



**STATEMENT OF ENVIRONMENTAL EFFECTS
TO ACCOMPANY A DEVELOPMENT
APPLICATION FOR DEMOLITION AND
SUBSEQUENT REINSTATEMENT OF THE
MCINTYRE TENNIS COURTS TO ALLOW
CONSTRUCTION OF A NEW UNDERGROUND
CARPARK WITH ACCESS OFF CRANBROOK
LANE**

VICTORIA ROAD EAST PRECINCT

**THE SCOTS COLLEGE
NO'S 29-53 VICTORIA ROAD, BELLEVUE HILL**

**Prepared for
The Scots College**

**By
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- DA Drawings, Landscape Plan and Waste Management Plan
- Heritage Impact Statement
- Construction/ Arboricultural Impact Assessment and Management Plan
- Design Statement
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- Geotechnical Investigation Report
- Preliminary Contamination Assessment
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- Traffic Impact Assessment

1. INTRODUCTION

1.1 Overview

This Statement of Environmental Effects (“SEE”) has been prepared for the Presbyterian Church (New South Wales) Property Trust (“the Applicant”) to accompany a development application (“DA”) lodged pursuant to Section 4.12 of the Environmental Planning and Assessment Act 1979, for demolition and subsequent re-instatement of the 4 McIntyre tennis courts (to competition standard) to allow construction of a new underground carpark with access off Cranbrook Lane in the Victoria Road East Precinct of The Scots College at No’s 29-53 Victoria Road, Bellevue Hill (“the site”).

The proposal involves:-

- demolition of the existing tennis courts and associated fencing;
- construction of a basement car park comprising 80 car parking spaces, 8 motorcycle spaces and 8 bicycle spaces accessed via a relocated vehicular access off Cranbrook Lane along with a sports oval service vehicle area and general sports equipment storage space;
- creation of a new surface level car parking area (3 spaces) for persons with a disability;
- reinstatement of the tennis courts on the roof of the new basement car park;
- installation of low-glare, low-spread, night-lighting to facilitate use of the tennis courts up until 9.00 pm; and
- associated tree removal and tree protection.

The proposal forms the first second part of a two-part plan to better deal with traffic and parking issues associated with the day-to-day operation of the College. The first part involves the construction of a new on-site student drop-off/ pick up zone in the existing at-grade parking area off Ginahgulla Road in the Victoria Road West Precinct of the College, for which a separate but concurrent DA has been lodged with Council.

These two measures, once implemented, warrant an increase in the approved student capacity (i.e. 1,120 students) to 1,520 students on the Victoria Road campus of The Scots College. This can be implemented by modification of the consents to DA’s 528/2004 and 545/2005, (both of which contains a condition restricting the number of students to 1,120) through imposition of a condition of consent on the subject DA pursuant to Section 4.17(1)(b) of the Environmental Planning and Assessment Act, 1979. This condition would modify the relevant conditions in the consents to DA’s 528/2004 and 545/2005 so as to refer to a revised capacity of 1,520 students.

The Applicant recognises (consistent with discussions with Council officers) that authorisation of the increased student capacity will only come into effect once the new student drop-off/ pick-up (as proposed in the separate but concurrent DA) and the new underground car park proposed in this DA, have been constructed and are operational.

1.2 The Scots College

The Scots College (“the College”) is a Presbyterian non-selective, private boys’ day and boarding school in Bellevue Hill, Sydney for students from Pre-Kindergarten (aged three years old) to Year 12. The College accommodates boarders from Years 5 to 12. The College offers a broad curriculum to students from a diverse range of backgrounds.

The College was opened as a private enterprise in 1893, but was subsequently sold to the Presbyterian Church in 1906 and thus became part of the Presbyterian education system in New South Wales.

Key aspects of the College’s curriculum include sports, an outdoor education program known as “Glengarry”, and The Scots College Pipes and Drums as testament to its Scottish heritage.

Students attend the College from all regions of the greater metropolitan area of Sydney as well as from New South Wales country regions.

The College consists of the following parts:-

- the Early Learning Centre (pupils 3-4 years old, Kindergarten, Year 1);
- the Junior Preparatory School (Years 2 to 4);
- the Senior Preparatory School (Years 5 to 6); and
- the Senior School (Years 7 to 12).

The Victoria Road East Precinct serves as the Senior School campus (Years 7 through 12) and as the administrative centre of the College. Predominantly all Senior School subjects and activities are delivered on this campus.

The Victoria Road Campus as a whole has a total site area of 6.15 hectares and straddles Victoria Road and its intersection with Ginahgulla Road.

To the east of Victoria Road is the “East Precinct” with the main school building, Oval, Aspinall House, the Gymnasium, Business Studies Centre, Music Centre, Science Centre, four boarding houses and tennis courts adjacent to McIntyre House. West of Victoria Road (the “West Precinct”) consists of the Ginahgulla Building and secondary sports fields with Fairfax House and garden occupying the western portion of the precinct. At the intersection, and across the street from both precincts, is the Principal’s residence, Tintern House.

1.3 Purpose of the Statement of Environmental Effects

The purpose of this SEE is to:-

- describe the land to which the DA relates;
- describe the characteristics of the surrounding locality;
- describe the form of the proposed development;
- define the statutory planning framework within which the DA is to be assessed and determined, including previous and concurrent approvals; and
- assess the proposed development in light of all the relevant heads of consideration.

1.4 Pre-lodgement Consultation

The proposal was the subject of a pre-DA consultation meeting was held with Council planning officers on 29 January 2019. The minutes of this meeting were provided on 14 February 2019.

A further meeting with Council planning officers to discuss the proposal was held on 11 September 2019.

2. THE SITE

2.1 Location

The Victoria Road East Precinct of the College is located at No's 29-53 Victoria Road, Bellevue Hill, bounded by Victoria Road to the west, Cranbrook Lane to the east, and Cranbrook Road to the south-west (see **Figure 1**).

The part of the Victoria Road East Precinct in which the proposed carpark is to be located (currently occupied by the McIntyre Tennis Courts) is shown on **Figures 2 and 3A**. It is adjacent to and to the south of the College Oval and is bounded by Cranbrook Lane to the east and Cranbrook Road to the west.

South of the tennis courts is McIntyre House, one of the residential buildings on the campus occupied by boarders.

2.2 Real Property Description

The part of the Victoria Road East Precinct on which the carpark is to be located comprises Lot 1 in DP 231713, which is owned by The Presbyterian Church (New South Wales) Property Trust.

A certificate of title and deposited plan for Lot 1 in DP 231713 are provided in **Appendix 1**.

A survey plan is provided in **Appendix 2**.

2.3 Area and Frontages

Lot 1 in DP 231713, being the relevant lot within the Victoria Road East Precinct on which the proposed carpark is to be located, has an area of approximately 3.3 hectares, and the following frontages:-

- to Victoria Road – 217.1 metres; and
- to Cranbrook Lane – 215.7 metres.

The configuration of Lot 1 is identified on **Figure 2**.

2.4 Heritage Status

The site is identified as containing two Heritage Items (I22 and I67) of local significance in Schedule 5 of the WLEP 2014 (see **Figure 4C**). The listing for I22 is described as follows:-

“Building and interiors (part of The Scots College, 29–53 Victoria Road)”

The listing for I67 is described as follows:-

“The Scots College—the building known as “Aspinall House” and interiors, with palm trees, sandstone gateposts (3 sets), gate and fencing to Victoria Road, and the adjoining stone wall surmounted by iron railing; the school building with clock-tower and interiors”

No specific reference is made in either of the above two descriptions of the heritage items to the tennis courts which are the subject of the DA. Nevertheless, all of the land to which the DA applies is identified on the heritage map in the LEP as a heritage item (see **Figure 4C**) so as a result (and having regard to the proximity of McIntyre House), a Heritage Impact Statement accompanies the DA.

2.5 Improvements

The various elements of the College’s Victoria Road East Precinct include:-

- sports facilities including the College oval and the McIntyre tennis courts which occupy the part of the site to which the DA relates;
- Aspinall House which fulfils, primarily, an administrative role for the College;
- the Stevenson Library, which is the subject of a recent approval for major alterations and additions;
- The Quadrangle, which is the main arrival point at the College;
- the middle school building (with a clocktower and assembly hall) which is located to the south of the Quadrangle;
- the new Business Studies Centre located adjacent to Cranbrook Road; and
- McIntyre House (which is used as accommodation for boarders).

2.6 Trees

The location of trees on the part of the site to which the DA relates is identified on the survey plan in **Appendix 2**. Details of these trees (several of which are proposed for removal) are provided in the Construction Impact Assessment and Management Plan (prepared by Botanics Tree Wise People Pty Ltd) submitted with the DA.

2.7 Recent Planning History

On 27 August 2019, development consent was granted by the Independent Planning Commission to SSD DA 8922 for major alterations and additions to the Stevenson Library Building in the Victoria Road East Precinct of the College.



On 17 May 2019, DA171/2019 was lodged with Council for alterations and additions to the Assembly Hall (and associated works) on the upper level of the Main School Building in the Victoria Road East Precinct of the College. DA171/2019 is currently under assessment by Council.

3. SURROUNDING AREA

3.1 To the north

To the north and north east of the College's Victoria Road East Precinct is Aston Gardens, comprising predominantly residential flat buildings, many of which are within the Aston Gardens Conservation Area as shown on **Figure 4D**.

Further to the north east is Cranbrook School, occupying the land bounded by New South Head Road, Victoria Road and Rose Bay Avenue. Cranbrook School is an Anglican independent day and boarding school for boys, pre-school to Year 12.

In addition to Cranbrook School, items of heritage significance to the north of the Victoria Road East Campus of The Scots College include "Rothesay" house at 3 Cranbrook Road (Item 19), and the house at 27 Victoria Road (Item 66).

3.2 To the east

To the east of the College's Victoria Road East Precinct is Cranbrook Lane along the eastern side of which are residential dwellings.

Items of heritage significance to the east of the Victoria Road East Precinct include "St. Clair" house at 13-15 Cranbrook Lane (Item 18), "Allala" house at 26 Cranbrook Road (Item 20), Rose Bay Lodge (Salisbury Court) at 1-7 Salisbury Road (Item 334), and "Simcha" house at 23 Salisbury Road (Item 335), all of which are listed in Schedule 5 of WLEP 2014.

3.3 To the South

To the south of the College's Victoria Road East Precinct beyond Cranbrook Road are residential dwellings.

Items of heritage significance to the south of the Victoria Road East Precinct include the house at 65 Cranbrook Road (Item 21).

3.4 To the West

To the west of the College's Victoria Road East Precinct, north of Ginahgulla Road, are residential dwellings including the College Principal's residence "Tintern House" at the corner with Victoria Road. South of Ginahgulla Road is the College's Victoria Road West Precinct.

These elements include Fairfax House which is listed as Item 37 in Schedule 5 of the WLEP.

Items of heritage significance to the west of the Victoria Road East Precinct include "Trahlee" house at 9 Ginahgulla Road (Item 32), "Caerleon" house at 13-15 Ginahgulla Road (Item 35), "Chislehurst" residential flat building at 22 Fairfax Road (Item 26), "The Provost" house at 65



Kambala Road (Item 39), and “Beaulieu” house at 73 Bulkara Road (Item 15), all of which are listed in Schedule 5 of WLEP 2014.

4. THE PROPOSAL

The proposal involves demolition of the existing 4 tennis courts, and associated construction of a new basement car park containing 80 carpark spaces accessed off Cranbrook Lane with subsequent reinstatement of the tennis courts (to competition standard) on the roof of the new structure.

The finished level of the new tennis courts will be approximately the same as the level as the existing tennis courts.

The proposal involves: -

- demolition of the existing tennis courts and associated fencing;
- construction of a basement car park comprising 80 car parking spaces, 8 motorcycle spaces and 8 bicycle spaces accessed via a relocated vehicular access off Cranbrook Lane along with a sports oval service vehicle area and general sports equipment storage space;
- creation of a new surface level car parking area (3 spaces) for persons with a disability;
- reinstatement of the tennis courts on the roof of the new basement car park;
- installation of low-glare, low-spread, night-lighting to facilitate use of the tennis courts up until 9.00 pm; and
- associated tree removal and tree protection.

The proposal forms the first second part of a two-part plan to better deal with traffic and parking issues associated with the day-to-day operation of the College. The first part involves the construction of a new on-site student drop-off/ pick up zone in the existing at-grade parking area off Ginahgulla Road in the Victoria Road West Precinct of the College, for which a separate but concurrent DA has been lodged with Council.

These two measures, once implemented warrant an increase in the approved student capacity of 1,120 to 1,520 students. This can be implemented by modification of the consents to DA's 528/2004 and 545/2005, though imposition of a condition of consent on the subject DA pursuant to Section 4.17(1)(b) of the Environmental Planning and Assessment Act, 1979. This condition would modify relevant conditions in the consents to DA 528/2004 and 545/2005 so as to refer to a revised capacity of 1,520 students.

5. STATUTORY PLANNING CONTROLS

5.1 Woollahra Local Environmental Plan (WLEP) 2014

5.1.1 Zoning

The site is zoned SP2 Infrastructure pursuant to WLEP 2014 (see **Figure 4A**).

5.1.2 Zone objectives

The objectives of the SP2 Infrastructure zone are as follows:-

- “• To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.”

The proposal is consistent with these objectives.

5.1.3 Permissibility

The land use table for the “SP2 Infrastructure” zone is as follows:-

“1 Objectives of zone

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.

2 Permitted without consent

Roads

3 Permitted with consent

*Community facilities; Environmental protection works; Recreation areas; **The purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose***

4 Prohibited

Any development not specified in item 2 or 3” (our emphasis)

“Educational Establishment”, being the purpose shown of the Land Zoning Map (see **Figure 4A**), is permissible with consent in the SP2 Infrastructure zone. “Educational establishment” is defined in WLEP 2014 as follows:-

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

(a) a school, or

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

The proposal is for an underground carpark to be used by staff of the College during normal school days and additionally by parents/ visitors in after-school periods and at weekends, which is ancillary to the permissible “Educational Establishment” as defined above. The proposal is therefore permissible with consent.

5.1.4 Height of buildings (Clause 4.3)

Clause 4.3 of WLEP 2014 specifies that the height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map, which in the case of the site is 9.5 metres (see **Figure 4B**).

“Building height” is defined in WLEP 2014 to mean: -

“(a) in relation to the height of a building in metres—the vertical distance from ground level (existing) to the highest point of the building, or

(b) in relation to the RL of a building—the vertical distance from the Australian Height Datum to the highest point of the building,

including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.”

“Ground level” (existing) means:-

“The existing level of the site at any point”.

The proposed new structure is largely below existing ground level. No issues arise with the 9.5m height limit.

5.1.5 Floor space ratio (Clause 4.4)

The FSR control provisions in Clause 4.4 of WLEP 2014 do not apply to the site.

5.1.6 Heritage conservation (Clause 5.10)

The site is heritage-listed in Schedule 5 of the WLEP 2014 (see **Figure 4C**). As shown on **Figure 4C**, the part of the site to which the DA relates is identified as containing two separate heritage items:-

- “Item 22: *Building and interiors (part of The Scots College, 29–53 Victoria Road) ; and*
- Item 67: *The Scots College—the building known as “Aspinall House” and interiors, with palm trees, sandstone gateposts (3 sets), gate and fencing to Victoria Road, and the adjoining stone wall surmounted by iron railing; the school building with clock-tower and interiors”.*

The tennis courts are not separately identified as a heritage item, however because the site is coloured on the heritage map in the LEP and having regard to the proximity of McIntyre House, a Heritage Impact Statement is submitted with the DA.

5.2 Woollahra Development Control Plan (WDCP) 2015

5.2.1 Chapter B1 Residential Precincts: Bellevue Hill North Precinct

This chapter of WDCP establishes detailed controls to guide future development in the 10 residential precincts of the Woollahra Local Government Area including the Bellevue Hill North Precinct within which the site is located (see **Figure 5**).

The Bellevue Hill North Precinct has the following Precinct Character Statement:-

“The Bellevue Hill North precinct is sited on the slopes and plateau of Bellevue Hill. New South Head Road, the main arterial road, forms the northern edge of the precinct. The precinct contains three distinct settings:

- *the edge development fronting New South Head Road (between Bellevue Road and Victoria Road) which contains predominantly substantial residential flat buildings set behind sandstone walls, garages and steps;*
- *development opposite the Rose Bay promenade on New South Head Road, typically large detached buildings within a landscape setting; and*
- *the one to three storey dwelling houses and residential flat buildings set in the winding streets that follow the contours of Bellevue Hill.*

As with many of the higher parts of the municipality, significant views and vistas are available from many of the public spaces. This precinct also contains two large private school campuses: Cranbrook School and Scots College.”

Development in the Bellevue Hill North Precinct is required to satisfy the following Desired Future Character Objectives:-

“O1 To respect and enhance the streetscape character and key elements of the precinct.

O2 To maintain the evolution of residential building styles through the introduction of well designed contemporary buildings incorporating modulation and a varied palette of materials.

O3 To maintain a transition of development scale from the residential flat buildings that address New South Head Road, to the dwelling houses that dominate the majority of the precinct.

O4 To reinforce a consistent building scale with streets.

O5 To ensure that development responds in form and siting to the street and subdivision pattern.

O6 To design and site buildings to respond to the topography and minimise cut and fill.

O7 To reinforce the landscape setting and maintain the existing tree canopy which forms a green backdrop when viewed from the harbour and the surrounding districts.

O8 To retain and reinforce the green setting of mature street trees, private trees and garden plantings and minimise hard stand areas.

O9 To protect important views from the public spaces of the precinct to the harbour and city skyline, including view corridors between buildings.

O10 To ensure that development facilitates view sharing to adjoining and adjacent private properties.

O11 To ensure on-site parking does not dominate the streetscape.”

The proposal is consistent with these objectives, and particularly objective O11.

5.2.2 Chapter B3: General Development Controls

5.2.2.1 Part B3.2: Building Envelope

The site is located in the SP2 Infrastructure (Educational Establishment) zone and therefore this part of the DCP does not apply to the proposal.

5.2.2.2 Part B3.3: Floorplate

The site is located in the SP2 Infrastructure (Educational Establishment) zone and therefore this part of the DCP does not apply to the proposal.

5.2.2.3 Part B3.4: Excavation

Part B3.4 of the DCP contains specific objectives and development controls relating to excavation. The proposal is relevantly consistent with the excavation controls in large part because the purpose of the proposed excavation is to accommodate car parking.

No issues arise with the maximum volume of excavation permitted by **Figure 14B** in Part 3.4 of the DCP.

5.2.2.4 Part B3.5: Built Form and Context

Part B3.5 of the DCP contains specific development controls relating to the built form and context of development. The objectives and development controls in this part of the DCP are addressed in the table below.

B3.5.1 Streetscape character		
Objectives	Controls	Compliance
O1 To ensure that the built form is compatible with the streetscape and the desired future character of the area.	C1 The building is consistent with the desired future character of the area set out in the precinct controls in Parts B1 and B2 of this DCP. Note: Chapters B1 and B2 in this part of the DCP define the desired future character for each precinct or HCA, and identify special streetscape character, heritage and key elements within each precinct.	Yes, the proposed basement car park, with re-instated tennis courts above is consistent with the desired future character of the area.
O2 To ensure that development is of high visual quality and enhances the street.	C2 Development retains vegetation of landscape value.	Yes
O3 To maintain the evolution of residential building styles through the introduction of well-designed contemporary buildings.	C3 Development steps down sloping sites and follows the topography of the land.	Yes
	C4 External building materials and colours do not detract from the streetscape. Bright or obtrusive colour schemes are avoided.	N/A
O4 To ensure that	C5 In heritage conservation areas or	N/A

roof forms are consistent with the existing predominant roof forms in the street and minimise impacts to neighbouring properties.	<p>where the existing immediate streetscape is predominantly characterised by pitched roof forms, new development incorporates pitched roof forms.</p> <p>C6 Roof materials are non-reflective and do not cause excessive glare to adjacent properties.</p>	N/A
O5 To ensure buildings improve the safety of the public domain.	C7 The building addresses the street and provides opportunities for casual surveillance. At least one habitable room window overlooks the street.	N/A
B3.5.2 Overshadowing		
Objectives	Controls	Compliance
O1 To minimise overshadowing to adjoining properties.	<p>C1 The development is designed so that:</p> <p>a) sunlight is provided to at least 50% (or 35m² with a minimum dimension of 2.5m, whichever is the lesser) of the main ground level private open space of adjacent properties for a minimum of 2 hours between 9am and 3pm on 21 June. Where existing overshadowing is greater than this, sunlight is not further reduced; and</p> <p>b) north facing windows to upper level habitable rooms of adjacent dwellings receive at least 3 hours of sun between 9am and 3pm on 21 June over a portion of their surface.</p>	Yes. No impact.
	C2 Lot orientation may make C1 above difficult to achieve so a reduced amount of solar access may be considered, provided the proposed building complies with all setback controls.	N/A
	Note: For land adjoining open space also refer to Section 3.10.1.	N/A
B3.5.3 Public and private views		

Objectives	Controls	Compliance
<p>O1 To protect and enhance existing views and vistas from the public domain.</p> <p>O2 To provide additional views and vistas from streets and other public spaces where opportunities arise.</p>	<p>C1 Development is sited and designed so that the following public views are maintained or enhanced:</p> <p style="padding-left: 40px;">a) significant views and vistas identified in the precinct maps in this Chapter B1 Residential Precincts and Chapter B2 Neighbourhood HCAs of this DCP; and</p> <p style="padding-left: 40px;">b) views from other public open space areas, particularly from ridgelines to Sydney Harbour and the Sydney CBD skyline.</p> <p>C2 Vistas along streets are preserved or enhanced through sensitive development location and form.</p> <p>C3 Development on the low side of the street preserves district, iconic and harbour views from the street by:</p> <p style="padding-left: 40px;">a) providing substantial breaks between buildings, front fences, car parking and other structures; and</p> <p style="padding-left: 40px;">b) incorporating fences with transparent or open end panels at each side boundary to provide for views.</p> <p>C4 Roof forms on the low side of streets are designed to allow public views and add interest to the scenic outlook. Flat expansive roofs with vents, air conditioning units and similar structures are inappropriate.</p>	<p>Yes. No impact.</p> <p>Yes. No impact.</p> <p>Yes. No impact.</p> <p>Yes. No impact.</p> <p>N/A</p> <p>N/A</p> <p>Yes. No impact.</p>
<p>O3 To encourage view sharing as a means of ensuring equitable access to views from private property.</p>	<p>C5 Development is sited and designed to enable a sharing of views with surrounding private properties, particularly from the habitable rooms.</p> <p>C6 Development steps down the hillside on a sloping site.</p>	<p>Yes. No impact.</p> <p>N/A</p>

	<p>C7 The design of the roof form provides for view sharing.</p> <p>C8 Roof terraces are uncovered to provide for view sharing. All elements on roof terraces are to comply with the maximum building height control.</p>	<p>Yes. No impact.</p> <p>N/A</p>
O4 To ensure that views are not compromised by landscaping.	<p>C9 The location and species of new tree planting frames and preserves public and private views. Planting must not be used to block views.</p> <p>C10 In sloping areas, the location of new tree planting frames and preserves public views. This may be achieved:</p> <p style="padding-left: 40px;">a) on the high side of streets— by concentrating new tree planting at the front of buildings within the side setbacks; and</p> <p style="padding-left: 40px;">b) on the low side of streets—by concentrating new tree planting at the front of buildings outside the side setbacks (refer to Figure 18).</p>	<p>Yes</p> <p>Yes</p>
B3.5.4 Acoustic and visual privacy		
Objectives	Controls	Compliance
O1 To ensure adequate acoustic privacy for occupants and neighbours	<p>C1 Dwellings are designed to ensure adequate acoustic separation and privacy to the occupants of all dwellings.</p> <p>C2 Dwellings located close to high noise sources, such as a busy road or railway line are to:</p> <p style="padding-left: 40px;">a) be designed to locate habitable rooms and private open space away from the noise source; and</p> <p style="padding-left: 40px;">b) include sound attenuation measures, such as acoustic glazing and insulation.</p>	<p>N/A</p> <p>N/A</p>

	<p>Note: Shared walls and floors between dwellings must be designed in accordance with the sound transmission and insulation criteria of the Building Code of Australia.</p> <p>C3 Electrical, mechanical, hydraulic and air conditioning equipment is housed so that it does not create an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997 either within or at the boundaries of any property at any time of the day.</p>	Yes
O2 To ensure adequate visual privacy for occupants and neighbours while balancing the need to provide for reasonable levels of environmental amenity, including access to sunlight and ventilation, and good architectural outcomes.	<p>C4 New windows in habitable rooms are designed to prevent a direct sightline to the habitable room windows or private open space of an adjacent dwelling within 9m.</p> <p>C6 Architectural design solutions and screening devices referred to in C4 (c) above are integrated with the overall design and contribute to the architectural merit of the building, having particular regard to:</p> <ul style="list-style-type: none"> a) aesthetics of the building including impacts on visual bulk; b) compliance with minimum boundary setback controls; c) appearance from adjoining properties; and d) views from adjoining or adjacent properties. 	<p>N/A</p> <p>N/A</p>
O3 To minimise the impacts of private open space.	<p>C7 Private open spaces and the trafficable area of roof terraces (at or below the second storey) are to be suitably located and screened to prevent direct views to neighbouring:</p> <ul style="list-style-type: none"> a) habitable rooms (including bedrooms) within 9m; and b) private open space within 9m. <p>Note: Private open space includes an</p>	N/A

C12 For a roof terrace within the roof of a building:

- a) no part of the roof terrace or associated structures, such as a balustrade, projects beyond the roof profile; and
- b) the roof terrace and opening within the roof are clearly subservient in form and size when compared with the roof plane in which they are located.

Part B3.8 of the DCP contains specific controls relating to development other than dwelling houses including, in Part 3.8.9, non-residential development.

The objectives and relevant development controls relating to the relevant section of this part of the DCP are addressed in the table below.

B3.8.9 Non-residential development		
Objectives	Controls	Compliance
O1 To ensure that non- residential development is consistent with the desired future character of the area and does not have an unreasonable impact on surrounding properties	C1 The built form complies with the building envelope, footprint, excavation and built form and context controls in Sections B3.2-B3.4.	Yes
	C2 The development is compatible with the streetscape and the desired future character of the street. For example, buildings in residential areas must maintain a scale consistent with the streetscape. Note: Chapters B1 and B2 in this Part of the DCP define the desired future character for each precinct, and identify any special heritage, streetscape character and key elements within each precinct.	Yes
	C3 Lighting, noise, hours of operation, and intensity of the use do not unreasonably impact on the residential amenity of adjoining properties, the street, or precinct.	Yes

5.2.3 Chapter E2: Stormwater and Flood Risk Management

This chapter identifies Council's requirements for stormwater drainage and flood risk management for all DA's. The objectives of this chapter are as follows:-

"O1 To encourage ecologically sustainable stormwater management and the use of water sensitive urban design.

O2 To maintain existing natural drainage patterns.

O3 To ensure that adequate provision has been made for the disposal of stormwater from land proposed to be developed.

O4 To ensure the controlled release of stormwater to public stormwater systems without adversely impacting on adjoining or downstream properties.

O5 To protect Sydney Harbour and its waterways from stormwater pollution.

O6 To minimise flood risk and damage to people and property by setting appropriate development controls. O7 To ensure that flood levels are not increased by development.”

Stormwater drainage/ management plans will be submitted to Council under separate cover.

5.2.4 Chapter E5: Waste Management

Construction waste and arrangements for operational waste on the site will be managed consistent with the intent of this chapter and with the following objectives:-

“O1 To assist applicants in planning for sustainable waste management through the preparation of a site waste minimisation and management plan.

O2 To identify on-site requirements for waste and recycling storage and management, having regard to access and amenity.

O3 To ensure waste management systems are compatible with collection services.”

A construction waste management plan forms part of the plan package submitted with the DA. The proposal does not give rise to any operational waste.

5.2.5 Chapter F2: Educational Establishments

WDCP 2015 contains specific development controls in Chapter F2 for “Educational Establishments” such as the College.

The objectives of Chapter F2 of the DCP are as follows:-

“O1 To encourage well designed educational establishments that balance the requirements of students and staff, with the amenity of the adjacent properties.

O2 To protect views and vistas.

O3 To protect and conserve heritage conservation areas, and heritage items located on or adjacent to an educational establishment.

O4 To encourage all schools to provide sufficient open spaces on site, and protect existing open spaces.

O5 To encourage a safe, efficient and co-ordinated traffic network which considers all users.

O6 To encourage community uses of educational establishments that do not unreasonably impact on surrounding residents.”

The proposal is consistent with the above objectives.

The development controls relating to educational establishments in this chapter of the DCP are addressed in the table below.

F2.2 Building and urban design		
Objectives	Controls	Compliance
<p>O1 To encourage well designed buildings.</p> <p>O2 To encourage buildings that positively contribute to the streetscape and character of the location</p>	C1 Development incorporates a high standard of architectural design, materials and detailing appropriate to the building type and location.	Yes
	C2 The development has a clearly distinguishable street entry point which contributes to the streetscape.	Yes
	C3 Development on the boundary provides a sympathetic transition in terms of height, scale, bulk and materials.	Yes
O3 To encourage sustainable design.	C4 Development with a gross floor area of at least 1,000m ² achieves a minimum 4 star NABERS rating.	N/A
	<p>C5 Development is designed to provide for best practice environmentally sustainable design outcomes. Examples of environmentally sustainable design include:</p> <p>a) passive solar design principles to avoid the need for additional heating and cooling;</p> <p>b) natural ventilation in all buildings;</p> <p>c) roof-top solar energy panels where there is no negative impact on the significance of a heritage item or heritage conservation area;</p> <p>d) where appropriate green roofs are encouraged;</p> <p>e) windows are suitably shaded to restrict</p>	Yes

	<p>summer sun whilst permitting winter sun;</p> <p>f) use of low emission and renewable energy sources;</p> <p>g) use of recycled and/or low embodied energy building materials; and</p> <p>h) limited or minimised excavation.</p>	<p>The basement car park requires excavation, the volume of which is reasonable to achieve the desired outcome of providing additional on-site parking which is unobtrusive, and compatible with both the streetscape and with the heritage significance and values of the site.</p>
F2.2 Siting of development		
Objectives	Controls	Compliance
O1 To protect and promote the amenity of the public domain.	C1 Development complies with the street setback controls that apply to the precinct or centre where the centre is proposed. (Refer to the relevant residential or business centre controls in Part B, C or D of this DCP.)	Yes
O2 To protect and promote sunlight access on neighbouring land.	<p>C2 Non-street fronting rear and side setbacks of the building are setback so that sunlight is provided to adjoining residential properties:</p> <p>a) to 50% or 35m² (with minimum dimension 2.5m), whichever is smaller of the main ground level private open space of adjacent properties; and</p> <p>b) for a minimum of two hours between 9am and 3pm on June 21.</p> <p>C3 Where existing buildings overshadow greater than that specified in C2, sunlight</p>	<p>Yes</p> <p>N/A</p>

	access is not further reduced.	
O3 To sympathetically integrate the educational establishment into the surrounding neighbourhood to protect acoustic and visual privacy.	<p>C4 Rear and side setbacks of the building are setback to maintain the amenity of the adjoining development, taking into account privacy and noise generation.</p> <p>C5 Development provides visual privacy to adjoining properties by appropriate design, vegetative screening, window and door offset, location of external areas such as roof top terraces, screening devices, separation distances and the like.</p>	<p>Yes</p> <p>Yes</p>
O4 To protect existing views and vistas	<p>C6 Development is sited so significant views and vistas from the public domain are maintained.</p> <p>C7 Development provides for view sharing from surrounding properties.</p>	<p>Yes</p> <p>Yes</p>
F2.4 Heritage conservation		
Objectives	Controls	Compliance
O1 To protect buildings, fences, works, relics, or places of heritage significance which form part of, or which are in the vicinity of an educational establishment.	<p>C1 The location and design of development does not detract from a heritage item.</p> <p>C2 Siting of new development:</p> <p>a) when viewed from the public domain—preserves existing views to and from the heritage item.</p> <p>b) when viewed from surrounding residences—enables a sharing of views to and from the heritage item.</p> <p>C3 Fences that have heritage significance are conserved. Development in the vicinity of these fences responds to the heritage significance with a sympathetic design and finish.</p>	<p>Yes. See Heritage Impact Statement submitted with the DA</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
O2 To ensure that	C4 Development responds	Yes

new development is sympathetic to the heritage significance of heritage items and, where applicable, is sensitive to the streetscape qualities of heritage conservation areas.	sympathetically to the heritage significance of items and heritage conservation areas in terms of architectural style and design, colours, materials, proportions and scale.	
F2.5 Open spaces		
Objectives	Controls	Compliance
O1 To protect and retain existing open spaces.	C1 Existing open spaces are retained. C2 Vehicle access and parking is not permitted on any part of the site considered as open space.	Yes The existing tennis courts will be re-instated on the roof of the new basement car park.
O2 To ensure that educational establishments provide adequate open spaces to cater for the active and passive needs of students.	C3 New educational establishments and major development of existing establishments provide open spaces and maximise the use of existing open spaces, having regard to an overall plan for the siting, amenity impacts, usability and accessibility of such spaces. C4 Playgrounds are provided on site. C5 Sports fields are provided on site, where possible.	Yes The tennis courts will be re-instated above the new basement car park. Yes
F2.6 Traffic, parking and access		
Objectives	Controls	Compliance
O1 To require efficient and effective road and pedestrian circulation networks.	C1 The educational establishment does not unreasonably impact on the surrounding road network, specifically in relation to pedestrian safety and vehicle traffic. Note: A traffic and pedestrian	See traffic impact assessment submitted with the DA

	management plan may be required to demonstrate impacts.	
O2 To minimise conflict between vehicles and pedestrians, particularly at entrances.	<p>C2 Pedestrian access is provided to all frontages that adjoin the public domain.</p> <p>C3 Pedestrian access is segregated from vehicular access with clearly defined paths.</p> <p>C4 Equitable access is provided in accordance with Part E of this DCP, Chapter E1 Parking and Access.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
O3 To minimise the impact on the surrounding community due to the arrival and departure of students.	<p>C5 Pedestrian areas are at key entry points to accommodate concentrations of pedestrians, e.g. pick up time.</p> <p>C6 For a new educational establishment or major development of an existing establishment—an internal driveway for vehicles is provided for picking-up and dropping-off students.</p>	<p>Yes</p> <p>Although the proposal is not for a “new school” nor is it “a major development”, it is the second part of a two part plan to improve traffic and parking conditions around the College. Part one of the plan, which is subject to a separate but concurrent DA is for a student drop off/ pick up off Ginahgulla Road on the Victoria Road West Precinct of the College’s Victoria Road campus.</p>
<p>O4 To minimise demand for on-street parking.</p> <p>O5 To provide adequate on-site parking for staff, visitors, disabled persons, delivery,</p>	C7 Development complies with the parking requirements in Part E of this DCP, Chapter E1 Parking and Access.	<p>Yes. The nominated parking rate for an educational establishment is one space per 100m² of GFA. No additional GFA is proposed by the subject DA.</p>

<p>service, emergency vehicles, and tertiary students.</p>		<p>The Victoria Road East and Victoria Road West precincts of the Scots College together contain 22,410m² of GFA. The approved Stevenson Library alterations and additions will result in a net increase in GFA of 704m² giving a total GFA (once constructed) of 23,114m². This results in a total DCP parking requirement of 230 spaces including the Stevenson Library redevelopment and 225 spaces excluding it.</p> <p>As detailed in the Traffic Impact Assessment submitted with the DA, there are 79 spaces on the Victoria Road campus to which the proposal will add 83 spaces (including 3 spaces for people with disabilities) resulting in a total of 162 spaces. The available 80 kerbside spaces around the campus's various street frontages increases the available parking to 242 spaces which exceeds the number of spaces required by the DCP (if that is, the DCP is applied retrospectively to all of the buildings on the campus, most of which were constructed with <u>no</u> requirement for on-site parking</p>
--	--	---

	C8 Provision is made on-site for service and emergency vehicles.	Yes
O6 To encourage use of bicycles as a means of travel to educational establishments.	<p>C9 Bicycle parking is provided.</p> <p>C10 For secondary and tertiary establishments—dedicated secure bicycle parking is provided at the following rates:</p> <p>a) 5% of staff numbers;</p> <p>b) 10% of full time student numbers; at a central location and with associated change rooms and showers.</p>	<p>8 bicycle spaces are provided</p> <p>No. The surrounding road network is not conducive to, nor does it promote, safe travel by students by bicycle.</p>
F2.7 Planting, fencing and hard surfaces		
Objectives	Controls	Compliance
O1 To conserve existing landscaping which contributes to the streetscape.	<p>C1 Significant trees on the site are retained.</p> <p>C2 Development does not damage significant trees located on land adjoining the site.</p>	<p>Yes. See the arboricultural assessment submitted with the DA</p> <p>Yes. See the arboricultural assessment submitted with the DA</p>
O2 To promote a high standard of landscape design.	<p>C3 Landscaping provides shade for play, screening of buildings, an improved microclimate, soil stabilisation, and visual quality.</p> <p>C4 The landscape design is coordinated with, or has suitable regard to:</p> <p>a) the local streetscape;</p> <p>b) site conditions;</p> <p>c) on-site building design and open spaces; and</p> <p>d) type, scale and location of adjoining development.</p> <p>C5 Existing vegetated areas which contribute to the public realm are</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>

	<p>retained. These areas include, but are not limited to:</p> <p>a) Kincoppal (foreshore bushland); b) Vaucluse Public School (open space adjacent to Cambridge Avenue); and c) Glenmore Public School (vegetated strip adjacent to Glenmore Road).</p>	N/A
O3 To encourage planting and fencing which enables open spaces and existing vistas and views to contribute to the public domain.	<p>C6 Planting or fencing does not block significant views or open spaces from adjacent public domain or private property.</p> <p>C7 At least 50% of fencing is open to facilitate views and vistas of open spaces from the public domain.</p>	<p>Yes</p> <p>Yes</p>
O4 To conserve fences and gates that have heritage significance.	C8 Refer to Section F2.4 Heritage conservation above.	Yes
F2.8 Community use		
Objectives	Controls	Compliance
O1 To encourage use of school facilities by the wider community.	<p>C1 Buildings are flexibly designed and capable of being used for a variety of purposes.</p> <p>C2 The design of the facility incorporates the principles of Crime Prevention Through Environmental Design.</p>	No community use is proposed
O2 To minimise the adverse effects of community use of an educational establishment on the amenity of the adjacent properties.	<p>C3 Lighting, noise, hours of operation, and intensity of use does not detrimentally impact on adjacent properties.</p> <p>C4 Pedestrian and vehicular access to the community use does not significantly impact on the surrounding road network.</p> <p>C5 Parking and servicing associated with the community use is accommodated on site, and does not unreasonably impact on the adjoining uses.</p>	<p>As above</p> <p>As above</p> <p>As above</p>

	Note: A plan of management is to be submitted with the DA identifying the proposed operations and likely impacts.	As above
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5.2.6 Chapter E1: Parking and Access

The development controls relating to parking and access in this chapter of the DCP are addressed in the table below.

E1.5 Non-residential parking generation rates		
Land use	Minimum parking generation rate	Compliance
Educational Establishment	<p>1 space per 100m²</p> <p>On-site parking for disabled persons is to be provided at a minimum rate of 1 car space per 50 car spaces or part thereof.</p>	<p>No additional GFA is proposed, therefore the proposal generates no need for additional parking. However, the purpose of the proposal is to better meet the reasonable parking demands of the College. In this regard, the Victoria Road East and Victoria Road West precincts of the Scots College together contain 22,410m² of GFA. The approved Stevenson Library alterations and additions will result in net increase in GFA of 704m² giving a total of 23,114m². The results in a total DCP parking requirement of 230 spaces including the Stevenson Library redevelopment, and 225 spaces excluding it.</p> <p>As detailed in the Traffic Impact Assessment submitted</p>

		<p>with the DA there are 79 spaces on the Victoria Road campus to which the proposal will add 83 spaces (including 3 spaces for people with disabilities) resulting in a total of 162 spaces. The available 80 kerbside spaces around the campus's various street frontages increases the available parking to 242 spaces which exceeds the number of spaces required by the DCP (if that is, the DCP is applied retrospectively to all of the buildings on the campus most of which were constructed with <u>no</u> requirement for on-site parking</p>
--	--	--

The proposal forms the first second part of a two-part plan to better deal with traffic and parking issues associated with the day-to-day operation of the College. The first part involves the construction of a new on-site student drop-off/ pick up zone in the existing at-grade parking area off Ginahgulla Road in the Victoria Road West Precinct of the College, for which a separate but concurrent DA has been lodged with Council.

These two measures, once implemented, warrant an increase in the approved student capacity of 1,120 to 1,520 students. This can be implemented by modification of the consents to DA's 528/2004 and 545/2005, though imposition of a condition of consent on the subject DA pursuant to Section 4.17(1)(b) of the Environmental Planning and Assessment Act, 1979.

6. ASSESSMENT OF ENVIRONMENTAL EFFECTS UNDER SECTION 4.15(1)

In determining the subject DA, Council is required to consider those relevant matters listed in Section 4.15(1) of the Environmental Planning and Assessment Act, 1979, as amended ("EPA Act"). Each of the relevant matters is addressed below.

6.1 Section 4.15(1)(a) – Statutory Planning Considerations

Section 4.15(1)(a) of the Environmental Planning and Assessment Act, 1979 requires the consent authority, when determining a DA (including a Concept DA), to take into consideration:-

"(a) the provisions of:

- (i) any environmental planning instrument, and*
- (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
- (iii) any development control plan, and*
- (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
- (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*

that apply to the land to which the development application relates."

In relation to Section 4.15(1)(a)(i) and (ii), relevant matters are addressed in Section 5.1 of this SEE.

In relation to Section 4.15(1)(a)(iii), relevant matters are addressed in Section 5.2 of this SEE.

In relation to Section 4.15(1)(a)(iiia), there is no planning agreement pursuant to Section 7.4 of the Act relating to this application.

In relation to Section 4.15(1)(a)(iv), there are no matters arising out of the proposed modifications to the consent which raise compliance issues with relevant regulations.

6.2 Section 4.15(1)(b) – Environmental, Social and Economic Impacts

Section 4.15(1)(b) of the Environmental Planning and Assessment Act, 1979 requires the consent authority to consider:

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

Relevant impacts are discussed below.

6.2.1 Impacts on the Natural Environment

The proposal will have no adverse impacts on the natural environment.

Detailed consideration has been given to the existing trees located in the north eastern corner of the development site adjacent to Cranbrook Lane. Impacts on the significant existing trees is acceptable as detailed in the arboricultural assessment submitted with the DA. The trees identified for removal to facilitate the proposed works are not significant, being assessed in the arboricultural assessment as having "low to moderate" value.

6.2.2 Impacts on the Built Environment

6.2.2.1 Heritage Impacts

Heritage Impacts are considered and assessed in the Heritage Impact Statement submitted with the DA. The part of the site occupied by the existing tennis courts is of low heritage significance and there are no heritage considerations which would preclude the proposed works.

No adverse heritage impacts arise on identified heritage items either on or around the site.

6.2.2.2 Traffic and Parking Impacts

Traffic and parking impacts (positive overall) are considered and assessed in the traffic impact assessment submitted with the DA.

6.2.2.3 Tree and Streetscape Impacts

The proposal will have a some impact on the Cranbrook Lane streetscape as a result of the relocation of the existing driveway access around 7.5m to the north to facilitate driveway access into the new basement car park and the associated tree removal necessary for that to occur. However, the impact is both necessary and reasonable.

6.2.3 Social and Economic Impacts

The social and economic impacts will be positive. Car parking will be removed from the street system with benefits to school-related and other road users.

6.3 Section 4.15(1)(c) – Suitability of the Site

Section 4.15(1)(c) requires the consent authority to consider:-

“(c) the suitability of the site for the development.”

The part of the site to which the DA relates is suitable for use as a basement car park with re-instated tennis courts above.

6.4 Section 4.15(1)(d) – Submissions

Section 4.15(1)(d) requires the consent authority to consider:-

“(d) any submissions made in accordance with this Act or the regulations.”

Any relevant representations will need to be considered by the consent authority in the determination of the DA.

6.5 Section 4.15(1)(e) – Public interest

Section 4.15(1)(e) requires the consent authority to consider:

“(e) the public interest”.

The public interest is best satisfied by well-designed, high quality development which meets a perceived need and is generally compliant with the relevant controls, policies and guidelines applying to the land to which the application relates. In this regard, the proposal is in the public interest.

7. CONCLUSION

The proposal seeks consent for demolition of the existing tennis courts, construction and use of a basement carpark and re-instatement of the tennis courts on the roof of the new structure (which is approximately at the same level as the existing tennis courts).

The proposed works as shown on the submitted DA plans will have no unreasonable or unacceptable heritage, landscape, streetscape, traffic, parking or other impacts.

Night-lighting of the tennis courts will be turned off at 9.00 pm.

The additional 83 parking spaces (including 3 spaces for persons with a disability) will result in a significant reduction in on-street parking demand.

The overall supply of parking spaces on the campus and along the various street frontages of the campus will, as a result of the proposal increase to 242 which exceeds the parking requirement prescribed in the DCP when that rate is applied to the GFA on the campus as a whole (including to existing buildings for which no car parking requirement has previously been stipulated).

On that basis, an increase in the approved student capacity from 1,120 to 1,520 is warranted, the mechanism for achieving which is as detailed in this SEE (see Section 4).

The proposal is reasonable and appropriate when considered under the relevant heads of consideration in Section 4.15(1) of the Environmental Planning and Assessment Act, 1979, and is worthy of favourable consideration by Council.



FIGURES



Approximate part of the site to which the DA relates

Victoria Road East Precinct

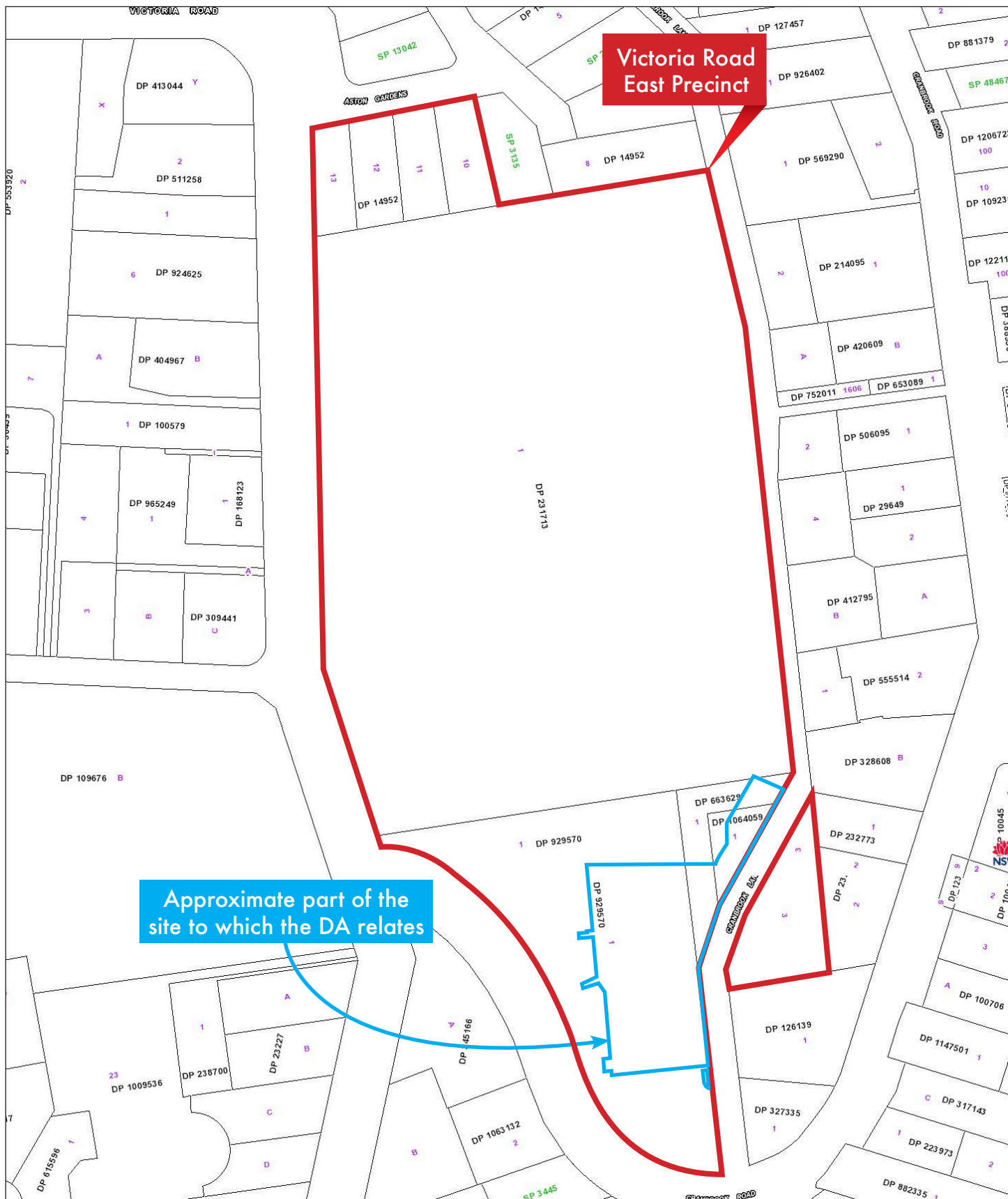
Source: <http://maps.six.nsw.gov.au>



DEVELOPMENT APPLICATION Victoria Road East Precinct, Bellevue Hill

FIGURE 1
Location

Prepared For - The Scots College



DEVELOPMENT APPLICATION

Victoria Road East Precinct, Bellevue Hill

FIGURE 2
Site

Prepared For - The Scots College

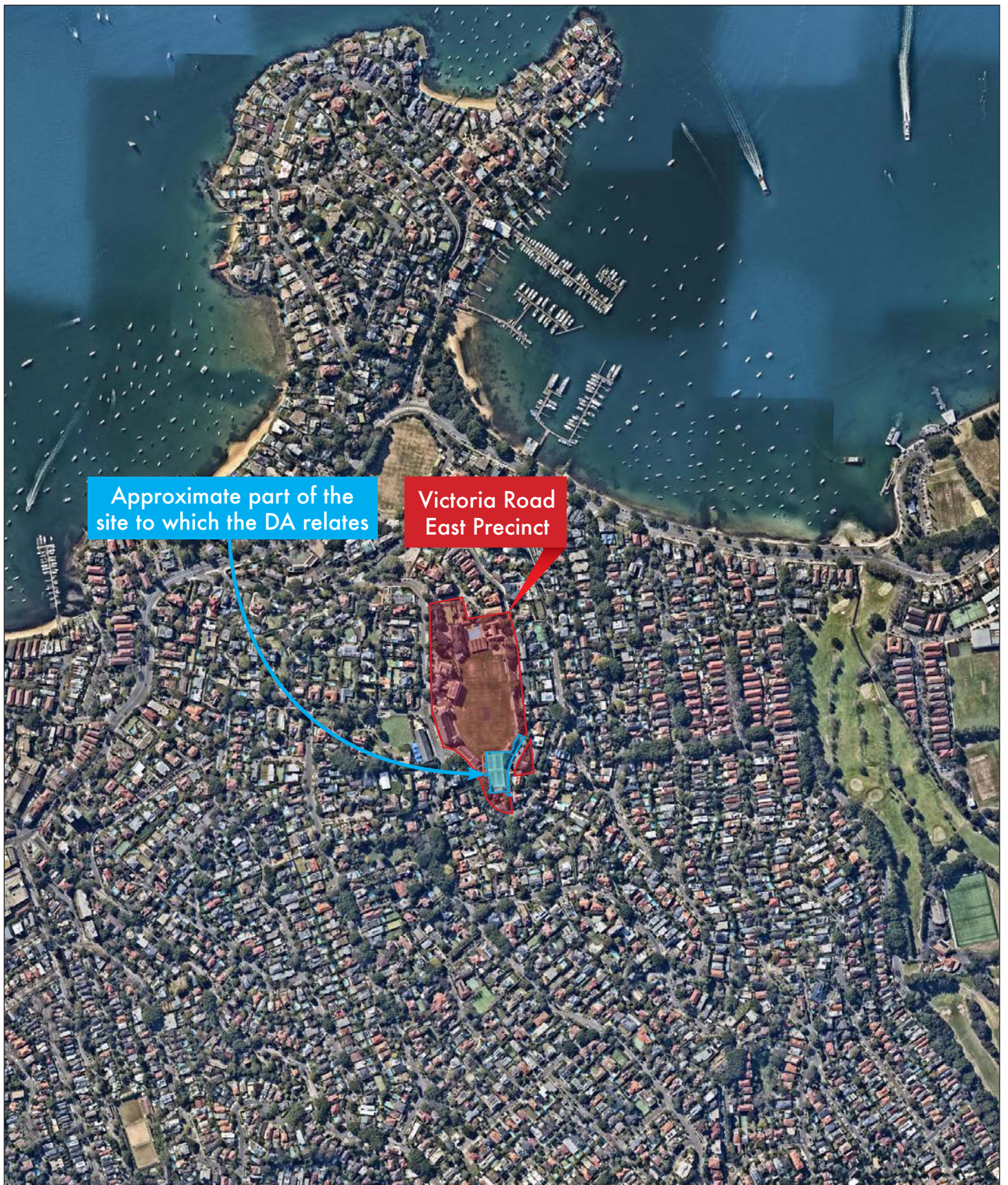


Source: NearMap 1 Sep 2019

DEVELOPMENT APPLICATION
Victoria Road East Precinct, Bellevue Hill

FIGURE 3A
Aerial Photo - Detail

Prepared For - The Scots College



Approximate part of the site to which the DA relates

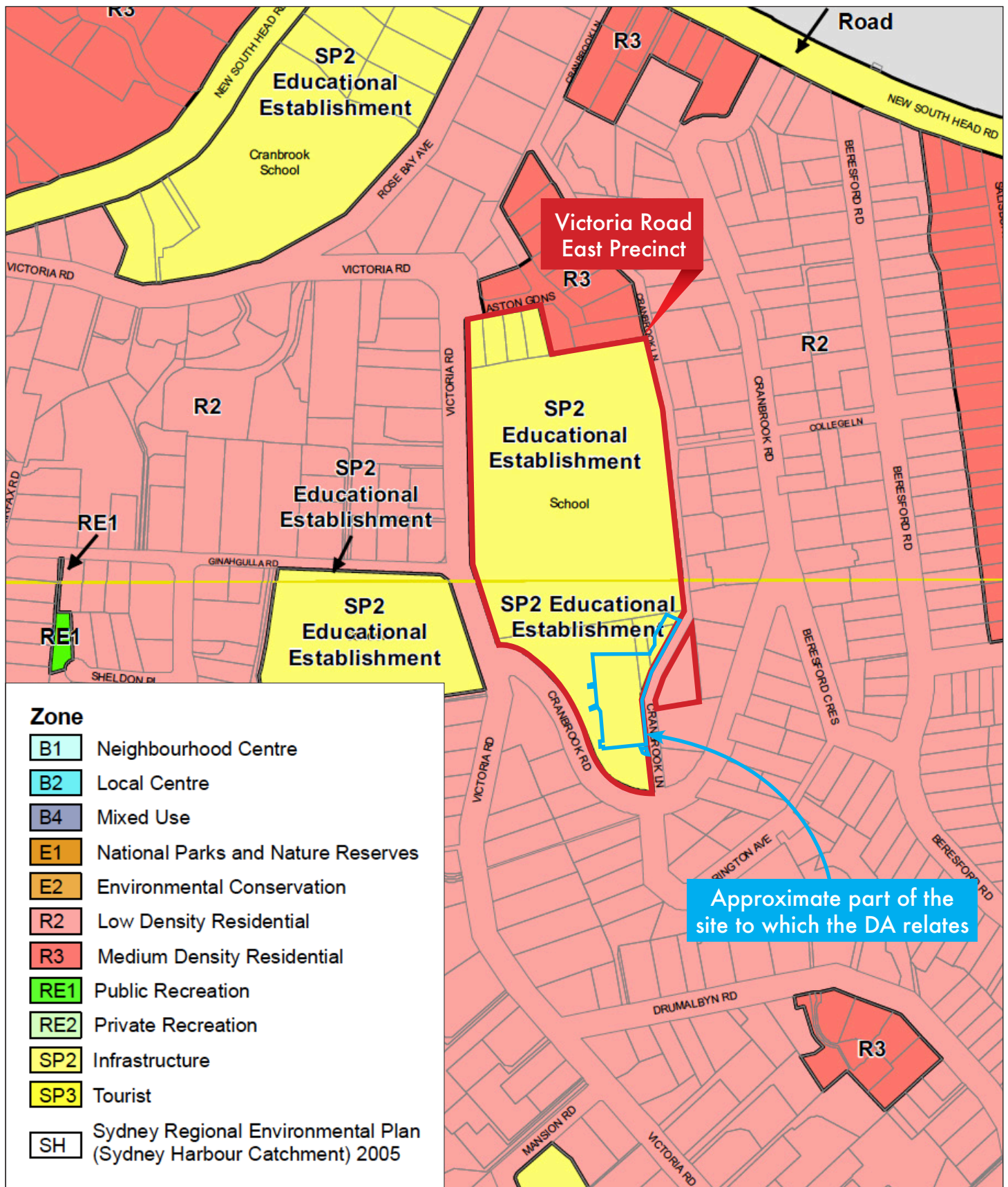
Victoria Road East Precinct

Source: NearMap 1 Sep 2019

DEVELOPMENT APPLICATION
Victoria Road East Precinct, Bellevue Hill

FIGURE 3B
Aerial Photo - Wider Area

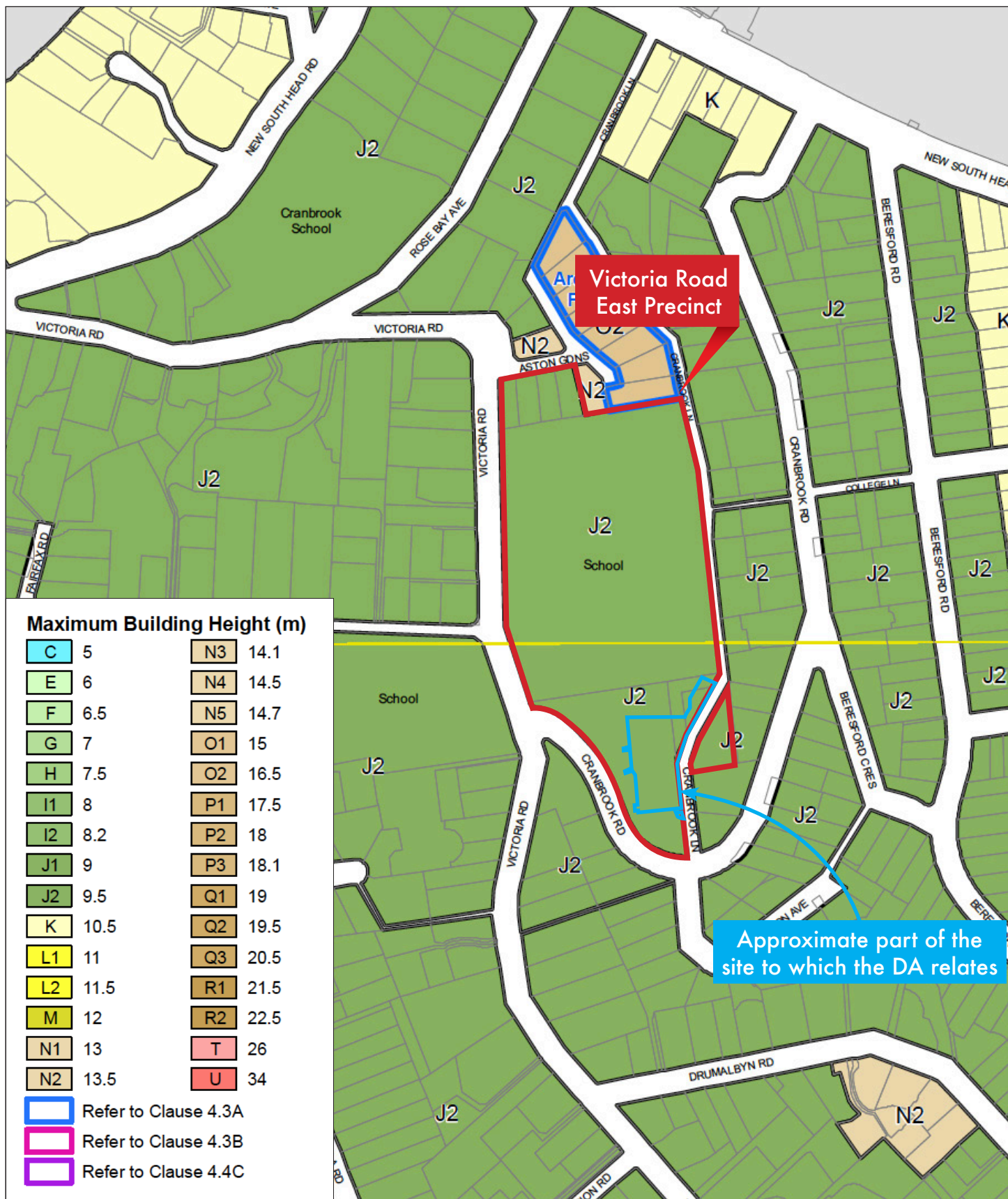
Prepared For - The Scots College



DEVELOPMENT APPLICATION
Victoria Road East Precinct, Bellevue Hill

FIGURE 4A
Zoning Map - Woollahra LEP 2014

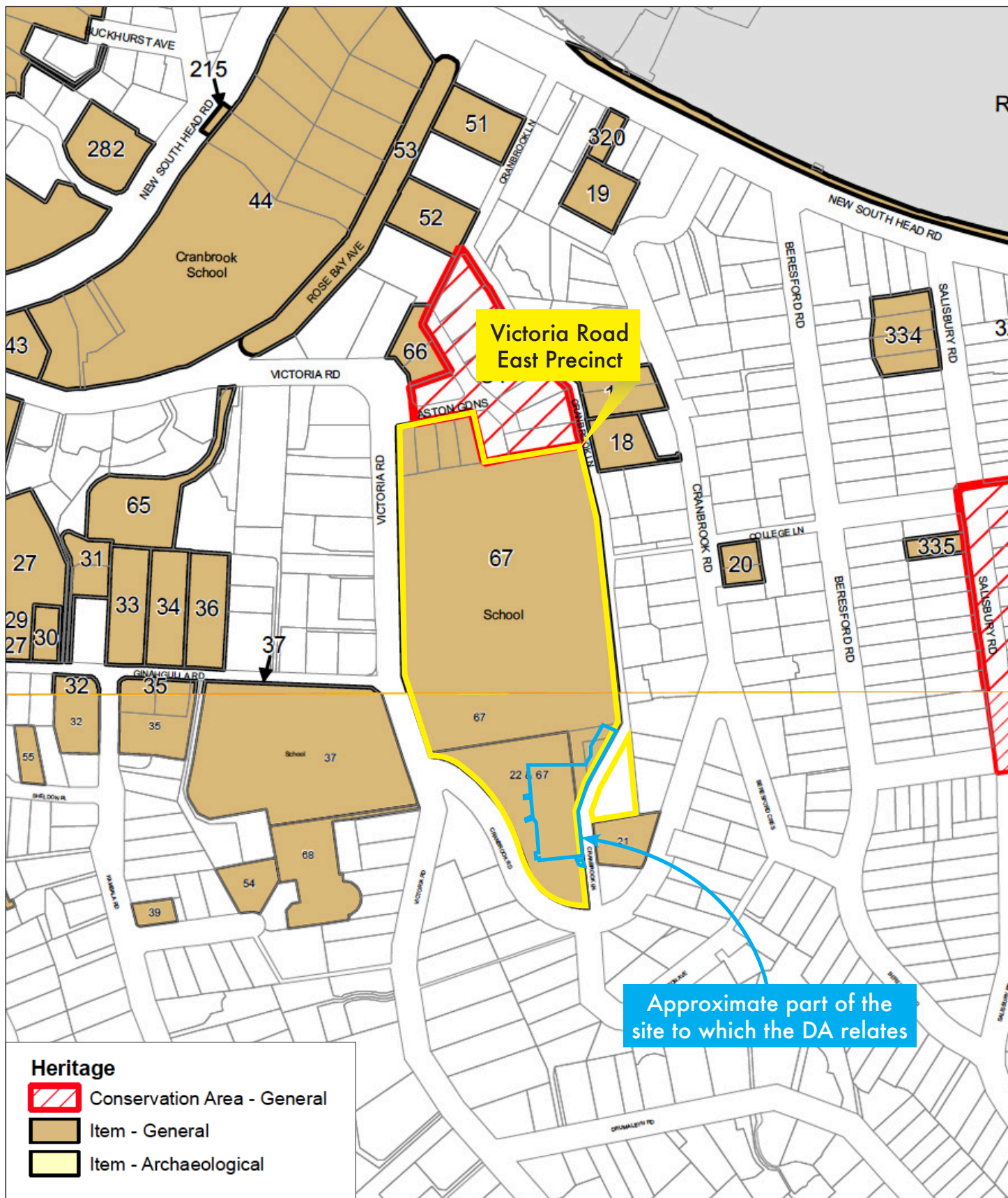
Prepared For - The Scots College



DEVELOPMENT APPLICATION
Victoria Road East Precinct, Bellevue Hill

FIGURE 4B
Height of Buildings Map - Woollahra LEP 2014

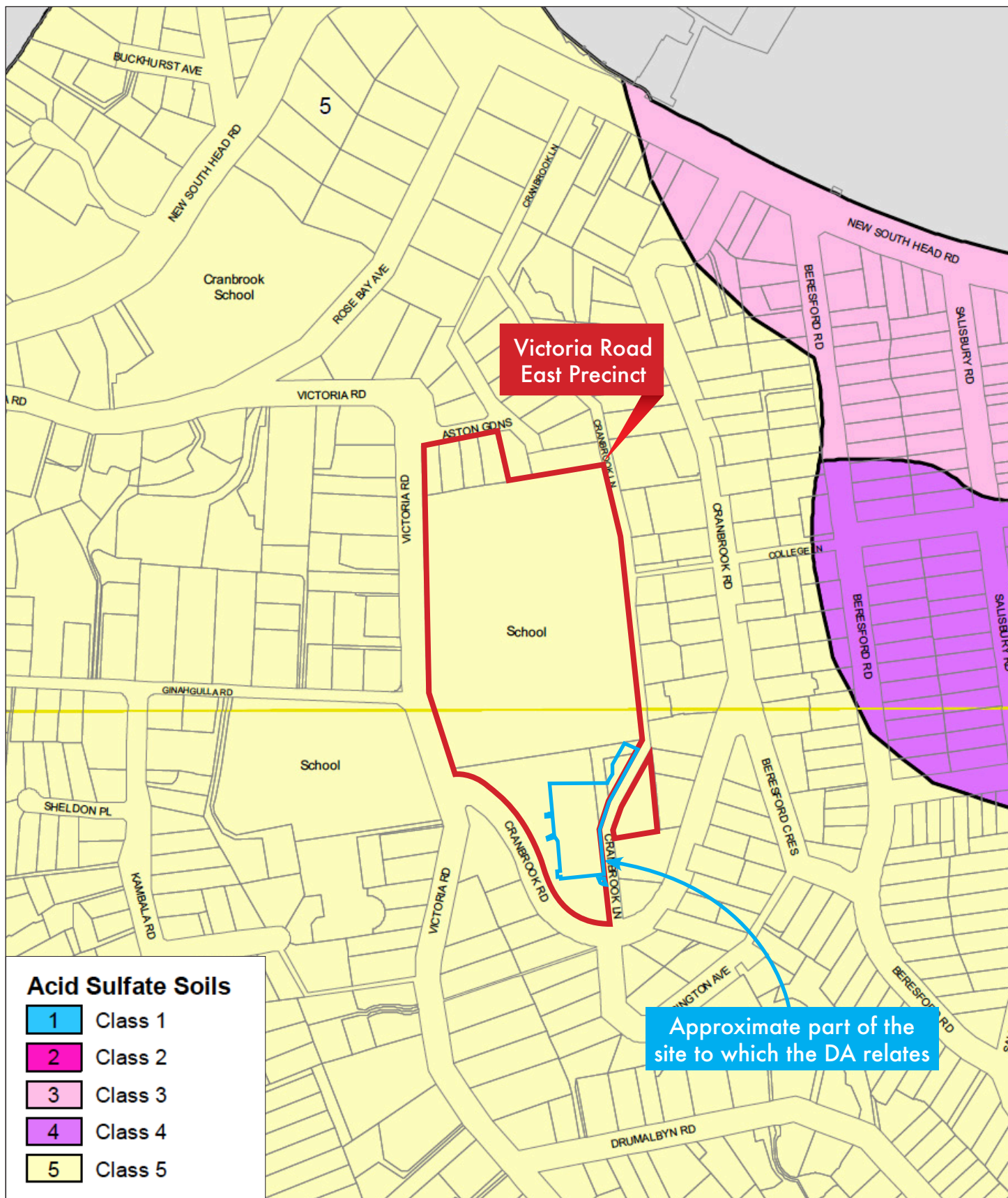
Prepared For - The Scots College



DEVELOPMENT APPLICATION
Victoria Road East Precinct, Bellevue Hill

FIGURE 4C
Heritage Map - Woollahra LEP 2014

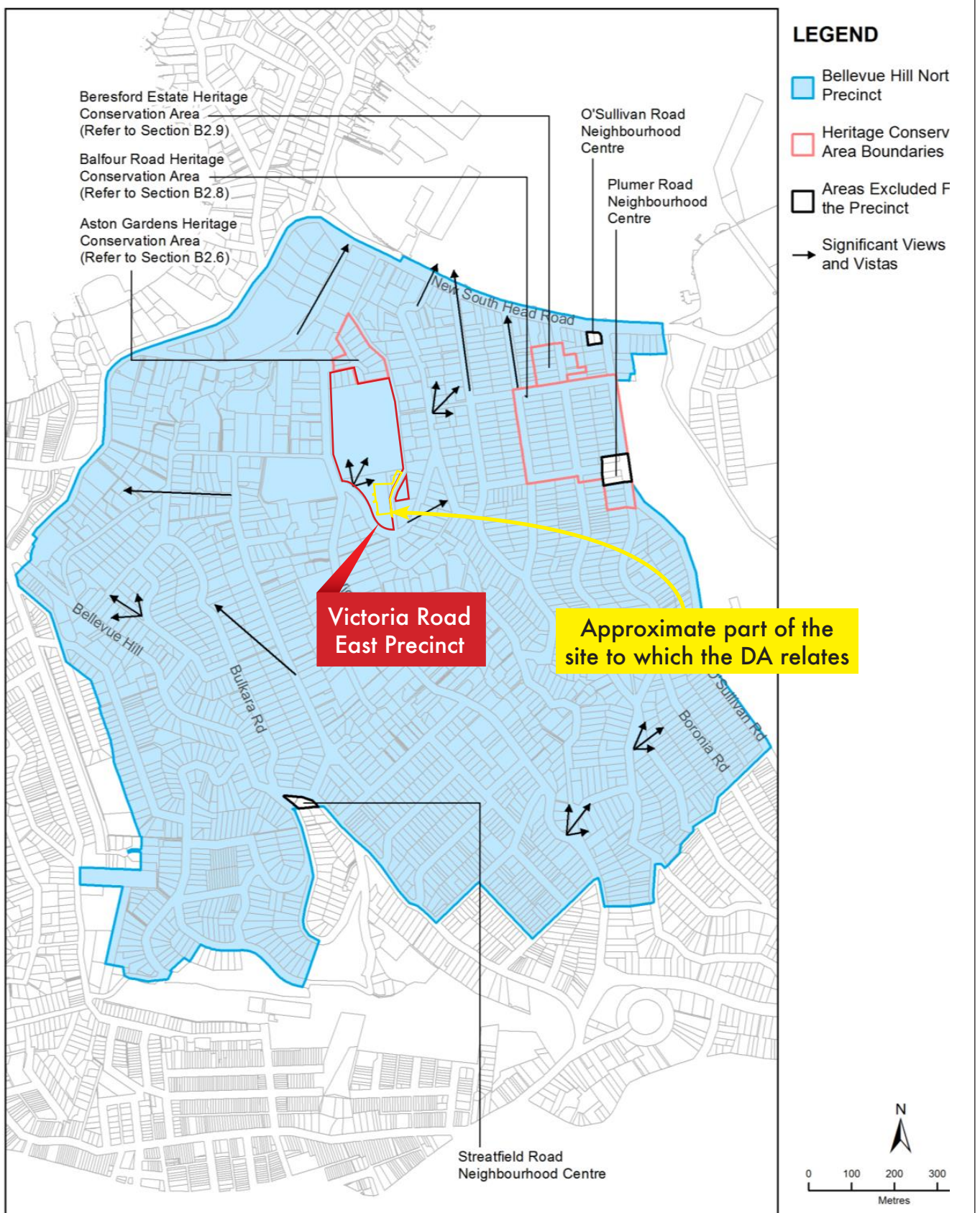
Prepared For - The Scots College



DEVELOPMENT APPLICATION
Victoria Road East Precinct, Bellevue Hill

FIGURE 4D
Acid Sulfate Soils Map - Woollahra LEP 2014

Prepared For - The Scots College



DEVELOPMENT APPLICATION
Victoria Road East Precinct, Bellevue Hill

FIGURE 5
Bellevue Hill North Precinct Map - Woollahra DCP 2015

Prepared For - The Scots College



APPENDICES



APPENDIX 1

Certificate of Title and Deposited Plan

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 1/231713

SEARCH DATE -----	TIME -----	EDITION NO -----	DATE -----
31/10/2017	11:51 AM	3	18/11/2016

LAND

LOT 1 IN DEPOSITED PLAN 231713
AT BELLEVUE HILL
LOCAL GOVERNMENT AREA WOOLLAHRA
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND
TITLE DIAGRAM DP231713

FIRST SCHEDULE

PRESBYTERIAN CHURCH (NEW SOUTH WALES) PROPERTY TRUST

SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 9156095 LEASE TO AUSGRID (SEE AJ71566) OF SUBSTATION
NO.6628 TOGETHER WITH RIGHT OF WAY AND EASEMENT FOR
ELECTRICITY PURPOSES OVER ANOTHER PART OF THE LAND
ABOVE DESCRIBED AS SHOWN IN PLAN WITH 9156095.
EXPIRES: 30/4/2038.
- * AK971351 LEASE OF LEASE 9156095 TO BLUE ASSET PARTNER PTY
LTD, ERIC ALPHA ASSET CORPORATION 1 PTY LTD, ERIC
ALPHA ASSET CORPORATION 2 PTY LTD, ERIC ALPHA
ASSET CORPORATION 3 PTY LTD & ERIC ALPHA ASSET
CORPORATION 4 PTY LTD EXPIRES: SEE DEALING. CLAUSE
2.3 (b) (ii).
- * AK971352 LEASE OF LEASE AK971351 TO BLUE OP PARTNER PTY
LTD, ERIC ALPHA OPERATOR CORPORATION 1 PTY LTD,
ERIC ALPHA OPERATOR CORPORATION 2 PTY LTD, ERIC
ALPHA OPERATOR CORPORATION 3 PTY LTD & ERIC ALPHA
OPERATOR CORPORATION 4 PTY LTD EXPIRES: SEE
DEALING. CLAUSE 12.1
- * AK971502 MORTGAGE OF LEASE AK971351 TO ANZ FIDUCIARY
SERVICES PTY LTD
- * AK971571 CHANGE OF NAME AFFECTING LEASE 9156095 LESSEE
NOW ALPHA DISTRIBUTION MINISTERIAL HOLDING
CORPORATION
- 3 AE344527 POSITIVE COVENANT

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

PRINTED ON 31/10/2017

* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register.

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DP231713

D.P.231713

(E)

Registered: 15 2 1968

Title System: Old System

Purpose: PA.45394.

Ref. Map: Woollehra SM17#

Last Plan Point Piper Estate

PLAN OF

part of 190 acres Grant
to John Piper, 10th Feb'y, 1820.
(ie part of the Point Piper
Estate)

Scale: 60 feet to an inch

Mun. Shire

City: Woollehra.

Locality: Bellevue Hill.

Parish: Alexandria.

County: Cumberland.

I, Bryan Maxwell Mason
of FRANK M. MASON & Co.
of 2 Winslow Street, Milsons Point.

a surveyor registered under the Surveyors Act, 1929, as amended, hereby certify that the survey represented in this plan is accurate and has been made (1) by-me (2) under my immediate supervision in accordance with the Survey Practice Regulations, 1933, and was completed on 25th, March, 1964

Signature: Bryan M. Mason
Surveyor registered under Surveyors Act, 1929, as amended.
Datum Line of Azimuth A.B.

Statements of Proposed Easements.

Approved by Council. I hereby certify that the requirements of the Local Government Act, 1919 (other than the requirements for registration of plans), have been complied with by the applicant in relation to the proposed subdivision set out herein.

Subdivision No. Date

Council Clerk

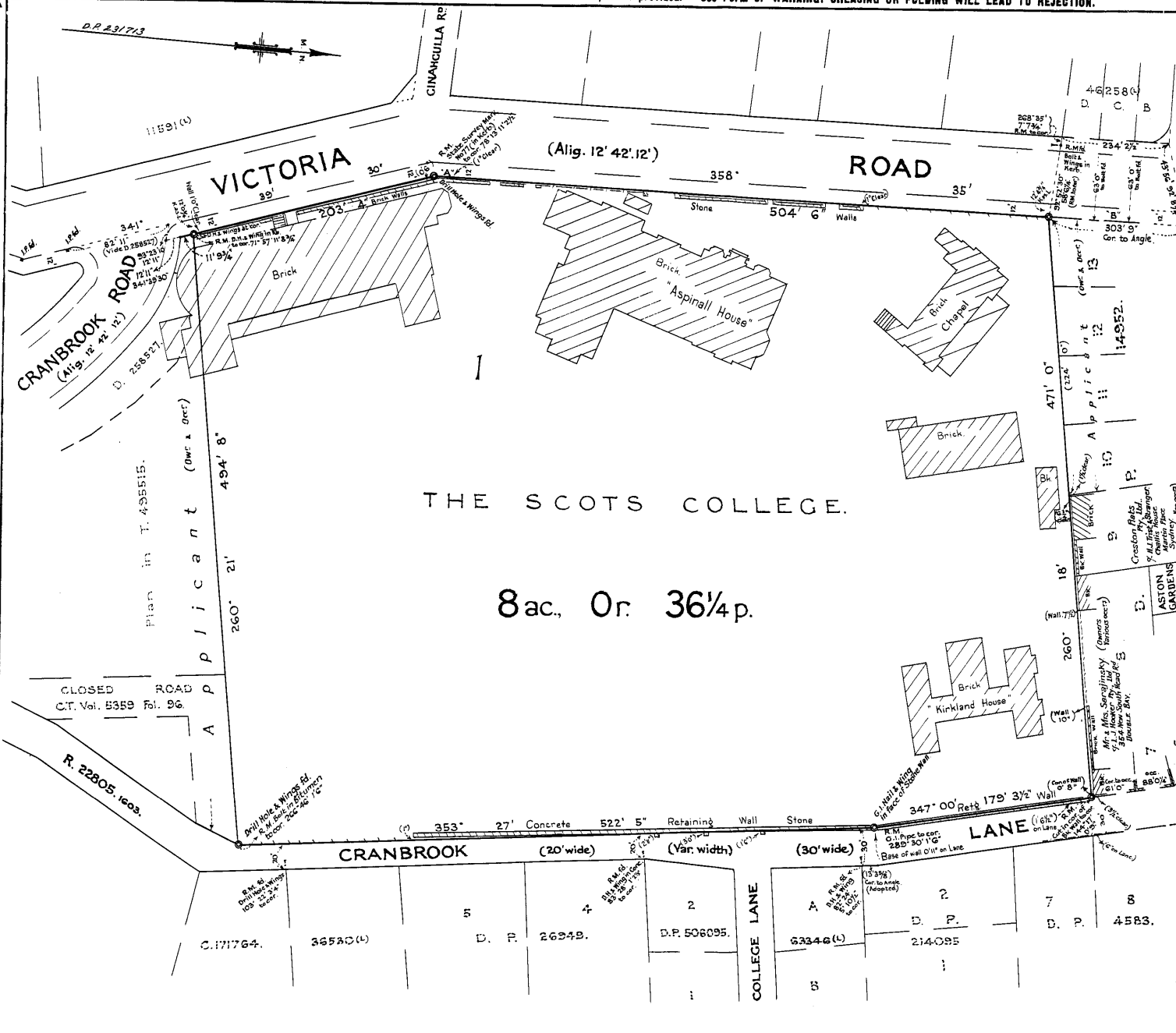
OFFICE USE ONLY.

CONVERSION TABLE ADDED IN REGISTRAR GENERAL'S DEPARTMENT

DP 231713

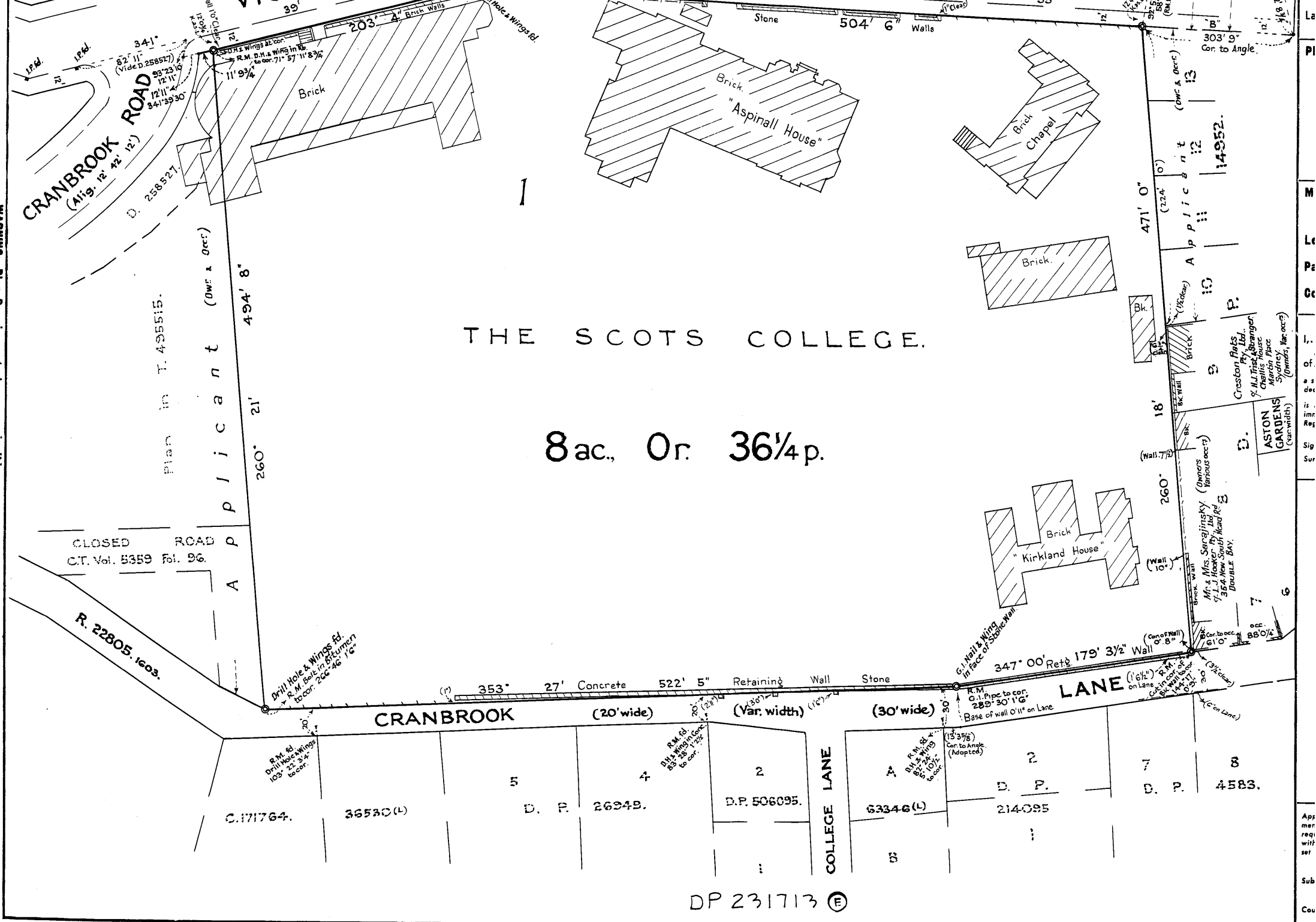
FEET INCHES	METRES
1	0.025
1 1/2	0.038
3 1/2	0.089
6	0.152
6 3/4	0.171
7 1/2	0.191
8	0.203
9	0.229
10	0.254
11	0.305
12 1/2	0.368
14 3/4	0.425
16	0.457
16 1/2	0.470
21 1/2	0.889
3	0.914
3 1/2	1.016
10 1/2	1.791
7 3/4	2.330
11 2 1/2	3.416
11 8 3/4	3.575
11 9 3/4	3.600
12	3.658
12 0 3/4	3.677
12 2 1/2	3.721
12 4 3/4	3.778
12 11	3.937
13 3 5/8	4.054
20	6.096
30	9.144
42	12.802
52 2 7/8	15.923
58 2 5/8	17.745
58 6 1/4	17.837
60	18.288
61	18.593
63	19.202
82 11	28.273
88 0 1/4	26.829
92 8 3/4	28.264
179 3 1/2	54.648
203 4	61.976
224	68.275
234 2 1/2	71.387
303 9	92.583
471	143.561
494 8	150.774
504 6	153.772
522 5	159.233

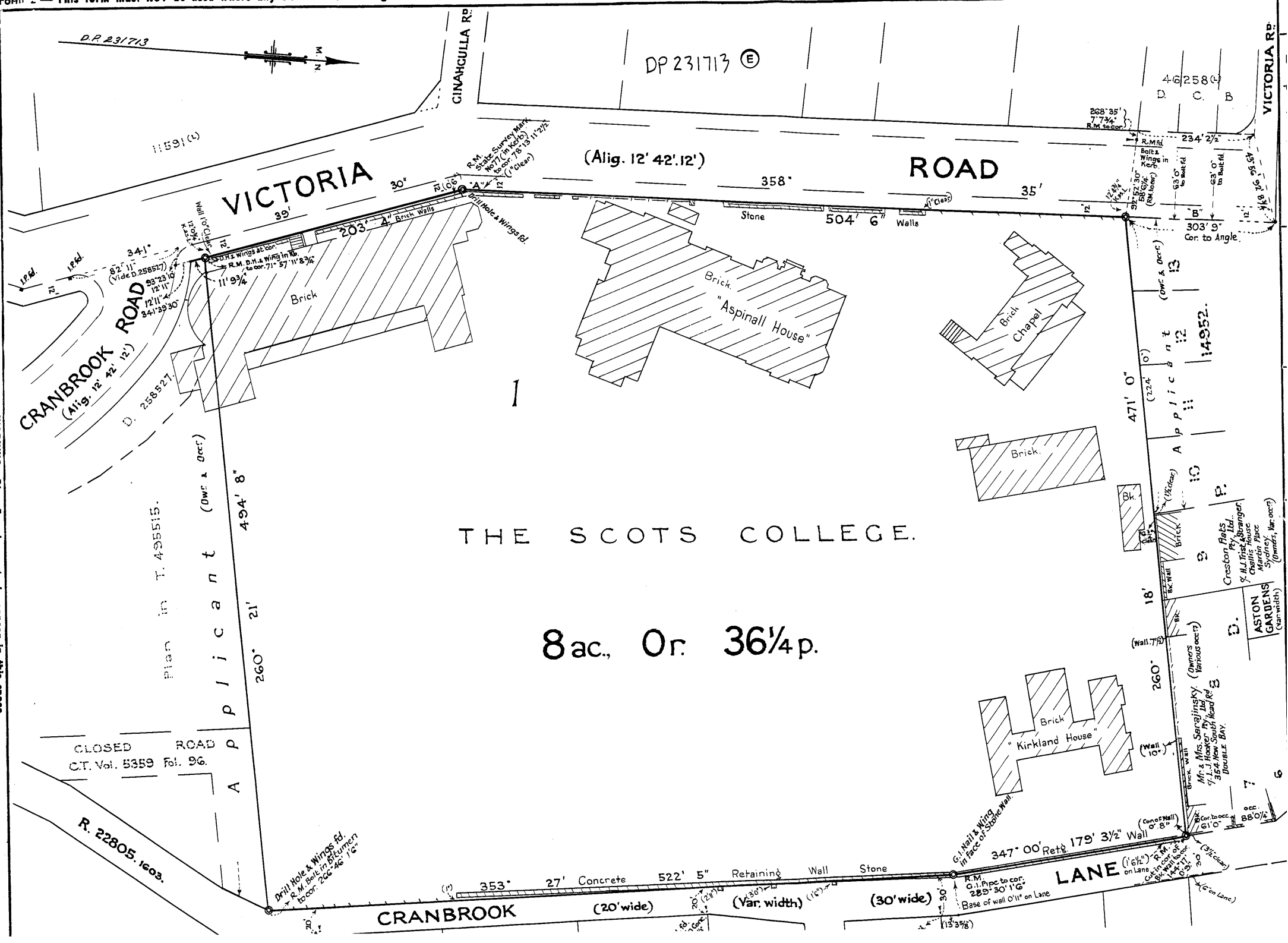
AC RD P. HA
8 = 36 1/4 3.329



WARNING. Plan Drawing only to appear in this space.

SURVEYORS REFERENCE No. 14603.





NSW LRS - Title Search

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH
-----FOLIO: 1/663629

SEARCH DATE	TIME	EDITION NO	DATE
-----	----	-----	-----
20/6/2018	2:04 PM	-	-

VOL 5359 FOL 96 IS THE CURRENT CERTIFICATE OF TITLE

LAND
----LOT 1 IN DEPOSITED PLAN 663629
LOCAL GOVERNMENT AREA WOOLLAHRA
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND
TITLE DIAGRAM DP663629FIRST SCHEDULE

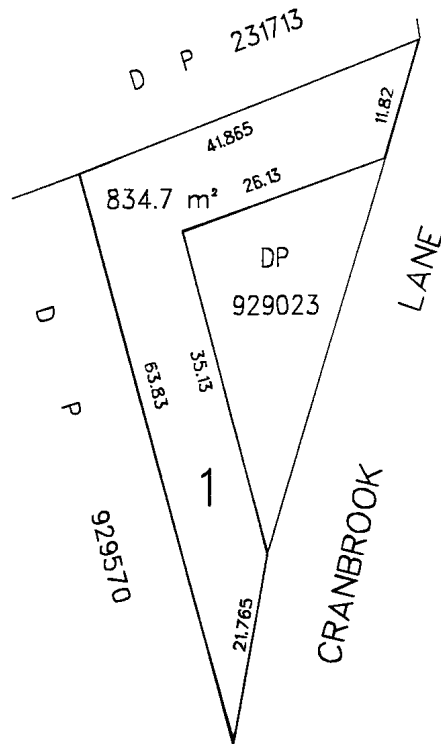
THE PRESBYTERIAN CHURCH (NEW SOUTH WALES) PROPERTY TRUST

SECOND SCHEDULE (1 NOTIFICATION)
-----1 LAND EXCLUDES MINERALS AND IS SUBJECT TO RESERVATIONS AND
CONDITIONS IN FAVOUR OF THE CROWN - SEE CROWN GRANT(S)NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

PRINTED ON 20/6/2018



DP 663629

Registered:  23.9.1996

Title System: TORRENS

Purpose: DEPARTMENTAL

Ref. Map: U1845-24#

Last Plan: -----

THIS PLAN HAS BEEN CREATED
TO PROVIDE A UNIQUE IDENTIFIER
TO ENABLE THE ISSUE OF AN
AUTOMATED TORRENS TITLE
FOR THE LAND COMPRISED IN
FOLIO OF THE REGISTER
VOLUME 5359 FOLIO 96
FORMERLY KNOWN AS
834.7 m² GRANT

Lengths are in metres.

Reduction Ratio : NOT TO SCALE

L.G.A.: WOOLLAHRA

LOCALITY: .

PARISH: ALEXANDRIA

COUNTY: CUMBERLAND

C.D.B.

NSW LRS - Title Search

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH
-----FOLIO: 1/929570

SEARCH DATE	TIME	EDITION NO	DATE
-----	----	-----	----
20/6/2018	2:04 PM	2	16/5/2018

LAND
-----LOT 1 IN DEPOSITED PLAN 929570
LOCAL GOVERNMENT AREA WOOLLAHRA
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND
TITLE DIAGRAM DP929570FIRST SCHEDULE
-----THE PRESBYTERIAN CHURCH (NEW SOUTH WALES) PROPERTY TRUST
(AP D265925)SECOND SCHEDULE (5 NOTIFICATIONS)

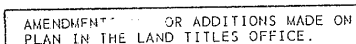
- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 DP1242846 EASEMENT FOR EMBANKMENT SUPPORT 1.22 METRE(S) WIDE
AND VARIABLE AFFECTING THE PART(S) SHOWN SO BURDENED
IN DP1242846
- 3 DP1242846 POSITIVE COVENANT REFERRED TO AND NUMBERED (2) IN THE
S.88B INSTRUMENT
- 4 DP1242846 POSITIVE COVENANT REFERRED TO AND NUMBERED (3) IN THE
S.88B INSTRUMENT
- 5 DP1242846 POSITIVE COVENANT REFERRED TO AND NUMBERED (4) IN THE
S.88B INSTRUMENT

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

PRINTED ON 20/6/2018



	10	20	30	40	50	60	70	80	90	100	110	120	130	140
Table of mm														

NSW LRS - Title Search

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH
-----FOLIO: 1/1064059

SEARCH DATE	TIME	EDITION NO	DATE
-----	----	-----	----
20/6/2018	2:04 PM	-	-

VOL 5365 FOL 17 IS THE CURRENT CERTIFICATE OF TITLE

LAND
----LOT 1 IN DEPOSITED PLAN 1064059
AT BELLEVUE HILL
LOCAL GOVERNMENT AREA WOOLLAHRA
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND
TITLE DIAGRAM DP1064059FIRST SCHEDULE

THE PRESBYTERIAN CHURCH (NEW SOUTH WALES) PROPERTY TRUST

SECOND SCHEDULE (1 NOTIFICATION)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)

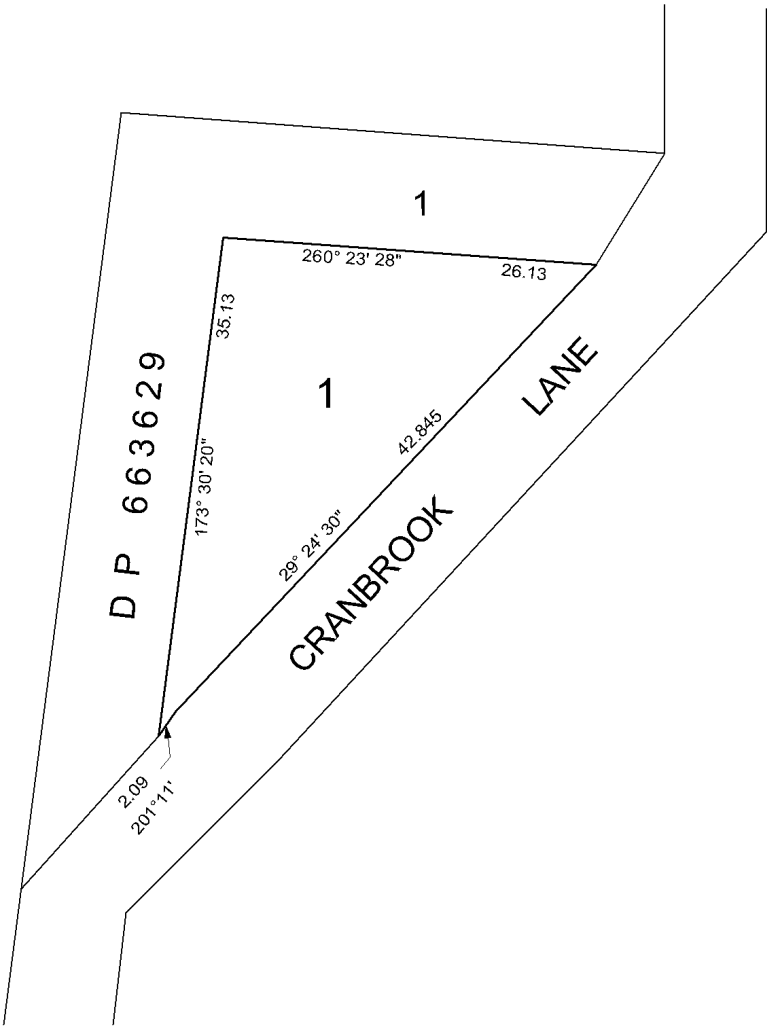
NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

PRINTED ON 20/6/2018


Full dimensions and/or area(s) are not available for all lots. Any division of the lands herein may necessitate the lodgement of a plan of survey.



AREA = 449 m² (BY DEDN)

e-departmental

DP 1064059

Registered :  22-01-2004
Title System : TORRENS
Purpose : DEPARTMENTAL
Ref. Map : U1845-24#
Last Plan : DP929023

PLAN OF PART OF LAND FORMERLY
COMPRISED IN VOL. 5365 FOL. 17

Lengths are in metres. Reduction Ratio - NTS
LPI Ref. :

Sheet 1 of 1 sheets

L.G.A. : WOOLLAHRA
LOCALITY : BELLEVUE HILL
PARISH : ALEXANDRIA
COUNTY : CUMBERLAND

LOT	PRIOR IDENTITY
1	PART LOT 1 DP 920923

NSW LRS - Title Search

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH
-----FOLIO: 10/14952

SEARCH DATE -----	TIME ----	EDITION NO -----	DATE ----
20/6/2018	2:04 PM	1	5/3/1993

LAND
-----LOT 10 IN DEPOSITED PLAN 14952
AT ROSE BAY
LOCAL GOVERNMENT AREA WOOLLAHRA
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND
TITLE DIAGRAM DP14952FIRST SCHEDULE
-----THE PRESBYTERIAN CHURCH (NEW SOUTH WALES) PROPERTY TRUST
(T C596172)SECOND SCHEDULE (1 NOTIFICATION)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)

NOTATIONS
-----NOTE: THE CERTIFICATE OF TITLE FOR THIS FOLIO OF THE REGISTER DOES
NOT INCLUDE SECURITY FEATURES INCLUDED ON COMPUTERISED
CERTIFICATES OF TITLE ISSUED FROM 4TH JANUARY, 2004. IT IS
RECOMMENDED THAT STRINGENT PROCESSES ARE ADOPTED IN VERIFYING THE
IDENTITY OF THE PERSON(S) CLAIMING A RIGHT TO DEAL WITH THE LAND
COMPRISED IN THIS FOLIO.AE715969 NOTE: REFER ALL DEALINGS TO SD61 OR SD62 (REFERENCE:
DOC09/32488)

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

PRINTED ON 20/6/2018

NSW LRS - Title Search

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH
-----FOLIO: 11/14952

SEARCH DATE	TIME	EDITION NO	DATE
-----	----	-----	----
20/6/2018	2:04 PM	3	17/7/2008

LAND
-----LOT 11 IN DEPOSITED PLAN 14952
AT ROSE BAY
LOCAL GOVERNMENT AREA WOOLLAHRA
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND
TITLE DIAGRAM DP14952FIRST SCHEDULE
-----THE PRESBYTERIAN CHURCH (NEW SOUTH WALES) PROPERTY TRUST
(T C596172)SECOND SCHEDULE (2 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 AE38975 EASEMENT FOR ELECTRICITY AND OTHER PURPOSES
AFFECTING THE PART SHOWN DESIGNATED (E) IN PLAN WITH
AE38975

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

PRINTED ON 20/6/2018

NSW LRS - Title Search

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH
-----FOLIO: 12/14952

SEARCH DATE	TIME	EDITION NO	DATE
-----	----	-----	----
20/6/2018	2:04 PM	3	17/7/2008

LAND
-----LOT 12 IN DEPOSITED PLAN 14952
AT ROSE BAY
LOCAL GOVERNMENT AREA WOOLLAHRA
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND
TITLE DIAGRAM DP14952FIRST SCHEDULE
-----THE PRESBYTERIAN CHURCH (NEW SOUTH WALES) PROPERTY TRUST
(T C596172)SECOND SCHEDULE (2 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 AE38975 EASEMENT FOR ELECTRICITY AND OTHER PURPOSES
AFFECTING THE PART SHOWN DESIGNATED (E) IN PLAN WITH
AE38975

NOTATIONS

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

PRINTED ON 20/6/2018

NSW LRS - Title Search

NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH
-----FOLIO: 13/14952

SEARCH DATE	TIME	EDITION NO	DATE
-----	----	-----	----
20/6/2018	2:04 PM	1	5/3/1993

LAND
-----LOT 13 IN DEPOSITED PLAN 14952
AT ROSE BAY
LOCAL GOVERNMENT AREA WOOLLAHRA
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND
TITLE DIAGRAM DP14952FIRST SCHEDULE
-----THE PRESBYTERIAN CHURCH (NEW SOUTH WALES) PROPERTY TRUST
(T C596172)SECOND SCHEDULE (1 NOTIFICATION)

1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)

NOTATIONS
-----NOTE: THE CERTIFICATE OF TITLE FOR THIS FOLIO OF THE REGISTER DOES
NOT INCLUDE SECURITY FEATURES INCLUDED ON COMPUTERISED
CERTIFICATES OF TITLE ISSUED FROM 4TH JANUARY, 2004. IT IS
RECOMMENDED THAT STRINGENT PROCESSES ARE ADOPTED IN VERIFYING THE
IDENTITY OF THE PERSON(S) CLAIMING A RIGHT TO DEAL WITH THE LAND
COMPRISED IN THIS FOLIO.

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

PRINTED ON 20/6/2018

Municipality of Woollahra
Shire of
B596026 5.12.27

PLAN

DP 14952

ASTON ESTATE

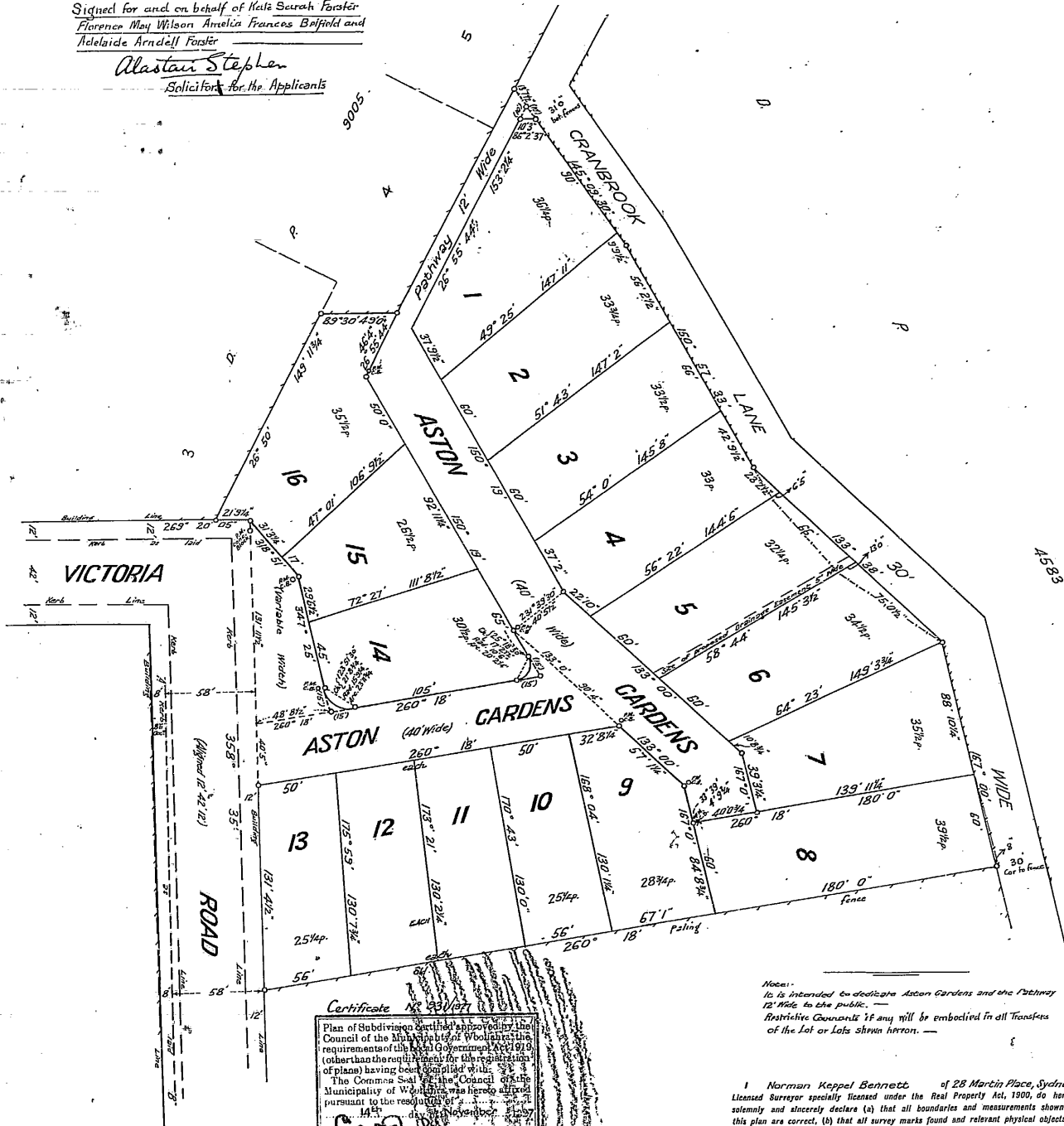
being a subdivision of the land in CIVel 4042 to 175-8 and PA 27934

PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND

Scale 50 Feet to an inch

Signed for and on behalf of Kate Sarah Foster
Florence May Wilson Amelia Frances Balford and
Adelaide Arndell Foster

Alastair Stephen
Solicitor for the Applicants



Certificate No. 931/97
Plan of Subdivision certified approved by the
Council of the Municipality of Woollahra this
requirements of the Local Government Act 1919
(other than the requirements for the registration
of plans) having been complied with.
The Common Seal of the Council of the
Municipality of Woollahra was hereunto affixed
pursuant to the resolution of the Council of the
Municipality of Woollahra passed on the 14th day
of November 1927.

Note:
It is intended to dedicate Aston Gardens and the Pathway
12' Wide to the public.
Restrictive Covenants if any will be embodied in all Transfers
of the Lot or Lots shown hereon.

I, Norman Keppel Bennett of 28 Martin Place, Sydney,
Licensed Surveyor specially licensed under the Real Property Act, 1900, do hereby
solemnly and sincerely declare (a) that all boundaries and measurements shown on
this plan are correct, (b) that all survey marks found and relevant physical objects on
or adjacent to the boundaries are correctly represented, (c) that all physical objects
indicated actually exist in the positions shown, (d) that the whole of the material facts
in relation to the land are correctly represented, (e) that the survey has been made
under my immediate supervision, and I make this solemn declaration conscientiously
believing the same to be true, and by virtue of the provisions of the Oaths Act, 1900.
Norman K. Bennett Licensed Surveyor

Covered by Council Clerk's Certificate

No. _____ of _____

Council Clerk.

Subscribed and declared before me at Sydney
this 12th day of November A.D. 1927

Officer of the Survey

Date of Survey October 1927

Datum line of Azimuth A-B.

I, Bruce Richard Davies, Registrar General for New South Wales, certify
that this negative is a photograph made as a permanent record of a
document in my custody this 29th day of October, 1979

10	20	30	40	50	60	70	80	90	100	110	120	130	140	150	160	170	180	190	200
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2

0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99
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I, Bruce Richard Davies, Registrar General for New South Wales, certify that this negative is a photograph made as a permanent record of a document in my custody this 29th day of October, 1979

B. Davies

CONVERSION TABLE ADDED IN REGISTRAR GENERAL'S DEPARTMENT		
DP 14952		
FEET INCHES	METRES	
- 8	0.205	
4 9 3/4	1.465	
6 5	1.955	
8 -	2.44	
8 6	2.59	
9 9 1/2	2.985	
10 -	3.05	
10 3	3.125	
10 6	3.2	
10 8 3/4	3.27	
10 9 1/8	3.28	
12 -	3.66	
13 -	3.96	
13 7 1/2	4.155	
15 -	4.57	
15 9 1/4	4.805	
17 -	5.18	
17 2 1/2	5.245	
20 2 1/4	6.155	
21 8 3/4	6.625	
21 9 1/4	6.635	
22 10	6.96	
23 2 1/2	7.075	
23 11 3/4	7.31	
29 6 1/2	9.005	
30 -	9.145	
31 -	9.45	
31 3 1/4	9.53	
31 4 1/2	9.565	
32 8 1/4	9.965	
37 2	11.33	
37 9 1/2	11.52	
39 3 1/4	11.97	
40 -	12.19	
40 0 3/4	12.21	
40 5	12.32	
40 5 1/2	12.33	
42 -	12.8	
42 9 1/2	13.045	
45 -	13.715	
45 3 1/2	13.805	
46 4	14.12	
48 8 1/2	14.845	
49 -	14.935	
50 -	15.24	
56 -	17.07	
56 2 1/2	17.13	
57 1 1/4	17.405	
58 -	17.68	
60 -	18.29	
65 -	19.81	
66 -	20.115	
67 1	20.445	
75 0 1/2	22.875	
84 8 3/4	25.825	
88 10 1/4	27.085	
90 -	27.43	
90 4	27.535	
92 11 1/4	28.325	
105 -	32.005	
106 9 1/2	32.55	
111 8 1/2	34.05	
130 -	39.625	
130 1 1/4	39.655	
130 2 1/4	39.68	
130 7 3/4	39.82	
131 4 1/2	40.045	
131 11 1/2	40.22	
139 11 1/4	42.655	
144 6	44.045	
145 3 1/2	44.285	
145 8	44.4	
147 2	44.855	
147 11	45.085	
149 3 3/4	45.51	
149 11 3/4	45.715	
153 2 1/4	46.69	

CONVERSION TABLE ADDED IN REGISTRAR GENERAL'S DEPARTMENT		
DP 14952 CONTINUED		
FEET INCHES	METRES	
180 -	54.86	
AC RD P	SQ M	
- 25 1/4	638.6	
- 26 1/2	670.3	
- 28 3/4	727.2	
- 30 1/2	771.4	
- 32 1/4	815.7	
- 33	834.7	
- 33 1/2	847.3	
- 33.53	848.1	
- 33 3/4	853.6	
- 34 1/2	872.6	
- 35 1/2	897.9	
- 36 1/4	916.9	
- 39 1/2	999.1	



APPENDIX 2

Survey Plan

