation main entrance step.

These concerns were forwarded to the applicant and in response a number of amendments were made to the proposal to address the above matters. Correspondence was also received from Heritage 21 who prepared a response on behalf of the Applicant. This correspondence was forwarded to Council's Heritage Advisor for comment where his outstanding concerns and the applicants response to these concerns are detailed below:

- I. The requirement for an Interpretation Strategy will form part of the Heritage Conditions and is to be submitted prior to the issue of a construction certificate.*

Applicants Response

Noted.

- II. Consider blocking off access to first floor and leaving original staircase in situ.*

Applicants Response

The existing concrete staircase in the clubhouse does not comply with the current code and standard and couldn't be modified/upgraded in situ. The suggested solution will create an undesirable/unusable space in the design. This outcome cannot be achieved.

- III. Amend drawings to show tiled external step exposed to view.*

Applicants Response

Refer to amended annotation in Drawing A091 noting 'existing tiles and steps be retained and protected during construction'

- IV. Amend drawings to preserve original balcony double door leafs on level 2 to front façade.*

Applicants Response

Refer to amended annotation in Drawing's A091 and A101 noting 'existing balcony doors be retained'.

- V. *Justification for demolition of original freestanding columns on the front façade is not supported.*

Applicants Response

Reference to demolition of existing columns have been removed from all drawings

- VI. *Place note on drawings that all original timber windows are to be conserved insitu.*

Applicants Response

Notes have been included calling '*all existing timber windows to be restored in situ*'.

- VII. *New sliding double doors to Level 1, South Elevation will be supported provided same are painted timber framed door leafs and of similar design to original double doors on Level 2.*

Applicants Response

Refer to amended annotation in A091, A093 and A101 noting '*existing timber doors to be reused as auto slide leafs*'.

- VIII. *Reference to metal sunshades to all glazed window openings is to be deleted from the drawings.*

Applicants Response

Reference to metal sunshades to all glazed window openings has been removed from the drawings.

The applicant's response to the outstanding items as detailed above were again forwarded to Council's Heritage Advisor for final review. No further objection was raised to the proposal on heritage grounds subject to the imposition of a number of conditions. These conditions are detailed later in this report.

Clause 6.1 – Acid Sulfate Soils

Development consent is required for the carrying out of works described in the Table to this subclause on land shown on the *Acid Sulfate Soils Map* as being of the class specified for those works, except as provided by this clause. The site is identified as Class 5 as follows:

Works within 500m of adjacent Class 1, 2, 3 or 4 land that is below 5m Australian Height Datum by which the watertable is likely to be lowered below 1m Australian Height Datum on adjacent Class 1, 2, 3 or 4 land.

Subclause (3)(a) states that development consent must not be granted under this clause for the carrying out of works unless an acid sulfate soils management plan has been prepared for the proposed works in accordance with the Acid Sulfate Soils Manual

While the site is partially affected by acid sulfate soils within a small portion of the land within the south-western corner of the site, no notable level of excavation is proposed within this part of the site nor is any excavation work on the remaining parts of the site located within 100m of adjacent Class 2, 3 or 4 land.

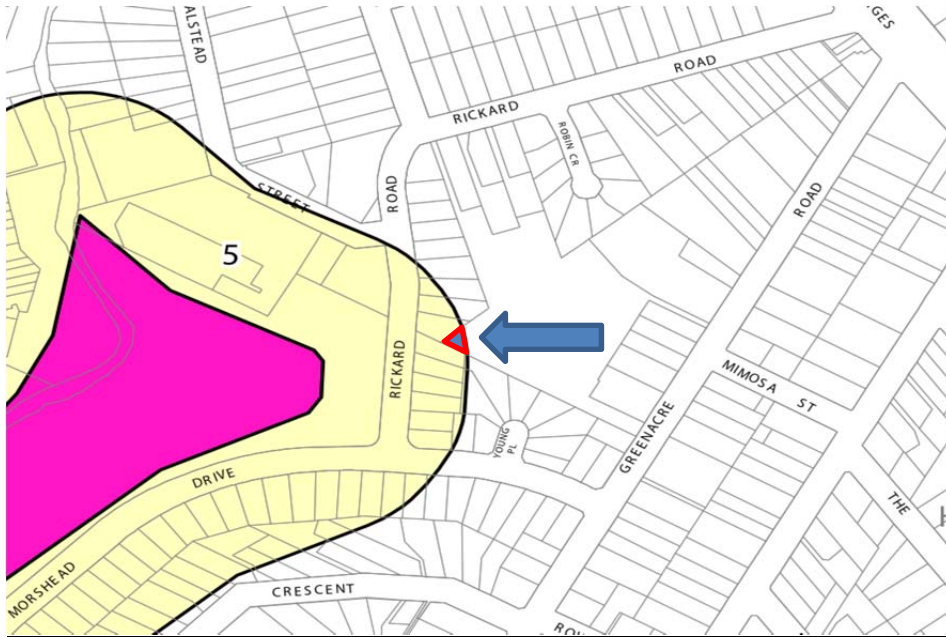


Fig 6. – Extract from the KLEP 2012 Acid Sulfate Soils Map (Area impacts by ASS highlighted in red)

Clause 6.3 – Flood Planning

The site is a Low Flood Hazard area and is within a Flood Fringe area.

In accordance with Kogarah Council's Water Management Policy, the Flood Planning Level (FPL) is 28.25AHD (being the 1% Annual Exceedance Probability (AEP) flood level impacting the site + a 500mm freeboard.

All proposed building structures and pedestrian access ways are above the FPL.

Car parking facilities and driveways that are below the flood level will be appropriate as:

- All site structures located below the FPL are to be made of flood compatible building materials and components points
- All site structures located below the FPL are to be able to withstand the forces of: floodwater and debris.
- Storage of any hazardous material, items of plant, equipment of stock and any other item which may be susceptible to water damage above the FPL
- Pedestrians can be accommodated on site for periods of flood impact in Greenacre Road. The flood evacuation strategy is to remain on site, waiting for flood waters to subside. A flood warning system or flood response plan is not warranted for the site.
- The development proposal has demonstrated that no adverse impacts to flood levels will occur on adjoining properties as the flood impact is minimal.

A referral was sent through to Council's Stormwater Engineer for comment who raised no objection to the proposal on flooding grounds subject to the imposition of a number of consent conditions. These are detailed in the later stages of this report.

State Environmental Planning Policy (Infrastructure) 2007

The aim of this Policy is to facilitate the effective delivery of infrastructure across the State.

Division 3 relates to Educational Establishments however, complying development pursuant to SEPP Infrastructure is not available as the site is not an existing *educational establishment* and is a local heritage item. Given the number of proposed students, cl. 104 and Schedule 3 of SEPP Infrastructure (traffic generating developments) is relevant to the proposal, necessitating referral of the development application to Roads and Maritime Services (**RMS**).

A referral was sent to RMS on 31 July 2017. In response to this referral, the RMS made the following comment:

A significant number of vehicles and pedestrians will access the site at the start and end of the school day. School Zones must be installed along all roads with a direct access point (either pedestrian or vehicular) from the school. School Zones must not be provided along roads adjacent to the school without a direct access point.

Roads and Maritime is responsible for speed management along all public roads within New South Wales. Roads and Maritime is the only authorised organisation that can approve speed zoning changes and authorise installation of speed zoning traffic control devices on the road network.

As such, the following should be included as part of the conditions of consent:

1. Road safety precautions and parking zones shall be incorporated into the neighbouring local road network:
 - 40km/hr School Zones are to be installed on along all roads with a direct access point (either pedestrian or vehicular) from the school. School Zones must not to be provided along roads adjacent to the school without a direct access point.
 - Parking, drop-off and pick-up zones and bus zones are to be in accordance with Roads and Maritime/Council guidelines, where relevant.
2. The Proponent must obtain written authorisation from Roads and Maritime to install the School Zone signs and associated pavement markings and/or remove/relocate any existing Speed Limit signs.

To obtain authorisation, the Proponent must submit the following for review and approval by Roads and Maritime, at least twelve (12) weeks prior to student occupation of the site:

- a. A copy of Council's development Conditions of Consent
- b. The proposed school commencement/opening date
- c. Two (2) sets of detailed design plans showing the following:
 - I. School property boundaries;
 - II. All adjacent road carriageways to the school property;
 - III. All proposed school access points to the public road network and any conditions imposed/proposed on their use;
 - IV. All existing and proposed pedestrian crossing facilities on the adjacent road network;

- V. All existing and proposed traffic control devices and pavement markings on the adjacent road network (including School Zone signs and pavement markings); and
 - VI. All existing and proposed street furniture and street trees.
3. School Zone signs and pavement marking patches must be installed in accordance with Roads and Maritime approval/authorisation, guidelines and specifications. All School Zone signs and pavement markings will be installed prior to student occupation of the site.

Furthermore, Roads and Maritime provides the following advisory comment to Council for consideration in its determination of the development application:

The proponent should confirm whether the proposed traffic signals will control a one lane access to the school and be located solely on a private road. In designing new traffic signals, the proponent should refer to the Roads and Maritime Traffic Signal Design Guidelines. This shall be at no cost to Roads and Maritime.

Consent conditions will be imposed to reflect the recommendations detailed by the RMS.

State Environmental Planning Policy- (Education Establishments and Childcare Facilities)

The SEPP commenced on the 1 September 2017 but contains savings and transitional provisions under Schedule 5. The relevant clauses and provisions are:

Cl.1(1) This Policy does not apply to or in respect of the determination of a development application made under Part 4 of the Act, but not finally determined before the commencement of this Policy”.

In this instance, the Policy does not apply to this development as the application was made but not determined prior to the commencement of this SEPP. In any regards, the proposal is to be not inconsistent with the objectives and provisions of this SEPP.

State Environmental Planning Policy No 55 – Remediation of Land

The aims of SEPP No 55 are to ensure that a change of land use will not increase the risk to health particularly in circumstances where a more sensitive land use is proposed.

Clause 7 of State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) requires the following:

- (1) A consent authority must not consent to the carrying out of any development on land unless:*
 - (a) it has considered whether the land is contaminated, and*
 - (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
 - (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

- (2) *Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subclause (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.*
- (3) *The applicant for development consent must carry out the investigation required by subclause (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.*

A separate application associated with the remediation of the site was lodged concurrently with this proposal. This application DA2017/0253 was approved on 16 November 2017 with the imposition of the following conditions:

- I. Remediation approved as part of this development consent shall be carried out in accordance with the Remedial Action Plan prepared by Environmental Investigation Services (Reference No. E26763KDrpt2, dated 29 June 2017).
- II. Upon completion of the remediation works on the subject site, the Applicant shall submit a site audit report and site audit statement prepared by a site auditor. The site audit report and site audit statement must verify that the land is suitable for the proposed uses and be provided to the PCA prior to the issue of the occupation certificate.
- III. The Applicant must comply with clauses 17 and 18 of State Environmental Planning Policy No.55—Remediation of Land.

Subject to the remediation works being carried out in accordance with the conditions imposed as part of development consent DA2017/0253, the proposal satisfies the provisions of SEPP 55.

State Environmental Planning Policy (Vegetation in Non Rural Areas) 2017

The Vegetation SEPP regulates clearing of native vegetation on urban land and land zoned for environmental conservation/management that does not require development consent.

The Vegetation SEPP applies to clearing of:

1. Native vegetation above the Biodiversity Offset Scheme (BOS) threshold where a proponent will require an approval from the Native Vegetation Panel established under the *Local Land Services Amendment Act 2016*; and
2. Vegetation below the BOS threshold where a proponent will require a permit from Council if that vegetation is identified in the council's development control plan (DCP).

The Vegetation SEPP repeals clause 5.9 and 5.9AA of the *Standard Instrument - Principal Local Environmental Plan* with regulation of the clearing of vegetation (including native vegetation) below the BOS threshold through any applicable DCP.

There are references in the applicable DCP to maximising tree retention in any development proposal and the issue is addressed through consideration of the proposed built form and

the proposed landscaping works that are to be undertaken on site. This issue is addressed in more detail in the accompanying Landscape Plan prepared by Umbaco Landscape Architects.

Deemed State Environmental Planning Policy – Georges River Catchment

All stormwater from the proposed development can be treated in accordance with Council's Water Management Policy and would satisfy the relevant provisions of the Deemed State Environmental Planning Policy – Georges River Catchment.

(ii) any draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority, and

The Draft Environment SEPP was exhibited from 31 October 2017 to 31 January 2018.

This consolidated SEPP proposes to simplify the planning rules for a number of water catchments, waterways, urban bushland, and Willandra Lakes World Heritage Property.

Changes proposed include consolidating the following seven existing SEPPs:

- State Environmental Planning Policy No. 19 – Bushland in Urban Areas
- State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011
- State Environmental Planning Policy No. 50 – Canal Estate Development
- Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment
- Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (No.2-1997)
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
- Willandra Lakes Regional Environmental Plan No. 1 – World Heritage Property.

The proposal is not inconsistent with the provisions of this Draft Instrument.

(iii) any development control plan,

Kogarah Development Control Plan 2013 (KDCP 2013)

There are no specific controls in the DCP relating to this type of development. However, there are a number of objectives in the DCP that can be considered relevant to this development. This will be discussed in more detail within the 79C(b) 'likely impacts of the development' section of this report.

4.1.8 Section 94 Contributions

Section 94A plan is applicable for this application, and the relevant fees have been imposed as per that plan.

(iv) any matters prescribed by the regulations, that apply to the land to which the development application relates,

Not applicable.

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

Following is an assessment of the proposal against Section 79C(b) 'likely impacts of the development' of the Environmental Planning and Assessment Act 1979.

Overshadowing

There are no specific solar access controls for the type of development proposed.

In relation to overshadowing and solar access, Kogarah Development Control Plan 2013 provided general controls in relation to overshadowing and solar access for other forms of development predominately of a residential scale which seeks to maintain an appropriate level of amenity:

The solar access requirements in the DCP are:

'Where the neighbouring properties are affected by overshadowing, at least 50% of the neighbouring existing primary private open space or windows to main living areas must receive a minimum of 3 hours sunlight between 9am–3pm on 21 June'.

Munns Sly Moore Architects have prepared a shadow analysis illustrating the shadow impact of the proposal at hourly intervals in midwinter, the September equinox and the Summer solstice.

A summary of the findings of this analysis are as follows:

Midwinter:

- Proposed Building B will overshadow properties to the south on Young Place between 9am and 10am. From 11am onwards, there is no overshadowing from the proposed buildings. Some inevitable shadows are cast by boundary fencing and retaining walls.
- Proposed Building B and C will overshadow properties to the east on Greenacre Road between 1pm and 3pm. Most of the shadow falls onto roof areas.

September:

- Building shadows are largely contained within the site. Some inevitable shadows are cast by boundary fencing and retaining walls.

December:

- Building shadows are largely contained within the site. Some inevitable shadows are cast by boundary fencing and retaining walls.
- The proposed development will ensure that neighbouring properties continue to receive the minimum amount of solar access throughout the year.

It is considered that the proposal does not result in any unreasonable overshadowing of the adjoining residential properties and is considered satisfactory in this matter.

Visual and Acoustic Privacy

The outlook from adjoining dwellings to the site will change as the site is to be redeveloped from its former private recreational use (bowling club) to an educational establishment, commensurate with the recent change in zoning. A number of design measures have been introduced in order to try and soften the visual scale of the development when viewed from the neighbouring properties. These include:

- The height, bulk and siting of Building B has been revised from that originally proposed in order to achieve a reduction in the scale of this building when viewed from the neighbouring villa development to the south east which included Building B being relocated in closer proximity to Building A by 3-4m.
- The eastern GLA side of Building B has been rotated around by 10 degrees away from the south eastern boundary.
- The previous setback of Building B to the southern corner of 6.9m has increased to 12.9m.
- The outdoor learning terrace on the upper level of Building B along the south eastern side has been removed.
- Buildings have been stepped in response to the topography of the site.
- Landscaped privacy screens inset from the site boundary, boundary landscaping and landscaped retaining walls are proposed.

It is considered that these changes have adequately resulted in a reduction in potential visual and privacy impact to a level which is not considered unreasonable given the scale of the development and location.

In regards to acoustic privacy, an acoustic report has been prepared by JHA has been provided: This report notes that noise impact from proposed school activities can be classified as follow:

- Noise from students engaged in outdoors activities and sports activities.
- Noise from Building Services including mechanical plants and air conditioning systems
- Noise from ingress and egress of vehicles, car park and deliveries
- Use of the premises outside of normal school hours (if proposed) including sports activities.

To achieve the satisfactory noise outcomes at the nearby residences, the following noise management strategies are proposed to be implemented:

- Noise Emission from Students: Students engaged in outdoor recreational activities shall be supervised to limit noisy behaviour during outdoors activities. All outdoor student activities areas and sport courts located on the site shall be separated from nearby residential buildings by a 2.1m high acoustic fencing with no air gaps.

- **Noise from Mechanical Services:** Mechanical plant and air conditioning systems shall be designed and acoustically treated so that the noise generated from the systems achieve compliance with recommended specified criteria at the nearest affected receiver position and inside learning spaces.
- **Noise from Vehicles and Access:** Traffic noise will be generated on site from vehicle access on both staff and visitor driveways (Greenacre and Rickard Roads accesses). To comply with the specified noise criteria at the nearest affected receiver boundary, acoustic barriers of 2.1m minimum height and attenuation value no less than RW 13 (i.e. no air gaps are allowed) shall be installed between vehicle accesses, delivery areas, car parks and adjoining properties to limit the impact of vehicle traffic noise on nearby residences from vehicle access via driveways.
- **Noise from Premises outside Operation Hours:** There are no scheduled activities outside operation hours at the time of the report aside from parents and teacher's meetings, which will occur once each term between the hours of 5pm and 8pm. It is expected that no major acoustic disturbances will occur due to parent/teacher meetings.
- **Point of Contact and Management of Noise Complaints:** A Noise Management Policy is to be developed by the school. The Noise Management Policy shall formalise the school's objective as good neighbours and willingness to communicate with its neighbours, and informing the neighbours of future activities and events likely to increase noise levels at the residence. Neighbouring residents shall also be provided with a name and contact number of a school staff member who could be contacted in the event of a noise issue.

Further, the recommended noise mitigation and management strategies introduced as part of this proposal include suitable noise reduction glazing, noise barriers and noise management strategies.

Council's Environmental Health Officer reviewed the proposal and raised no objection to the findings of the Acoustic report subject to the imposition of conditions. This is discussed in more detail in the later stages of this report.

View Corridors / View Sharing

There are considered to be no significant views to and/or from the site and the surrounds that would be adversely affected by the application.

Traffic Generation and Parking

A Traffic Report has been prepared by Colston Budd Rogers & Kafes. It concludes that the proposal is satisfactory from a transport, traffic, access and parking point of view and includes the following summary:

- I. The proposed school will provide a second campus to the existing Marist Catholic College at Penshurst. It will cater for Years 7 and 8, with an ultimately total student population of some 430 students across the two years and a total of some 28 staff;
- II. The site is accessible to public transport services (buses) with links to Hurstville Railway Station and to surrounding areas. These services will operate from bus stops located on Connells Point Road, south of King Georges Road;

- III. The school will provide an on-site student set down and pick up facility which will be used to assist with the drop off and pick up of students at the start and end of the school day;
- IV. The proposed parking provision is appropriate;
- V. Access arrangements will utilise the existing access lanes onto Greenacre Road and Rickard Road. The Rickard Road driveway will incorporate a median across the driveway restricting turning movements to and from the site to left in/left out;
- VI. Access, internal layout, car parking arrangements and servicing will be provided in accordance with Australian Standards AS2890.1:2004 and AS2890.2-2002;
- VII. The road network will be able to cater for the additional traffic from the proposed development; and

Vehicular Access into and out of the site is proposed as follows:

Greenacre Road: Southern visitor car park/drop-off and pick-up facility: 11.7m wide two-way access driveway. Unrestricted access to the visitor car parking area will be available at the following times:

- Morning: 8.15am to 8.45am
- Afternoon: 3.05pm to 4.30pm At other times, the driveway will be secured by a gate, with access via an intercom.

Rickard Road – Staff car park/service vehicle deliveries: 4.3m wide single lane, one-way driveway controlled by warning lights and signage.

An on-site student drop-off/pick-up facility will be provided as part of the main visitor car park. The facility has been designed to cater for up to eight cars simultaneously, with a further 25 to 30 vehicles queued through the car park on approach to the pickup zone.

Outside the morning and afternoon school peak periods, the visitor car park and the on-site student drop-off/pick-up facility will be used on occasions by buses to transport students to and from the school during sports events, special events and school excursions. At these times, car parking spaces located on the northern side of the car park will be managed to ensure appropriate access for buses to turn around within the car park and to enter and exit the site in a forward direction.

Car park	Function	Number of spaces	Driveways
Staff car park	<ul style="list-style-type: none"> • Staff parking • One accessible space • Access for service vehicles 	16	One-lane wide in/out access to Rickard Road (controlled by traffic signals)
Southern car park	<ul style="list-style-type: none"> • Visitor car park • Drop-off and pick-up facility • Two accessible spaces • School mini bus pick up 	42	Two-way access to Greenacre Road, controlled with warning lights and signage
Total spaces		58	

Table 2 – Parking numbers and access arrangements

Council's Traffic Engineers reviewed the proposal and provided the following comments. The number of parking spaces on the site is acceptable and complies with Council's DCP. However, the proposed development of another school in this area (already have Connells

Point Public School with 530 students) will result in significant vehicle delay and queuing in Connells Point Road to a level that requires assessment and options provided by the applicant to minimise the impact of the development on the local street network. Therefore, the traffic section cannot accept the proposal as it stands.

A meeting was held with the applicant's traffic engineer and Council's traffic engineer to discuss alternatives. It was agreed at that meeting that if the number of students was reduced to 380, then from a traffic point of view the application could be supported. This is because the generation of vehicles from this development will be reduced to an acceptable level. It was also suggested that the applicant consult with the RMS to possibly modify signal phasing at the intersection of Connells Point Road and King Georges Road.

Therefore it is suggested that the application be conditioned to limit the number of students to max 380 at any one time. Further, the applicant shall be responsible for the construction of a raised marked pedestrian crossing in Greenacre Road in accordance with plans and specifications to be issued by Council and prior to the issue of any Construction Certificate the applicant is to provide a Management Plan detailing the means of which they will safely manage vehicular and pedestrian traffic during the works at the site:

Intensity of Use

The proposal will intensify the use of the land, though in so far as the use is permissible, and presents an appropriate density, height, bulk and scale, it is considered satisfactory.

Development surrounding the subject site reflects the low to medium density residential zoning it is located within and consists of detached residential dwelling houses and multi-dwelling residential housing ranging in scale from one to two storeys. A number of design and operational measures were introduced as part of this development to try and mitigate any potential impacts to neighbouring developments as a result of the intensification of the site. These include:

- The primary orientation of proposed Buildings A, B and C is internal to the site.
- Inset planted privacy screens (up to 6m high and inset into the site) are proposed between Buildings B, C and D and the adjoining side boundaries to screen views from within the buildings to the adjoining residential properties.
- Careful placement of windows including clerestory windows. Boundary fencing is proposed along the southern side boundary adjoining the access driveways and parking areas.
- Buildings are to be air conditioned and windows are to be double glazed minimising any loss of acoustic privacy (and reducing noise impacts from the proposal).
- An out of bounds area is proposed between Buildings B and C along the eastern side boundary.
- Recreation and outdoor learning areas are sited in the centre of the site, away from boundaries
- Standard hours of operation are 8:00am – 5:00pm, Monday to Friday during school term therefore there will be no overlooking of adjoining residences in the evening, on the weekend or during school holidays.

Social / Economic

The proposed development is considered of benefit from a social and economic perspective, providing additional infrastructure to provide for educational needs of a growing population.

Landscaping / Tree Removal

The proposal removes all existing vegetation from the site which is in response to the Tree Assessment report prepared by Mark Bury Consulting. The Tree Assessment Report was reviewed by Council's Tree Officer who raised no objection to the findings of this report.



Fig 7 – Existing trees on site proposed to be removed

In order to compensate for the removal of all existing trees on the site, a detailed landscape plan has been provided that indicates the planting of a number of replacement trees. This is further detailed in the landscape plan prepared by Umbaco Landscape Architects.



Figure 8- Landscape Masterplan

(c) the suitability of the site for the development,

It is considered that the proposed development is of a scale and design that is suitable for the site having regard to its size and shape, its topography, vegetation and relationship to adjoining developments anticipated under the provisions of KLEP 2012.

(d) any submissions made in accordance with this Act or the regulations,

In accordance with the provisions of Section A2 – Public Notification of KDCP 2013 application was placed on neighbour notification for a period of fourteen (14) days adjoining property owners were notified in writing of the proposal and invited to comment. Eight (8) submissions were received raising the following concerns.

1. Construction Noise/Privacy Impacts

The objectors are concerned that the proposal will result in an unreasonable level of noise during construction and will result in privacy impacts.

Comment

A number of design and operational measures have been introduced as part of this development to try and mitigate any potential impacts to neighbouring developments. Perimeter screening and the orientation of the buildings away from the neighbouring properties will assist in alleviating any potential impacts. This was discussed in more detail in the body of this report.

A number of conditions will be imposed that seek to limit the impact of construction works on the amenity of the surrounding area. These primarily relate to the control of noise, dust, construction hours and requirement for a Management Plan detailing

2. Operational Noise

The objectors residing at 7 Robin Crescent are concerned that the noise mitigation measures introduced as part of this development did not give adequate consideration to

their residence. Objections were also received in relation to potential noise being generated from bells and buzzers.

Comment

Additional investigations were undertaken by the applicant in response to this concern. Further acoustic monitoring was undertaken from the objector's property at 7 Robin Crescent. This report was forwarded to Council's Environmental Health Officer for review who recommended that an acoustic compliance report be provided for the internal living areas of this property. This report is to outline that the noise objectives identified within the Acoustic Report are met for this individual property. A consent condition will be imposed to reflect this.

In regards to noise impacts resulting from school bells and buzzers, this was considered within the Acoustic report which gave consideration to such noise sources. The level of noise impact from these sources was not considered to result in a significant degree of impact in order to warrant further modification of the proposal.

3. Unsuitable use for the location

The objectors were concerned that the use of a school in this location was unsuitable as the site is surrounded by low to medium density housing.

Comment

As discussed in this report, the site's zoning permits this form of development. While it is noted that an intensification of site will result, numerous design and construction measures have been introduced in order to reduce the level of impact to neighbouring properties. This was discussed in detail in the body of this report.

4. Traffic Generation, Circulation and Parking

The objectors raised concern to traffic impacts which will result to both the immediate and broader street network. Concern was also raised the proposed vehicular access and egress points into and from the site.

Comment

The initial application was considered unsuitable for the site due to the number of children attending the school and the resultant traffic generation. After discussions with the applicant it was agreed that the number should be restricted to 380 students, which is proposed as a condition of consent, and the applicant should also consult the RMS to possibly modifying signal phasing at the intersection of Connells Point Road and King Georges Road. With the reduction in the number of students and the provision of a raised marked pedestrian crossing in Greenacre Road, at the cost of the applicant; Council's Traffic Engineers and the RMS believe the application is now suitable. The proposed parking on the site complies with Council's

5. Overshadowing

The objectors were concerned the impact the proposal would have to their morning sunlight.

Comment

The proposal does not result in any unreasonable overshadowing of the adjoining residential properties and is considered satisfactory in this matter. This was discussed in detail in the body of this report.

(e) *the public interest.*

The proposed development is of a scale and character that does not conflict with the public interest.

Internal/External Referrals

Heritage

Hereunder are recommended heritage-related conditions for this development:

(1) Building works to comply with the BCA – HERITAGE BUILDING

Any building works required to ensure compliance with the BCA or new building standards not specified in the submitted/approved plan must not damage existing fabric and building features. If such upgrading works have impact or potentially have impact on existing fabric and features, details of the works must be submitted and approved by Council's Heritage Advisor prior to issue of a Construction Certificate including but not limited to:

- i) Front elevation - original balustrade on first floor balcony.

(2) External Colour Scheme

The external colour scheme is to be sympathetic to the architectural style and period of the building. A schedule of colours is to be submitted to and approved by Council's Heritage Advisor prior to the issue of the Construction Certificate.

(3) General Heritage

- a. The proposed works are to be carried out in a manner that minimises demolition, alterations and new penetrations/fixings to the significant fabric of the existing building which is listed as a Heritage Item.
- b. The fabric and features to be retained by the proposal must be properly protected during the process of demolition and construction.
- c. All conservation and adaptation works are to be in accordance with the Articles of the Australian ICOMOS Burra Charter 1999.
- d. New services are to be surface mounted rather than chased-in to existing walls to minimise impact on significant heritage fabric.
- e. Appropriately qualified tradespersons (as appropriate) are to be commissioned who are skilled in traditional building and engineering trades to carry out the proposed scope of works.
- f. The new windows and external doors on the existing building must match the original material, which is painted timber joinery.

- g. Where internal partitions meet external walls they must abut window mullions, columns or other such building elements and not glazing.

Building Details:

The following details are to be provided to Council's Heritage Advisor for approval prior to the issue of the Construction Certificate:

- a. Front elevation main entry doors and first floor balcony doors.
- b. Floor finish to front elevation ground floor entry following removal of external stair.
- c. Alterations to front elevation metal balustrade at first floor
- d. Alterations to 'SOUTH HURSTVILLE BOWLING CLUB' sign on front elevation first floor balcony roof.

Heritage Fabric to be Preserved:

The following original fabric must be preserved in situ:

- a. Front elevation free standing columns on ground and first floors.
- b. Front elevation 'SOUTH HURSTVILLE BOWLING CLUB' sign mounted on first floor balcony roof.
- c. Front elevation wall mounted flagpole and clock.
- d. Original timber double hung windows on front and side elevations.

(4) Heritage Interpretation Plan

- a. An interpretation plan for 29A Greenacre Road, South Hurstville must be submitted to and approved by Council's Heritage Advisor prior to a Construction Certificate being issued. The plan is to be prepared by a suitably qualified and experienced heritage practitioner or historian.
- b. The interpretation plan must detail how information on the history and significance 29A Greenacre Road, South Hurstville will be provided for the public and make recommendations regarding public accessibility, signage and lighting. Historic photographs, memorabilia and display of selected artefacts, and details of the heritage design are some of the means that can be used.
- c. The plan must specify the location, type, making materials and contents of the Interpretation device being proposed.
- d. Prior to the occupation certificate being issued the approved interpretation plan must be implemented to the satisfaction of the Heritage Advisor.

(5) Materials for Making Good

New materials for making good and repairs are to match the existing in terms of colours, finishes, sizes, profile and properties.

(6) Use of Heritage Consultant

A heritage consultant experienced in conserving buildings of significance is to be commissioned to work with the consultant team throughout the design development, contract documentation and construction stages of the project. The heritage consultant is to be involved in the resolution of all matters where existing significant fabric and spaces are to be subject to preservation, restoration, reconstruction, adaptive reuse, recording and demolition.

The heritage consultant is to be provided with full access to the site and authorised by the applicant to respond directly to Council where information or clarification is required regarding the resolution of heritage issues throughout the project.

Evidence and details of the above commission on the above terms are to be provided to Council's Heritage Advisor prior to commencement of work on site. The heritage consultant must sign off the completed project and submit a final report to Council's Heritage Advisor specifying how the heritage conditions are satisfied prior to the issue of an Occupation Certificate or the commencement of the use, whichever is earlier.

Stormwater

The amended stormwater plan and report were referred back to Council's Stormwater Engineer who supports the proposal as modified subject to the imposition of a number of standard and non-standard conditions. It was also recommended that the following Advisory Condition be included as part of any development consent:

- I. The above property is identified as flood affected in the Poulton Park Overland Flow Risk Management Study and Plan. The 1% AEP (1 in 100 year ARI) flood level is identified at RL 27.24m (AHD). The Flood Planning Level is identified at RL 27.74m (AHD). The Probable Maximum Flood (PMF) level for property has been identified at 27.93m (AHD). The property is not identified as being affected by the 1% AEP (1 in 100 year ARI) flood event. The identified 1% AEP flood extents are restricted to a small part of the site in the vicinity of the south most extent of the site. The development has been assessed as satisfactory with respect to flood control subject to it being built in accordance with the approved plans and conditions placed within this consent.

Traffic

Council's Traffic Engineers raised concerns as to the traffic being generated by this development and the impact on the local roads and the intersection at King Georges Road and Connells Point Road. After discussion with the applicant, it was considered that the development is an acceptable built form and scale provided the number of students proposed is reduced to 380. It was further suggested that the applicant consult with the RMS to possibly modify signal phasing should they wish to increase numbers in the future. As for parking, it is noted that the proposal complies with the required parking.

Conditions of consent were imposed including the reduction in number of students, the provision of a raised marked pedestrian crossing in Greenacre Road (at the applicant's

cost), and a Management Plan to be submitted prior to Construction Certificate detailing how they were going to safely manage the vehicular and pedestrian traffic during the works at the site.

Waste Management

The application was referred to Council's Coordinator Sustainability and Waste who made the following comment:

It is noted that this development is being conducted by a School. We do not provide waste bins to schools, as they have private companies that collect waste based on a preferred service provider.

Environmental Health

The application was referred to Council's Environmental Health Officer who raised no objection to proposal subject to the imposition of a number of conditions including:

Compliance with submitted Acoustic Report

The Construction Certificate plans shall demonstrate compliance with the Acoustic Assessment submitted to Council, titled "Development Application Junior Secondary School South Hurstville Review D" prepared by JHA dated 26 June 2017.

This means that a review of glazing design and mechanical plant must be undertaken to ensure that acoustic objectives will be met. Written verification from a suitably qualified acoustic consultant must be submitted to Council validating that the acoustic objectives contained within the aforementioned report will be met, must be submitted to Council for approval. The Construction Certificate will not be issued until Council approves this validation.

Acoustic Compliance

Prior to the issue of any Occupation Certificate, a report prepared by a suitably qualified acoustic consultant must be submitted to the PCA certifying that the construction has incorporated the recommendations and noise objectives identified within the Acoustic Report titled "Development Application Junior Secondary School South Hurstville Review D" prepared by JHA dated 26 June 2017.

This report must also detail acoustic compliance within the internal living areas of 7 Robin Crescent South Hurstville NSW 2220 (Lot 7 DP:29331).

Noise Control

The use of the premises must not give rise to the transmission of offensive noise to any place of different occupancy. Offensive noise is defined in the Protection of the Environment Operations Act 1997 (as amended).

Final Acoustic Report – Verification of Noise report

Within three months from the issue of an Occupation Certificate, an acoustic assessment is to be carried out by an appropriately qualified acoustic consultant, in accordance with the EPA's Industrial Noise Policy and submitted to Council for consideration. This report should include but not be limited to, details verifying that the noise control measures as

recommended in the acoustic report submitted to obtain the Construction Certificate for this development are effective in attenuating noise to an acceptable noise level and that the use is not calculated to give rise to 'offensive noise' as defined under the provision of the Protection of the Environment Operation Act 1997 (as amended).

Lighting – General Nuisance

Any lighting on the site shall be designed so as not to cause a nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill or glare. Flashing, moving or intermittent lights or signs are prohibited.

Amenity of the neighbourhood

The implementation of this development shall not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, vapour, odour, steam, soot, dust, waste water, waste products, grit, oil or other harmful products.

Activities and storage of goods outside buildings

There shall be no activities including storing or depositing of any goods or maintenance to any machinery external to the building with the exception of waste receptacles.

Tree and Landscape

The application was referred to Council's Parks and Recreation Unit who raised no objection to the removal of the following trees and protection of the trees listed in the table below, subject to the imposition of suitable conditions.

The trees identified in the table below may be removed:

Tree Species	Location on Site/Tree No	Work Required
<i>Callistemon viminalis</i>	Tree 1- Fronting Greenacre Road	Removal
<i>Phoenix canariensis</i>	Tree 2- Fronting Greenacre Road	Removal
<i>Cupressus sempervirens</i>	Tree 3- South-western corner of southern-most bowling green.	Removal
<i>Cupressus sempervirens</i>	Tree 4- Adjacent to T3, between both bowling greens.	Removal
<i>Melaleuca bracteata</i>	Tree 5- Between both lower bowling greens.	Removal
<i>Cupressus macrocarpa</i>	Tree 6- Eastern corner of bowling green	Removal
<i>Cupressus sempervirens</i>	Tree 7- Above T6, bank/stairs to buildings	Removal
<i>Cupressus macrocarpa</i>	Tree 8- Above T6, bank/stairs to buildings	Removal
<i>Cinnamomum camphora</i>	Tree 9- South of carpark against fence	Removal
<i>Cupressus sempervirens</i>	Tree 10- Western corner of most-western bowling green	Removal
<i>Pittosporum undulatum</i>	Tree 11- South-western corner of	Removal

	subject site	
<i>Callistemon viminalis</i>	Tree 12- South boundary fence line	Removal
<i>Cupressus macrocarpa</i>	Tree 13- Between both lower bowling greens	Removal
<i>Schefflera actinophylla</i>	Tree 14- North-west of bowling green	Removal

General Tree Removal Requirements

All tree removal shall be carried out by a certified Tree Surgeon/Arborist to ensure that removal is undertaken in a safe manner and complies with the AS 4373-2007 - Pruning of Amenity Trees and Tree Works Industry Code of Practice (Work Cover NSW 1.8.98). No trees are to be removed on the site or neighbouring properties without the prior written approval of Council.

Council shall be appointed to remove all tree/s on public land. All costs associated with the removal of the tree/s and the planting of replacement trees shall be met by the applicant. Fees and charges outlined in the table below are subject to change and are set out in the current version of Council's 'Schedule of Fees and Charges', applicable at the time of payment.

4 Conclusion

The application has been assessed having regard to the Heads of Consideration under Section 79C of the Environmental Planning and Assessment Act 1979, the provisions of relevant State Environmental Planning Policies, KLEP 2012 and KDCP 2013.

No significant adverse amenity impacts to adjoining property owners in terms of privacy, overshadowing or views are anticipated. With regards to traffic, concern is raised from Council's Traffic Engineers as to the traffic being generated by this development and the impact on the local roads and the intersection at King Georges Road and Connells Point Road. After discussion with the applicant, it is considered that the development is an acceptable built form and scale provided the number of students proposed is reduced to 380. It is further suggested that the applicant consult with the RMS to possibly modify signal phasing should they wish to increase numbers in the future.

On this basis, it is considered that the development is an acceptable built form, scale and density and development approval should be granted to Development Application No 2017/0216 subject to conditions of consent.