



PLANNING



BUILDING



HERITAGE



URBAN DESIGN


Statement of Environmental Effects

Alterations and Additions to an existing school

Magdalene Catholic High School
Smeaton Grange

Submitted to Camden Council
On Behalf of Catholic Education, Diocese of Wollongong

Report Revision History

Revision	Date Issued	Prepared by	Reviewed by	Verified by
Draft 01	13/06/18	O Page/M Watson <i>Assistant Planner/Associate</i>	David Ryan <i>Executive Director</i>	David Ryan <i>Executive Director</i>
Final	25/06/18	Jack Davies <i>Assistant Planner</i>	Michael Watson <i>Associate Planner</i>	

This document is preliminary unless approved by a Director of City Plan Strategy & Development

CERTIFICATION

This report has been authorised by City Plan Strategy & Development, with input from a number of other expert consultants, on behalf of Catholic Education, Diocese of Wollongong. The accuracy of the information contained herein is to the best of our knowledge not false or misleading. The comments have been based upon information and facts that were correct at the time of writing this report.

Copyright © City Plan Strategy & Development P/L
ABN 58 133 501 774

All Rights Reserved. No material may be reproduced without prior permission. While we have tried to ensure the accuracy of the information in this publication, the Publisher accepts no responsibility or liability for any errors, omissions or resultant consequences including any loss or damage arising from reliance in information in this publication

Table of Contents

1. Executive Summary.....	6
2. Site Analysis	7
2.1 Regional Context.....	7
2.2 The Site	7
2.3 Surrounding Development.....	9
2.3.1 Overview.....	9
3. Description of the Development	11
3.1 Overview.....	11
3.2 Excavation and Filling.....	11
3.3 Tree Removal	11
3.4 New GLA Block	11
3.5 Architectural Intent.....	12
3.6 Proposed Site Plan.....	13
3.7 Landscaping, Communal Open Space and Public Domain	13
3.8 Development Statistics	14
3.9 Capital Investment Value.....	14
3.10 Pre-lodgement Consultation.....	14
4. Statutory Planning Considerations	15
4.1 Overview.....	15
4.2 Environmental Planning and Assessment Act 1979	15
4.2.1 Section 4.15 of EP&A Act 1979.....	15
4.2.2 Section 4.46 - Integrated Development.....	16
4.3 Environmental Planning and Assessment Regulation 2000	16
4.3.1 Clause 98 - Compliance with the BCA	16
4.4 Biodiversity Conservation Act 2016.....	16
4.5 State Environmental Planning Policies.....	16
4.5.1 State Environmental Planning Policy No 55 - Remediation of Land 16	
4.5.2 State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017	17
4.6 Camden Local Environmental Plan 2010.....	20
4.6.1 Zoning and Permissibility.....	20
4.6.2 Other relevant CLEP Provisions.....	21
5. Non-Statutory Considerations	23
5.1 Camden Development Control Plan 2011	23
6. Environmental Impact Assessment.....	24

6.1	Overview.....	24
6.2	Context and Setting	24
6.3	Built Environment	25
6.3.1	Height, Bulk and Scale	25
6.3.2	Setbacks	25
6.3.3	Design and Aesthetics	25
6.3.4	Amenity	26
6.3.5	Privacy and Views	26
6.3.6	Heritage	26
6.3.7	Building and Construction.....	26
6.4	Natural Environment.....	26
6.4.1	Flora and Fauna and Landscaping	26
6.4.2	Water Management	27
6.4.3	Soil Management.....	27
6.4.4	Noise & Vibration	27
6.5	Parking/Access	27
6.6	Waste.....	27
6.7	Site Suitability	28
6.8	Social and Economic Effects	29
6.8.1	Crime and Safety	29
6.8.2	Social, Economic and Employment	29
6.8.3	Public Interest	29
7.	Conclusion	31

Appendix	Document	Prepared by
1.	Site Survey	Land Team Australia Pty Ltd
2.	Architectural Plans	Alleanza Architecture
3.	Design Statement	Alleanza Architecture
4.	Landscape Plans	Ground Ink Landscape Architecture
5.	Acoustic Report	Rodney Stevens Acoustics
6.	Access Report	Vista Access Architects Pty Ltd
7.	Arborist Report	Horticultural Management Services
8.	BCA Report	Benchmark Building Certifiers
9.	Geotechnical Report	Douglas Partners
10.	Stormwater Plans	Abel and Brown Pty Ltd
11.	Waste Management Plan	Alleanza Architecture
12.	Heritage Impact Statement	Cracknell & Lonergan Architects Pty Ltd
13.	Bushfire Protection Assessment	ABPP Pty Ltd
14.	Traffic and Parking Assessment Report	Varga Traffic Planning Pty Ltd
15.	QS Report	Taylor & Partners Quantity Surveying (Aust) Pty Ltd
16.	Pre-DA Meeting Minutes	Camden Council

1. Executive Summary

This Statement of Environmental Effects (SEE) has been prepared for Catholic Education Office (Diocese of Wollongong) by City Plan Strategy and Development Pty Ltd (CPSD) to accompany a Development Application (DA) to Camden Council. The site is located within Magdalene Catholic High School at Smeaton Grange (the site).

This SEE relates to the proposal for alterations and additions to the existing school, including the construction of General Learning Areas (GLA) comprising of:

- A new two (2) storey GLA adjoining the existing Blocks A1, A2 and A3 inclusive of 21 new teaching spaces;
- Construction of a covered walkway to connect the existing Blocks A1, A2 and A3 to the proposed Block L; and
- Associated landscaping.

The increase in teaching spaces does not result from an increase in staff or students, but rather a transition away from 'traditional' specialist spaces and a move toward more flexible timetabling.

The site is zoned IN1 General Industrial under the Camden Local Environmental Plan 2010 (CLEP). Whilst Educational Establishments are generally prohibited in the subject zone, Educational Establishments are permissible on the land pursuant to Clause 22 of Schedule 1 'Additional Permitted Uses' under the CLEP.

The development is classed as integrated development in that it proposes a special bush fire protection purpose and will therefore require Bush Fire Safety Authority pursuant to Section 100B of the *Rural Fires Act 1997* from the NSW Rural Fire Services (RFS).

This SEE has been prepared pursuant to Section 4.12 of the *Environmental Planning and Assessment Act, 1979* and Clause 50 of the *Environmental Planning and Assessment Regulation, 2000*. The purpose of this SEE is to:

- describe the proposed development and its context;
- assess the proposal against the applicable planning controls and guidelines; and
- assess the potential environmental impacts and mitigation measures.

The SEE concludes this proposal is of an appropriate scale for the site, is consistent with the desired future character of the area, is well designed and has no adverse amenity impacts. It is considered that the proposal will deliver a suitable and appropriate development for the site and is worthy of approval.

2. Site Analysis

2.1 Regional Context

The site is located in the suburb of Smeaton Grange, which is within the Camden Council Local Government Area (LGA). Camden LGA is located in the Macarthur region of New South Wales. Smeaton Grange is approximately 64km south west of the Sydney CBD and approximately 7km from Camden.

A regional context map is provided below.

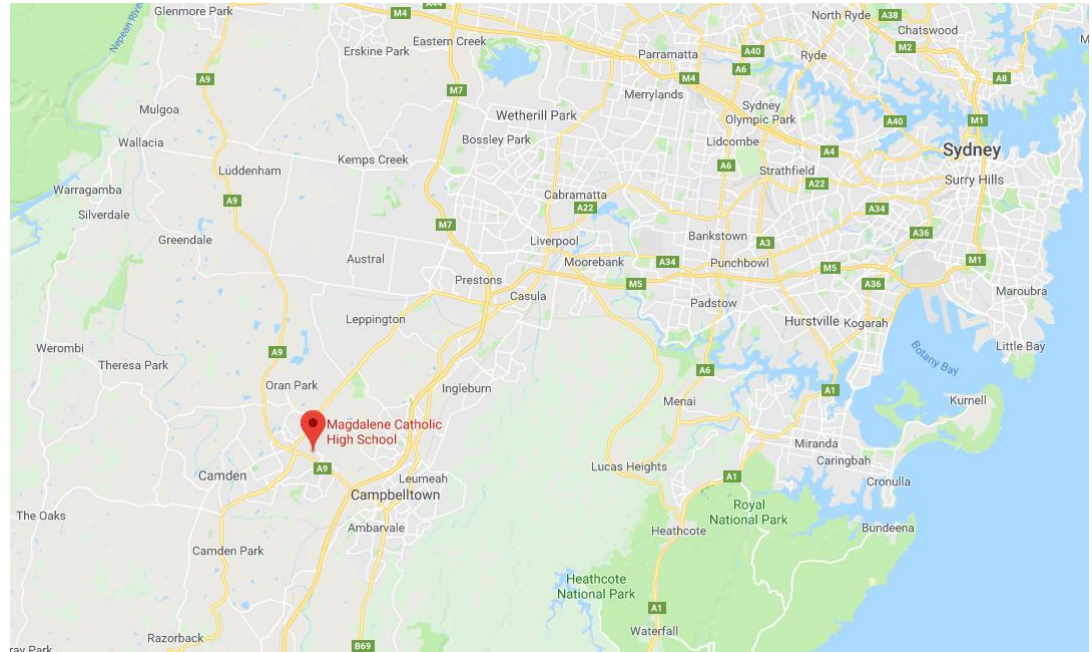


Figure 1: Location of the site in the broader context (Source: Google Maps)

2.2 The Site

The site accommodates the Magdalene Catholic High School, at 1 Sedgwick Street Smeaton Grange and is legally described at Lot 51 DP1077229. The site has an area of 10.23ha and is bounded by Smeaton Grange Road on the south-eastern boundary, Sedgwick Street on the north-eastern boundary, Hartley Road on the northern boundary, and various industrial/commercial properties on the north western boundary. Vehicular access to the site is gained via two (2) separate driveways located off Smeaton Grange Road, and a bus pick-up and drop-off zone is also located off Smeaton Grange Road. A pedestrian footpath provides access from the bus zone to the school buildings on the site. The site includes various buildings that are associated with the school, including staff rooms, classrooms, library, chapel, and other associated buildings that are one (1) and two (2) storeys in height. The existing school currently accommodates approximately 82 staff and 1,020 students. Staff parking is situated on the south western part of the site, and there are multiple playing fields on the site. There is a cluster of vegetation on the eastern boundary of the property, as well as trees that run along the majority of the eastern boundary

Refer to **Figures 2 to 6**.



Figure 2: Location of the site in the context of the surrounding area (Source: SIX Maps)



Figure 3: View of the site (Source: SIX Maps)



Figure 4: View of the site from Smeaton Grange Road (Source: Google Maps)



Figure 5: The existing structures on site (Source: Alleanza Architecture)



Figure 6: The existing structures on site (Source: Alleanza Architecture)

2.3 Surrounding Development

2.3.1 Overview

The site is predominately surrounded by industrial warehouses and bulky goods premises. To the east and south of the site is low density residential dwellings, however, these properties are separated by Smeaton Grange Road and Narrellan Road. On the southern side of Narellan Rd is Mt Annan local centre comprising of a marketplace, multiple supermarkets and leisure centre. Buildings within the Smeaton Grange Industrial Area generally range in height between one (1) and two (2) storeys in height.

Refer to **Figures 7 to 9** which give an indication of existing development in the surrounding area.



Figure 7: Development along Sedgewick Street (Source: Google Maps)



Figure 8: Development along Anzac Avenue (Source: Google Maps)



Figure 9: Development along Hartley Road (Source: Google Maps)

3. Description of the Development

3.1 Overview

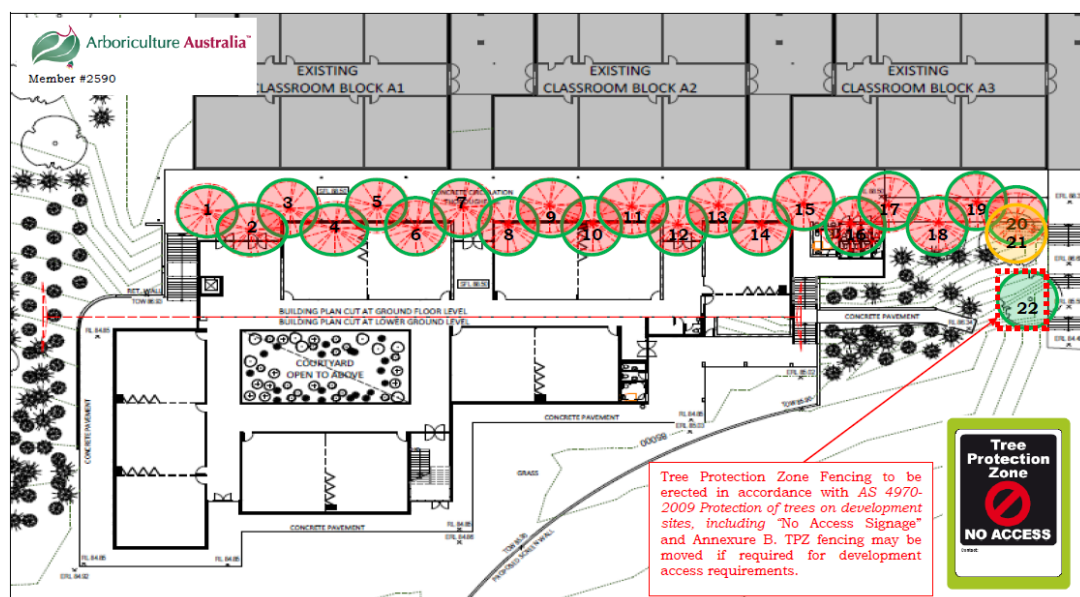
The DA seeks consent from Camden Council for the construction of a new two (2) storey General Learning Area (GLA) Block and associated landscaping within the school boundaries.

3.2 Excavation and Filling

Earthworks, mostly consisting of cut will be required to prepare the building pad for excavation, with depths up to approximately 1.5m. On the western portion of the proposed development, minor filling of 1.0m is to be expected, close to the crest of the existing batters. The Geotechnical Report in **Appendix 9** details the excavation and filling required for the proposed development.

3.3 Tree Removal

Twenty (20) Claret Ash trees are proposed to be removed due to their location in relation to the proposed new buildings and scope of works. One (1) tree is sufficiently distanced to be retained with no adverse impacts anticipated to this tree. The figure below is extracted from the Arborist Report in **Appendix 7** and details the trees which are to be removed and retained. Tree numbers 1-20 are recommended for removal. Tree 21, despite marked on the survey, had been removed as it was dead prior to inspection. Tree 22 is to be retained based on AS4970-2009 Protection of Trees on Development Sites since it is sufficiently distanced to be safely retained.



3.4 New GLA Block

The proposed works are additions and alterations to the existing school including the construction of a new (2) storey building (Block L) on the north-east side of the site. This new block adjoins the existing Blocks A1, A2 and A3, and includes an undercover walkway to connect Block A and L. Proposed Block L includes:

- Twenty-one (21) new teaching spaces which is split between the Lower Ground (7 spaces) and Ground Floor (14 spaces);
- Courtyard on the Lower Ground Floor;
- One (1) lift;

- Multiple staircases;
- Entry/foyer; and
- Staff and student unisex bathrooms.

The following table provides a summary of the proposal per level:

Table 1: Summary of Proposal, Level by Level

Level	Use	Details
Lower Ground Floor	Teaching Spaces	Seven (7)
	Bathrooms	Two (2)- Staff WC One (1)- Unisex WC One (1)- Unisex WC (Ambulant) One (1)- Unisex Access WC
	Stairways	Three (3)
	Courtyard	One (1)
	Lift	One (1)
	Covered Circulation	Adjoining Block A and L
Ground Floor	Teaching Spaces	Fourteen (14)
	Bathrooms	Seven (7)- Unisex WC's One (1)- Unisex WC (Ambulant) One (1)- Unisex Access WC
	Stairways	Three (3)
	Void	Above lower ground floor courtyard
	Lift	One (1)
	Entry/Foyer	North of the lift
	External Plant	Located on southern end of the building, adjacent to Stair 01

Refer to the architectural plans prepared by Alleanza Architecture at **Appendix 2** for further detail.

The construction of a new GLA building results from recent changes to the school's teaching and learning practices which rely less on 'traditional' specialist spaces and a need for more flexibility in timetabling. The proposal does not seek to increase the number of staff or students to the existing school, which include:

- 82 existing full-time staff: and
- 1,020 maximum student capacity.

3.5 Architectural Intent

The following provides a summary of the Architectural intent of the proposal as provided in the Architectural Design Statement prepared by Alleanza Architecture at **Appendix 3**.

"This project resulted from the school's desire to provide new teaching and learning spaces that reflect current curriculum/ pedagogy and reflect the principles in the Design Quality Principles under Schedule 4 of the SEPP.

The recent changes to the schools teaching and learning practices have resulted in less need for existing 'traditional' specialist spaces and a need offer more flexibility in timetabling; the additional learning facilities are not required due to an increase in student or staff numbers.

The original campus was designed by architects at Alleanza Architecture. The new facilities adjoin the existing and manifest themselves as a colourful building which utilises elements that tie back to the existing buildings and relate to the shape of the adjacent oval."

3.6 Proposed Site Plan

As can be seen in the site plan below Block L will be constructed to adjoin Block A and will be connected by an undercover walkway. Block L is situated on the northeast of the site, with Block A directly to its south.

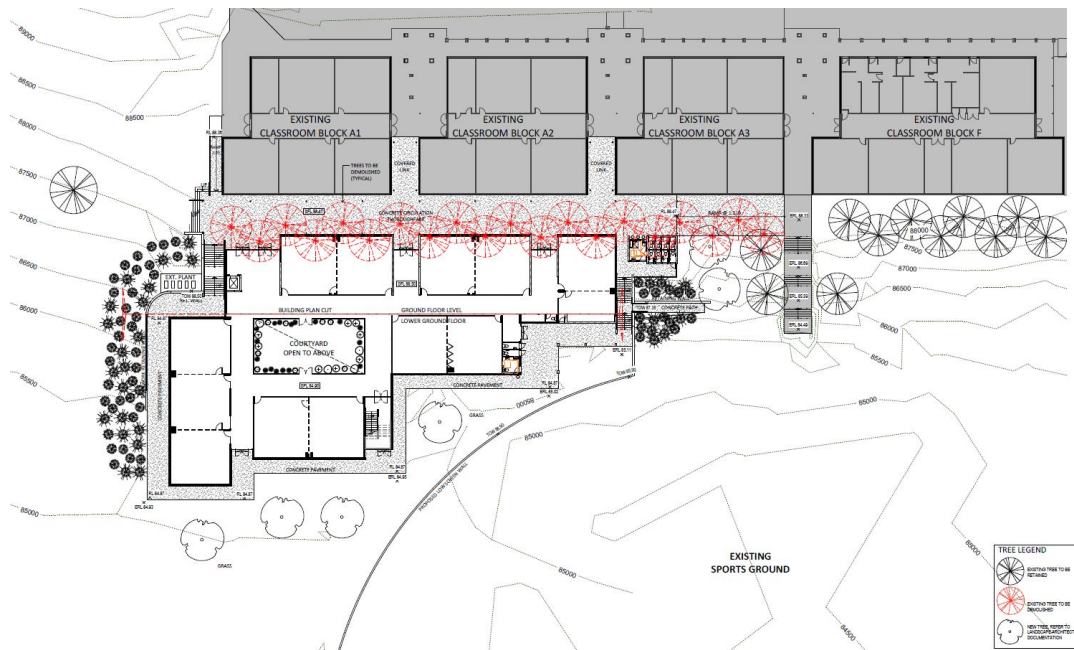


Figure 10: Extract of site plan demonstrating the proposed works (Source: Alleanza Architecture)

3.7 Landscaping, Communal Open Space and Public Domain

As stated above the proposed works involves the removal of twenty (20) trees for the construction of Block L. To supplement the remaining trees, the proposal includes new plantings on the site surrounding the new building, as well as a landscaped courtyard within the new building. Refer to **Figure 11** below and **Appendix 4** for further details.



Figure 11: Extract of proposed landscaping plans (Source: Ground Ink)

3.8 Development Statistics

The key statistics and elements of the project are shown in the table below:

Table 2: Development Statistics

Element	Comment
Site Area	102,426m ²
Gross Floor Area	10,956m ² <ul style="list-style-type: none"> 8,593m² existing schools GFA; 2,363m².
FSR	0.107:1
Maximum Height	9.7m

3.9 Capital Investment Value

The capital investment value (CIV) of the project is estimated at \$7,0876,535. Refer to the QS Report prepared by Taylors & Partners Quantity Surveying (Aust) Pty Ltd and provided at **Appendix 15**.

3.10 Pre-lodgement Consultation

Pre-lodgement advice was sought from Camden Council regarding the proposed development. A copy of the comments made by Council in its advice dated 20 February 2018 is provided at **Appendix 16**. The majority of Council's comments have been addressed throughout this SEE. Of importance, it is noted that Council queried that the preliminary development appeared to include an increase to the existing staff and student numbers of the school, and required that the increased capacity required car parking spaces as per Council's DCP. As noted previously, the proposal does not seek an increase to the existing staff and/or student numbers. Therefore, no additional parking is proposed as there is no increased demand for parking under this proposal.

4. Statutory Planning Considerations

4.1 Overview

The relevant statutory framework considered in the preparation of this report comprises:

- Environmental Planning and Assessment Act, 1979;
- Environmental Planning and Assessment Regulation 2000;
- State Environmental Planning Policy No. 55;
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017;
- Deemed State Environmental Planning Policy No. 20- Hawkesbury- Nepean River;
- Camden Local Environmental Plan 2010.

Where relevant, these controls are addressed below.

4.2 Environmental Planning and Assessment Act 1979

4.2.1 Section 4.15 of EP&A Act 1979

Section 4.15(1) of the Act as amended specifies the matters which a consent authority must consider when determining a development application. The relevant matters for consideration under Section 4.15 of the Act are addressed in the Table below.

Table 3: Section 4.15(1)(a) Considerations

Section	Comment
Section 4.15(1)(a)(i) Any environmental planning instrument	Consideration of relevant instruments is discussed in Section 4 .
Section 4.15(1)(a)(ii) Any draft environmental planning instrument	Not relevant to this application.
Section 4.15(1)(a)(iii) Any development control plan	Consideration of relevant the development control plan is discussed in Section 5 .
Section 4.15(1)(a)(iiia) Any planning agreement	Not relevant to this application.
Section 4.15(1)(a)(iv) Matters prescribed by the regulations	Refer to Section 4 .
Section 4.15(1)(a)(v) Any coastal zone management plan	Not relevant to this application.
Section 4.15(1)(b) - (e)	Refer to Section 6 of this SEE for consideration of (b), (c) and (e). Matter (d) relates to submissions and is a matter for the consent authority.

4.2.2 Section 4.46 - Integrated Development

This section of the Act defines integrated development as matters which require consent from Council and one or more approvals under related legislation. In these circumstances, prior to granting consent Council must obtain from each relevant approval body their General Terms of Approval (GTA) in relation to the development. The proposed development is nominated as Integrated Development as the development is for a 'special fire protection purpose' and requires a Bushfire Safety Authority to be issued by the NSW Rural Fire Service under Section 100B of the *Rural Fires Act 1997*.

4.3 Environmental Planning and Assessment Regulation 2000

4.3.1 Clause 98 - Compliance with the BCA

Pursuant to the prescribed conditions under Clause 98 of the Regulation, any building work *"must be carried out in accordance with the requirements of the Building Code of Australia"*. **Appendix 8** provides a BCA Report.

4.4 Biodiversity Conservation Act 2016

The Biodiversity Conservation Act 2016 (BC Act) lists and protects threatened species, populations and ecological communities that are under threat of extinction in NSW. Impacts to threatened species and endangered ecological communities listed under the BC Act are required to be assessed in accordance with Section 7.3 of the BC Act and Applicants must also consider whether their proposal will exceed the following Biodiversity Offset Scheme Development Thresholds:

1. Exceeding the clearing threshold on an area of native vegetation;
2. Carrying out development on land included in the Biodiversity Values Land Map; or
3. Having a 'significant effect' on threatened species or ecological communities.

The Arborist Report that accompanies this application (**Appendix 7**) confirms that the proposal will necessitate the removal of 20 trees to accommodate for the construction of Block L. The site is not mapped on a Biodiversity Values Land map under the LEP. The Arborist Report states *"no long-term impacts or adverse effects are anticipated to local fauna; furthermore, there are no unforeseen circumstances that would warrant this application to be declined"*. As such this proposal is not likely to have any significant impact on biodiversity values identified in the BC Act and the BC Regulation or trigger entry into any of the Biodiversity Offset Schemes.

4.5 State Environmental Planning Policies

4.5.1 State Environmental Planning Policy No 55 - Remediation of Land

Clause 7 of the SEPP 55 requires that a consent authority must not grant consent to a development unless it has considered whether a site is contaminated, and that it is satisfied that the land is suitable (or will be after undergoing remediation) for the proposed use.

The proposal is for alterations and additions to an existing school. The site has been used as a school since the year 2000, and there are no known previous uses of the site that would have resulted in potential contamination of the land. The land is considered suitable for the proposed works and continued use as a school.

No further assessment is considered necessary in relation to the requirements of Clause 7.

4.5.2 State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

The State Environmental Planning Policy (SEPP) (Educational Establishments and Child Care Facilities) was gazetted in 2017 and outlines provisions for new and existing educational establishments.

Part 4 of the SEPP outlines the relevant provisions to "schools" a summary of which has been provided in the table below.

Clause	Comment
<p>Clause 33 Definition of "prescribed zone"</p> <p>prescribed zone means any of the following land use zones:</p> <ul style="list-style-type: none"> (a) Zone RU2 Rural Landscape, (b) Zone RU4 Primary Production Small Lots, (c) Zone RU5 Village, (d) Zone RU6 Transition, (e) Zone R1 General Residential, (f) Zone R2 Low Density Residential, (g) Zone R3 Medium Density Residential, (h) Zone R4 High Density Residential, (i) Zone R5 Large Lot Residential, (j) Zone B1 Neighbourhood Centre, (k) Zone B2 Local Centre, (l) Zone B3 Commercial Core, (m) Zone B4 Mixed Use, (n) Zone B5 Business Development, (o) Zone B6 Enterprise Corridor, (p) Zone B7 Business Park, (q) Zone B8 Metropolitan Centre, (r) Zone SP1 Special Activities, (s) Zone SP2 Infrastructure, (t) Zone E4 Environmental Living. 	<p>The subject site is zoned IN1 under the CLEP, and is not located in a 'prescribed zone'. Notwithstanding, subclause 35(3) permits the proposed development as it is within the boundaries of an existing school. Further, Clause 22 of Schedule 1 of the CLEP permits educational establishments on the site.</p>
<p>34 Development for the purpose of student accommodation</p> <p>In this Part, development for the purpose of a school does not include development for the purpose of residential accommodation for students that is associated with a school, regardless of whether, or the extent to which, the school is involved in, or exercises control over, the activities and life of the students living in the accommodation.</p> <p>Note.</p> <p>Clause 35 provides for development for the purpose of student accommodation as a separate category of development.</p>	<p>Not applicable to this application.</p>

35 Schools—development permitted with consent

(1) Development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone.

(2) Development for a purpose specified in clause 39 (1) or 40 (2) (e) may be carried out by any person with development consent on land within the boundaries of an existing school.

(3) Development for the purpose of a school may be carried out by any person with development consent on land that is not in a prescribed zone if it is carried out on land within the boundaries of an existing school.

(4) Subclause (3) does not require development consent to carry out development on land if that development could, but for this Policy, be carried out on that land without development consent.

(5) A school (including any part of its site and any of its facilities) may be used, with development consent, for the physical, social, cultural or intellectual development or welfare of the community, whether or not it is a commercial use of the establishment.

(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.

(7) Subject to subclause (8), the requirement in subclause (6) (a) applies to the exclusion of any provision in another environmental planning instrument that requires, or that relates to a requirement for, excellence (or like standard) in design as a prerequisite to the granting of development consent for development of that kind.

(8) A provision in another environmental planning instrument that requires a competitive design process to be held as a prerequisite to the granting of development consent does not apply to development to

(1) The subject land is not within a prescribed zone as defined under Clause 33.

(2) Noted.

(3) The development is not within a prescribed zone, however, the proposed works are within the boundaries of an existing school (i.e. Magdalene Catholic High School).

(4) Not applicable to this application.

(5) Noted - The proposed new building is to be used by the students and staff of the school.

6(a) A Design Verification Statement has been prepared by Alleanza Architecture and is provided at **Appendix 3**.

6(b) The proposal includes additional classrooms for use by the students. The proposal does not alter or change the current use of school facilities by the community, including the use of the oval for sporting activities.

(7) There are no design excellence provisions under the applicable LEP, therefore consideration of the design principles in Schedule 4 is required.

(8) There are no design excellence provisions under the applicable LEP.

<p>which subclause (6) (a) applies that has a capital investment value of less than \$50 million.</p> <p>(9) A provision of a development control plan that specifies a requirement, standard or control in relation to development of a kind referred to in subclause (1), (2), (3) or (5) is of no effect, regardless of when the development control plan was made.</p> <p>(10) Development for the purpose of a centre-based child care facility may be carried out by any person with development consent on land within the boundaries of an existing school.</p> <p>(11) Development for the purpose of residential accommodation for students that is associated with a school may be carried out by any person with development consent on land within the boundaries of an existing school.</p>	<p>(9) This DA is prepared in accordance with the SEPP and therefore any Development Control Plan (DCP) prepared by Council is not applicable and has no effect.</p> <p>(10) Not applicable to this application.</p> <p>(11) Not applicable to this application.</p>
<p>Schedule 4 Schools - design quality principles</p> <p>Development for the purpose of a new school, in accordance with Clause 35 of the SEPP, will need to consider the below design principles.</p> <p><i>Refer to SEPP for the 7 Design Principles.</i></p>	<p>Alleanza Architecture have prepared a Design Statement at Appendix 3 which describes how the proposal has considered the Design Principles.</p>

4.6 Camden Local Environmental Plan 2010

4.6.1 Zoning and Permissibility

Under the *Camden Local Environmental Plan 2010* (CLEP), the subject site is zoned IN1 General Industrial as shown in **Figure 12** below.

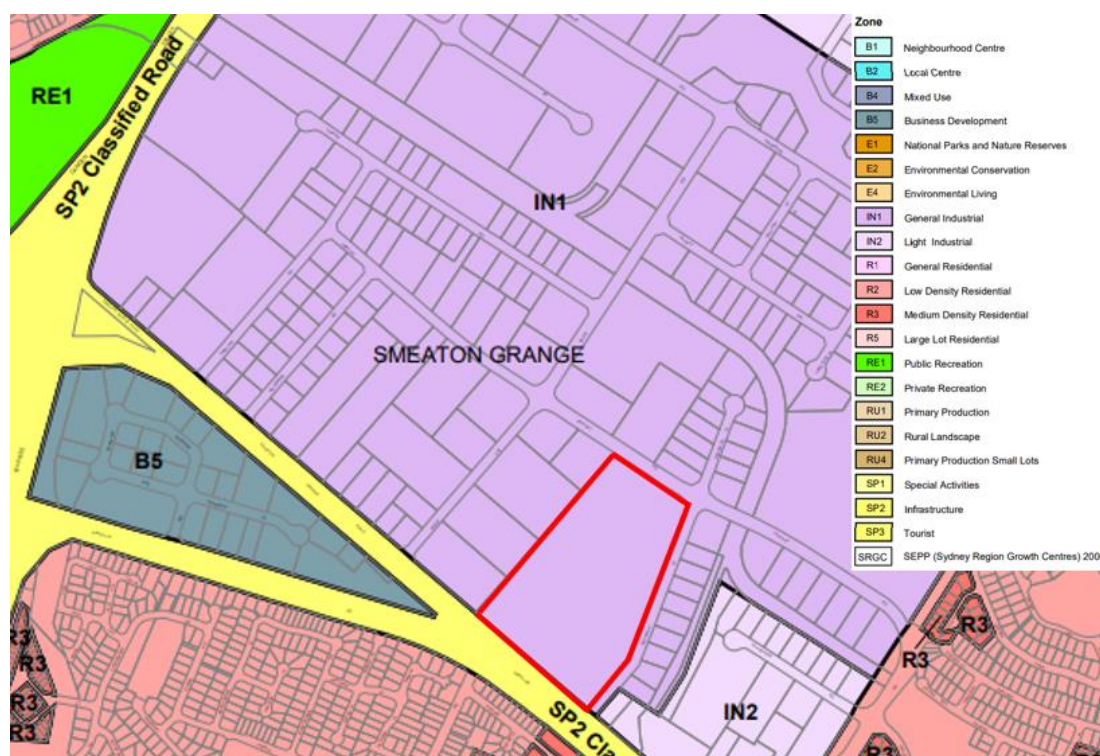


Figure 12: Extract of Land Zoning Map (Source: CLEP)

The proposed development as an 'Educational Establishment' is prohibited in the IN1 General Industrial zone. The Objectives of the IN1 zone are not relevant to the development in these circumstances.

However, pursuant to Clause 2.5 and 'Schedule 1- Additional Permitted Uses' of the CLEP, the proposal is permissible:

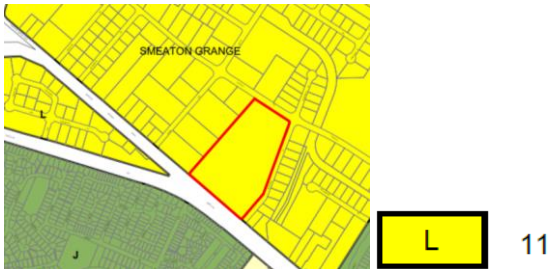
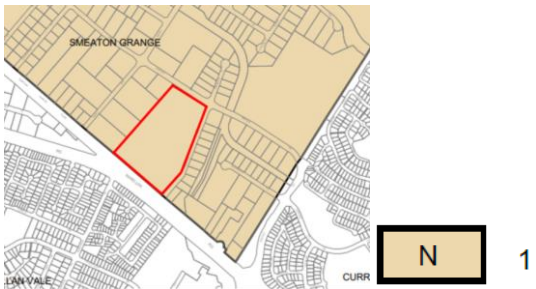
22 Use of certain land at Smeaton Grange Road, Smeaton Grange


(1) This clause applies to land at Smeaton Grange Road, Smeaton Grange, being Lot 51, DP1077229.

(2) Development for the purposes of educational establishments is permitted with development consent.

Therefore, educational establishments are permitted with consent under the CLEP. Notwithstanding, the proposal is permissible under the Educational SEPP as discussed previously.

4.6.2 Other relevant CLEP Provisions

Relevant Clause	Control	Compliance
Part 4 Principal development standards:		
Clause 4.3 Height of Buildings	<p>The subject site is subject to a maximum building height of 11m under the CLEP as demonstrated below.</p>  <p>Extract of HOB Map under CLEP</p> <p>The maximum height of the building is approximately 9.7m with a maximum R.L of 94.6, and is below the height standard. The proposal satisfies this clause.</p>	Yes
Clause 4.4 Floor Space Ratio	<p>The subject site is subject to a maximum FSR of 1:1 under the CLEP as demonstrated below.</p>  <p>Extract of FSR Map under CLEP</p> <p>The proposed new building on the site has a GFA of 2,363m², and the existing buildings have a GFA of 8,593m² (combined GFA of 10,956m²). Accordingly, as the site has an area of 102,426m² the proposal will result in the site having an overall FSR of 0.107:1, which is well below the maximum permitted on the site.</p>	Yes
Part 5 Miscellaneous provisions		
5.10 Heritage conservation	<p>The subject site is not within a conservation zone, however, it is identified as containing a local Heritage Item (item I140) under the CLEP known as "Smeaton Grange" (including homestead, cottage, stables, outbuildings, grounds and landscape).</p>	Yes

	 <p>Extract of Heritage Map under CLEP</p> <p>The Heritage Impact Statement (HIS) in Appendix 12 assessed in detail the potential impact of the proposed development on the local heritage item.</p> <p>The HIS concludes following <i>"an evaluation of the context and setting; the cultural significance of the site and the heritage items; and assessed the proposal against the statutory controls and the development controls was made. It concludes that the proposed building and landscape works do not have an adverse impact on the significance of heritage items. It is recommended that the development should not be restricted on the grounds of heritage"</i>.</p>	
Part 7 Additional local provisions		
7.3 Development in areas subject to airport noise	The subject site is not within the ANEF contour of 20-25, therefore, is unlikely to be adversely affected by noise from Camden Airport.	N/A
7.4 Earthworks	The proposed development will require minor excavation (approximately to a depth of 1.5m) to accommodate the building. A Preliminary Geotechnical Investigation has been prepared by Douglas and Partners and provided at Appendix 9 . The report describes the extent of the works anticipated, and a range of recommendations to ensure the development proceeds in an appropriate manner, without any adverse geotechnical impacts.	Yes

5. Non-Statutory Considerations

5.1 Camden Development Control Plan 2011

Under Clause 35(9) of the SEPP (Educational Establishments and Child Care Facilities) 2017 a provision of a DCP that specifies a requirement, standard or control in relation to a development that on land that is not in a prescribed zone but carried out on land within the boundaries of an existing school is of no effect, regardless of when the DCP was made.

The necessary assessment has been made under the relevant SEPPs and CLEP.

6. Environmental Impact Assessment

6.1 Overview

This section identifies and assesses the impacts of the development with specific reference to the heads of consideration under Section 4.15 of the Act.

6.2 Context and Setting

The context and setting of the development site is described in Section 2.3 of this Statement.

As discussed in detail in the Design Statement prepared by Alleanza Architecture and provided at **Appendix 3**, the proposal is compatible within the context and built form of the character of the existing school site and surrounding locality. The proposal provides a built form and massing which positively contributes to the existing buildings on the land, as well as the heritage significance of the site.

Alleanza Architecture provide the following discussion regarding the how the development has been designed with regard to the surrounding context.

"The location for the expansion of the school is adjacent to the eastern edge of existing Blocks A1 to A3 in an under-utilised wedge shape portion of land to the west of the sports ground. The bulk of the proposed building form is nestled into the site which slopes to the east. The 21 learning spaces split over two levels still maintain the low-slung skillion roof form of the existing school buildings.

o The roofs of the existing buildings have influenced the form of the new building to a large degree. The section profile of the proposed roof mimics the mono-pitch skillion roofs of the adjacent Block A buildings. This design approach maintains the visual continuity with Block A1-A3 adjacent and allows for placement of high level clerestory glazing for improved daylight penetration into the broad plan.

o It was deemed necessary to remove a number of existing trees to enable a direct connection of the new building to the existing school facilities, replacement species have been re-introduced into the landscaping proposal to deliver the same level of amenity for those that were removed.

A new landscaped courtyard within the central light shaft offers a more direct connection to the internal classroom environment offering variety in the available learning settings offered by the new building.

o The approach to landscaping has been an important in grounding the building. Existing trees at the Northern side of the building have been augmented by new species and the introduction of sleeper-style seating along the terraced incline here make for a very inviting shaded external play area. Large species shade trees along the eastern side of the building provide informal gathering and play spaces for students."

The proposed building has been located centrally on the site, away from the adjacent industrial/commercial buildings, as well as Hartley Road and Sedgwick Street, which are all sources of noise, to minimise noise impacts from these uses. The location of the proposed building is compatible within its surrounding context, particularly given its setbacks/separation from the road and industrial buildings.

6.3 Built Environment

6.3.1 Height, Bulk and Scale

The proposed building has a height similar to the existing buildings on the school site, noting that it is under the maximum height permitted under the CLEP (i.e. 11m) with a maximum height of approximately 9.7m and having a lower maximum R.L than other buildings on the site. The bulk and scale of the proposal will visually integrate with the existing built form on the site as viewed from the surrounding context, particularly given the setbacks from Sedgewick Street and Hartley Road. Landscaping is proposed around the eastern perimeter of the building to assist in softening its appearance to/from the site.

In addition to the above, the buildings that surround the site are predominantly industrial/commercial buildings, that range in height and scale. The proposal is compatible with the surrounding built form.

6.3.2 Setbacks

The proposed works include the following setbacks:

- Sedgewick Street: Approximately 38m;
- Hartley Road: Approximately 139m;
- Northern boundary: Approximately 107m; and
- Smeaton Grange Road: Approximately 231m.

The proposed setbacks to the building are generous, particularly given the context of the area.

6.3.3 Design and Aesthetics

The Design Statement prepared by Alleanza Architecture (**Appendix 3**) provides the following summary in terms of the design and aesthetics of the proposal.

"o The building façade on the upper level moves away from brick masonry towards more vivid painted Fibre Cement cladding to "soften" and energise the learning environment. The light weight cladding to this upper level of the new GLA facilities not only allows for easier buildability but creates a contrast with the solidity and bulk of the brickwork below and adjacent.

o The external cladding is painted in two tones of blue; the colour blue was selected to tie back to the existing buildings which have blue accent colours to the facias, gutters and columns/metalwork, the two tones of blue on the façade also relate to the dual tones of the selected brickwork.

o The new building has been designed as a modern interpretation of the existing surrounding buildings. The solid brick base of the Lower Ground Floor comprising of two complimentary brick colours draws inspiration from the adjacent Block A buildings which displays two tones of brickwork to the underside of the its windows.

o The integration of the built form and the landscaping is a key design aim as it addresses the playing field and Hartley Road in the middle distance. Tree planting along the eastern façade while providing shading to the building in summer softens the built form and the Native and Exotic gardens on the south and north sides both bookend the new building assisting in integrating it into the inclined embankment along the western edge of the sports field."

o The air conditioning condensers will be located at the Ground Level nestled into the sloping site to the south side of the building, this plant area is screened from the building to the north and east by the brickwork lined retaining wall and addresses the new landscaped native garden with a batten-type screen.

o The form of the building has been largely informed by the location of the building in relation to the existing oval. The building responds to the curved edge of the playing field by stepping forwards in plan as required to maintain a consistent setback. A consequence of the stepped building form is the breaking down of the mass of the long double-storey elevation when viewed from the oval to the east.

6.3.4 Amenity

The proposed learning areas have been designed to maximise amenity within the internal areas to ensure a pleasant learning and teaching environment for the students and staff. A central courtyard, open to the sky, maximises light and ventilation to the building. Generous glazing provides solar access in the morning hours.

The rooms will have operable walls to provide flexible learning spaces for a variety of classes (e.g. specialised subjects such as science/technology/engineering/math [STEM]) allowing a reconfiguration of spaces when/if required.

6.3.5 Privacy and Views

The proposal will not result in the loss of privacy to any adjoining properties. The location of the building, being significantly setback from any adjoining property and the public domain, will prevent privacy impacts to the school. Similarly, the proposal will not affect any views to/from surrounding properties, noting that the surrounding area comprises industrial and commercial premises, and there are no significant views in the area.

6.3.6 Heritage

As discussed previously, the subject site contains a local heritage item as identified under the CLEP known as Smeaton Grange. A HIS has been prepared by Cracknell and Lonergan at **Appendix 12**. The report concludes that the proposal does not have any adverse impacts to the heritage items located on the site.

6.3.7 Building and Construction

A Building Code of Australia Compliance Report has been prepared by Benchmark Building Certifiers and is provided at **Appendix 8**. The report concludes that the proposal is capable of satisfying the provisions of the BCA.

A final Construction Management Plan will be prepared by the appointed contractor, once the terms of any approval granted by Council are known. Accordingly it is anticipated that Council will include appropriate conditions within any consent notice requiring the preparation and approval of a CMP prior to works commencing.

6.4 Natural Environment

6.4.1 Flora and Fauna and Landscaping

As discussed under [Section 3.7](#) and [Section 4.4](#), the proposed tree removal does not involve any vegetation that is of high significance. An Arborist Report has been prepared by Horticultural Services and is provided at **Appendix 7**.

The proposed development includes landscaping on the eastern side of the building, to assist in integrating the building with the adjacent oval and softening the building.

6.4.2 Water Management

The proposed development is accompanied by Stormwater Plans prepared by Abel and Brown Pty Ltd and provided at **Appendix 10**. Stormwater will be directed from the proposed building via a new stormwater pipe that will connect to the existing infrastructure located on the site. The Stormwater Plans also include sediment controls measures which will be implemented during construction to prevent erosion and prevent siltation.

6.4.3 Soil Management

As discussed previously, a Preliminary Geotechnical report has been prepared by Douglas and Partners (**Appendix 9**). The report provides recommendations to ensure that the development is constructed in an appropriate manner with regard to the soil characteristics of the site, and without impacting on the structural integrity of the existing buildings on the site.

6.4.4 Noise & Vibration

An Acoustic Report has been prepared by Rodney Stevens Acoustics and is provided at **Appendix 5**. The report provides an assessment of the surrounding road network on the amenity of the proposed building. The report provides recommendations to ensure that the internal amenity of the classrooms is acceptable.

The proposed development will not have any adverse noise impacts on the adjacent and adjoining commercial and industrial properties.

Construction of the development will be undertaken within Council's standard construction hours.

6.5 Parking/Access

As discussed previously, the proposal will utilise the existing access and parking arrangements on the site. Whilst the development includes additional learning spaces, the proposal does not seek to alter the existing staff and student numbers. Therefore, the proposed works do not generate additional traffic to/from the site.

A Traffic and Parking Assessment has been prepared by Varga Traffic Planning Pty Ltd and is provided at **Appendix 14**. The report concludes that the existing parking provisions (110 spaces) is sufficient to cater for the existing staff and student numbers in the site. Whilst it is acknowledged that there is a minor shortfall of 8 spaces when making an assessment against Council's DCP, this does not apply in the circumstances pursuant to Clause 35(9) of the Educational SEPP.

An Access Report has been prepared by Vista Access Architects provided at **Appendix 6**. The report concludes that *"the proposal achieves the spatial requirements to provide access for people with a disability"*.

6.6 Waste

A Waste Management Plan (WMP) has been prepared by Alleanza Architecture and is provided at **Appendix 11**. The WMP demonstrates that waste materials during the construction phase will be re-used and re-cycled where possible, or otherwise the streams of waste that will be disposed of at licenced waste facilities. On-going waste from the new building will be integrated with the existing waste management processes with the school. Waste will be collected by associated staff, with bins to be transferred to the collection point adjacent to Sedgwick Street on collection days.

6.7 Site Suitability

Part of the site is identified as being bushfire prone land on Camden Council's Bushfire Prone Land Map as demonstrated below in **Figure 13**.

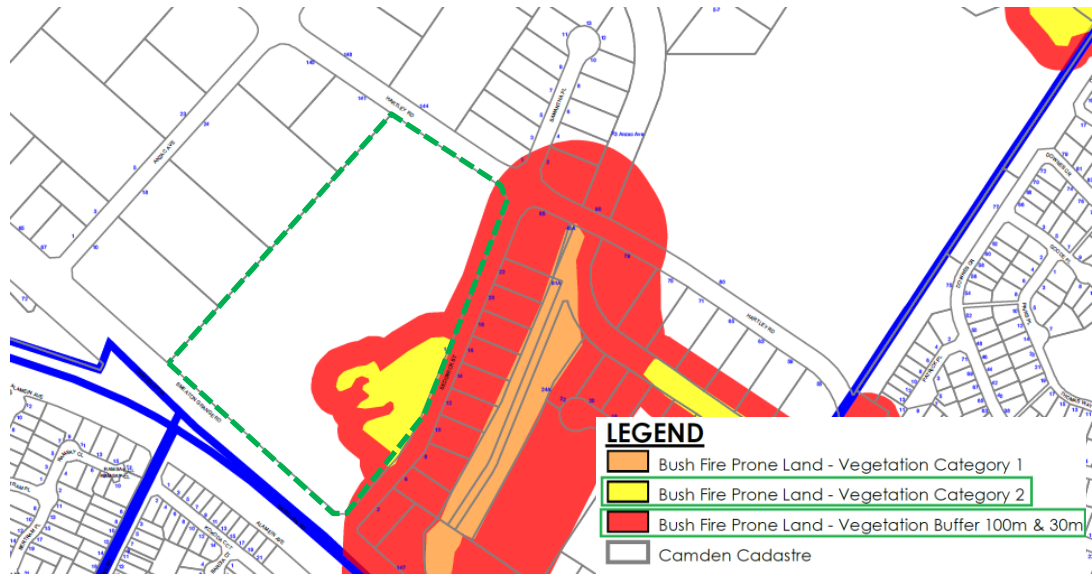


Figure 13: Extract of Camden Council Bushfire Prone Land Map Sheet 4

Figure 13 demonstrates that the site is partially affected by both 'Vegetation Category 2' and 'Vegetation Buffer 100m and 30m'. A Bushfire Protection Assessment has been prepared by Australian Bushfire Protection Planners Pty Ltd and is provided at **Appendix 13**. The report concludes the following:

"This report has reviewed the proposed development against the requirements of clause 44 of the NSW Rural Fires Regulation 2013 and the requirements for 'Special Fire Protection Purpose Development' as detailed in Planning for Bushfire Protection 2006 guidelines and has determined that the proposed development is classified as 'infill development' pursuant to Section 4.2.5 of Planning for Bushfire Protection 2006.

Section 4.2.5 of Planning for Bushfire Protection 2006 identifies that in circumstances where alterations and additions to existing 'Special Fire Protection Purpose Development' are planned the NSW Rural Fire Service require an appropriate combination of bushfire protection measures and compliance with the intent and performance criteria of each measure within Section 4.3.5 of Planning for Bushfire Protection 2006.

The report has examined the vegetation within the school site and confirms that this vegetation is mostly managed, has an area less than one [1] hectare and does not constitute bushfire prone vegetation.

The report has also confirmed that a fire which may occur in the riparian corridor to Smeaton Creek will not have an impact on the school site and the risk is negligible."

The subject site is not affected by any policy that restricts development because of the likelihood of any other natural hazards such as flooding, land slip, tidal inundation, subsidence, acid sulphate soils or any other risk.

The school has been operating on the site for approximately 18 years. Therefore, it is considered that the site is suitable for the proposed development.

6.8 Social and Economic Effects

6.8.1 Crime and Safety

Crime Prevention through Environmental Design (CPTED) is a recognised model which provides that if development is appropriately designed it can reduce the likelihood of crimes being committed. By introducing CPTED measures within the design of the development, it is anticipated that this will assist in minimising the incidence of crime and contribute to perceptions of increased public safety. The proposal has been designed to take into consideration these principles as follows:

Surveillance: This principle provides that crime targets can be reduced by effective surveillance, both natural and technical.

The existing school provides casual surveillance by virtue of its operation throughout the day. The proposed development is for additional classrooms on the site, and the existing surveillance measures will be sufficient.

Access Control: This principle provides that barriers to attract/restrict the movement of people minimises opportunities for crime and increases the effort required to commit crime.

The proposed development is located wholly within the boundaries of an existing school. The existing school site is surrounded by a security fence that is approximately 2.1m high, and of a design that assists in preventing un-wanted intruders. The primary entry to the site is clearly distinguished as Smeaton Grange Road, with access limited to two driveways and two pedestrian footpaths. These access points are secured shut outside of school hours. The proposed building will also be locked when not in use. It is considered that the existing school and the proposed building has good access control.

Territorial Reinforcement: This principle provides that well-used places reduce opportunities for crime and increase risk to criminals.

The subject site is obviously a school, which includes a number of staff and students that are on the site throughout the day. The use of the site by students and staff throughout the day assists in preventing unauthorised persons, combined with the security fencing that surrounds the site.

Space Management: This principle provides that space which is appropriately utilised and well cared for reduces the risk of crime and antisocial behaviour.

The existing school employs various staff that maintain a high-quality presentation of the site as viewed from the public domain, as well for the staff and students who use the school.


6.8.2 Social, Economic and Employment

The proposal includes the addition of new learning spaces within an existing school to allow for more flexible learning spaces for the staff and students. This is a direct social benefit as it improves the learning capabilities of the school by expanding on its current learning spaces. The proposal does not seek to alter the existing staffing or student numbers of the school.

6.8.3 Public Interest

Pursuant to *Ex Gratia P/L v Dungog Council (NSWLEC 148)*, the question that needs to be answered is “Whether the public advantages of the proposed development outweigh the public disadvantages of the proposed development”.

There are no unreasonable impacts that will result from the proposed development, therefore, the benefits of providing additional classrooms for the betterment of educating children in an



existing school outweigh any disadvantage and as such the proposed development will be in the public interest.

7. Conclusion

This DA seeks approval for additions and alterations to an existing school, for the construction of a new two storey building containing new GLA classrooms and associated landscaping at **Magdalene Catholic High School at Smeaton Grange**.

This SEE has undertaken an environmental assessment of the proposal and has concluded that the proposal provides a built form which is consistent and compatible with the existing school buildings on the site and the surrounding locality.

In summary, the proposal is considered to:

- be an appropriate response to the context, setting, planning instruments and development guidelines and other considerations outlined in Section 4.15(1) of the *Environmental Planning and Assessment Act, 1979*;
- be compatible with the heritage significance of the existing heritage listed buildings on the site;
- provide flexible learning spaces for educating children at an existing school;
- have no adverse impacts on the environment, traffic, parking, drainage or other external features or services.

The benefits provided by the proposed development outweigh any potential impacts and the proposal is therefore considered to be in the public interest.