

Amended DA 10.2018.1073.1
Alterations/additions and increase in student population
St Michael's Catholic Primary School, Haigh Avenue, Daceyville



Development Application
Amended Statement of Environmental Effects to
Bayside Council

Prepared on behalf of Sydney Catholic Schools

12 November 2018 | 14053

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1.0 Introduction and Preliminaries

1.1 Overview

This Amended Statement of Environmental Effects (**Amended SEE**) is submitted to Bayside Council (the **Council**). It describes an Amended Development Application (**DA**) proposing alterations and additions to St Michael's Catholic Primary School on Haigh Avenue at Daceyville (the **site**). The site is a heritage item pursuant to Botany Bay Local Environmental Plan 2013 (**BBLEP 2013**).

The amended proposal comprises the following:

1. Minor demolition works
2. Construction of a new three storey school building (Block C)
3. Alterations and additions to existing Block A
4. New on site car parking and drop off/pick up facility accommodating 15 car parking spaces plus 11 spaces for drop off/pick up (total of 26 spaces)
5. Removal of trees along the Banks Avenue and Haig Avenue boundaries
6. Increase in the student population comprising a total of 470 students (268 existing + 202 proposed).

This Amended SEE has been prepared by Robinson Urban Planning Pty Ltd (**RUP**) on behalf of Sydney Catholic Schools (**SCS**) (the applicant) on behalf of the Trustees of the Roman Catholic Church for the Archdiocese of Sydney (the land owner).

The Amended SEE describes the site, its locality and the amended proposal. It includes an assessment of the proposal under the heads of consideration at Section 4.15 of the *Environmental Planning and Assessment Act 1979* (**EP&A Act**).

The proposal is not a "Staged" or "Integrated" development pursuant to the EP&A Act. Application for a Construction Certificate (**CC**) will be sought separately.

The Amended SEE should be read in conjunction with the following documentation:

Appendix A	Quantity Surveyor's DA Estimate (21 February 2018) and CIV Estimate (11 April 2018), by Wilde and Woollard
Appendix B	Council's Pre-DA advice (1 November 2017) and the Bayside Design Review Panel (Meeting of 2 November 2017)
Appendix C	Site Survey, by Usher & Company (date of Survey 12.07.2016)
Appendix D	Architectural Plans, by JDH Architects:
	DA-00 Cover Sheet & Location Plan (Revision B, dated 23/10/2018)
	DA-01 Existing/Demolition Site Plan (Revision D, dated 26/10/2018)
	DA-02 Proposed Site & Analysis Plan (Revision D, dated 26/10/2018)
	DA-03 Existing Ground Demolition Plan (Revision E, dated 5/11/2018)
	DA-04 Proposed Ground Floor Plan (Revision E, dated 5/11/2018)
	DA-05 Proposed First Floor Plan (Revision E, dated 5/11/2018)
	DA-06 Proposed Second Floor Plan & Roof (Revision E, dated 5/11/2018)
	DA-07 Proposed Elevations - Sheet 1 (Revision C, dated 24/10/2018)
	DA-08 Proposed Elevations - Sheet 2 (Revision C, dated 24/10/2018)
	DA-09 Proposed Sections (Revision C, dated 24/10/2018)
	DA-10 Shadow Diagrams (Revision C, dated 24/10/2018)

	DA-11 Finishes (Revision C, dated 24/10/2018)
	DA-12 Photomontage (Revision C, dated 24/10/2018)
Appendix D	Statement of Heritage Impact (SoHI), by Heritage 21 (November 2018)
Appendix E	Landscape Plan, by Gallagher Studio (DA01 _C and DA02 _C, 9/11/2018)
Appendix F	Arboricultural Impact Assessment, by Graham Brooks Arboricultural Tree Services Pty Ltd (12/04/2018) and Addendum Report to Arboricultural Impact Assessment (6/11/2018)
Appendix G	Traffic Impact Assessment, by Bitzios Consulting (6/11/2018)
Appendix H	Flood Advice Letter by Bayside Council (27 March 2018) and Flood Management Plan for St Michael's Primary School Daceyville, by JDH Architects (27 March 2018)
Appendix I	Environmental Noise Assessment, by Day Design Pty Ltd (6 November 2018)
Appendix J	Aircraft Noise Intrusion, by Day Design Pty Ltd (6 November 2018)
Appendix K	Planning Maps, BLEP 2013
Appendix L	Clause 4.6 Exception to Development Standards (Height) Written Request, by RUP (12 November 2018)
Appendix M	Stormwater Services Plan, by AJ Whipps Consulting Group (November 2018):
	C00 COVER SHEET, LEGEND & DRAWING SCHEDULE
	C01 GENERAL ARRANGEMENT PLAN
	C02 EROSION & SEDIMENT CONTROL PLAN
	C03 EROSION & SEDIMENT CONTROL DETAILS
	C04 BULK EARTHWORKS CUT & FILL PLAN
	C05 STORMWATER MANAGEMENT PLAN
	C06 STORMWATER PIPE LONG SECTIONS
	C07 PAVEMENT PLAN
	C08 CATCHMENT PLAN
	C09 DETAILS SHEET 1
	C10 DETAILS SHEET 2
	HYD P2 HYDRAULIC CONCEPT/SPATIAL
Appendix N	Waste Management Plan, by JDH (28 March 2018)
Appendix O	Access Report, by AED Group (Rev 1, 07/11/18)
Appendix P	Preliminary BCA Assessment Report, by Blackett Maguire + Goldsmith (November 2018)
Appendix Q	Energy Efficiency Evaluation Section JV3 of NCC/BCA 2016, by Partners Energy (Revision 2 5/11/2018)
Appendix R	Construction Management Plan, by JDH (Revision D, dated 26/10/2018).

1.2 Cost of work and consent authority

The capital investment value (**CIV**) of the proposal is \$6,579,000 (see Quantity Surveyor's CIV estimate, **Appendix A**). As the proposal relates to an *educational establishment* with a CIV of more than \$5 million, it is regional development pursuant to the *State Environmental Planning Policy (State and Regional Development) 2011*, Schedule 7. The Sydney Eastern Planning Panel is the consent authority for regional development in Bayside Council.

1.3 Assessment of DA

The DA (10.2018.1073.1) was lodged on 3 May 2018. Council's heritage advisor raised a number of concerns in relation to the design, particularly in relation to the following:

- Bulk, height and scale of proposed Block C in relation to the heritage context
- The shed in the north-western corner of the site.

To address these concerns, the proposal has been amended to:

1. Refine the design of proposed Block C as follows:
 - Reduce the maximum height by 634mm (from RL 32.884 in the original DA to RL 32.250 in the amended DA)
 - Provide a 2.569m setback at the top/second storey
 - The building comes to the ground to Haag Street
 - The top floor is a light weight glass curtain wall construction
 - Gables (two storeys) are shown on Haag St.
2. Delete the proposed shed.

Following a meeting and correspondence between the applicant and Council Officers, the amended proposal has in principal support from Council's heritage advisor.

1.4 Pre-DA advice

The applicant and its team of consultants attended the following pre-lodgement meetings with Council and the Bayside Design Review Panel (Council reference PDA-2017/1020):

1. Pre-Lodgement Meeting No. 1 with Council planners (18 July 2017), where two options were presented by SCS.
2. Bayside Design Review Panel (2 November 2017)
3. Pre-Lodgement Meeting No. 2 with Council planners (13 November 2017) where the advice of Council's heritage advisor was tabled.

Council's pre DA advice (letter dated 1 November 2017), the Report of the Bayside Design Review Panel and Council's heritage advice are attached at **Appendix B. Table 1** summarises the Pre-DA issues raised by the Council and the applicant's response (listed from the most recent meetings) noting that the Architectural Plans (**Appendix C**) have been amended to address the issues raised.

Table 1 – Response to Pre-DA advice (Council reference PDA-2017/1020)

Meeting/Pre-DA advice	Applicant's response
Bayside Council Pre-DA Meeting No.2 (13 November 2017)	
Heritage Address comments of Council's heritage advisor	✓ Heritage 21 has prepared a detailed SoHI (Appendix E).
Height Amend the design in accordance with the Bayside Design Review Panel comments (see below)	✓ See below.
Bayside Design Review Panel (2 November 2017)	
The Panel considers that the design is generally of a high quality and appropriate to its context subject to the satisfactory resolution of the following:	
The building height should be reduced by a minimum of 200mm or more by reducing the ceiling heights in order to achieve greater compliance with the height control and a better fit with the context	✓ The building height has been reduced by 934mm (from RL 33.184 in the pre-DA to RL 32.250 in the amended plans) (Appendix D).
A landscape plan should be provided that addresses the streetscape of Haig Avenue and provides a landscape setting to the building	✓ The Landscape Plan (Appendix E) adopts the recommendations of the Panel (noting that trees are proposed throughout the new car park).
The new carpark from Banks Avenue should include trees to provide shade and amenity	
The design of the carpark should be reconsidered with a view to retaining the formal relationship and pathway between the church and the presbytery and to minimise the extent of tarmac	Partial The extent of paving has been minimised.
The Panel supports using facebrick but recommends that materials should be in keeping with lighter coloured tones of buildings in the locality to ensure it fits better with its context. The Panel recommends considering in particular lighter colour metal cladding than indicated on the photomontages, and the use of other natural materials such as timber for the shading fins	✓ The finishes/ colours have been amended to adopt the panel and heritage advisor recommendations.
The Panel would prefer that the facebrick used on the south east corner did not appear to hover (i.e. that it sits on a pad or is extended to the ground)	✓
The Panel urges that the design maximise the use of sustainability initiatives and systems	✓ <ul style="list-style-type: none"> – Cross ventilation by providing operable windows either side of learning spaces – Shading screens to western windows to reduce excessive heat gain in summer – Thermal mass through brick veneer

Meeting/Pre-DA advice	Applicant's response
	construction to reduce heat gain in summer and reduce heat loss in winter.
The Panel notes there is an opportunity for the use of coloured glass in the west elevations of the stairs, referencing traditional use of lead lighting in ecclesiastical buildings	X This suggestion has not been adopted.
Bayside Council Pre-DA Meeting No.1 (18 July 2017)	
Height of buildings The proposed height variation is unlikely to be supported as the exceedance is clearly visible, results in dominating bulk and scale to the adjoining heritage items within the heritage conservation area, and that the building does not comply with the existing single to double storey development within the vicinity. Should the applicant wish to pursue the proposal, compliance with the development standard is to be met. Any departure to the development standard will require a Clause 4.6 variation to justify the departure of the FSR development standard	The DRP comments supersede Pre-DA Meeting No. 1.
FSR The maximum floor space ratio (FSR) for the proposed development on the site is 0.5:1. The proposal indicates FSR of 0.35:1 (Option 1) and 0.33:1 (Option 2). Complies	Noted
Heritage Impact on heritage items and heritage conservation area <i>The new building proposed in Option 1 is considered to be out of scale with the context, both within the school site and in the Haig Avenue context. Option 1 is not considered to be an acceptable approach. The new building proposed in Option 2 is considered more acceptable, however the Option 2 design presents a considerable bulk to Haig Avenue. The Option 2 design could be improved by lowering the height at the north and south ends - perhaps by setting in the 3rd storey from the north and south ends of the building. With regard to proposed detail to the Haig Avenue frontage, it is considered that the design should incorporate some materials (such as brickwork) which reference the hall and the main school building.</i> Option 1 proposed setback was supported with Option 2 overall design was preferred subject to further changes to bulk and scale to Haig Avenue by incorporating heritage material, lowering the height and setting in the third storey. Appointment with the Heritage Officer is required for further review.	The DRP comments supersede Pre-DA Meeting No. 1.
Aircraft operations and noise A maximum building height of 15.24m applies to the site in accordance with the Obstacle Limitation Surface Map. A referral of the application will be required to Sydney Airport Corporation Limited (SACL), Civil Aviation Safety Authority (CASA and Air Services Australia (AsA). Consideration during the planning stages should be given to the operating heights of all construction cranes. Note: Plans will need to indicate NGL and RL's as well as the overall height including roof fixtures (i.e. lift overruns, etc.). The site is within ANEF 20-25 contour.	✓ The proposed maximum height of 10.9m is below the maximum building height of 15.24m shown on the OLS Map. See Aircraft Noise Assessment Report (Appendix I).
Car parking Car parking is to comply with the provisions under Part 3A of the BBDCP 2013. Any departure from the <i>above</i> car parking rate under the DCP 2013 is to be justified as part of the DA. The Botany Bay Development Control Plan 2013 (BBDCP 2013) requires the following car parking: <i>Schools - Primary</i>	✓ The proposed parking area accommodates 15 car parking spaces plus 11 spaces for drop-off/pick-up

Meeting/Pre-DA advice	Applicant's response
<p>Parking Assessment based on survey or Minimum requirements: 1 space / 2 employees = 9 plus 1 pick-up and set-down space / 50 students = 9 plus 1 bus pick-up and set-down space Total: 19 spaces Proposed spaces: 14 with 9 spaces for drop off/pick up Shortfall: 5 spaces</p>	<p>(total of 26 spaces) and complies with BBDCP 2013 (see Traffic Assessment, Appendix G).</p>
<p>Landscaping Removal of trees on Haig Avenue requires an Arborist report to be submitted with the application. A detailed Landscape Plan is required with any future submission, showing existing trees and vegetation on the site (and adjoining properties), a planting plan, plant schedule (including pot sizes) and proposed materials and finishes.</p>	<p>✓ Gallagher Studio has prepared a Landscape Plan and Graham Brooks Arboricultural Tree Services has prepared Arborist Reports (Appendices E & F).</p>
<p>Flooding Council's Development Engineer generally supports the use of ground floor level as open undercroft area subject to an Emergency Evacuation Plan. A flood study is required and must detail PMF in the flood study. Impervious areas are to be reduced in size and use pervious material for the car parking area instead. Water re-use should be incorporated in the design.</p>	<p>✓ Flooding has been addressed (see Flood Management Plan and Council's flooding advice, Appendix H). Existing rain water tank adjoining Block A will be retained.</p>
<p>Traffic A Traffic Management Plan and Traffic & Parking Assessment Report are required, particularly in relation potential queuing on Banks Avenue.</p>	<p>✓ Bitzios Consulting has prepared a Traffic Assessment (Appendix G).</p>
<p>Other Matters Design Review Panel application to be submitted prior to lodgement of DA. The following more detailed documents, but not limited to, are to be provided at time of lodgement: Amended architectural plans; Shadow Diagrams; Statement of Environmental Effects; Survey Plan; Clause 4.6 variation; Flood Study; Landscape Plan; Access Report; Acoustic Report; Arborist Report; Construction Management Plan; 3D montage; Traffic and Parking Assessment Report; Waste Management Report; Stormwater/Drainage Plans; Turning Circles and Swept Path Diagrams; Schedule of Colours and Finishes.</p>	<p>✓ Each of the listed documents has been prepared.</p>
<p>CONCLUSION Overall, the merits of the proposal have been considered and based on the assessment provided above, the proposed development the subject of this pre-DA application is subject to further changes and review by Council's Heritage Officer. Any future development should consider the appropriate bulk and scale for the existing streetscape, adjoining properties, heritage items and heritage conservation area.</p>	<p>Noted</p>

2.0 Site Location and Description

2.1 Overview

The key characteristics and planning constraints affecting the site are summarised below.

Location	St Michael's Catholic Primary School is located on land bounded by Banks Avenue, Wills Crescent and Haig Avenue at Daceyville (see Figures 1 and 2).
Lot and DP	<ul style="list-style-type: none"> • Lot 1 DP 186759 (School) • Lot 1 DP 666538 (Parish Hall) See Site Survey Plan (Appendix C)
Site area ¹ (m ²)	<ul style="list-style-type: none"> • School 8,226 • Parish Hall 6,300 • Total 11,826
Improvements	The site accommodates two major buildings, the school itself (Block A) and the hall, formerly the St. Michael's Church (Block B), to the north, across the basketball courts. Open areas are located around the hall and to its north. There are several existing demountable at the north eastern end of the site.
Nearby uses	<ul style="list-style-type: none"> • Haig Avenue to the west • Housing and SCS office uses to the south • Banks Avenue to the east • Wills Crescent to the north • Residential development along the western side of Haig Avenue • UNSW sporting fields to the south of Gwea Avenue • Daceyville Public School on the eastern side of Banks Avenue • Residential development to the north of Wills Crescent.
LGA	Bayside Council
LEP	Botany Bay Local Environmental Plan 2013 (BBLEP 2013) last amended 10 June 2016.
Zoning	Zone R2 – Low Density Residential (see LZN_004 at Appendix J).
FSR standard	0.5:1 (see FSR_004 at Appendix J)
Height standard	8.5m (see HOB_004 at Appendix J)
Heritage	<u>Heritage Items</u> (BBLEP 2013 – Schedule 5): <ul style="list-style-type: none"> • I114 – Daceyville – Marist Brothers School and presbytery – Haig Avenue – Part Lot 1, DP 186759 – Local

¹ Site area obtained from <https://www.planningportal.nsw.gov.au/find-a-property>

Other
environmental
planning
constraints

- I115 – Daceyville – Former St Michael’s Church (now hall) – Haig Avenue – Lot 1, DP 666538 – Local Heritage Conservation Area (BBLEP 2013 – Schedule 5):
- C1 – Daceyville Garden Suburb Heritage Conservation Area (Local). (see **Figure 3** and HER_004 at **Appendix J**).
- Existing trees – The site and the adjoining streets accommodate a number of large trees (see Arboricultural Impact Assessment, **Appendix F**).
- Flooding - Development on the site is not subject to flood related development controls, but adjoins flood affected land (see **Appendix H**)
- Wetlands - The site is not identified as a wetland, but is located within the wetlands catchment area (see CL1_004, **Appendix J**)
- ANEF - The site is within the 20-25 ANEF noise contour (see Aircraft Noise Intrusion Report, **Appendix K**).



Figure 1 – Aerial photograph (Source: SixMaps)



Figure 2 – Site Location (Source: SixMaps)

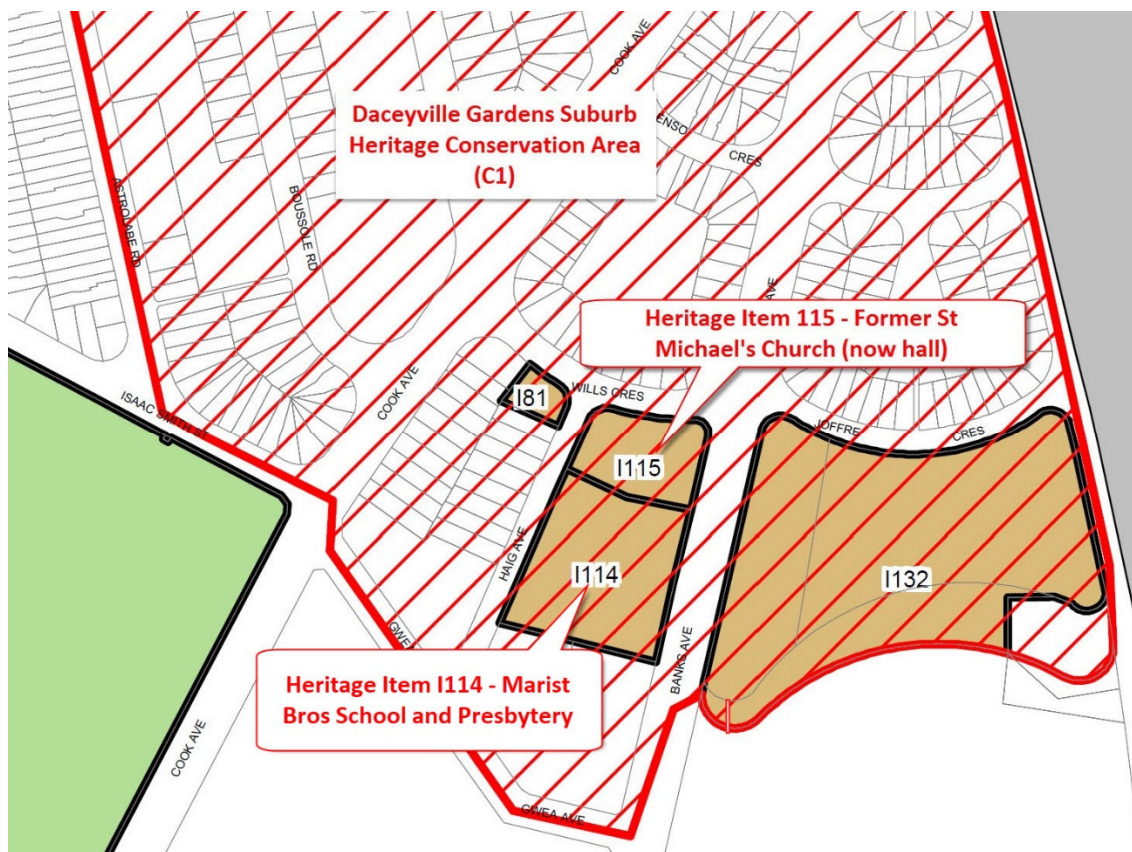


Figure 3 – BBLEP 2013 – Heritage Map (HER_004)



Site frontage to Haigh Avenue



Location of new Block C (shade structure to be demolished)



Existing Block A – north elevation



Existing Block A – north elevation



Existing Block B (Hall) – south elevation



Existing Block B (Hall) – west elevation

Figure 4 – Site photographs



Existing demountables to be removed from the site



Existing lawn area to accommodate new parking area



Site frontage to Banks Ave (location of new parking area)

Figure 5 – Site photographs

2.2 Past consents

An informal access to information request (GIPA application) was lodged with Council to obtain copies of consents that might set conditions prescribing student/staff population caps and/or car parking requirements for the site. Only one NSW Nation Building and Jobs Plan Taskforce Authorisation (16 September 2009) was obtained (see **Table 2**).

The authorisation does not include conditions relating to car parking or student/staff population caps.

Table 2 – Nation Building and Jobs Plan approval

Application Reference	<i>Nation Building and Jobs Plan (State Infrastructure Delivery) Act 2009 - Authorisation No. 94 of 2009 – St Michael's Catholic Primary School Daceyville.</i>
Infrastructure Project Application No	09/0103
Lots/Address	Lot 1 DP 186759, Haig Avenue Daceyville
Development	The construction of an addition to the library, refurbishment of student and staff amenities, refurbishment of classrooms and administration and general learning area, landscaping and associated site works.
Consent to operate from	16 September 2009

2.3 Past planning proposal

In December 2013, the former Botany Bay City Council prepared a planning proposal to amend the provisions of BBLEP 2013 that apply to school sites (PP_2014_BOTAN_002_00). The draft amendments included the following for St Michael's Catholic Primary School (Part Lot 1 DP 186759):

- Amend the zoning from Zone R2 – Low Density Residential to Zone SP2 – Education Establishments
- Remove the FSR standard
- Remove the height of buildings standard.

The planning proposal was refused by the Greater Sydney Commission (the Minister's delegate) on 26 May 2016 on the grounds "*that there is insufficient justification to support the zoning of educational establishments SP2 Infrastructure*".

Our research indicates that the Department of Education and Communities objected to the planning proposal and requested that current residential zonings for school sites be retained to be consistent with the Department of Planning and Environment's Practice Note (PN10-001) – *Zoning for Infrastructure in LEPs* and the aim of providing for school infrastructure under *State Environmental Planning Policy (Infrastructure) 2007*.

3.0 The amended proposal

3.1 Overview

As shown on the Amended Architectural Plans by JDH at **Appendix C** (see extracts at **Figures 6 to 9**), the proposal comprises the following works:

1. **Minor demolition** works including the existing playground area, metallic shade structure, part of Block A, concrete paths and removal of the existing demountable classrooms and storage shed (as illustrated on the Demolition Plans (DA-01 and DA-03))
2. **Construction of a new three (3) storey school building (Block C)** comprising:
 - Ground Floor:
 - Open undercroft area
 - Toilet facilities
 - Communications room
 - Canteen
 - First Floor:
 - Four (4) General Learning Areas
 - Breakout area
 - Toilet facilities
 - Second Floor (setback 2.569m from the first floor):
 - Four (4) General Learning Areas
 - Breakout area
 - Outdoor breakout area
 - Toilet facilities
 - Covered (metal sheet roof) connections to existing Block B (Hall) and Block A (School)
3. **Alterations and additions to Block A comprising:**
 - Demolition of northern wing extension
 - Reconfiguration of some internal spaces through the removal of internal partition walls
 - Erection of new covered outdoor learning area (COLA) to rear of building
 - Erection of new shade structure to north-west of building
4. **New on-site car parking area:**
 - 15 car parking spaces
 - 11 spaces for drop off/pick up
 - 26 spaces total
 - Left in and out from Banks Avenue
5. **Removal of trees** along Banks Avenue and Haig Avenue boundaries
6. **Increase in population** comprising a total of:
 - 470 students (268 existing + 202 proposed)
 - 18 staff (existing/proposed).

More details follow.

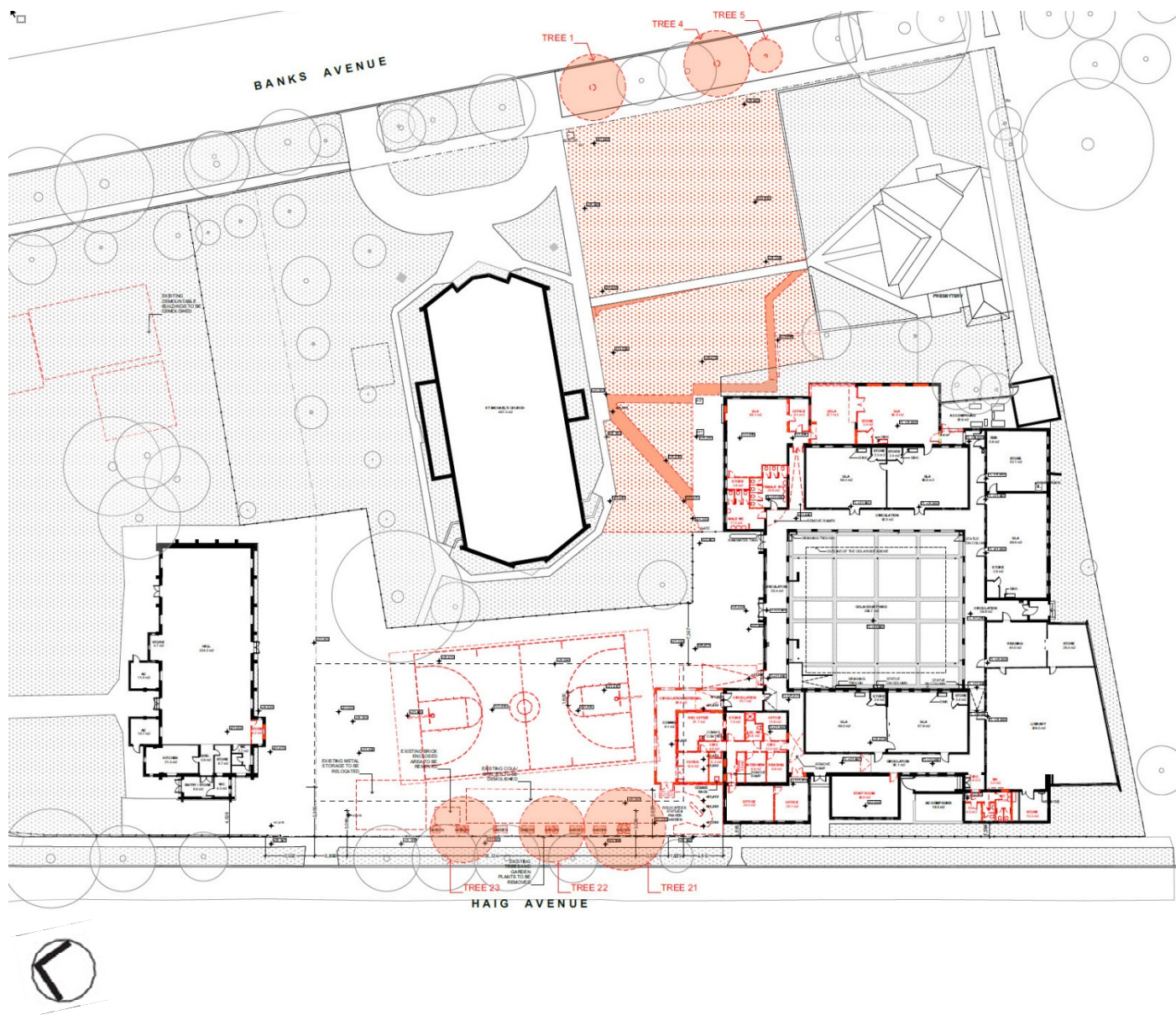


Figure 6 – Existing/demolition Site Plan (Source: JDH, DA-01_E)

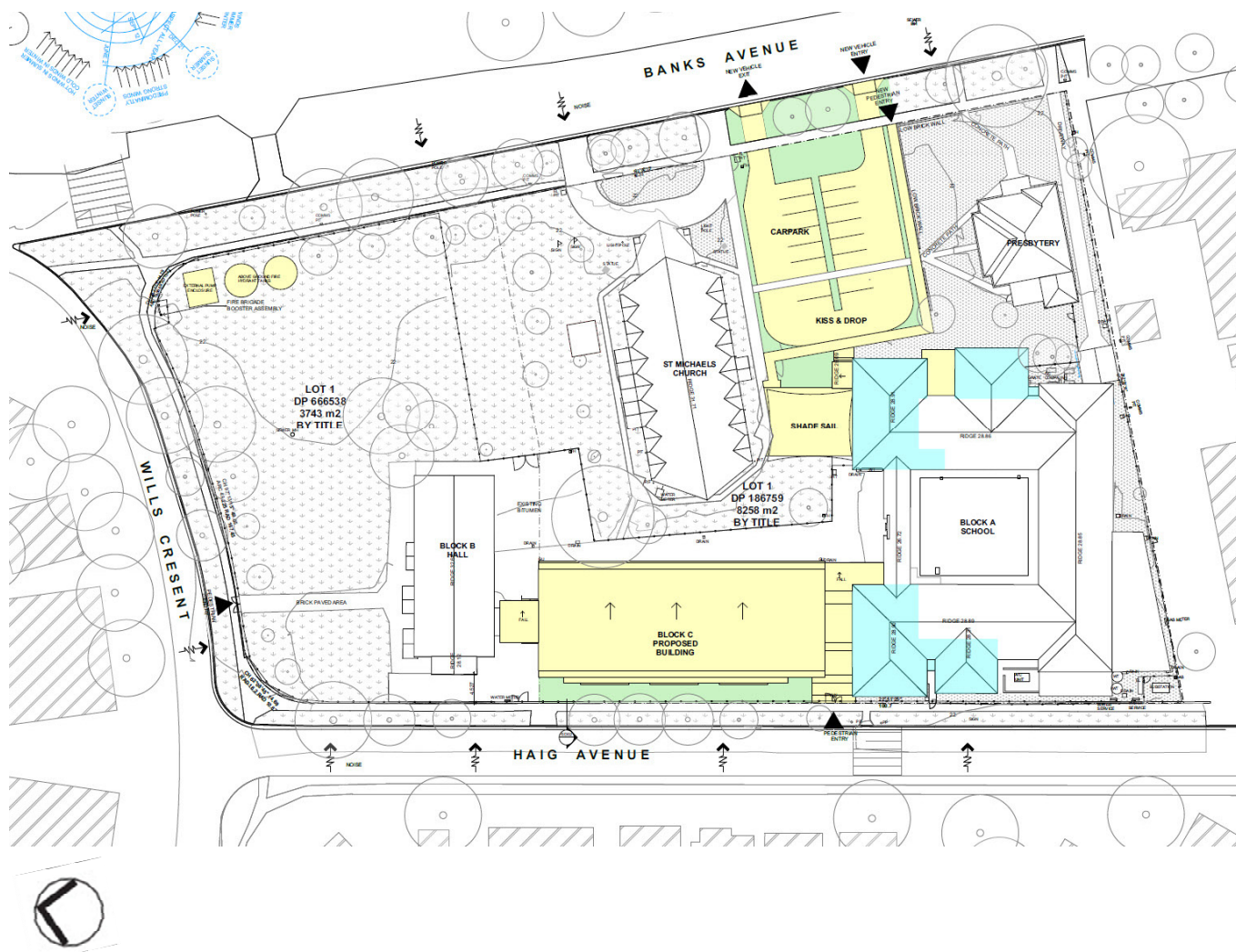


Figure 7 – Proposed Site Plan (Source: JDH, DA-02_D)

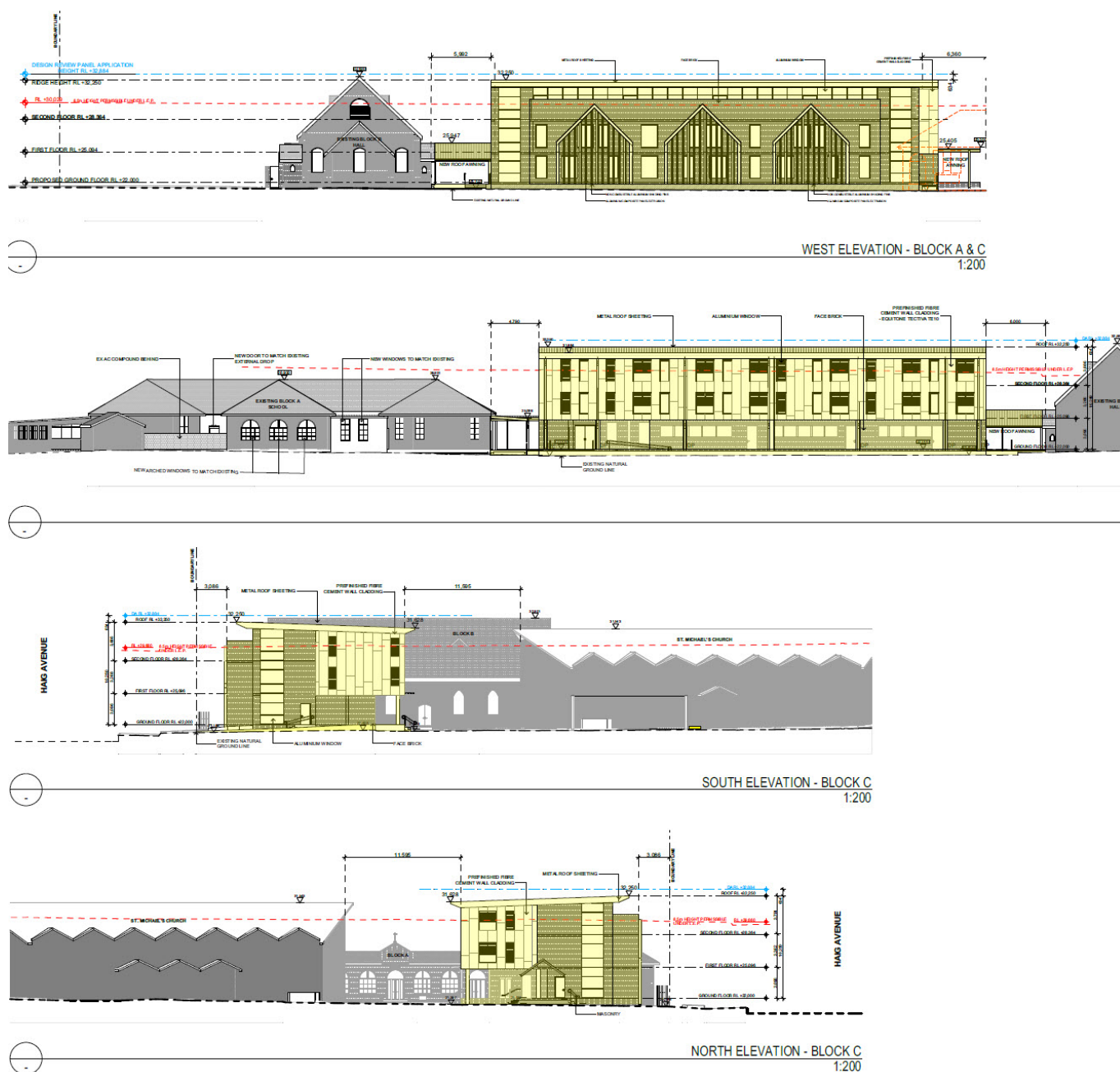


Figure 8 – Proposed Elevations: Block C (Source: JDH, DA-07_C)



Figure 9 – Proposed photomontage: Haigh Avenue (Source: JDH, DA-12_C)

3.2 Height

Proposed Block C has three storeys (including the undercroft) and a maximum *building height*² of 11 metres, as illustrated on the proposed site sections and elevations (DA-07_C, and DA-08_C and DA-09_C, **Appendix C**). The proposed departure from the 8.5m height of building standard is justified in a clause 4.6 exception to development standards request (**Appendix K**).

3.3 Gross floor area and floor space ratio

As indicated in **Table 3** (and DA-06_E, **Appendix C**), the existing and proposed gross floor area³ (GFA) and floor space ratio (FSR) on site is:

- **GFA:**
 - Existing 2,176.9m²
 - Net increase 1,325.3m²
 - Proposed total 4,042.4m²
- **FSR based on the site area of 11,826m²:**
 - Existing 0.23:1
 - Proposed 0.34:1

3.4 Access, parking and drop-off/pick-up

At present, there is no car parking on the site and student pick-up and drop-off is carried out in Haigh Avenue (opposite dwelling houses in the Daceyville Garden Suburb HCA).

The proposed car park at the eastern side of the site provides 15 parking spaces (including one disabled parking space) and 11 drop-off/pick-up spaces (total 26 parking spaces). The new car park is to be accessed via left-in/left-out access on Banks Avenue, near other institutional uses and away from residential uses. The layout of the proposed car park has been designed in accordance with Australian Standards.

The proposal includes six bicycle parking spaces.

A Drop-off/Pick-up Traffic Management Plan has been prepared by Bitzios Consulting (**Appendix G**) to achieve safe and efficient operation of the facility.

² Pursuant to BBLEP 2013:

building height (or height of building) means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.

³ Pursuant to BBLEP 2013:

gross floor area means the sum of the floor area of each floor of a building measured from the internal face of external walls, or from the internal face of walls separating the building from any other building, measured at a height of 1.4 metres above the floor, and includes:

(a) the area of a mezzanine, and

(b) habitable rooms in a basement or an attic, and

(c) any shop, auditorium, cinema, and the like, in a basement or attic,

but excludes:

(d) any area for common vertical circulation, such as lifts and stairs, and

(e) any basement:

(i) storage, and

(ii) vehicular access, loading areas, garbage and services, and

(f) plant rooms, lift towers and other areas used exclusively for mechanical services or ducting, and

(g) car parking to meet any requirements of the consent authority (including access to that car parking), and

(h) any space used for the loading or unloading of goods (including access to it), and

(i) terraces and balconies with outer walls less than 1.4 metres high, and

(j) voids above a floor at the level of a storey or storey above.

Table 3 – Proposed GFA and FSR (Source: JDH, DA-06_E)

	Existing GFA (m ²)	Existing + Proposed (m ²)	Increase
Block A			
Ground floor	1,594.1	1,500.1	
Block B			
Ground floor	348.1	348.1	
Block C			
Ground floor		91.2	
First floor		660.9	
Second floor		667.4	
<i>subtotal</i>		1,419.5	
St. Michael's Church	467.3	467.3	
Presbytery			
Ground floor	166.3	166.3	
First floor	141.1	141.1	
<i>subtotal</i>	307.4	307.4	
Total GFA (m²)	2,716.9	4,042.4	1,325.50
FSR (Site area 11,826m²)	0.23:1	0.34:1	0.11:1

3.5 Landscaping

The Landscape Plan by Gallagher Studio (**Appendix E** and extract at **Figures 10** and **11**) shows the following proposals for the site (numbering reflects that shown on the Landscape Plan key):

1. Existing trees to be retained
2. Lawn nature strip
3. New vehicle access points from Banks Avenue
4. New asphalt carpark with 14 spaces + 1 accessible space.
5. Hedge planting of Lilly Pilly's (*Syzygium australe* 'Elegance') along Banks Avenue boundary
6. Proposed tree planting to carpark garden: Southern Mahogany (*Eucalyptus botryoides*) (2)
7. Proposed shrubs and groundcover planting to carpark garden including Kangaroo Paw (*Anigozathos* 'Ruby Velvet'), Banksia (*Banksia spinulosa* 'Birthday Candles' and *Banksia robur*), Yellow Buttons (*Chrysocephalum apiculatum*), Lomandra (*Lomandra longifolia* 'Great White' and 'Tanika'), Tussock Grass (*Pennisetum alopecuroides*) and Dwarf Pittosporum (*Pittosporum tobira* 'Miss Muffet')
8. Proposed tree planting to carpark garden: Old Man Banksia (*Banksia serrata*) (8)
9. Existing heritage pathway to be retained
10. Proposed groundcover planting to carpark boundary including Kangaroo Paw (*Anigozathos* 'Ruby Velvet'), Yellow Buttons (*Chrysocephalum apiculatum*), Lomandra (*Lomandra longifolia* 'Great White' and 'Tanika'), Renga Lily (*Arthropodium cirratum*), Japanese anemone (*Anemone x hybrida*), Zephyr Lily (*Zephyranthes candida*), and Blue Flax Lily (*Dianella caerulea* 'Little Jess')
11. Proposed concrete pathways to provide access to Block A from proposed carpark
12. Area of soft-fall and shade canopy for kid's pick-up zone
13. Proposed shrub and groundcover planting to Haig Avenue boundary including Lilly Pilly's (*Syzygium australe* 'Elegance'), Bergenia (*Bergenia cordifolia*), Japanese anemone (*Anemone x hybrida*), Zephyr Lily (*Zephyranthes candida*), Sedum (*Sedum* 'Autumn Joy'), Renga Lily (*Arthropodium cirratum*), Bearberry Cotoneaster (*Cotoneaster dammeri*), Brazilian Walking Iris (*Neomarica gracilis*), Spurge (*Euphorbia characias wulfenii*), Giant Liriope (*Liriope muscari* 'Evergreen Giant'), Blue Flax Lily (*Dianella caerulea* 'Little Jess'), Dwarf Pittosporum (*Pittosporum tobira* 'Miss Muffet'), Native Violet (*Viola hederacea*).
14. Existing statue to be relocated within garden
15. Fence to school boundary.

As recommended by the Arborist, 16 existing trees are to be removed (1, 4-11, 17, 21-23, and 31-33) (see Section 4.2.2)):

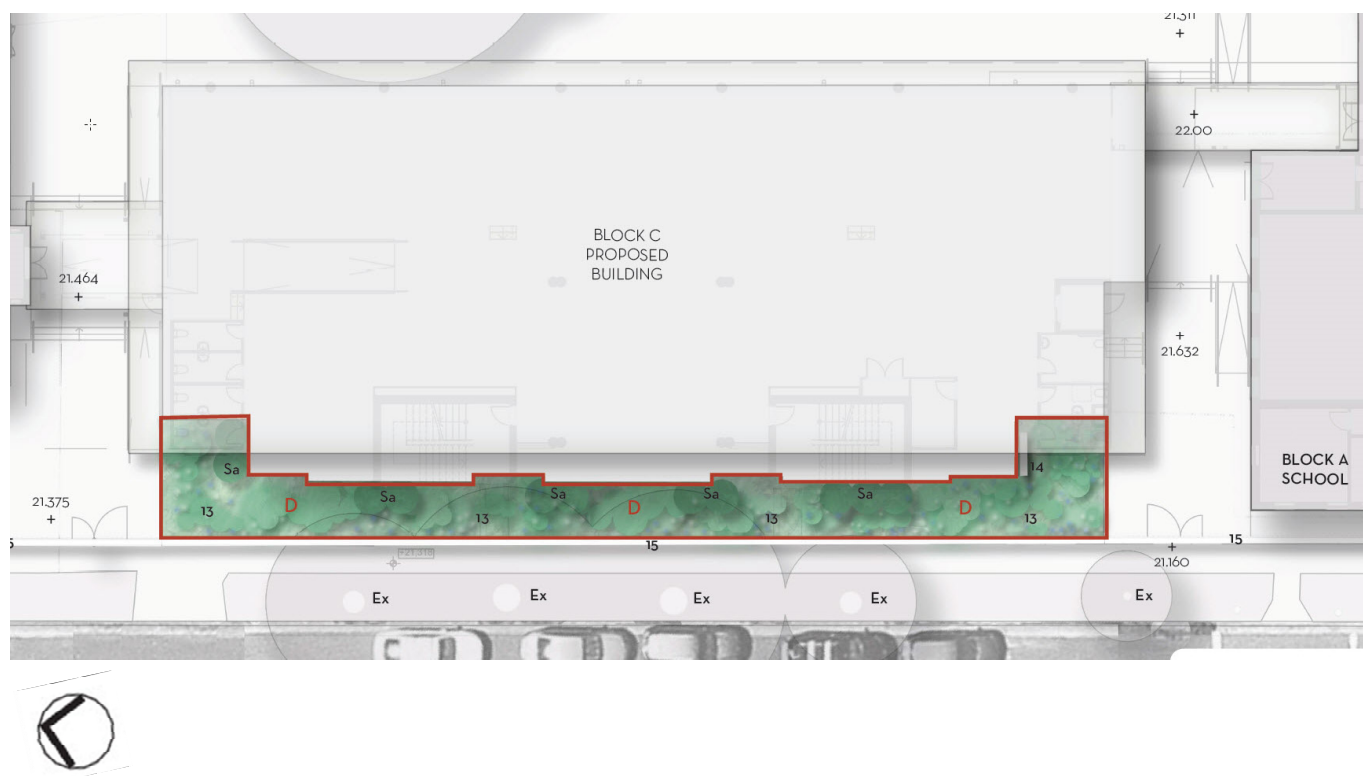


Figure 10 – Proposed Landscape Plan: Detail Plan (Block C) (Source: Gallagher Studio, DA-02_C)

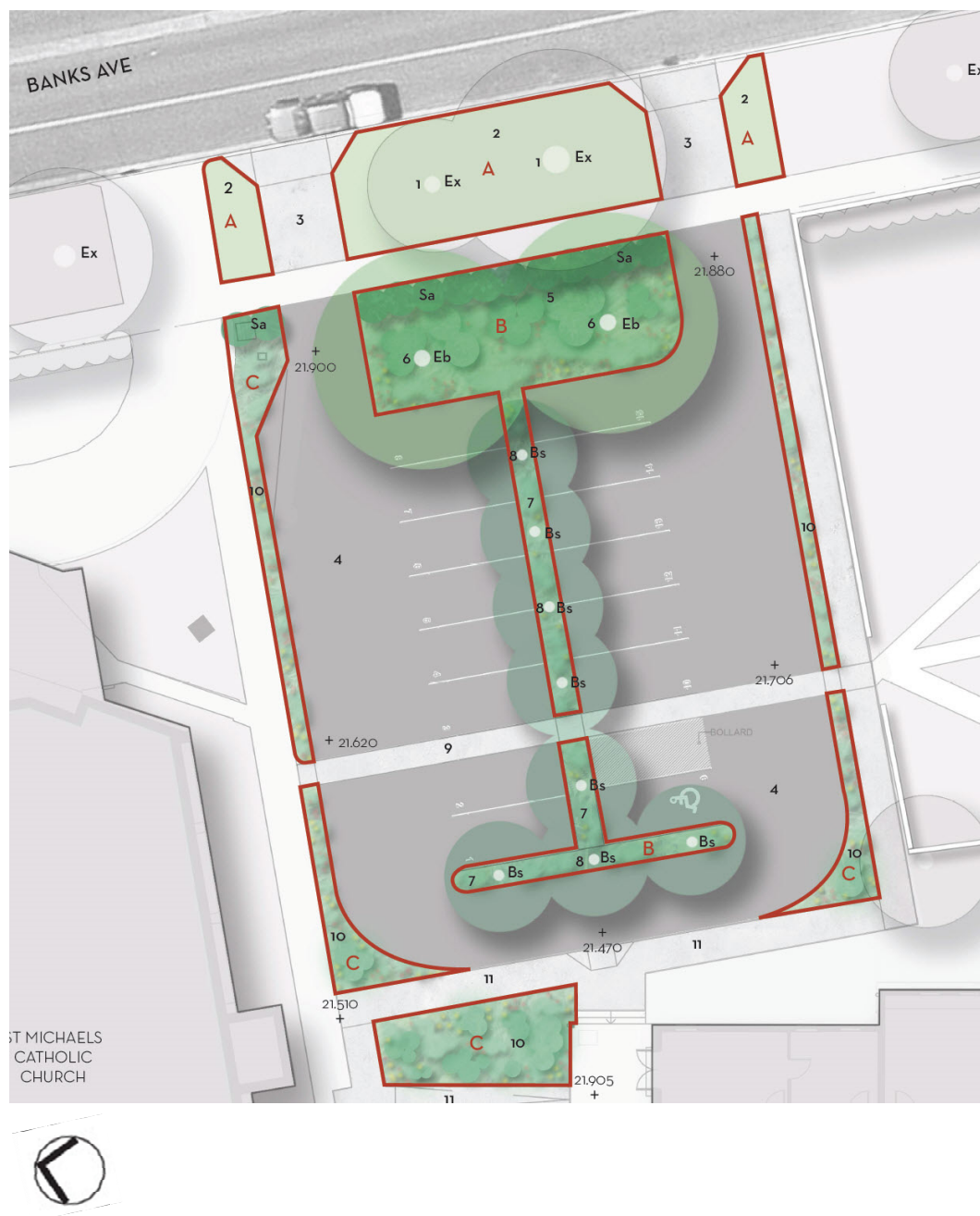


Figure 11 – Proposed Landscape Plan: Detail Plan (Car Park) (Source: Gallagher Studio, DA-02_C)

3.6 Stormwater

Civil Services Plans have been prepared by AJ Whipps Consulting Group (**Appendix M**) showing, amongst other things:

- Stormwater quality system modelled in music as an infiltration system (0.5m deep)
- Erosion and sediment control measure.

3.7 Energy efficiency

Proposed Block C incorporates the following sustainable design initiatives:

- Cross ventilation by providing operable windows either side of the learning spaces
- Shading screens to the western windows to reduce excessive heat gain in summer
- Thermal mass through brick veneer construction to reduce heat gain in summer and reduce heat loss in winter.

The existing water tank adjoining Block A is to be retained on the site.

An Energy Efficiency Evaluation Section JV3 of NCC/BCA 2016 has been prepared by Partners Energy (**Appendix Q**).

3.8 Finishes and colours

As shown on DA-11_C (reproduced at **Figure 12**), proposed Block C incorporates the following external finishes which respond to the comments of the Design Review Panel and are sympathetic to the heritage colour palette of the neighbourhood:

- Masonry - Brown Brick
- Non-Combustible Aluminium Screen Timber Look
- Aluminium Composite Panel (Graphite)
- Metal Roof Sheeting (Shale Grey)

3.1 Servicing and waste collection

Existing site servicing arrangement will continue after completion of the proposal (site servicing currently occurs from a gated driveway crossover at Haig Avenue, while on-site refuse is gathered in several wheelie bins to be collected by a Council side-loading Refuse Collection Vehicle from Haig Avenue. JDH has prepared a Waste Management Plan that addresses construction and operational waste (**Appendix N**).

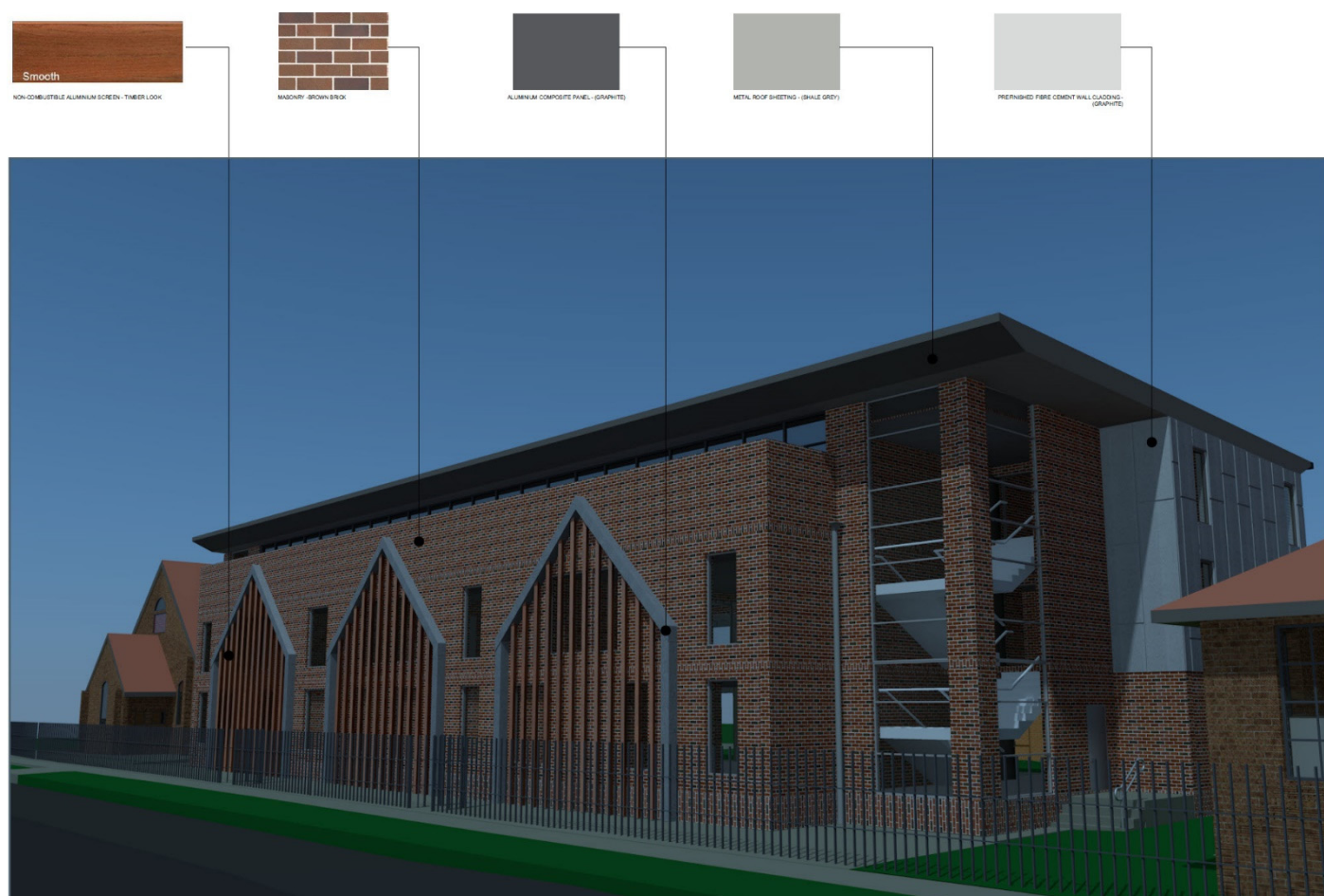


Figure 12 – Proposed finishes: Haigh Avenue (Source JDH: DA-11_C)

4.0 Statement of environmental effects

4.1 S. 4.15(1)(a) Statutory considerations

The following existing and draft State Environmental Planning Policies (SEPPs), local environmental plan, development control plan and contributions plan are relevant to the site and the proposal:

- SEPP (Exempt and Complying Development Codes) 2008 (**Codes SEPP**)
- SEPP (Educational Establishments and Child Care Facilities) 2017 (**Education and Child Care SEPP**)
- SEPP 55 - Remediation of Land (**SEPP 55**)
- SEPP (State and Regional Development) 2011 (**SRD SEPP**)
- Botany Bay Local Environmental Plan 2013 (**BBLEP 2013**)
- Botany Bay Development Control Plan 2013 (**BBDGP 2013**).

A summary of the relevant provisions of these plans follows.

4.1.1 Codes SEPP

Clause 1.17A of the Codes SEPP sets out requirements that must be satisfied by complying development under the all environmental planning instruments. Clause 1.17A (1) provides that complying development must not:

- (d) *be carried out on land that:*
 - (iii) *is identified as an item of environmental heritage or a heritage item by an environmental planning instrument or on which is located an item that is so identified*

As the entire site is mapped and listed as a heritage item under BBLEP 2013 (see **Figure 3**), development on the site cannot be approved as complying development.

4.1.2 Education and Child Care SEPP

This SEPP was published on 1 September 2017. Relevant provisions are discussed below.

Permissibility (cl. 33 and 35)

As detailed later in **Table 4**, BBLEP 2013 does not permit *educational establishments* on land in Zone R2 – Low Density Residential. However, pursuant to the following clauses in the Education and Child Care SEPP, schools are permitted in Zone R2:

- **Clause 35(1)** - Development for the purpose of a school may be carried out by any person with consent on land in a *prescribed zone*
- **Clause 33** – Zone R2 - Low Density Residential is a *prescribed zone*.

Development applications (cl. 35(6))

Clause 35(6) of Education and Child Care SEPP is relevant to DAs and states:

- (6) *Before determining a development application for development of a kind referred to in subclause (1), (3) or (5), the consent authority must take into consideration:*
 - (a) *the design quality of the development when evaluated in accordance with the design quality principles set out in Schedule 4, and*
 - (b) *whether the development enables the use of school facilities (including recreational facilities) to be shared with the community.*

Table 4, summarises the School Design Quality Principles and notes how the proposal is consistent.

Traffic-generating development (cl. 57)

As the proposal increases the number of students on the site by 152, the DA must be referred to the Roads and Maritime Service (RMS) for comment pursuant to cl. 57 of the Education and Child Care SEPP which states:

57 Traffic-generating development

- (1) *This clause applies to development for the purpose of an educational establishment:*
 - (a) *that will result in the educational establishment being able to accommodate 50 or more additional students, and*
 - (b) *that involves:*
 - (i) *an enlargement or extension of existing premises, or*
 - (ii) *new premises,**on a site that has direct vehicular or pedestrian access to any road.*
- (2) *Before determining a development application for development to which this clause applies, the consent authority must:*
 - (a) *give written notice of the application to Roads and Maritime Services (RMS) within 7 days after the application is made, and*
 - (b) *take into consideration the matters referred to in subclause (3).*
- (3) *The consent authority must take into consideration:*
 - (a) *any submission that RMS provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, RMS advises that it will not be making a submission), and*
 - (b) *the accessibility of the site concerned, including:*
 - (i) *the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and*
 - (ii) *the potential to minimise the need for travel by car, and*
 - (c) *any potential traffic safety, road congestion or parking implications of the development.*
- (4) *The consent authority must give RMS a copy of the determination of the application within 7 days after the determination is made.*

The Traffic and Parking Assessment (**Appendix G**) assessing the proposed traffic and access arrangements and assesses the traffic impacts of the proposal (see later at Section 4.2.3).

4.1.3 SRD SEPP

The CIV of the proposal is \$6,579,000 (see **Appendix A**). As the proposal relates to an *educational establishment* with a capital investment value of more than \$5 million, it is regional development pursuant to the SRD SEPP, Schedule 7. The Sydney Eastern Planning Panel is the consent authority for regional development in Bayside Council.

4.1.4 SEPP 55 Remediation of Land

Clause 7(1) (A) of SEPP 55 requires the consent authority to consider whether land is contaminated. As the site has been used as a school for an extended period, it is unlikely to be contaminated and site investigations are not warranted.

Table 4 – Compliance with Education and Child Care SEPP - Schedule 4 – School Design Quality Principles

SEPP (Infrastructure) – Schedule 4 Design Quality Principles	Compliance
<p>Principle 1—context, built form and landscape</p> <p>Schools should be designed to respond to and enhance the positive qualities of their setting, landscape and heritage, including Aboriginal cultural heritage. The design and spatial organisation of buildings and the spaces between them should be informed by site conditions such as topography, orientation and climate. Landscape should be integrated into the design of school developments to enhance on-site amenity, contribute to the streetscape and mitigate negative impacts on neighbouring sites.</p> <p>School buildings and their grounds on land that is identified in or under a local environmental plan as a scenic protection area should be designed to recognise and protect the special visual qualities and natural environment of the area, and located and designed to minimise the development's visual impact on those qualities and that natural environment.</p>	<p>✓ The intention is to produce a high quality contemporary school building that is sensitive to its heritage context, rather than a pastiche that attempts to mimic the existing historic building styles on site. The building design of Block C incorporates forms and proportions taken from the existing buildings and reinterprets them in a modern way, creating geometrical rhythms and relationships across the site that will give a more harmonious appearance, particularly from the Haig Avenue street frontage.</p>
<p>Principle 2—sustainable, efficient and durable</p> <p>Good design combines positive environmental, social and economic outcomes. Schools and school buildings should be designed to minimise the consumption of energy, water and natural resources and reduce waste and encourage recycling. Schools should be designed to be durable, resilient and adaptable, enabling them to evolve over time to meet future requirements.</p>	<p>✓ New building materials are durable, resilient and adaptable to allow the school to evolve and change over time.</p>
<p>Principle 3—accessible and inclusive</p> <p>School buildings and their grounds should provide good wayfinding and be welcoming, accessible and inclusive to people with differing needs and capabilities.</p>	<p>✓ School facilities specifically designed to meet the needs of its students.</p> <p>✓ School facilities are currently shared with the community</p>
<p>Principle 4—health and safety</p> <p>Good school development optimises health, safety and security within its boundaries and the surrounding public domain, and balances this with the need to create a welcoming and accessible environment.</p>	<p>✓ Pedestrian and car park areas will be provided with adequate lighting. New landscaping will not block important sightline and all entrances and exits are clearly marked and visible</p>
<p>Principle 5—amenity</p> <p>Schools should provide pleasant and engaging spaces that are accessible for a wide range of educational, informal and community activities, while also considering the amenity of adjacent development and the local neighbourhood. Schools located near busy roads or near rail corridors should incorporate appropriate noise mitigation measures to ensure a high level of amenity for occupants.</p> <p>Schools should include appropriate, efficient, stage and age appropriate indoor and outdoor learning and play spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage and service areas.</p>	<p>✓ The learning spaces allow for inclusive learning that caters to all students and modes of learning.</p> <p>✓ The school site is constrained with limited outdoor play area and potential flooding concerns, so it is proposed to raise Block C off the ground and create an undercroft on the ground floor level with 2 storeys of learning spaces above</p>
<p>Principle 6—whole of life, flexible and adaptive</p> <p>School design should consider future needs and take a whole-of-life-cycle approach underpinned by site wide strategic and spatial planning. Good design for schools should deliver high environmental performance, ease of adaptation & maximise multi-use facilities.</p>	<p>✓ The proposal continues and improves the existing educational establishments on the site.</p> <p>✓ The proposed alterations and additions will meet the needs of its current and future students.</p>
<p>Principle 7—aesthetics</p> <p>School buildings and their landscape setting should be aesthetically pleasing by</p>	<p>✓ The height, bulk and scale are appropriate for the site and maintain the existing</p>

SEPP (Infrastructure) – Schedule 4 Design Quality Principles	Compliance
<p>achieving a built form that has good proportions and a balanced composition of elements. Schools should respond to positive elements from the site and surrounding neighbourhood and have a positive impact on the quality and character of a neighbourhood.</p> <p>The built form should respond to the existing or desired future context, particularly, positive elements from the site and surrounding neighbourhood, and have a positive impact on the quality and sense of identity of the neighbourhood.</p>	<p>educational form and character of school buildings on site. The design has been amended to address the comments made by Council's heritage advisor</p>

4.1.5 BBLEP 2013

Table 5 sets out a summary of relevant provisions in BBLEP 2013. It should be read in conjunction with the BBLEP 2013 maps at **Appendix J**. A compliance summary follows:

- **Zoning:** An educational establishment is permitted in Zone R2 - Low Density Residential pursuant to the Education and Child Care SEPP (see Section 4.1.2)
- **Height:** The proposal has a maximum height of 10.9m which exceeds the 8.5m height standard. As demonstrated in the cl. 4.6 written request (**Appendix L**), the proposed departure is reasonable in the following circumstances:
 - **Flooding:** Flood levels provided by Council (see Flood Advice, **Appendix H**) preclude the provision of habitable rooms at the ground floor and inhibit. The proposed undercroft addresses flooding, but increases building height
 - **Function:** The functional requirements of the proposal necessitate a two storey form to accommodate the school's educational requirements (eight new classrooms).
 - **Play space:** An increase in height reduces site coverage and increases the available play space increasing student amenity and activity.
 - **Density:** The proposal is below the FSR standard (0.5:1 permitted and 0.34:1 is proposed) therefore the height non-compliance does not increase the planned density on the site.
 - **Heritage:** The proposed additional height increases the curtilage provided around heritage items on the site and the heritage impacts of proposed Block C are satisfactory (see SoHI, **Appendix D**). The design of proposed Block C has been amended to address concerns raised by Council's Heritage Advisor who has given in principle support to the amended proposal.
 - **Trees:** An increase in height minimises site coverage and tree removal.
 - **Amenity:** The additional height does not give rise to any adverse amenity impacts (shadows, views, privacy etc) (see, Section 4.2).
 - **Streetscape:** The street frontage height of proposed Block C is 9m, with the maximum height of 10.9m achieved at the ridge only (see **Figures 8 and 9**).
 - **Design Review Panel:** The Design Review Panel considered that the *"design is generally of a high quality and appropriate to its context"* subject to a 200mm reduction in height (and several other matters that have been addressed). As amended, the height of proposed Block C is 934mm lower than the original scheme presented to the Design Review Panel (from RL 33.184 in the pre-DA to RL 32.250 in the amended plans) (**Appendix D**).
 - **Relevance of the zoning and height standard:** The zoning of the site (Zone R2) is unreasonable/inappropriate so that an 8.5m height of buildings development standard is also unreasonable/unnecessary as it applies to the site and compliance with the standard would be unreasonable or unnecessary.

- **FSR:** 0.5:1 permitted and 0.34:1 proposed
- **Tree removal:** Consent is sought for the removal of trees and replacement trees are proposed (see **Appendices E and F**).
- **Heritage:** A SoHI has been prepared by Heritage 21 (see **Appendix D** and Section 4.2.1) which supports the proposal. As noted above, the proposal has been amended to address the comments of Council's heritage advisor.
- **Airport operation:** A maximum building height of 15.24m applies to the site in accordance with the OLS Map and a maximum height of 10.9m is proposed.
- **Aircraft noise:** An assessment of Aircraft Noise Intrusion has been prepared by Day Design (see **Appendix K** and Section 4.2.9) which recommends appropriate construction measures.

Table 5 – Compliance with BBLEP 2013

Clause	Provision	Compliance
Part 2 Permitted or prohibited development	<p>Zone R2 Low Density Residential</p> <p>1 Objectives of zone</p> <ul style="list-style-type: none"> To provide for the housing needs of the community within a low density residential environment. To enable other land uses that provide facilities or services to meet the day to day needs of residents. To encourage development that promotes walking and cycling. <p>2 Permitted without consent Home occupations</p> <p>3 Permitted with consent Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Child care centres; Community facilities; Dwelling houses; Environmental protection works; Flood mitigation works; Group homes; Health consulting rooms; Hospitals; Multi dwelling housing; Neighbourhood shops; Office premises; Places of public worship; Recreation areas; Residential flat buildings; Respite day care centres; Roads; Semi-detached dwellings</p> <p>4 Prohibited (see LZN_004, Appendix A)</p>	<p>✓</p> <ul style="list-style-type: none"> The school provides a facility to meet the day to day needs of residents Travel to the site by walking or cycling is to be encouraged <p>N/A</p> <p>An educational establishment is permitted pursuant to the Education and Child Care SEPP (see Section 4.1.2).</p>
4.3 Height of Buildings	8.5m (see HOB_004, Appendix A)	<p>Existing:</p> <ul style="list-style-type: none"> Block A: 3.74m to ridge from ground Hall: 11.08m to ridge from ground <p>X Proposed:</p> <ul style="list-style-type: none"> Block C: 10.9m <p>See cl. 4.6 Written Request, Appendix L.</p>
4.4 Floor Space Ratio	0.5:1 (see FSR_004, Appendix A)	✓ 0.34: 1
4.6 Exceptions to development standards	Allows the consent authority to approve an exception to a development standard.	See cl. 4.6 Written Request, Appendix L.
5.9 Preservation of trees or vegetation	Consent is required to ringbark, cut down, top, lop, remove or wilfully destroy certain trees or other vegetation.	
5.10 Heritage conservation	<p><u>Heritage Items</u> (BBLEP 2013 – Schedule 5):</p> <ul style="list-style-type: none"> I114 – Daceyville – Marist Brothers School and presbytery – Haig Avenue – Part Lot 1, DP 186759 – Local I115 – Daceyville – Former St Michael's Church (now hall) – Haig Avenue – Lot 1, DP 666538 – Local <p><u>Heritage Conservation Area</u> (BBLEP 2013 – Schedule 5):</p> <ul style="list-style-type: none"> C1 – Daceyville Garden Suburb Heritage Conservation Area (Local). <p>Development consent is required to:</p> <ul style="list-style-type: none"> Demolishing, moving or altering the exterior of a heritage item or a building, work, relic or tree within a heritage conservation area 	<p>✓</p> <p>See SoHI (Appendix D and Section 4.2.1).</p>

Clause	Provision	Compliance
	<ul style="list-style-type: none"> Erect a building on land on which a heritage item is located or that is within a heritage conservation area. <p>The consent authority may require a heritage management document to be prepared that assesses the extent to which the proposed development would affect the heritage significance of the heritage item.</p>	
6.8 Airspace operations	Requires Council to consider the impact of proposed development on the ongoing operation of the Sydney (Kingsford Smith) Airport.	✓ Obstacle Limitation Surface Map shows a maximum building height of 15.24m and the proposed height of 10.9m.
6.9 Development in areas subject to aircraft noise	<p>The site is within the 20-25 ANEF noise contour. This clause applies to development that is:</p> <ul style="list-style-type: none"> Near the Sydney (Kingsford Smith) Airport In an ANEF contour 20 or greater, and The consent authority considers it likely to be adversely affected by aircraft noise. 	✓ See Aircraft Noise Intrusion has been prepared by Day Design (see Appendix K and Section 4.2.9) which recommends appropriate construction measures.

4.1.6 BBDCP 2013

Table 6 summarises the parts of BBDCP 2013 that are relevant to the site/schools.

Table 6 – Compliance with BBDCP 2013

Part	Provision	Compliance
3A Parking and Access		
3A.2 Parking Provisions of Special Uses	C1. All required car and bicycle parking must be provided on-site. C2. Car parking provision: <u>Schools</u> Infants, Preschools and Primary Parking Assessment based on survey of similar developments is required. However, as a minimum: <ul style="list-style-type: none"> • 1 space /2 employees; plus • 1 pick-up and set-down space /50 students; plus • 1 bus pick-up and set-down space <u>Bicycles</u>	✓ Car parking Required: 18 spaces Proposed: 26 spaces
	C7. In every new building, where the floor space exceeds 600m ² bicycle parking equivalent to 10% of the required car spaces or part thereof shall be required. <u>Disabled Parking</u> See Part 3C - Access and Mobility below.	✓ Bicycle parking Required: 2 spaces Proposed: 6 spaces
3A.3.1 Car Park Design	C1. All off-street parking facilities shall be designed in accordance with current Australian Standards AS2890.1 and AS2890.6 (for people with disabilities). C10. Off-street parking facilities are not permitted within the front setbacks. C12. Off-street parking facilities must not dominate the streetscape and are to be located away from the primary frontages of the site. C13. Pedestrian entrances and exits shall be separated from vehicular access paths.	✓ <ul style="list-style-type: none"> • Parking complies with relevant controls • Although within a front setback, the parking designed in a landscape setting • Pedestrians and vehicles are separated.
3A.3.2 Bicycle Park Design	C1. Bicycle parking areas shall be designed in accordance with Australian Standards AS2890.3 and AUSTROADS Guide to Traffic Engineering Practice, Part 14, Bicycles. C2. Bicycle parking and access shall be designed to ensure that potential conflicts with vehicles are minimised.	✓ 6 bicycle parking spaces are proposed.
3A.3.3 Traffic and Transport Plans and Reports	C1. A Traffic and Parking Impact Assessment shall be provided for development: <ol style="list-style-type: none"> Listed in Schedule 3 of SEPP Infrastructure; and Where, in the opinion of Council, the proposed development is likely to generate significant traffic and/or parking demand or land use. 	✓ See Traffic Report at Appendix G.
3A.3.4 On-Site Loading and Unloading Facilities	C1. Service bays and parking area for commercial vehicles shall be designed in accordance with AS2890.2 and AUSTROADS guidelines. C10. Delivery vehicles shall enter and leave the property in a forward direction.	No change to existing arrangements.
3B Heritage		

Part	Provision	Compliance
3B.2.3 Development Application Requirements	Council requires that a Heritage Impact Statement (for local heritage items) be prepared by <i>a professional heritage consultant</i> or a similarly qualified person and be submitted with all Development Applications for Heritage Items or development within Heritage Conservation Areas.	✓ See SoHI (Appendix D).
3C Access and Mobility		
3C.2 Access, Mobility and Adaptability	<p>C1. All new DAs must include a statement of consistency indicating how the development provides access for people with disability in accordance with DCP requirements.</p> <p>C2. Vehicle parking for people with disability:</p> <ul style="list-style-type: none"> a vehicle parking area containing 5 or less vehicle spaces – one (1) accessible vehicle space, designed in accordance with relevant Australian Standards (not signposted and reserved only for people with disabilities). a vehicle parking area containing 6-49 vehicle spaces - one (1) accessible vehicle space, designed in accordance with relevant Australian Standards will be provided. <p>C3. All development, must comply with the provisions of the Disability Discrimination Act 1992, BCA, the Premises Standards and the relevant Australian Standards.</p>	✓ One disabled parking space is proposed, see Access Report (Appendix O).
3G Stormwater Management		
3G.2 Stormwater Management	<p>C1. Development shall not be carried out on or for any lands unless satisfactory arrangements have been made with and approved by Council to carry out stormwater drainage works.</p> <p>C2. Stormwater runoff generated from the development site shall be collected and discharged in accordance with Council's <i>Stormwater Management Technical Guidelines</i>.</p>	✓ See Civil Plans (Appendix M).
3G.3 Water Sensitive Urban Design	<p>C1. All Development Applications shall adopt the following ten WSUD design elements (refer to <i>Water Sensitive Planning Guide: for the Sydney Region (2003)</i>):</p> <ul style="list-style-type: none"> (i) Integrating the design; (ii) Respecting the site; (iii) Conserving water; (iv) Preventing increased flooding; (v) Preventing increased stream erosion; (vi) Maintaining water balance; (vii) Reducing ecotoxic risk; (viii) Controlling stormwater pollution; (ix) Managing the construction site; and (x) Ensuring long-term effectiveness. <p>C5. In order to implement WSUD principles - all information shall be prepared by qualified practitioners experienced in WSUD plans and strategies.</p>	✓ See Civil Plans which show a Stormwater quality system (Appendix M).
3G.4 Stormwater Quality	C1. Water quality objectives stated in " <i>Botany Bay & Catchment Water Quality Improvement Plan (BBWQIP)</i> " shall be satisfied.	
3H Sustainable Design		
3H.2.2 Energy & Water Efficiency for Non-BASIX Development	<p>C1. Buildings are to be oriented and designed to achieve optimum solar access and natural ventilation where practical.</p> <p>C2. Measures to reduce heat loss and gain in winter and summer must be incorporated into the building design. Details to be provided at DA stage.</p>	✓ See Section 3.7 and Appendix Q .
3J Development Affecting Operations at Sydney Airport		

Part	Provision	Compliance								
3J.2 Aircraft Noise Exposure Forecast (ANEF)	Development Classified as "Conditional"	✓								
	C2. Where the building site is classified as "conditional" under Table 2.1 of AS2021-2000, development may take place, subject to Council consent and compliance with the requirements of AS2021-2000. Note: Where the height of the proposed development is higher than the existing height of the localised building stock (and the proposed development has a direct line of sight to the seaport and/or the airport) an acoustical assessment by an accredited acoustical consultant is required which takes into account noise from the operations of Port Botany and Sydney Kingsford Smith Airport. AUSTRALIAN STANDARDS 2021-2000 Building Site Acceptability Based on ANEF Zones	See Aircraft Noise Intrusion report (Appendix J and Section 4.2.9).								
	<table><tr><th>Building type</th><th>Acceptable</th><th>Conditional</th><th>Unacceptable</th></tr><tr><td>School, university</td><td>Less than 20 ANEF</td><td>20 to 25 ANEF</td><td>Greater than 25 ANEF</td></tr></table>	Building type	Acceptable	Conditional	Unacceptable	School, university	Less than 20 ANEF	20 to 25 ANEF	Greater than 25 ANEF	
	Building type	Acceptable	Conditional	Unacceptable						
School, university	Less than 20 ANEF	20 to 25 ANEF	Greater than 25 ANEF							
C5. Where a building site is considered by Council to be located on or immediately adjacent to an ANEF contour and could be affected by aircraft noise the subject development will be assessed as if it was located within the relevant ANEF contour.										
3J.3 Aircraft Height Limits and Prescribed Zones	C1. If the building is located within a specific area identified on the OLS map or seeks to exceed the height limit specified in the map the application must be referred to Civil Aviation Safety Authority and Airservices Australia for assessment.	N/A A maximum building height of 15.24m applies to the site in accordance with the OLS Map and a maximum height of 10.9m is proposed.								
3K Contamination	Sites must be evaluated to determine if the proposed development is on land suspected to have been used for a potentially contaminating activity or is potentially contaminated.	✓ The site accommodates an existing school.								
3L Landscaping and Tree Management										
3L.2 General Requirements	C1. Existing trees including street trees must be preserved. C9. Landscape documentation required to be submitted with DA: <ul style="list-style-type: none">• An accurate survey plan indicating all trees, palms and vegetation on property, on adjoining properties close to boundaries and Council street trees; height, canopy width and trunk diameter/circumference and whether trees are proposed to be retained or removed.• Landscape / planting plan.• Documentation to be prepared by Surveyor and Designer.• An Arborist report may be required.	✓ See Landscape Plan and Arboricultural Assessment (Appendices E & F). Landscaping is proposed in the new car park.								
3L.4 Tree Management	Consent is required to undertake any tree pruning or removal work.									
3L.6 Landscaping in Car Parks	C1. For at-grade car parks 1 tree will be provided for every 5 car spaces so that at least a 50% canopy coverage of the car park at maturity is provided. Car parks will be generously landscaped.									
3M Natural Resources										

Part	Provision	Compliance
3M.4 Wetlands 3M.4.1 General Requirements	<p>C1. Development Applications for certain construction works within the catchment (refer to <i>Appendix B for the Catchment Area for the Wetlands</i>) must submit the following:</p> <ul style="list-style-type: none"> (i) Plans of the proposed development including a site plan showing all culverts, drains, paved surfaces and stormwater control mechanisms (existing and proposed); (ii) A Vegetation Management Plan; (iii) A Stormwater Management Plan - to minimise impacts on wetlands including: <ul style="list-style-type: none"> a) The management of erosion and control of pollutants; b) Details of permanent stormwater management measures at the site. (iv) Plans and details of any proposed boardwalks, information signs and viewing platforms adjacent to the Wetlands. (v) An Assessment of Significance as part of a Flora and Fauna report. <p>Note: Refer to Council's DA Guide to ascertain if DA is required to include the above information.</p>	<p>✓</p> <p>See Civil Plans which show a Stormwater quality system (Appendix M).</p>
3N Waste Minimisation and Management		
3N.2 Demolition and Construction	<p>C1. A Site Waste Minimisation and Management Plan must be submitted for Development Applications involving:</p> <ul style="list-style-type: none"> (i) Demolition (ii) New development; and (iii) Alterations and additions affecting more than 20m² of floor area. 	<p>✓</p> <p>See Waste Management Plan (Appendix N).</p>
3N.3 On-going Operation of Development	<p>C1. A Site Waste Minimisation and Management Plan (SWMMP) must be submitted for Development Application involving:</p> <ul style="list-style-type: none"> (i) New development; (ii) Change of use of an existing premises; and (iii) Alterations and addition that would affect waste management facilities or practices. 	

4.2 S. 4.15(1)(b) Impact on the environment

This section considers the environmental impacts of the proposal, where not fully addressed above.

4.2.1 Heritage

The SoHI by Heritage 21 provides a detailed description and heritage assessment of the proposal (**Appendix D**). At Section 7.0, the SoHI notes that the proposal comprises a high-quality, contemporary design that is a neutral and humble introduction to the streetscape. They conclude that the proposal complies with relevant heritage controls and would have neutral impact on the heritage significance of the site and its heritage items, heritage items in the vicinity of the site and the Daceyville Garden Suburb HCA as noted below conclusion and recommendation:

7.0 CONCLUSION & RECOMMENDATIONS

7.1 Impact Summary

The NSW Office of Environment & Heritage's guidelines require the following aspects of the proposal to be summarised.

7.1.1 Aspects of the proposal which respect or enhance heritage significance

In our view, the following aspects of the proposal would respect the heritage significance of the subject site, the Daceyville Garden Suburb HCA, and heritage items in the vicinity:

- *The proposal would not entail the demolition of any heritage items*
- *The proposed removal of the intrusive demountable buildings in the north-east of the site would improve views into the site from Banks Avenue*
- *The proposed works to the Marist Brothers School and presbytery, one of the heritage items on the site, would entail reconfiguration of non-original internal fabric*
- *The removal of the non-original northern wing of the Marist Brothers School and presbytery would result in the reinstatement of the original form of this heritage item*
- *The proposed additions to the Marist Brothers School and presbytery would be low-impact in nature, noticeably contemporary, and reversible*
- *The proposed new building between the two on-site heritage items is of a high-quality contemporary design, the form and materiality of which are sympathetic to the forms and materialities of the surrounding context (including adjacent heritage items)*
- *The form, bulk and scale of the proposed new building is, in our opinion, sympathetic and appropriate to the existing heritage context of the site*
- *The proposed new building would allow for the retention of adequate curtilage around the two on-site heritage items*
- *The proposal is designed for the purpose of continuing the historical functioning of the site as an educational facility*

7.1.2 Aspects of the proposal which could have detrimental impact on heritage significance

The construction of a new building, to be located between two heritage items, has the potential to engender a negative impact on the significance of these items. However, it is the assessment of Heritage 21 that the design presents as a high-quality, contemporary solution for the site. We note that the design does not seek to imitate traditional forms

and construction, nor does it present as out of context and unsympathetic to its surrounds – rather, the thoughtful use of materials and the simple yet articulated building envelope would present as a neutral, humble introduction to the streetscape and to the Daceyville Garden Suburb HCA. As such, Heritage 21 can support the proposed scheme.

7.1.3 Sympathetic alternative solutions which have been considered and discounted

At the beginning of the design process for this development, three options were presented to Heritage 21. These were:

1. Demolition of existing [sic] structures and construction of replacements; and/or
2. Modification and reuse of existing [sic] structures; and/or
3. Construction of new school buildings.

Heritage 21 provided preliminary heritage advice to the client and architects in relation to these three options. A summary of this advice is as follows:

Option	Heritage 21 Advice
1	Not supportable from a heritage perspective.
2	Supportable from a heritage perspective, if development is managed according to significance of place and with regard to relevant heritage controls in the Botany Bay Development Control Plan 2013 (BBDCP).
3	Supportable from a heritage perspective, if development is managed according to significance of place and with regard to relevant heritage controls in the BBDCP.

Following Heritage 21's advice, options 2 and 3 were selected. As noted in Section 6.2.1 above, the proposed underwent a number of iterations and, following continued advice from Bayside Council and the consultancy team – including Heritage 21 – the design present in the current development application was finalised, with the support of Heritage 21.

7.2 General Conclusions

In view of the assessment made above, Heritage 21 is therefore confident that the proposed development complies with the pertinent heritage controls and would have a neutral impact on the heritage significance of the subject site and the heritage items contained therein, the heritage items in the vicinity of the site, and the Daceyville Garden Suburb HCA. Heritage 21 therefore recommend that Bayside Council view this application favourably on heritage grounds.

7.3 Mitigation Measures

To ensure maximum conservation of significance of the subject site, heritage conservation area and heritage items in the vicinity, Heritage 21 also recommends the following:

7.3.1 Penetration in Significant Fabric

The proposed external elements to be installed in the Marist Brothers School and presbytery should consider physical impact onto the original fabric of the building and should preferably be made of stand-alone fixtures which would be abutted against the wall rather than fixed onto it, thus limiting the need for drilling holes and penetrating the significant fabric of the building.

7.3.2 Interpretation Strategy

An Interpretation Strategy should be prepared by a suitably-qualified heritage professional. Such a strategy would identify key users of the site, develop themes and key messages for the identified audience, and propose options for communication of heritage values to visitors and users of the site. This may be in the form of graphic display, art installations, design features or other interpretive media.

7.3.3 Interpretation Plan

Following on from the Interpretation Strategy, an Interpretation Plan should be prepared by the heritage consultant to develop content, an installation schedule, and a maintenance plan (if necessary) for the proposed interpretive media. The focus of this exercise is not for passive historical instruction but for interactive engagement between a site and the community.

A condition of consent should be imposed on any approval requiring implementation of the recommended mitigation measures stated in the SoHI.

4.2.2 Tree removal

An Arboricultural Impact Assessment and Addendum Report has been prepared by Graham Brooks Arboricultural Tree Services Pty Ltd (**Appendix F**). The Arborist notes that 39 trees were assessed on the site, 16 trees are recommended for removal, protection measures are recommended for the remaining trees and replacement trees are recommended, as noted below:

- **Trees to be removed:** Removal of trees 1, 4-11, 17, 21-23, and 31-33 is recommended (Subject to approval from the City of Botany Bay Council). Removal must be undertaken by a qualified Arborist (AQF 3), following the guidelines provided in the Amenity Tree Industry – Work Cover Code of Practice 1998.
- **Trees to be protected:** The project Arborist (AQF 5) is to ensure the installation of fenced tree protection zones for T2, T3, T5, T18, T19, T20, T24-T30, T34-39 prior to the commencement of any works.

A condition of consent should be imposed requiring implementation of the recommendations in the Arboricultural Impact Assessment.

4.2.3 Car parking, traffic and access

A Traffic Impact Assessment has been prepared by Bitzios Consulting (**Appendix G**) and it concludes that the traffic, access and parking impacts of the proposal are reasonable as noted below:

7. CONCLUSION

The key findings of this traffic impact assessment are as follows:

- *The school is expected to generate a total of 500 trips during the AM and PM peak hours with a student enrolment of 470 students;*
- *the Banks Avenue / Gwea Avenue intersection is anticipated to operate within acceptable limits beyond year 2028 with a 470-student enrolment and the proposed car park;*
- *the Banks Avenue / Wills Crescent intersection is anticipated to operate within acceptable limits beyond year 2028 with a 470-student enrolment and the proposed car park;*
- *the layout of the proposed car park has been designed in accordance with Australian Standards;*
- *swept paths show the ability of a B99 vehicle to ingress the site, manoeuvre around the drop-off / pickup area, and egress the site in a forward gear;*
- *the proposed car park has a provision of 15 parking spaces and 11 drop-off / pick-up spaces in accordance with Council's DCP;*
- *the school's servicing and refuse collection is planned to remain as existing;*
- *the car park left-turn entry crossover from Banks Avenue requires a CHL turn treatment 40m in length;*
- *this turn treatment can be gained by applying a timed "No Parking" zone to the road frontage during drop-off / pick-up operations, from the pedestrian crossing to the car park entry;*
- *the proposed one-way driveway crossovers are 3m wide with 1.5m wide by 1.8m long splays as per an IPWEA RS-051 Type A driveway, in order to account for a B99 turning from the CHL turn treatment into the driveway;*
- *given that a CHL turn treatment is recommended for the car park entry and cars would not be permitted to park within this treatment, parked cars would therefore not present as a sight obstruction;*
- *the size and location of proposed existing street trees in relation to the driver sight line is not considered to constitute a sight obstruction which would require their removal; and*
- *a drop-off / pick-up traffic management plan has been provided, which addresses the coordination of drop-off / pick-up operations.*

The above findings indicate that subject to the recommended treatments within this report being implemented, the proposed development is not expected to introduce any significant traffic and transport issues that would preclude approval by Council.

A condition of consent should be imposed requiring implementation of the recommendations in the Traffic Impact Assessment, in particular implementation of the Drop-off/Pick-Up Traffic Management Plan.

4.2.4 Flooding

The Flood Advice Letter from Council (**Appendix H**) notes that the site is not affected by the 1% Annual Exceedance Probability (**AEP**) flood but that it is adjacent to an area subject to flooding in a 1% AEP storm event (low level ponding risk).

The Flood Management Plan by JDH (**Appendix H**) sets out the following relevant levels and flood management procedures (noting that the Probable Maximum Flood (**PMF**) is the highest flood level that is ever likely to occur):

- **1% AEP Flood Level:** 21.16 m AHD on Haig Avenue to west of asphalt playing surface, 21.82m AHD on Banks Avenue to east of main quadrangle building
- **Probable Maximum Flood:** Varies within site 21.77 m AHD at asphalt playing surface, 22.20m AHD to the east of main quadrangle building
- **Lowest carpark level:** 21.46 m AHD
- **Habitable Floor Level Block C:** 22.00 m AHD
- **Second Floor Level Block C:** 25.11 m AHD
- **Existing Front Boundary Level:** Varies along Haig Ave, 21.38 m AHD to the north of block C, 21.16 m AHD to the south of Block C
- **Lowest Ground Level:** 21.16 m AHD at south west corner of Block C along Haig Ave.

The above levels give an indication of how the various floods will impact this property and what level of protection is provided. Habitable living areas are designed to be a minimum of 0.5 m above the 1 % AEP Flood Level and staying within the home will provide protection for a wide range of floods.

Procedure

1. Floods in Bayside Local Government area are considered as "flash floods" and no warning system is available. Storms leading to major flooding are typically 2 hours long, however shorter storms as little as 30 minutes long can produce significant flooding. Once the storm passes floodwaters usually disappear rapidly.
2. During floods many local and major streets and roads will be cut by floodwaters. Traveling through floodwaters on foot, or in a vehicle can be very dangerous as the water may be polluted, obstructions can be hidden under the floodwaters, or you could be swept away. Council recommends staying within the school classrooms as much as practical as this is the safest option. If you need to leave the school do so early in the flood event before the flood level reaches 150mm above existing ground level across the site.
3. Develop your own school flood plan and be prepared if flooding should occur while the students & staff are coming to school and leaving the school. Talk to the Council to determine the safer travel routes that are less likely to be cut by floodwaters.
4. As the flood level approaches the carpark level do not attempt to save the car if floodwaters start to enter the carpark, it is too dangerous as water levels will rise rapidly and you could be trapped.
5. As the flood level approaches the habitable floor level:
 - I. gather medicines, special requirements for babies or the elderly, mobile phones, first aid kit, special papers and any valuables into one location,
 - II. put on strong shoes, raise any items within the school that may be damaged by water (e.g. photo albums) to as high a level as possible, with electrical items on top. Turn off and disconnect any large electrical items such as a TV that cannot be raised.

- III. place wet towels across the bottom and lower sides of external doors to slow down the entry of water through the door.*
- 6. In the very rare event that floodwaters may enter the school collect items from 6:i) above and move to an upper level if possible, or if in a single level building provide a chair in the classroom to enable access to the bench/desk preferably adjacent to the window. Ensure window is not locked or key readily available. Do not evacuate the school unless instructed to do so by the SES or the Police. Remember floodwaters are much deeper and flow much faster outside.*
 - 7. In the case of a medical emergency ring 000 as normal but explain about the flooding.*
 - 8. A laminated copy of this flood plan should be permanently attached (glued) on an inside cupboard door in each classroom and to the inside of the electrical meter box.*
 - 9. This flood management plan should be reviewed every 5 years, particularly with the potential effects of Climate Change with sea level rise and increased rainfall intensities*

The proposed levels in Block C satisfy the required flood planning levels. A condition of consent should be imposed requiring implementation of the Flood Management Plan.

4.2.5 Land use

Re-location of the school's drop-off and pick-up activities away from Haig Avenue (which is occupied by residential uses on its western side) to the proposed on-site parking area accessed from Banks Avenue is considered to be desirable as it co-locates institutional activities (schools, ecclesiastical, open space and recreation activities) along Banks Avenue.

Accommodation of the school's parking and drop-off and pick-up activities on the site is to be applauded as it is rarely achievable for established schools in an urban setting.

4.2.6 Overshadowing

JDH has prepared shadow diagrams that illustrate the shadow impact of proposed Block C at 9am, 12 noon and 3pm on 22 June and 22 March (DA-10, **Appendix C**). The shadow diagrams show that new shadows are contained within the site or fall onto the Haig Avenue road reserve (with no overshadowing of any residential properties or open space).

4.2.7 Privacy

The proposal does not give rise to any unreasonable privacy issues as proposed Block C does not immediately adjoin any residential uses, Haig Avenue separates it from houses on the western side of Haig Avenue and the western elevation of proposed Block C incorporates screens to the proposed windows.

4.2.8 Noise

An Environmental Noise Assessment has been prepared by Day Design Pty Ltd (**Appendix I**). The assessment considers potential noise generated by proposed mechanical plant, children in outdoor areas and cars in the car proposed park. A summary of findings follows:

- **Mechanical plant:** Mechanical plant will likely comply with acceptable noise criteria, subject to a detailed review being carried out once the condenser units have been selected.
- **Car park:** Noise impacts from road traffic generation will meet the acceptable noise criteria and is considered to be acceptable.
- **Outdoor play:** With the proposed increase in students (from 268 to 470 students), noise from children at outdoor play will exceed accepted noise criteria. However, given the existing noise emissions, the limited duration of outdoor play and the expectation of noise from children at the school, Day Design consider the impact to be acceptable.

The Environmental Noise Assessment sets out the following noise control recommendations:

7.0 NOISE CONTROL RECOMMENDATIONS

7.1 Mechanical Plant

We recommend that all mechanical plant be vibration isolated from the building structure.

Noise emission from the mechanical plant should be acoustically designed to reduce the noise emission level at the neighbouring properties to levels complying with the criteria in Section 4.7 of this report.

For typical outdoor condensing units, with sound power levels of up to 83 dBA, the noise emission will likely exceed the acceptable noise criteria at the nearest residential premises across Haig Avenue. Selection of quieter units or an acoustic enclosure should be designed for the outdoor condenser units.

We recommend that a noise assessment be carried out once the mechanical plant is selected.

7.2 Undercroft Area

To reduce the level of noise buildup within the proposed undercroft area, we recommend that the soffit be lined with sound absorptive insulation.

The sound absorptive panelling may consist of perforated/slotted timber, metal or fibre cement (min. 20% open area) with 50 mm thick polyester insulation (minimum density 32 kg/m³) fitted behind. Other constructions will be acceptable provided the absorptive panels will have a noise reduction coefficient (NRC) of 0.8 or greater.

A condition of consent should be imposed requiring implementation of these recommendations.

4.2.9 Aircraft noise

As noted in Section 2.1, the site is within the 20-25 ANEF noise contour.

An Aircraft Noise Intrusion assessment has been prepared by Day Design (**Appendix J**). The report concludes that if the recommended noise controls are satisfactorily implemented, the internal noise level from passing aircraft will be within the acceptable limits as recommended in Australian Standard AS2021:2015 (measures are recommended in relation to the external walls, ceiling and roof system, glazing, Windows and Glass Doors suppliers, mechanical ventilation).

A condition of consent should be imposed requiring implementation of these recommendations.

4.2.10 Accessibility

An Accessibility Design Assessment has been carried out by AED Group (**Appendix O**). The report concludes that the current design contains some non-compliances with the Deemed to Satisfy provisions of the Building Code of Australia (**BCA**), however, these can be readily resolved by minor design changes or BCA Alternative Solution(s).

A condition of consent should be imposed requiring implementation of these Access Report recommendations.

4.2.11 BCA

The Preliminary BCA Compliance Assessment Report by Blackett McGuire + Goldsmith (**Appendix P**) assesses the compliance of the proposal with the requirements of the BCA. The report notes that the proposal will achieve compliance with the BCA by way of a combination of compliance with the Deemed to Satisfy provisions and also via Performance Solutions where appropriate. The Report concludes that compliance can be achieved at the detailed design stage without giving rise to any inconsistencies with the DA documentation.

4.3 S. 4.15(1)(c) The suitability of the site for the proposed development

For the reasons set out in this SEE, the site is suitable for the proposal.

4.4 S. 4.15(1)(d) Any submissions made in accordance with the Act or Regulations

The DA will be notified/advertised in accordance with Council policy and submissions received will be considered in the DA assessment.

4.5 S. 4.15(1)(e) The public interest

Consistent with the public interest, the proposal will:

- Satisfy the relevant objectives of Zone R2 and the relevant controls and standards
- Provide a high standard of architectural and landscape design that is appropriate to the heritage significance of the site and its context
- Provide additional primary school places in area where demand is high
- Improve facilities at St Michael's Catholic Primary School for existing and future students
- Reduce demand for on-street car parking and improve drop-off and pick-up arrangements by providing on-site facilities
- Replace existing demountable classrooms with high quality new GLAs and reinstating their footprints as play space
- Create construction jobs.

No wider public interest issues arise.

5.0 Conclusion

The proposed alterations/additions to St Michael's Catholic Primary School and increase in student places are reasonable and offer the following benefits:

- Amendments to reduce the height of proposed Block C and to provide a design that is appropriate given the heritage significance of the site and its context
- The SoHI notes that the proposal comprises a high-quality, contemporary design that is a neutral and humble introduction to the streetscape. It concludes that the proposal complies with relevant heritage controls and would have neutral impact on the heritage significance of the site and its heritage items, heritage items in the vicinity of the site and the Daceyville Garden Suburb HCA
- A building height that, although above the 8.5m height standard, is reasonable as:
- The proposal has a maximum height of 10.9m which exceeds the 8.5m height standard. As demonstrated in the cl. 4.6 written request (**Appendix L**), the proposed departure is reasonable in the following circumstances:
 - **Flooding:** Flood levels provided by Council (see Flood Advice, **Appendix H**) preclude the provision of habitable rooms at the ground floor and inhibit. The proposed undercroft addresses flooding, but increases building height
 - **Function:** The functional requirements of the proposal necessitate a two storey form to accommodate the school's educational requirements (eight new classrooms).
 - **Play space:** An increase in height reduces site coverage and increases the available play space increasing student amenity and activity.
 - **Density:** The proposal is below the FSR standard (0.5:1 permitted and 0.34:1 is proposed) therefore the height non-compliance does not increase the planned density on the site.
 - **Heritage:** The proposed additional height increases the curtilage provided around heritage items on the site and the heritage impacts of proposed Block C are satisfactory (see SoHI, **Appendix D**). The design of proposed Block C has been amended to address concerns raised by Council's Heritage Advisor who has given in principle support to the amended proposal.
 - **Trees:** An increase in height minimises site coverage and tree removal.
 - **Amenity:** The additional height does not give rise to any adverse amenity impacts (shadows, views, privacy etc) (see, Section 4.2).
 - **Streetscape:** The street frontage height of proposed Block C is 9m, with the maximum height of 10.9m achieved at the ridge only (see **Figures 8 and 9**).
 - **Design Review Panel:** The Design Review Panel considered that the "*design is generally of a high quality and appropriate to its context*" subject to a 200mm reduction in height (and several other matters that have been addressed). As amended, the height of proposed Block C is 934mm lower than the original scheme presented to the Design Review Panel (from RL 33.184 in the pre-DA to RL 32.250 in the amended plans) (**Appendix D**).
 - **Relevance of the zoning and height standard:** The zoning of the site (Zone R2) is unreasonable/inappropriate so that an 8.5m height of buildings development standard is also unreasonable/unnecessary as it applies to the site and compliance with the standard would be unreasonable or unnecessary.
- Sensitive alterations and additions to existing buildings on the site (Blocks A and B)

- A new on-site car parking area that provides parking consistent with the BBDCP 2013 controls (18 spaces required and 26 spaces (total) are proposed)
- An on-site drop-off/pick-up facility that accommodates the school's demands and is sited away from Haig Avenue (which is occupied by residential uses on its western side) and located on Banks Avenue co-located with other institutional activities (schools, places of worship, open space and recreation activities)
- Accommodation of the school's parking and drop-off and pick-up activities on the site is to be applauded as it is rarely achievable for established schools in an urban setting.
- Minimal and acceptable traffic impacts
- Minimal and acceptable impacts in terms of overshadowing, privacy and noise
- Provide appropriate construction methodologies that address aircraft noise intrusion
- A stormwater quality system
- Landscaping of the proposed Block C setback area to Haig Avenue and the new car park including tree planting replacement
- The proposal will have significant social benefits and it is in the public interest as:
 - Provide additional primary school places in area where demand is high
 - Provide a high standard of architectural and landscape design that is appropriate to the heritage significance of the site and its context
 - Improve facilities at St Michael's Catholic Primary School for existing and future students
 - Reduce demand for on-street car parking and improve drop-off and pick-up arrangements
 - Replace existing demountable classrooms with high quality new GLAs and reinstating their footprints as play space
 - Create construction jobs.

In light of the significant merits of the proposal and the absence of any significantly adverse environmental effects, the DA is considered worthy of consent.

