ROBINSON URBAN PLANNING

15 September 2020

General Manager
Randwick City Council
30 Frances Street
Randwick NSW 2031

Attention: Louis Coorey Louis.Coorey@randwick.nsw.gov.au

Dear Mr Coorey

Re: Response to Randwick Design Excellence Panel
Champagnat Catholic College, 35E Donovan Avenue, MAROUBRA NSW 2035
Replacement Block C (DA/249/2020)

This letter responds to the Randwick Design Excellence Panel (**DEP**) comments on the above development application (**DA**) which relates to Champagnat Catholic College at 35E Donovan Avenue, MAROUBRA (**the site**) and proposes a replacement school building (Block C). The letter has been prepared for Sydney Catholic Schools (the applicant) and is supported by a detailed design response by QOH Architects (Revision B dated 3 September 2020) which responds to the DEP comments.

1. General response

Design principles

The DEP has raised a number of detailed design issues. Unfortunately, the DEP's consideration makes reference to the nine design quality principles that apply to residential flat buildings (under *State Environmental Planning Policy No. 65 (Design Quality of Residential Apartment Development* (**SEPP 65**) instead of the seven School design quality principles in *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017* (**Education SEPP**), Schedule 4.

Whilst some of the principles have similar titles, the Education SEPP states principles that are appropriately directed to school developments and not apartments where people live.

Notwithstanding this error, the attached design report by QOH provides a considered written and graphic response to each of the DEP comments.

Master plan

Sydney Catholic Schools is finalising a master plan for the Champagnat Catholic College to assist them with their internal site planning. Once complete, a copy of the master plan can be provided to Council for information.

2. Aims of the Education SEPP

In addition to considering the relevant design principles, it is the applicant's view that the DEP should have reviewed the DA in light of the aims of the Education SEPP, in particular the following aims that are particularly relevant to the proposal:

> ***3 Aims of Policy***
>
> *The aim of this Policy is to facilitate the effective delivery of educational establishments and early education and care facilities across the State by—*
>
> *(a) improving regulatory certainty and efficiency through a consistent planning regime for educational establishments and early education and care facilities, and*

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(b) simplifying and standardising planning approval pathways for educational establishments and early education and care facilities (including identifying certain development of minimal environmental impact as exempt development), and

(c) establishing consistent State-wide assessment requirements and design considerations for educational establishments and early education and care facilities to improve the quality of infrastructure delivered and to minimise impacts on surrounding areas,…

Contrary to these aims, the DEP relied on principles that do not apply to schools, diminishing certainty and efficiency in the planning regime for educational establishments, and applying non-standard and unique design considerations.

3. Complying development

Council is also advised that proposed replacement Block C is generally consistent with the development standards that apply to complying development under the Education SEPP (Schedule 2 - Schools—complying development). As set out in attached **Table 1** below, the only contravention relates to the front setback standard for complying development (6.6m is required and 3.89m to 5.5m is proposed).

Given this, the detailed assessment of DA/249/2020 should primarily focus on whether or not the proposed replacement Block C has an adequate setback to Donovan Avenue (noting that the proposed landscaped setback complies with the 3m setback standard stated in the Education SEPP).

Please do not hesitate to contact the undersigned if you have any questions in relation to this advice.

Yours sincerely

Sandra Robinson BTP (Hons) MPIA
Director

Table 1 – Compliance with Education and Child Care SEPP: Schedule 2 Schools—complying development

Section	Standard	Compliance
2 Building height	The building height of a building (whether a new building, or an existing building as a result of an addition or alteration): (a) must not exceed **4 storeys**, and (b) must not exceed **22m** from ground level (mean).	✓ 3 storeys 15m
3 Side and rear setback	A building (whether a new building, or an existing building as a result of an addition or alteration) or any part of a building (including a basement or any other part of a building that is constructed below ground): …. (c) that is more than **15m but no more than 22m in height**—must be located more than 10m from any side or rear property boundary with land in a residential zone or more than 4m from any side or rear property boundary with land in an industrial or a business zone.	✓ Side setback of >10m proposed to land in a residential zone.
4 Front setback	(1) A new building must have a front setback: (a) **that is not less than the average distance of the front setbacks of all existing development that is located within 70m of the building**, **or** (b) if there is no development located within 70m of the building—of at least **5m**. (2) Alterations or additions to an existing building must not result in the building having a front setback: (a) **that is less than the average distance of the front setbacks of all existing development that is located within 70m of the building**, or (b) if there is no development located within 70m of the building—of less than **5m**.	✗ Average setback of development located within 70m of the building is **6.6m** Proposed setback of **3.89m to 5.5m**.
5 Design and materials	A new building or an alteration or addition to an existing building must comply with the following: (a) any new external walls or roof of the building must be constructed of non-reflective material, (b) any external walls of the building that face a public road or reserve must contain windows.	✓
6 Noise	A new building or (if the development is an alteration or addition to an existing building for the purpose of changing its use) an existing building that is to be used for the purpose of a school or school-based child care must be designed so as not to emit noise exceeding an LAeq of 5 dB(A) above background noise when measured at any lot boundary.	✓
7 Overshadowing	A new building or an alteration or addition to an existing building must not overshadow any adjoining residential accommodation so that solar access to any habitable room or principal private open space on the adjoining property: (a) is reduced to less than 3 hours of solar access between 9:00 am and 3:00 pm at the winter solstice, or (b) is reduced in any manner if solar access to any habitable room on the adjoining property is already less than 3 hours.	✓
8 Privacy	A window in a new building, or a new window in any alteration or addition to an existing building, must have a privacy screen for any part of the window that is less than 1.5m above finished floor level if: (a) the finished floor level is more than 1.5m above ground level (mean), and (b) the window faces a building used for residential accommodation on an adjoining lot, and	✓

Section	Standard	Compliance
	(c) the wall in which the window is located has a setback of less than 5m from the boundary of that adjoining lot.	
9 Landscape	Landscaping must be provided for a new building constructed adjacent to the boundary of land in Zone R1 General Residential, Zone R2 Low Density Residential, Zone R3 Medium Density Residential or Zone R4 High Density Residential, as follows: (a) the landscaped area must be **3m wide** and along the common boundary, (b) the landscaped area must contain trees or shrubs (that grow to a mature height of 3m or more) that are: (i) suitable for screening, and (ii) not likely to pose a safety or health risk, and (iii) listed on the council's preferred tree species list (if one exists).	✓ 3.89m landscaped setback proposed to Donovan Avenue (in Zone R2) accommodating compliant planting
10 Waste	(1) A garbage and waste storage area for recyclable and non-recyclable waste materials and receptacles for those materials must: (a) be provided as part of the development, and (b) be located entirely within the lot on which the development is being carried out and not on a road or road reserve, and (c) comply with the following appendices in the document titled Better Practice Guidelines for Waste Management and Recycling in Commercial and Industrial Facilities (ISBN 978 1 74293 944 5), published by the NSW Environment Protection Authority in December 2012: (i) Appendices A and B, for the size and location of garbage and storage areas and the size of waste receptacles, (ii) Appendices C and D, for the design of openings of waste storage areas and loading bay turning circles for waste removal vehicles, (iii) Appendix E, for standard signs for waste storage areas, (iv) Appendix F, for the design and operational capacity of waste storage areas. (2) The waste storage area must: (a) be screened, and (b) be located behind the primary road frontage building line, and (c) not be located in any car parking, loading or landscaped area, and (d) not be located on any side of the building that faces an adjoining lot on which there is residential accommodation. (3) Despite subclause (1) (a), the waste storage area may be part of an existing facility on the site that has capacity.	✓
11 Earthworks	(1) Earthworks for the purposes of the development must: (a) be structurally supported in accordance with subclause (2), and (b) if the land is not identified as Class 3 or Class 4 on an Acid Sulfate Soils Map—not be more than 3m below ground level (existing), and (c) if the land is identified as Class 3 or Class 4 on an Acid Sulfate Soils Map—not be more than 1m below ground level (existing), and (d) be carried out at least 40m from any waterbody (natural), and (e) if the works are on a lot adjacent to a rail corridor—have a setback at least 3m from the corridor. (2) Structural support for earthworks more than 1m above or below ground level (existing) must take the form of a retaining wall or other form of structural support that:	✓

Section	Standard	Compliance
	(a) has been certified by a professional engineer, and (b) has adequate drainage lines connected to an existing stormwater drainage system for the site, and does not redirect the flow of any water or cause sediment to be transported onto an adjoining property, and (d) is not higher than 3m, and (e) is separated from any other structural support on the site by at least 2m, measured horizontally. (3) Fill, for the purpose of the development, must: (a) not raise the ground level (existing) more than 2m, and (b) be wholly contained by structural support in accordance with subclause (2), and (c) be located at least 40m from any waterbody (natural).	
12 Drainage	All stormwater drainage collecting as a result of the development must be conveyed by a gravity fed or charged system to: (a) a public drainage system, or (b) an inter-allotment drainage system, or (c) an on-site disposal system. (2) All stormwater drainage systems within a lot and the connection to a public or an inter-allotment drainage system must: (a) if an approval is required under section 68 of the Local Government Act 1993, be approved under that Act, or (b) if an approval is not required under section 68 of the Local Government Act 1993, comply with any requirements for the disposal of stormwater drainage contained in a development control plan that is applicable to the land.	✓
13 Flood control lots	This clause applies: (a) to all development that is to be carried out on a flood control lot, and (b) in addition to all other development standards specified for complying development under this Policy. (2) The development must not be on any part of a flood control lot unless that part of the lot has been certified, for the purposes of the issue of the relevant complying development certificate, by the council or a professional engineer who specialises in hydraulic engineering, as not being any of the following: (a) a flood storage area, (b) a floodway area, (c) a flow path, (d) a high hazard area, (e) a high risk area. (3) The development must, to the extent it is within a flood planning area: (a) have a minimum floor level no lower than the floor levels set by the council for that lot, and (b) have the part of the development at or below the flood planning level constructed of flood compatible material, and (c) be able to withstand the forces of floodwater, debris and buoyancy up to the flood planning level (or, if on-site refuge is proposed, the probable maximum flood level), and	✓ The site is not identified as a flood planning area (RLEP 2012 Flood Planning Map – Sheet FLD_003)

Section	Standard	Compliance
	(d) not increase flood affectation elsewhere in the floodplain, and (e) have reliable access for pedestrians and vehicles from the development, at a minimum level equal to the lowest floor level of the development, to a safe refuge, and (f) have open car parking spaces or carports that are no lower than the 20-year flood level, and (g) have driveways between car parking spaces and the connecting public roadway that will not be inundated by a depth of water greater than 0.3m during a 1:100 ARI (average recurrent interval) flood event. (4) A standard specified in subclause (3) (c) or (d) is satisfied if a joint report by a professional engineer who specialises in hydraulic engineering and a professional engineer who specialises in civil engineering confirms that the development: (a) can withstand the forces of floodwater, debris and buoyancy up to the flood planning level (or, if on-site refuge is proposed, the probable maximum flood level), or (b) will not increase flood affectation elsewhere in the floodplain. (5) If a word or expression used in this clause is defined in the Floodplain Development Manual, the word or expression has the same meaning as it has in that Manual unless it is otherwise defined in this clause. (6) In this clause: *flood compatible material means building materials and surface finishes capable of withstanding prolonged immersion in water.* *flood control lot means a lot located within or partly within an area identified in a local environmental plan as a flood planning area.* *Floodplain Development Manual means the Floodplain Development Manual (ISBN 0 7347 5476 0) published by the NSW Government in April 2005.* *flow path means a flow path identified in the council's flood study or floodplain risk management study carried out in accordance with the Floodplain Development Manual.* *high hazard area means a high hazard area identified in the council's flood study or floodplain risk management study carried out in accordance with the Floodplain Development Manual.* *high risk area means a high risk area identified in the council's flood study or floodplain risk management study carried out in accordance with the Floodplain Development Manual.*	