

COUNCIL ASSESSMENT REPORT

Panel Reference	2019STH008
DA Number	DA4160/2019
LGA	Snowy Monaro
Proposed Development	Educational Establishment - Relocation of Informal Car Park & Construction of a Two Storey Classroom Block
Street Address	Jindabyne Central School 8-18 Park Road JINDABYNE NSW 2627
Applicant/Owner	NSW Department of Education
Date of DA lodgement	11/04/2019
Number of Submissions	1
Recommendation	Approval with Conditions
Regional Development Criteria (Schedule 7 of the SEPP (State and Regional Development) 2011	Under the provisions of Part 4 clause 20 (1) of State Environmental Planning Policy (State and Regional Development) 2011 the proposed "educational establishment" is considered regionally significant development in accordance with Schedule 7, 4 as it is Crown development over \$5 million.
List of all relevant s4.15(1)(a) matters	- SEPP (Educational Establishments and Child Care Facilities)2017 - SEPP (State and Regional Development) 2011 - Snowy River Local Environmental Plan 2013 - Snowy River Development Control Plan 2013
List all documents submitted with this report for the Panel's consideration	- Draft conditions of consent - Statement of Environmental Effects, including appendices. - Car Parking Plan - Shadow Diagrams - Site analysis plan
Report prepared by	Sophie Ballinger
Report date	30/09/2019

Summary of s4.15 matters

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report? **Yes**

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report? **Yes**

e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? **Yes**

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (\$7.24)? **No**

Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions

Conditions

Have draft conditions been provided to the applicant for comment? **Yes**

Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report

1.0 EXECUTIVE SUMMARY

Application:	DA4160/2019
Date lodged:	11/04/2019
Development Proposed:	Educational Establishment - Relocation of Informal Car Park & Construction of a Two Storey Classroom Block
Land comprising:	Lot 9 DP 219584 Ph Clyde, Jindabyne Central School 8-18 Park Road JINDABYNE NSW 2627
Zone:	R1 – General Residential
Notification/Advertising:	The application was notified and advertised for a period of 21 days
Type of Development:	Local

The DA seeks consent for the construction of a new carpark and vehicular access to Park Road, the construction of a two storey classroom building and associated outdoor learning spaces, upgrades to existing pathways surrounding the new building and landscaping. The development will be facilitated by the removal of existing demountable classroom buildings which will be relocated for the construction period to house the students displaced during construction. The development will allow for an increase in student numbers of 10%.

The application was notified and publicly advertised for a period of 21 days and one submission in support of the application was received.

Due to a minor encroachment of the building into the 9m height limit as set by the Snowy River LEP 2013 the applicant has applied for a variation under the provisions of clause 4.6 of the plan.

The conditions of consent attached to this report are those approved by Schools Infrastructure NSW under the provisions of section 4.33(1)(b).

The development has been considered against the requirements of section 4.15 (a)(i) and has achieved an acceptable level of compliance, the specific clauses applicable to the development are summarised below:

State Environmental Planning Policy (State and Regional Development) 2011 schedule 7 clause 4	The development satisfies the provisions of the subject clause.
State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017	The development satisfies the relevant provisions of the SEPP.
State Environmental Planning Policy No 55 (Remediation of Land) clause 7 (1)(a)	The development satisfies the provisions of the subject clause and the land is not considered to be contaminated.

Snowy River Local Environmental Plan 2013	
Clause 4.3 Height of building	The development exceeds the maximum height limit of 9m to a minor degree, the applicant has lodged a request to vary the standard for this encroachment as per the requirements of clause 4.6.
Clause 4.4 Floor space ratio	The development complies with the requirements of the provision.
Clause 4.6 Exception to development standards	The applicant has provided justification in accordance with the provisions of the clause and the variation as proposed is supported.
Clause 7.9 Essential services	The development satisfies the requirements of the clause.

Pursuant to section 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979 (as amended)* it is recommended that the consent for Educational Establishment- Relocation of Informal Car Park & Construction of a Two Storey Classroom Block on Lot 9 DP 219584 Ph Clyde, is granted subject to conditions and those persons who made submissions be notified of the determination.

2.0 SITE DESCRIPTION & SITE HISTORY



Figure 1 - Location Plan

The proposed development will be infill development within the existing site occupied by the Jindabyne Central School. The school is a Kindergarten to 12 facility with a current enrolment of 827 students (468 in the primary school and 359 in the secondary school) and 80 administrative/teaching staff employed on site. Currently there are 24 permanent teaching spaces and 19 demountable teaching spaces on the property.

The site is centrally located within the Jindabyne CBD with pedestrian and vehicular links to and from the site to the CBD and surrounding residential areas. The site is bounded by Park Road, Kalkite Street, Clyde Street and Bent Street.

demountable buildings. These works do not form part of this application and will be subject to separate approvals.

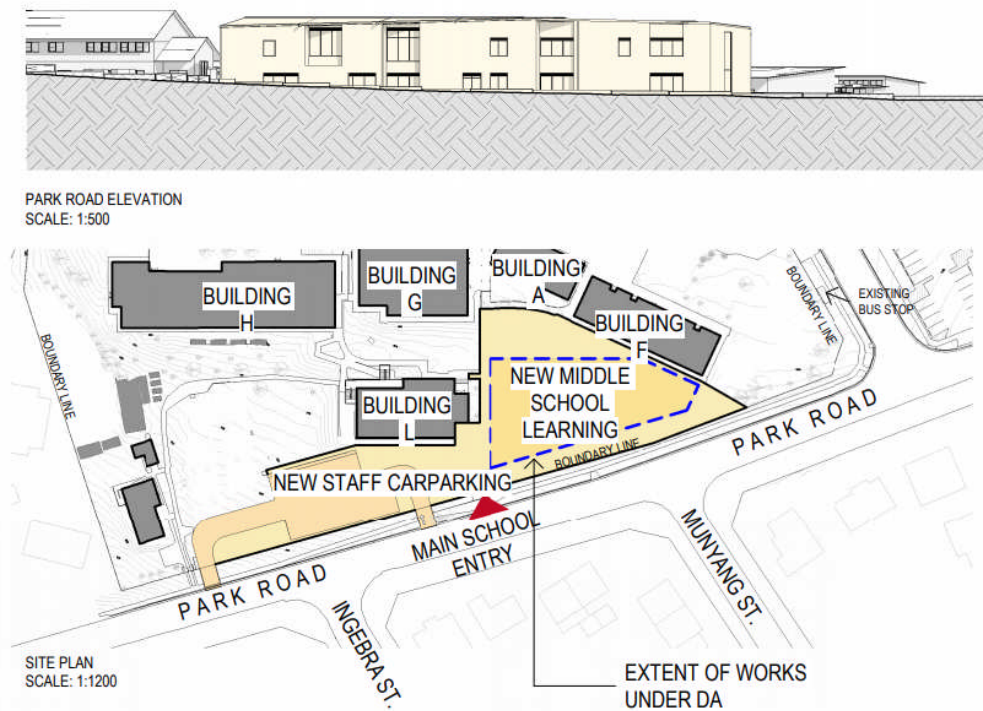


Figure 3 - Elevation of the new learning building when viewed from Park Road and site plan showing the extent of the works proposed on site.

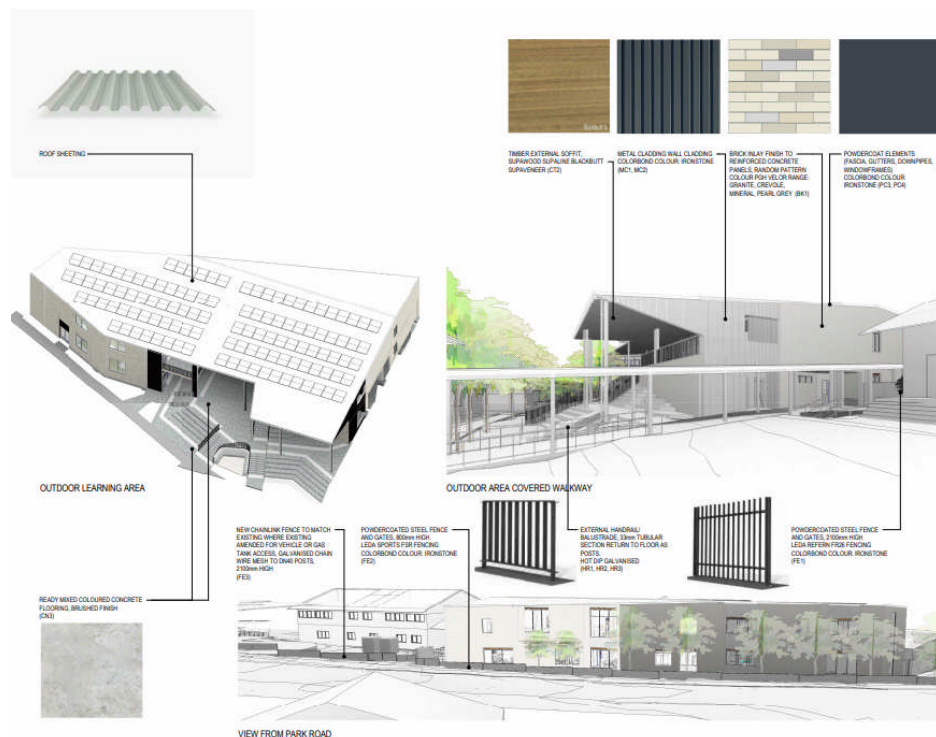


Figure 4 - Proposed Material and Colour Schedule for the proposed learning building and perspectives of the building when viewed from Park Road and within the school grounds.

4.0 DESIGNATED DEVELOPMENT and CONSENT AUTHORITY

Under the provisions of Part 4 clause 20 (1) of State Environmental Planning Policy (State and Regional Development) 2011 the proposed “educational establishment” is considered regionally significant development in accordance with Schedule 7, 4 as it is Crown development over \$5 million.

Under the provisions of section 4.5 (b) of the Environmental Planning and Assessment Act 1979 the Southern Regional Planning Panel is designated the consent authority for the determination of this Development Application.

Pursuant to the requirements of section 4.33 of the EP&A Act Council sought the approval of the Schools Infrastructure NSW for the draft conditions of consent. Approval was received with only a minor change to condition 39 relating to carparking (the draft had a requirement for 21 spaces where only 20 were being provided). The draft conditions of consent attached to this report include the amended carparking condition and are therefore those approved by the department.

5.0 REFERRALS

5.1 Integrated Development

The proposed development was reviewed against the relevant provisions of the EP&A Act 1979 to identify whether the application was integrated development. It is not deemed to be Integrated Development under Section 4.46 of the Environmental Planning and Assessment Act 1979.

5.2 External Referrals

The development application was referred to the following external government agencies for comment/consideration:

State or Federal Agency	Comments
NSW Police – Community Safety Officer	No comment or suggested conditions of consent received
Roads and Maritime Services	Response received, no objection to the development and no additional conditions of consent proposed.

5.3 Internal Referrals

The development application was referred to the following sections of Council for comment:

Section	Comments
Liquid Trade Waste	Acceptable subject to conditions
Water and Wastewater	Acceptable subject to conditions
Development Engineering	Acceptable subject to conditions

6.0 LEGISLATIVE REQUIREMENTS ASSESSMENT UNDER SECTION 4.15 OF EP&A ACT

As required by the Environmental Planning and Assessment Act, 1979, Section 4.15, the following relevant matters are addressed below:

- Suitability of the site;
- Environmental planning instruments (State Environmental Planning Policies, Local Environmental Plans);
- Draft environmental planning instruments;
- Development control plans;
- Environmental (natural and built), social and economic impacts;
- Submissions; and
- Public interest.

6.1 The suitability of the site for the development

The site is currently used as school and the proposed development does not seek to change this use. The proposed learning building and carpark will be accommodated within the existing school site and will allow for the removal of non-permanent structures and an informal parking area. As such the site is considered suitable for an additional classroom building and the formalisation of an onsite carpark.

6.2 The provisions of any environmental planning instrument

6.2.1 State Environmental Planning Policies

The proposal has been assessed against the provisions of all known SEPP's and the development has been found **to achieve** an acceptable level of compliance. Relevant SEPP's examined below:

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

No significant trees are proposed to be removed as part of this application.

State Environmental Planning Policy No 55 (Remediation of Land)

Under the provision of clause 7 (1)(a) Council has considered that it is unlikely that the land is contaminated as it is the current location of an existing school.

State Environmental Planning Policy (State and Regional Development) 2011

The development has a capital investment value of \$9,239,528 as such it is considered Regionally Significant development under schedule 7 clause 4 being Crown development over \$5 million. As such the development application is being presented to the Regional Planning Panel for determination.

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

Part 4 Schools—specific development controls

The development is on land zoned R1 which is a prescribed zone under clause 33 of the ESEPP allowing for construction of the new learning building to be permissible development under the provisions of clause 35.

The development has been considered against the design quality principles in schedule 4 and has achieved an acceptable level of compliance.

Principle 1— context, built form and landscape	<i>Complies</i> - The proposed building and car parking area has been designed to integrate with the existing school buildings and pedestrian pathway network. A landscaping plan has been submitted with the application which demonstrates that the proposed landscaping will enhance the existing school landscaping and provide an outdoor learning area for students. The proposed building demonstrates with its built form and materials that it is in keeping with the existing school buildings. The development is not in an area identified as scenic protection under the SRLEP.
Principle 2— sustainable, efficient and durable	<i>Complies</i> - The proposed building includes energy efficient design principles including the addition of a photovoltaic solar energy generation system. It has been designed to allow for an increase in future enrollments.
Principle 3— accessible and inclusive	<i>Complies</i> - The development includes upgrades to the existing paths and access from the Park Road. The proposed development will include upgrades to wayfinding and accessibility through compliance with the provisions of the Disability Discrimination Act 1992 (Commonwealth). The proposed learning building will not impact on the ability of the school to share facilities with the community.
Principle 4—health and safety	<i>Complies</i> - The applicant has adequately demonstrated that they have considered the principles of Crime Prevention Through Environmental Design in the design of the proposed building and car parking area.
Principle 5— amenity	<i>Complies</i> - The proposed development includes additional formalised outdoor learning spaces, art facilities (including a dark room) and flexible classroom spaces that will improve the learning experience for students.
Principle 6—whole of life, flexible and adaptive	<i>Complies</i> - The proposed learning building will allow for an increase in school enrolments and provide facilities which are currently not available and improve existing facilities such as additional formalised outdoor learning spaces and flexible classrooms.
Principle 7— aesthetics	<i>Complies</i> - It is considered that the scale, materials, finishes and landscaping chosen for the learning building and car park are aesthetically pleasing and complement the surrounding natural and built environment. It is considered that the new development by removing the existing demountable buildings will have a positive visual impact on the locality.

Whilst not expressly designed to allow for school facilities to be shared by the community the development does not preclude the use of existing school facilities to be open for public use. As such it is considered to meet the requirements of clause 35(6)(b).

Part 7 – General Development Controls

57 Traffic Generating Development

As the development has the potential to accommodate a 10% increase in staff and students amounting to more than 50 additional students, the application was referred to the Roads and Maritime Services for their comment. The response received contained no objection to the development from RMS.

The development is considered to improve the accessibility of the site by providing formalised onsite parking near the administration building. The applicant provided a Traffic Impact Assessment that found the existing parking and drop off/pick up zones would continue to be adequate for the additional vehicles generated by the increase in students. It is not considered that the proposed development would lead to a significant increase in traffic congestion in and around the site.

6.2.2 Permissibility of the development under the Snowy River Local Environmental Plan 2013

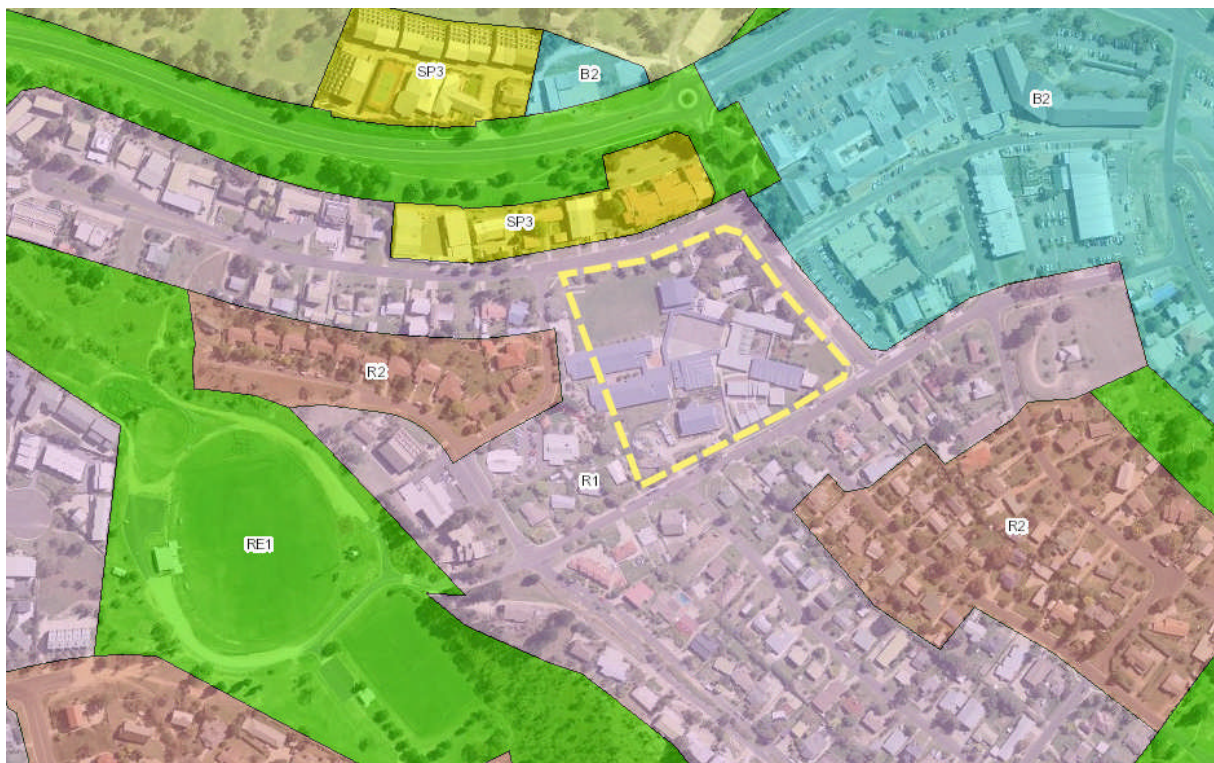


Figure 5 - The zoning of the subject site in context with the surrounding zones.

The subject site is zoned R1 – General Residential under the Snowy River LEP 2013 ‘SRLEP’. “Educational establishment” is not a permitted use in the zone however the development is permissible through clause 35 of the ESEPP as R1 is a prescribed zone. The proposal is consistent with the aims and objectives of the SRLEP.

The proposal has also been examined in detail against the provisions of Council’s LEP and has been found to achieve an acceptable level of compliance. The following provisions from SRLEP 2013 are of relevance and have been assessed for compliance:

Clause 4.3 Height of building

The development exceeds the standard - A portion of the building is proposed to exceed the maximum height limit of 9 metres. A request to vary the standard in accordance with clause 4.6 has been received. The assessment of the variation request is discussed below.

Clause 4.4 Floor space ratio

The development complies – The whole development site has an FSR of 0.25:1. This is based on the gross floor area of the proposed development and the existing buildings being 6,653m² and a site area of 26,960 sqm. The final GFA calculation has not included demountable buildings which are to be removed prior to the construction of the car park however the development when combined with the existing buildings is significantly under the maximum FSR allowable on the site.

Clause 4.6 Exception to development standards

The applicant has provided a written request to Council which seeks to justify the contravention of the development standard required under Clause 4.3. This clause pertains to maximum building height. The maximum height of the school building is proposed to be 10.10metres which exceeds the maximum building height applying to the site of 9metres.

The applicant has provided the following reasons for exceeding the development standard:

- *The site falls towards the north to Kalkite and Clyde Streets at varying grades throughout the site. The proposal complies towards the south and exceeds the height limit at the northern end where the land falls. Due to the sloping topography, the proposal does not comply.*
- *The area of non-compliance relates to the roof space, which has no windows and will not impact on privacy.*
- *The proposed buildings reflect the current school facilities requirements including minimum ceiling heights of 2.7m with all classroom spaces achieving minimum ceiling heights and sufficient space for services.*

The applicant has demonstrated that compliance with the development standard is considered unreasonable and unnecessary in the circumstances of the application based on the following:

- The proposal is consistent with the objectives of the development standard as provided in clause 4.3 of the SRLEP 2013 and the relevant objectives of the R1 zone;
- The area of non-compliance relates to the roof space, which has no windows and will not result in overlooking, overshadowing or privacy issues.
- The proposed Learning Building will replace demountable classrooms which will improve the physical appearance of the site. The design is responsive to the topography of the site and provides greater opportunity for high quality outdoor learning areas.

The applicant has demonstrated that there are sufficient planning grounds to justify contravention of the development standard based on an assessment of:

- Privacy impacts
- Overshadowing
- Public benefit

It is considered that the applicant's written request has adequately addressed the matters required to be demonstrated in clause 4.6 (3).

They have demonstrated that the proposed development will be in the public interest and is consistent with the objectives of the standard and the objectives of the zone, by stating that:

- *The proposal is two storeys, which is compatible with the height of the surrounding development.*
- *The height maintains the low-density character of the area. The additional height is a result of the sloping topography.*
- *The area of non-compliance is roof area, with no windows that will cause privacy impacts.*
- *There are no views over the site that will be impacted.*
- *Solar access impacts are minimal with shadow being cast onto Park Road.*
- *The proposed development has no perceived impacts on heritage items.*
- *The proposed works are intended to meet the education needs of residents and the broader Jindabyne community.*

It is considered that the proposal will allow flexibility and will achieve a positive outcome.

The assumed concurrence of the Secretary is applicable in this case however due to a departure from the standard of more than 10% the determination must be made at a level higher than that of the delegated assessing officer. This is not at issue in this case due to the application being determined by the planning panel.

Clause 7.9 Essential services

The development complies - As the proposal is for infill development within an existing school the application complies with the provision of this clause with respect to adequate provision of essential services.

6.3 Provision of any proposed Environmental Planning Instruments

There are no other proposed environmental planning instruments applying to this site which are relevant to the proposed development.

6.4 Assessment against the relevant provisions Snowy River Development Control Plan 2013

The proposal has also been examined in detail against the provisions of Council's Development Control Plan and has been found to achieve an acceptable level of compliance, the following DCP provisions are of relevance and have been assessed for compliance:

Provision	Response/Acceptable Solution
A3 Public Notification	The application was notified and advertised in accordance with the provisions of the DCP and one (1) submission in support of the development was received.
C2 Design	
C2.1-5 Building Design	<i>Complies</i> - The split-level design of the building responds to the slope of the site and as such minimises the need for excessive excavation. The outdoor spaces are tiered to allow for seating which responds to the natural topography of the site. The building is a similar height to that of the existing administration building, which allows for consistency in built form when viewed from Park Road. The proposed building has used materials to complement to existing

	school buildings and surrounding environment and no highly reflective products are proposed.
C2.1-6 Landscaping	<i>Complies</i> - The application included a landscaping plan which includes plantings that will soften the proposed building and associated car park when viewed from Park Road and within the school grounds.
C3 Car-parking, Traffic & Access	
C3.1-1 Permanent and Practical Legal Access	<i>Complies</i> - The development has access from a public road.
C3.1-5 Adequacy of Access	<i>Complies</i> - The proposed vehicular access to the site is considered appropriate for the new learning building. The applicant has provided a traffic impact assessment and have adequately considered the impacts on the surrounding road network.
C3.2-1 Pedestrian and Cycle Access	<i>Complies</i> - The development will not impact on the existing pedestrian and cycle access in and around the site. Footpaths impacted by the construction of new access points will be reinstated upon completion of the development and managed through the construction phase through the appropriate approvals under the s138 of the Roads Act.
C3.3-1 Design	<i>Complies</i> - The proposed parking area has been designed in accordance with Councils car parking design specifications and allows for vehicles to enter and leave in a forward direction. Due to the infill nature of the development it is not possible to site the parking spaces behind the building line. In this case it is appropriate to situate the car park in the location proposed due to its proximity to the administration building and to minimise impact on open space areas within the school. New driveway crossovers are proposed and appropriate conditions will be included to ensure compliance with Council standards in this regard.
C3.3-2 Safety	<i>Complies</i> - The proposed parking area has considered vehicles and pedestrian movements adequately the design includes a new walkway which will allow pedestrian access to school buildings.
C3.3-3 Landscaping	<i>Complies</i> - The applicant has proposed appropriate landscaping to soften the look of the parking area, when viewed from inside and outside of the school.
C3.4-1 Car Parking	<i>Does not comply</i> - Table C3.4-2 requires 1 parking space per employee; 1 parking space per 10 students in Year 12 and 1 bus parking space per 100 enrolled students. The current provision of onsite parking at the school does not meet the requirements of the table and the subject development will provide no further parking in addition to that which exists on site. The proposal is only to relocate existing spaces from an informal staff carpark on which a future development is proposed. The school currently utilises a council carparking area in Kalkite Street and street parking in Park Road. The Kalkite Street, Car Park has recently been redeveloped with additional spaces and dedicated school bus lane providing direct access to the school. The development application proposes to continue the use of these car parking areas. In order to provide justification for the limited onsite parking provision the applicant included a Traffic Impact Assessment

	prepared by GTA Consultants. The assessment states: <i>“Whilst the on-site parking does not meet DCP 2013 requirements, the on-site parking and on-street parking available near the school will continue to be able to accommodate the small increase parking demand associated with the proposal. This is similar to current conditions which is understood to have minimal effect on surrounding residents and businesses to date.”</i> Whilst the development does not meet the requirements of the DCP with respect to onsite parking provision, it is considered that formalizing a parking area near the school administration building with appropriate accessible parking areas is a positive improvement to the existing parking provision for the school.
C8 Environmental Management	<i>Complies</i> - The application included an appropriate sediment and erosion control plan and construction management plan.
C9 Energy & Waste Efficiency, Water Supply & Effluent Disposal	<i>Complies</i> - The development has been designed to be energy efficient and it includes a proposed photovoltaic solar power system and low water usage landscaping.
C10 Waste management & Recycling	<i>Complies</i> <i>The proposed development will not impact existing waste and recycling contract servicing the school.</i>
E6 Educational Establishment	
E6.1-1 Access for People with a Disability	<i>Complies</i> - The design of the development shows compliance with relevant standards associated with providing access and facilities for people with disabilities. Any new development of this type is required to comply with the provisions of the NCC and Premises Standard.
E6.1-2 Amenity	<i>Complies</i> - The development is not expected to have adverse impact on the surrounding residential properties with respect to noise or odour. The applicant provided an Acoustic Report which concludes that the development will not exceed the requirements of established noise guidelines.
E6.1-3 Year-Round Operation Basis	<i>Complies</i> - The proposed development does not impact on the current year-round operation of the school.
E6.1-4 Waste Management	<i>Complies</i> - The proposed development will not impact existing waste and recycling contract servicing the school. The development will require an approval under s68 of the Local Government Act for the disposal of trade waste. A condition of consent has been proposed to ensure compliance with this requirement.
E6.1-5 Car Parking	<i>Complies</i> - The parking area provides for safe maneuvering of vehicles and avoids conflict between pedestrians and vehicles. It formalizes a current staff parking area providing improved access for people with a disability. Landscape screening is proposed and the applicant provided to Council a parking plan which detailed adequately the requirements of E6.1-5(c).

6.5 Impacts of the Development – Environmental, Social & Economic

6.5.1 Access, transport and traffic

There are currently four (4) vehicle access points to the school. One of these is an informal staff car park providing spaces for approximately twenty (20) vehicles located on the north-west corner of the site, accessible from Clyde Street. The informal car park is also used as a loading dock with a permanent loading area accessible via the Bent Street frontage. A designated bus zone is located on Kalkite Street adjacent to the council car park. Secondary vehicular entries for use by service and emergency vehicles is provided on the Park Road frontage. There is currently only limited access to the property for those with limited mobility.

The development application proposes to establish a new car parking area to be accessed via Park Road adjacent to the school administration building. This parking will provide for the spaces which are currently available in the informal staff parking area. There are plans (though not part of this development application) to repurpose the land on which the informal carpark is situated for further development of the school. As such the new parking area would become the only formal onsite parking for the school. The proposed parking area will have suitable accessible parking spaces close to the administration building.

The applicant has advised that the parking area is proposed to be constructed upon completion of the proposed learning building and that have identified through their Transport Impact Assessment that car parking demand will be satisfied using on street parking and the Council car park.

6.5.4 Visual Impacts

The development whilst large is does not obstruct views, nor will it overlook or substantially overshadow adjacent properties. The applicant provided shadow analysis of the impact and this is within reasonable parameters. The development has a varied architectural form that will lead to interest when viewed from the street, it will be adequately landscaped and will replace current temporary buildings which have little architectural merit. On balance the construction of the new car parking area and school building will have a positive impact on the streetscape.

6.5.7 Flora and fauna & Consideration of Threatened Species

No impact is foreseen on native flora or fauna or threatened species. The development is infill construction on an existing disturbed block of land with minimal vegetation removal needed to facilitate construction.

6.5.8 Social and economic impact

The development is considered to have a positive social impact providing for an expansion of school facilities in a purpose built building and the eventual removal of a number of older demountable buildings. The development is considered to have a positive economic impact on the local area providing for a number of construction and related trades positions and will allow for an increase in students which has overall benefits for the community.

6.6 Public Submissions

The proposed development was placed on public exhibition and adjoining landowners were notified in accordance with the provisions of the Snowy River Development Control Plan 2013 for a period of “21” days. One submission was from the Jindabyne Central School P&C writing to express support for the development application. The submission stated that:

“We strongly believe this development is a necessity for our school community and for the future educational needs of our children. “

6.7 The public interest

The proposal is not contrary to the public interest, as it complies with the Council’s standards and will not contribute to creating an undesirable precedent.

7.0 CONCLUSION:

It is considered that the proposed development generally complies with the relevant provisions of Section 4.15 of the Act, LEP, DCPs and Policies and it is generally aesthetically, economically, socially and environmentally acceptable having regard to the surrounding natural & built environment. Accordingly, approval is recommended subject to the imposition of the conditions of consent.

8.0 RECOMMENDATION

Pursuant to section 4.16(1)(a) of the *Environmental Planning and Assessment Act 1979 (as amended)* it is recommended that the consent for DA4160/2019 being an Educational Establishment- Relocation of Informal Car Park & Construction of a Two Storey Classroom Block on Lot 9 DP 219584 Ph Clyde, is granted subject to conditions and those persons who made submissions be notified of the determination.

ATTACHMENT 1 – SITE PHOTOGRAPHS



Panorama of the site to be developed when viewed from the southern side of Park Road towards the areas to be developed. The Administration building in front of which the carparking area is to be constructed is on the left of the photograph and the demountable buildings to be removed for the construction of the learning building are to the right.



Looking east along Park Road, the area in the foreground will be developed for the carparking area in front of the two storey Administration building.



Existing vehicular entrance to administration building



View looking west up Park Road with current vehicular access to the Administration building in the foreground. This access will be closed and moved further west for the new carparking area.



Looking east along Park Road



Looking South to the existing Park Road entrance with demountable building to be removed in the foreground.



Outdoor space between the existing demountable buildings in the location of the new learning building.



Looking north into the school grounds from the entrance on Park Road, the demountable buildings on the right are proposed to be removed to allow for construction of the learning building.



Area to be developed for formalised carparking



View looking east showing the existing accessible parking space and the area to be developed for the new learning building.



Location of the new learning building when viewed from the southern side of Park Road, these buildings are to be removed to enable construction.



View when looking north from the opposite side of Park Road showing the existing administration building and the location of the new learning building. The new building will be consistent with the height and scale of the administration building.



Existing administration building when viewed from Park Road



Existing informal carparking area accessed Via Clyde Street



Informal staff parking area with access from Clyde Street



View from Kalkite Street Carpark to the Primary School main gate and bus set down area



Kalkite Street Carpark

Reasons for Decision

Pursuant to Schedule 1 cl 20(1)(c)

The reasons for the decision were:

1. The proposal adequately satisfies the application provisions and objectives of the Snowy River LEP 2013 and the Snowy River DCP 2013
2. Council has considered the Applicant's request to vary a development standard being clause 4.3 (Building Heights) and has considered that compliance with the standard is unreasonable and unnecessary in the circumstances of this case as that variation will not generate unacceptable impacts on nearby premises, and remains consistent with the objectives of the standard.
3. Council has considered the Applicant's request to vary the DCP clause 3.4-1 Carparking and has considered that compliance with the standard is unreasonable and unnecessary in the circumstances of this case as that variation will not generate unacceptable impacts on nearby premises, and remains consistent with the objectives of the standard.
4. The proposed development adequately satisfies the relevant State Environment Planning Policies including SEPP 55 – Remediation of Land, State Environmental Planning Policy (State and Regional Development) 2011, State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017.
5. The proposed development, subject to the conditions below, will have no unacceptable adverse impacts on the natural or built environments including the nearby local heritage items, the local waterways or drainage systems or the operation of the local road system. Further it is considered that developments of the subject site does not prevent future reasonable development of adjoining allotments
6. The application was notified to adjoining landowners and publicly advertised in accordance with the Snowy River DCP 2013 and the relevant statutory regulations. The proposal received "1" submission in support of the application.
7. In consideration of conclusions 1 – 6 above it is considered the proposed development is a suitable and planned use of the site and approval of the proposal is in the public interest.

Conditions

ADMINISTRATIVE CONDITIONS

Approved Plans and Documentation

1. The developer is to ensure that the development complies fully with DA4160/2019 as submitted to Council on the 30/04/2019 with supporting documentation including, but not limited to the development plans being:

Reference/Dwg No	Title/Description	Prepared By	Date/s
SA7389	Statement of Environmental Effects	URBIS	11/04/2019

	Development Approval NotificaitonPlans	Graypuksand	Undated
J-LB-DA01	DA Location Plan	Graypuksand	Undated
J-LB-DA02 Rev A	Existing Site Plan	Graypuksand	10/04/2019
J-LB-DA03 Rev A	Proposed Site Plan	Graypuksand	10/04/2019
J-LB-DA04 Rev A	Site Analysis	Graypuksand	10/04/2019
J-LB-DA05 Rev A	Proposed Plan – Ground Floor	Graypuksand	10/04/2019
J-LB-DA06 Rev A	Proposed Plan – Level 1	Graypuksand	10/04/2019
J-LB-DA07 Rev A	Proposed Roof Plan	Graypuksand	10/04/2019
J-LB-DA08 Rev A	Proposed Elevations	Graypuksand	10/04/2019
J-LB-DA09 Rev A	Proposed Elevations	Graypuksand	10/04/2019
J-LB-DA10 Rev A	Proposed Sections	Graypuksand	10/04/2019
J-LB-DA11 Rev A	Proposed Car Park Plan	Graypuksand	10/04/2019
J-LB-DA12 Rev A	Perspectives and Materials Palette	Graypuksand	10/04/2019
J-LB-DA13 Rev A	Shadow Diagrams	Graypuksand	10/04/2019
L-DA-02 Rev A	Landscaping Plans Legend and Schedules	360	22/03/2019
L-DA-03 Rev A	Landscaping Plans Design Statement	360	22/03/2019
L-DA-04 Rev A	Landscaping Plans Site Plan	360	22/03/2019
L-DA-05 Rev A	Landscaping Plans Landscape Plan	360	22/03/2019
L-DA-06 Rev A	Landscaping Plans Landscape Section	360	22/03/2019
L-DA-07 Rev A	Landscaping Plans Material Palette	360	22/03/2019
L-DA-08 Rev A	Landscaping Plans Planting Palette	360	22/03/2019
	Clause 4.6 Variation Request	Urbis	

181098 J-SKC02 P2	Concept Erosion and Sediment Control Plan and Details	TTW	11/04/2019
N156770 Issue B	Transport Assessment	GTA Consultants	2/04/2019
	Acoustic Report	JHA Consulting Engineers	27/03/2019

as stamped by the Snowy Monaro Regional Council and attached to this Notice, except where amended by the following conditions of consent (and as amended in red by Council):

Inconsistency between documents

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

Prescribed Conditions

3. The developer shall comply with any relevant prescribed conditions of development consent under clause 98 of the Environmental Planning and Assessment Regulation. For the purposes of section 4.17(11) of the Environmental Planning and Assessment Act, the following conditions are prescribed in relation to a development consent for development that involves any building work:
 - The work must be carried out in accordance with the requirements of the Building Code of Australia
 - A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (a) showing the name, address and telephone number of the principal certifying authority for the work, and
 - (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (c) stating that unauthorised entry to the work site is prohibited.
 Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

OTHER APPROVALS

Separate Section 138 Permit - Roads Act 1993

4. Notwithstanding the issue of this development consent, separate consent from Council under Section 138 of the Roads Act 1993, must be obtained prior to any works taking place on a public road including the construction of a new driveway access (or modification of access) and prior to the issue of either an interim occupation certificate or a final occupation certificate. Applications for consent under Section 138 must be submitted on Council's standard application form and be accompanied by the required attachments and prescribed fee.

Internal Plumbing and Drainage - Approval to Carry Out Stormwater, Water Supply and Sewerage Works

5. Notwithstanding the issue of this development consent, separate approval from council under Section 68 of the Local Government Act 1993 must be obtained prior

to commencement of internal plumbing and drainage works relating to stormwater, water supply or sewerage works within the property boundary. In this regard, a S68 Application to Carry Out Stormwater, Water Supply and Sewerage Works must be submitted on councils standard application form and be accompanied by the required attachments and prescribed fee, prior to commencement of works on site.

Liquid Trade Waste

6. An Application must be made for an inspection by Liquid Trade Waste Officer of the premises to determine what is required under the Liquid Trade Waste Guidelines 2009

PRIOR TO THE COMMENCEMENT OF WORKS

Enclosure of the Site

7. The site must be enclosed with a suitable security fence to prohibit unauthorised access, to be approved by the Principal Certifying Authority. No building work is to commence until the fence is erected.

Demolition Works

8. To ensure that demolition of structures is carried out in an environmentally acceptable and safe manner:
 - a) All demolition work is to be carried out in accordance with Australian Standard AS2601 - The Demolition of Structures;
 - b) It is the applicant's responsibility to notify Council of any existing damage to public areas in the vicinity of the development site through the submission of a dilapidation reports supported with suitable photographic records. This information shall be submitted to Council prior to commencement of work. Any damage other than that noted prior to commencement of the demolition shall be the responsibility of the owner of the property for repair or reinstatement;
 - c) No demolition materials shall be burnt or buried on-site. The person responsible for the demolition works shall ensure that all vehicles leaving the site carrying demolition materials have their loads covered and do not track soil or waste materials onto the road. Any unforeseen hazardous and/or intractable wastes shall be disposed of to the satisfaction of the Principal Certifying Authority.
 - d) In the event that the demolition works may involve the obstruction of any road reserve/footpath or other Council owned land, a separate application shall be made to Council to enclose the public place with a hoarding or fence over the footpath or other Council owned land.

Disconnection of Services

9. All previously connected services that are required to be disconnected are to be appropriately disconnected and made safe prior to the commencement of demolition/construction works. The various service authorities (including Council for water and sewer infrastructure) shall be consulted regarding their requirements for disconnection of services.
10. All existing services that are to remain live are to be identified, pegged and made safe.

Certification of Crown Building Works

11. Prior to the commencement of works all construction documentation and building work is to be certified in accordance with Section 109R of the Environmental Planning and Assessment Act 1979.

DURING WORKS

Protecting Water supply services

12. Council's existing water supply infrastructure including rising mains, trunk and reticulation pipelines which are exposed, accidentally or deliberately during construction shall be protected from damage.
Council must be informed immediately of any damage occasioned to any Council infrastructure. The damage shall be repaired/reinstated to new condition at the applicant's expense following consultation with Council.
Note: Repair work may require a Section 68 Application for water supply works under the Local Government Act 1993.

Protecting Wastewater supply services

13. Council's existing wastewater infrastructure including rising mains, trunk, drainage pipelines and access chambers (SMH) which are exposed, accidentally or deliberately during construction shall be protected from damage.
Council must be informed immediately of any damage occasioned to any Council infrastructure. The damage shall be repaired/reinstated to new condition at the applicant's expense following consultation with Council.
Note: Repair work may require a Section 68 Application for sewerage works under the Local Government Act 1993.

Approved Plans to be On-site

14. A copy of the approved and certified plans, specifications and documents incorporating conditions of approval and certification will be kept on the site at all times during construction and will be readily available for perusal by any officer of the Council or the PCA.

Erosion & Sediment Control

15. The developer is to ensure that where site works are undertaken including all excavations, land clearing and materials storage, all topsoil that is removed is stripped and stockpiled in an appropriate location for future revegetation works. The stockpiled area is to be encircled by a geofabric filter fence.
16. The developer is to ensure that erosion and siltation control measures are installed and maintained on the site for the entire length of the construction project. Erosion control measures are to include the placement of hay bales staked in the ground or the erection of geofabric filter fencing at the bottom of all areas where cut and fill is carried out and within any existing drainage areas from those cut and fill areas. These control measures are to be in accordance with the requirements of the consent authority and best management practices as outlined in the NSW Department of Housing "Soils and Construction, Managing Urban Stormwater 4th Edition, March 2004 - the Blue Book".

All-weather Access

17. An all-weather stabilised access point must be provided to the site to prevent sediment leaving the site as a result of vehicular movement. Vehicular movement should be limited to this single accessway.

Public Property

18. The developer shall ensure that no trees on public property (footpaths, roads, reserves, etc.) are removed or damaged during works including the erection of any fences, hoardings or other temporary works.

Protection of Trees

19. All street trees will be protected at all times during construction. Any tree on the

footpath, which is damaged or removed during construction, will be replaced, to the satisfaction of Council.

20. All protected trees on the site that are not approved for removal are to be suitably protected by way of tree guards, barriers or other measures as necessary are to be provided to protect root system, trunk and branches, during construction.

Site Management

21. The developer is to ensure that all builder' sheds, including temporary sanitary closets, must at all times be: located wholly within the site; properly constructed and maintained to industry standards; securely anchored to the ground, and removed upon completion of the project.

Trade Waste

22. The applicant must provide an adequate trade waste service to ensure that all waste material is contained, and removed from the site for the period of construction
- (a) Building materials used in the construction of the building are not to be deposited or stored on Council's footpath or road reserve, unless prior approval is obtained from Council.
- (b) The burning of builders waste on site by open fire is prohibited.

Public Liability

23. Where the construction work is on or adjacent to public roads, parks or drainage reserves, the applicant will provide and maintain all warning signs, lights barriers and fencing in accordance with AS1742-1991. The applicant will be adequately insured against Public Risk Liability and will be responsible for any claims arising from these works.

Use of Power Tools - Residential and Village Areas

24. The developer is to ensure that work on the development site by all persons using power tools and equipment is limited to the following hours:
- | | |
|-----------|------------------|
| Mon - Fri | 7.00am to 6.00pm |
| Saturday | 8.00am to 5.00pm |
- No work to occur on Sundays or Public Holidays

Inspection Notification

25. Council is to be given a minimum of 48 hours' notice prior to any inspection being required on site.

Fire Safety (Class 2-9 Buildings Only)

26. The developer shall ensure that to provide facilities for suppression of fire during the course of construction, not less than one fire extinguisher to suit A, B and C fires and electrical fires shall be provided at all times on each storey adjacent to each required exit.

Plumbing & Draining

27. The developer is to ensure that prior to any plumbing work being commenced the licensed plumber / drainer must lodge with Council a Notice of Work two (2) working days prior to commencement of the work. A sewer service diagram.

AND

Prior to covering any new Plumbing & Drainage work arrange for the work to be inspected by Council Officers by phoning the Jindabyne Council Office on 02 64511550 and paying the appropriate inspection fee. (An additional inspection fee will apply for all work required to be re-inspected)

AND

Within two (2) working days of the final inspection being completed the Licensed Plumber & Drainer is to provide to the Council and the property owner:-

- (a) A Certificate of Compliance to AS3500.
- (b) A dimensioned schematic layout of the sanitary drainage lines.

Notes:-

The Plumbing and Drainage Act 2011 has substantial fines for non-compliance. Documentation submitted will incur an administrative fee for lodgement.

Eg:- Lodge 1 or more documents together = 1 fee

Lodge documents separately = 1 fee for each lodgement

- 28. All plumbing and drainage work is to be installed by a Licensed Plumber & Drainer in accordance with the Australian Standard 3500 and the provisions of the Plumbing and Drainage Act 2011 and BASIX requirements.
- 29. The developer shall ensure that a licensed plumber and drainer undertakes the connection to Council sewer system. The sewer riser is to be flush with the finished surface levels of the land and provided with a cap and concrete collar.

Hot Water Installation

- 30. All new heated water installations shall deliver heated water at the outlet of sanitary fixtures used primarily for personal hygiene purposes at a temperature not exceeding: -

(a) 45°C for aged, the sick, children or people with disabilities in healthcare or aged care buildings, early childcare centres, primary & secondary schools & nursing homes or similar facilities for the aged, the sick, children or people with disabilities.

and

(b) 50°C for all other situations.

A certificate certifying compliance with the above is to be submitted by the licensed plumber on completion of the works.

Material Storage

- 31. The surrounding road carriageways are to be kept clean of any material carried onto the roadway by construction vehicles. Any work carried out by Council to remove material from the roadway will be at the applicant's expense. (b) Building materials used in the construction of the building are not to be deposited or stored on Council's footpath or road reserve unless prior approval is obtained from Council.

Dust Control Measures

- 32. Adequate measures will be taken to prevent dust from affecting the amenity of the neighbourhood during construction. In particular, the following measures must be adopted:
 - a) Physical barriers will be erected at right angles to the prevailing wind direction or will be placed around or over dust sources to prevent wind or activity from generating dust emissions,
 - b) Earthworks and scheduling activities will be managed to coincide with the next stage of development to minimise the amount of time the site is left cut or exposed, All materials will be stored or stockpiled at the best locations,
 - c) The surface should be dampened slightly to prevent dust from becoming airborne but should not be wet to the extent that run-off occurs, All

vehicles carrying spoil or rubble to or from the site will at all times be covered to prevent the escape of dust or other material,

- d) All equipment wheels will be washed before exiting the site using manual or automated sprayers and drive-through washing bays, Gates will be closed between vehicle movements and will be fitted with shade cloth, and Cleaning of footpaths and roadways will be carried out regularly.

PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Statement of Completion

- 33. Prior to the occupation and use of the building a Statement of Completion is to be provided to Council to ensure that all conditions of consent have been complied with.

USE OF SITE

Hard Surface Run-off

- 34. Stormwater run-off from driveways and car parks is to be diverted through landscaped areas to provide pollutant reduction and detention, before being discharged to the street drainage system. Alternatively, porous paving can be used instead of concrete where conditions are appropriate.

Finished Drainage System

- 35. The developer is to submit two copies of the finished internal storm water drainage system to Council prior to the commencement of use of the building. The developer must ensure that the internal stormwater drainage details include:
 - a) a silt arrestor / surcharge pit within and adjacent to the property boundary;
 - b) details of the point of discharge; and
 - c) method of connection to Council's storm water drainage system.

Hard Surface Driveway

- 36. The developer shall ensure that to help prevent scouring of the site, the proposed driveway is either paved or sealed.

Driveway Design at Property Boundary

- 37. The developer shall ensure that the level of the driveway at the property boundary is to be +3% above the adjacent top of kerb (that is a +3% longitudinal gradient from the gutter to the property boundary) and conforms to the longitudinal gradient of the roadway.

Vehicular Entrance (Urban)

- 38. The developer shall construct two concrete paved vehicular footpath crossings between the kerb and gutter and the property boundary in conformity with Council's standard drawing No. SD2c and SD80a. Formwork and reinforcing for the vehicular footpath crossing shall be inspected by the Council's Development Engineer or his delegate prior to the pouring of concrete.

Off-Street Car Parking

- 39. The developer is to ensure that a minimum of twenty (20) car parking spaces are provided on-site for this development.

External Finishes

- 40. The developer is to ensure that the external type, colour and texture of materials to be used on the project shall be consistent with those shown the approved plans.

Note 1 – Certificate of Compliance under s307 of the Water Management Act 2000
The developer must obtain a certificate of compliance under s307 of the Water management to Act from Council (the Water Supply Authority). This certificate is required prior to the occupation of the building. This relates to the payment of Sewer and Water Contributions for information regarding the certificate of compliance please contact Councils Water and Waste Water Department.

ATTACHMENT 3 – APPROVAL OF CONDITIONS OF CONSENT FROM REPRESENTATIVE OF SCHOOLS INFRASTRUCTURE NSW (THE APPLICANT)

From: Neil Jones
Sent: Thursday, 11 July 2019 3:16 PM
To: 'Brigitte Bradley' <bbradley@urbis.com.au>; Simon Briggs <Simon.Briggs@ghd.com>
Subject: RE: Draft Conditions - Jindabyne CS

Hi Brigitte,

Given the below, no objections from SINSW or GHD with regards to the draft conditions.
Can you please make sure the Condition 39 is updated.

Regards,

Neil Jones
BEng (Hons) / BComm
Project Manager

GHD
Proudly employee owned
T: 61 2 6113 3200 | D: 61 2 6113 3414 | V: 233414 | M: 61 423 865 178 | E: neil.jones@ghd.com
Level 7, 16 Marcus Clarke Street, Canberra, Australia | www.ghd.com

Connect



From: Brigitte Bradley <bbradley@urbis.com.au>
Sent: Wednesday, 10 July 2019 10:58 AM
To: Simon Briggs <Simon.Briggs@ghd.com>; Neil Jones <Neil.Jones@ghd.com>
Subject: Draft Conditions - Jindabyne CS

Hi Simon,

Gray Puksand have brought the following to our attention regarding the draft conditions for Jindabyne Central School Learning Building:

Condition 39 (Off-Street Car Parking): requires twenty one (21) car parking spaces. However, this is due to our mistake of numbering shown on the car parking plan; no. 1 indeed is the required 'shared area' for access to DDA parking space. Thus our proposal is total of 20 car parking spaces. (please also see Civil drawing J-SKC03)

Could you please pass this on to Jasna?

Kind regards,

BRIGITTE BRADLEY
CONSULTANT

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T +61 2 8233 9900
E bbradley@urbis.com.au

**SHAPING
CITIES AND
COMMUNITIES**



ANGEL PLACE, LEVEL 8, 123 PITT STREET
SYDNEY, NSW 2000, AUSTRALIA

Urbis recognises the traditional owners of the land on which we work.
Learn more about our [Reconciliation Action Plan](#).

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