



Evan Phillips - 9710 0569
File Ref: PAD23/0035

23 January 2024

M Carbone
7/16 Spring Street
SYDNEY NSW 2000

Dear Sir/Madam

Pre-Application Discussion No. PAD23/0035

Proposal: Demolition of existing demountable structures and construction of new classroom facilities

Property: 35A & 35B Waratah Road, Engadine

Council is committed to achieving quality-built outcomes for the benefit of residents and the broader community. The Pre-Application (PAD) process is intended to assist in this goal, and we appreciate you taking the time to attend.

The PAD meeting held on 19 December 2023 regarding the above development proposal was attended by Amanda Treharne (Team Leader) and Evan Phillips (Senior Development Planner) on behalf of Council and Michael Carbone (Currie & Brown), Andrew Pigott and Macy Fenn (Willowtree Planning), Greg Isaac (Fulton Trotter Architects), Graham McCabe (Urbis- Traffic) on behalf of the applicant. Online attendees in attendance included Giorgia Howard and Luke Lehmann (Sydney Catholic Schools) and Jimmy He (Fulton Trotter Architects).

The purpose of this letter is to provide a summary of the issues discussed at the meeting and provide information that will assist you complete a development application (DA). Council cannot provide you with certainty on the determination of the proposal until a DA has been lodged and assessed.

Your DA will need to be supported by a Statement of Environmental Effects addressing all relevant Environmental Planning Instruments, and the detailed planning controls contained in Sutherland Shire Development Control Plan 2015 (SSDCP 2015).

The Site and Proposal:

The subject land is located at 35A & 35B Waratah Road Engadine (under separate land ownership). Currently situated on the site is an educational establishment known as St John Bosco College. The legal description of the site is Lot 1 DP 593896 and Lot 2 in Deposited Plan 1190871 respectively.

The site has a north-south orientation. It has a frontage of 103 metres to Waratah Road, a frontage of 305.6 metres to Banksia Avenue and a frontage of 101.7 metres to Bullecourt Avenue. The site has a total area of 33,260 square metres. The site falls in a series of tiers from the south (Waratah Road) to the north (Bullecourt Avenue) with a total fall of approximately 12m. The site contains a large number of large native trees primarily at the street peripheries.

It is noted that there are 3 allotments identified as No. 35B Waratah Road, however the proposed works and extent of the school grounds are indicated to be isolated to the above parcels. Boystown complex including sporting fields and facilities along with the Dunlea Centre which provides accommodation and education to disadvantaged youth is sited on the western adjoining allotments. Whilst also known as 35B Waratah Road each site has separate legal descriptions (being Lot 1 DP 1190871 and Lot 10 DP 1231293).

The streetscape in the immediate vicinity of the subject land is characterised by low density residential development.



The proposal seeks development consent for the following alterations and additions to St John Bosco College:

- The construction of a new General Learning Area (GLA) building in place of the existing demountables; to fit 23 GLA's, art facilities, toilets, lift services and internal circulation space;
- The construction of a central circulation spine (covered) from the existing TAS Block to Block X (through Block M including the partial demolition of Building M); and
- An increase in the student numbers on the site to 1170.

Comments on the Proposal:

The following comments are provided in respect to the concept plans and documentation presented for consideration at the meeting.

1. Environmental Planning Instruments

The property is within Zone SP2 – Educational Establishment under the provisions of Sutherland Shire Local Environmental Plan 2015 (SSLEP 2015). Further, State Environmental Planning Policy (Transport and Infrastructure) 2021 (T&I SEPP) indicates that the development is within a “prescribed zone” and the proposed development is permitted with development consent. The T&I SEPP has been developed to facilitate the effective delivery of educational establishments and early education and care facilities across the State.

2. Existing Development Consent

The prior Development Consent DA13/1167 provided for a three (3) stage master planning approach and major physical alterations and additions to the existing St John Bosco College. The works included:

Stage 1

- Construction of a new multi-purpose hall
- Installation of demountable classrooms
- Demolition of existing hall
- Construction of new TAS (Technological and Applied Studies) building
- Conversion of existing TAS/Music Rooms/Food Technology Kitchen to General Learning Areas (GLAs)
- Construction of a new car park
- New on site stormwater detention

Stage 2

- Removal of Stage 1 demountable classrooms
- Construction of an Administration Building
- Conversion of existing Administration/ Library building to GLA/Library
- Demolition of part of existing TAS/Music building and refurbishment of remainder
- Construction of Stage 2 of Hall (amenities and fitness labs)

Stage 3

- Construction of a Performing Arts Building
- Construction of a Chapel/COLA building
- New entry forecourt
- Refurbishment of existing buildings
- New playing court

The school's enrolment was also approved to increase from 815 to 875 students and the maximum staff number at any one time to increase from 69 to 73.

It appears that components (not all) of the above approved Stage 1 have been undertaken and completed, with evidence of an Occupation Certificate being issued by a Private Certifier contained on Council Records. It was indicated in the meeting that the intention to fulfil the full scope of approved works contained within the Master Plan is not to occur due to changing demands and needs of the school.

The proposed building is sited in a location which conflicts with the above approved development. In this regard, we are of the view that the building would not be considered substantially the same as that of the above approved development scheme and Section 4.55(2) of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979) would not be the appropriate pathway to pursue the works.

Concurrently with any future Development Application, the conflict with the existing development consent would need to be resolved. The pathways forward could include modification of the consent to remove the conflicting approved elements and to retain certain works, or the partial surrender of the consent. In either scenario, the extent of completed

works and those subject to deletion or surrender must be clearly identified. The proposed new building must integrate with the existing Master Plan if the consent is in part retained.

3. Urban Design

Schedule 8 of the T&I SEPP contains the 7 design quality principles which align to this development typology and are directly applicable to the proposal. SSLEP 2015 and SSDCP 2015 also set design quality requirements and certain matters of consideration relating to urban design.

The proposal complies with the primary development standard contained within SSLEP 2015 for Building Height (i.e. 16m). This is the only development standard applicable to the development site. There is also an absence of applicable development controls contained within SSDCP 2015 for this building typology in the zone. Notwithstanding this, the basic approach to site planning, building footprint / envelope and setbacks should be informed by examples of similar developments along with the schools' interface with the existing development, the streetscape and adjacent land uses.

The proposed setback and street alignment responds to the prevailing setback pattern established within the school grounds and is considered to be appropriate. Deeper frontages are generally encouraged to support tree plantings that will be viable in the long term to complement the landscape setting of the locality and streetscape.

The building being of a substantial bulk / scale and notably of a more modern aesthetic needs to integrate contextually within the site and with the prevailing low density urban character. The proposed building will be highly visible and prominent when viewed from the public way and adjoining properties and care must be given with the blending of old and new architectural styles and building typologies.

State Environmental Planning Policy (Sustainable Buildings) 2022 (the Sustainable Buildings SEPP) encourages the design and construction of more sustainable buildings across NSW and commenced operation on 1 October 2023. The overarching purpose of the Sustainable Buildings SEPP is to assist NSW's target of achieving net zero greenhouse gas emissions by 2050. The Sustainable Buildings SEPP applies to this non-residential development and must be addressed in any future submission.

The proposal will be considered by Council's Design Review Panel (DRP) as part of the development assessment process. The DRP guides refinement of applications to ensure design quality is achieved. The above design principles will form the baseline for the urban design considerations and discussions with the DRP and a pre-DA discussion is encouraged in this regard.

4. Environmental Impact

Clause 6.5 of SSLEP 2015 requires Council to consider the impact of the development on flora; fauna; vegetation; biodiversity and habitat and any appropriate mitigation measures. The removal of 2 large trees forward of the existing demountable and a number of smaller trees / shrubs between the demountable will be required to facilitate the proposed building. An arborist report is required to be prepared to confirm species / health and support for the tree removal and also address tree retention, particularly for the existing vegetation adjoining and potentially impacted upon by the car parking area.

Trees approved for removal will require replacement planting at a ratio of 8:1 in line with Council's adopted Policy and a detailed site / landscape plan should be prepared detailing such replacement and landscaping works. Planting should be provided forward of the building in the increased setback (mix of major canopy / understorey at regular intervals) and a comprehensive landscape scheme which unifies the school grounds extending across the site

frontages should be considered. Planting should utilise endemic canopy tree species as a framework - refer to Council's Native Plant Selector tool).

Care should also be taken in the final selection of plant species in order to maintain sight lines and general surveillance / observation opportunities of the public / student areas.

5. Parking Provision and Traffic Impact

The location of the depicted 'possible car park' in the north eastern site corner adjoining Banksia Avenue and Bullecourt Avenue is in the location of the previously approved car park (as detailed in the Stage 1 approved plans DA13/1167). The car park appears a prior requirement to facilitate the approved increase in the student / staff population.

It is unclear as to the intention to retain elements of the prior approved Master Plan or whether a car parking area will be part of the scope of works in the new DA. Notwithstanding this, as there is a proposed increase in student capacity and staff at the school and the provision of car parking (either as included in the previously approved and to be constructed car park / or whether it is to be a new car park design) along with the broader traffic impact needs to be considered. We note that there is an existing known strain on the surrounding road network which is significantly observed during pick-up and drop-off times

The future application will be identified as 'traffic-generating development' under Clause 3.58 of the T&I SEPP and the application must be supported by a detailed Traffic Report which assesses the parking provision, parking area design and driveway width / entry and exit arrangements, as well as the suitability of this particular site and surrounding road and pedestrian routes. The application needs to ultimately demonstrate that the development, including increase in population will not result in any adverse traffic, safety or amenity impacts to the locality. The location of the access location to Banksia Avenue appears appropriate given the topography however needs to be supported in the traffic assessment. Carparking spaces and layout to be designed in accordance with SSDCP 2015 chapter 36 and AS2890.1 and 2890.2

6. Other Matters

- i. Chapter 4 of State Environmental Planning Policy (Resilience and Hazards) 2021 (Resilience and Hazards SEPP) requires Council to consider whether the land subject to the development proposal is contaminated; and if the site is contaminated, Council must be satisfied that the site is suitable or can be made suitable (i.e. following remediation) for the proposed land use. Whilst Council's contaminated land register indicates that the site is not potentially contaminated, given the nature of the land use, appropriate investigation is required to adequately address the requirements of the SEPP and to determine whether a preliminary site contamination investigation is required.
- ii. No. 35B Waratah Road contains Heritage Items under SSLEP 2015. The buildings of significance are the former Bakery and Meat Trades buildings near Waratah Road just west of the "TAS" building. Whilst significantly disconnected from the development zone of the proposed building and car park a Heritage Assessment is to be prepared addressing Clause 5.10 of SSLEP 2015 and supportive of the proposal on heritage grounds.
- iii. Clarification as to the extent of the school grounds needs to be confirmed noting that whilst works are only isolated to the allotment identified above, should the school utilise the western adjoining allotment (i.e. the Boystown playing fields) then this allotment will theoretically form part of the subject site with respect to considering bushfire risk. A small portion of this western allotment is identified on Council's mapping as bushfire prone land and whilst the location of the proposed works do not

extend within the buffer zone, a school is identified as a 'special fire protection purpose', under 100B of the Rural Fires Act, and referral to the Rural Fire Service will be required when the application is lodged to obtain relevant bush fire safety authority before the granting of any consent. Any future application will need to address this environmental risk and be accompanied by a detailed bushfire assessment prepared by a suitably qualified bushfire consultant.

- iv. The construction must comply with the Building Code of Australia (BCA) and the Premises Standard. In this regard it is considered that Fire Hydrant coverage will be required. In order to ensure that the plans submitted with the DA are capable of achieving a Construction Certificate at the appropriate stage, it is important that the following reports are obtained; and that the recommendations from the reports are used in finalising the final DA plans.
 - A BCA Report from an unrestricted registered certifier.
 - An Access Report from an Accredited Access consultant to ensure that the BCA/Premises Standard requirements can be met.
 - Preliminary Hydraulic Advice from a suitably experienced Hydraulic Engineer for the provision of fire services to detail the following:
 - If a hydrant booster is required
 - What type and size will it be?
 - Location of the booster
 - Location of proposed emergency vehicle hardstand. Note: the handstand requirements will need to be considered in reference to the NSW Fire + Rescue document – see attached link
https://www.fire.nsw.gov.au/gallery/files/pdf/guidelines/guidelines_access_for_emergency_vehicles.pdf
- v. The fit-out of food preparation areas (if proposed), sanitary and waste facilities etc must be fully detailed as these will be assessed by Council's Environmental Health Unit and will need to comply with the relevant legislative requirements and standards.
- vi. Consideration to the principle aims of Crime Prevention through Environmental Design (CPTED) contained within SSDCP 2015 should be given with regards to safety and security issues. Paths, entry gates and fencing around the perimeter of the site must be well visible and designed to be clearly legible from the public way. Adequate lighting must be also considered.
- vii. Acoustic and visual privacy impacts on surrounding properties, as well as the potential for light spill, will need to be carefully addressed. A detailed acoustic assessment addressing noise (students / car parking area use) must accompany any future application.

7. Engineering Matters

Detailed drainage plans are to accompany any future DA and are to be prepared by a Chartered Professional Engineering. Details of OSD and treatment along with connection to the existing drainage system is required.

Consideration should be given to the existing easement within the subject site and any impacts of the proposed structures being built over the easement.

A small portion of the site which is not within the indicated 'development zone' is identified on Council maps as being subject to potential flood risk. Advice from a suitably qualified flood engineer is required to accompany any development application addressing Council's flood planning considerations and controls.

8. Utilities and Infrastructure

You are advised to make enquiry early with the various infrastructure and utility providers to ensure relevant considerations for the provision of services have been taken into account early in the building design. Urban infrastructure and utilities are reaching, or have reached maximum capacity in some localities. Electricity substations are required on occasion to ensure sufficient power to buildings and NSW Fire have required substantial water tanks in some instances to meet flow requirements for sprinkler systems.

Infrastructure to support these requirements in the front boundary set back at the expense of landscaping or parking requirements is not likely to be acceptable. So you are encouraged to make enquiries and plan in advance.

9. Determination Pathway

A detailed cost report will need to accompany any future development application. In accordance with the EP&A Act and State Environmental Planning Policy (Planning Systems) 2021 should the cost of development exceed \$5 million; the DA is a regional development and the Sydney South Planning Panel (SSPP) is the consent authority. The assessment and reporting timeframes are generally set out by the SSPP.

Conclusion:

Council supports quality, well considered development and the comments provided are intended to help you work toward this outcome.

Council is largely supportive of a high-quality learning / educational environment and the provision of additional facilities for student education within the locality and local government area. The proposal will be highly visible and prominent when viewed from the public way and adjoining properties and care must be undertaken in the final design to ensure appropriate streetscape / landscape presentation and that reasonable neighbourhood amenity can be maintained. A pre-appointment with the DRP is recommended prior to finalising the building design.

The list of supporting documentation listed in the submitted Pre DA-Statement is appropriate. Reference is made to the DA and supporting information checklists for the detailed submission requirements.

It is important to note that the information provided in this letter is based on the planning instruments applicable at the time of writing. You should make yourself aware of any subsequent changes to legislation or local planning controls before lodging your development application.

Council strongly recommends that you distribute this letter to all professionals within your design team including architects, landscape architects and engineers.

For detailed information about how to prepare and lodge a development application, please refer to the "Development" section of Council's website (www.sutherlandshire.nsw.gov.au). A "DA Guide" is available and an online tool called "Development Enquirer", which searches the applicable planning instruments for the planning controls relevant to your site and development.

Development applications can only be lodged through the NSW Planning Portal. When you are ready you will be required to set up a one-off registration in the Portal – go to www.planningportal.nsw.gov.au/user/login

Please contact Council if you believe any of the above information to be incorrect or if you need clarification of the advice provided. Your initial point of contact should be Evan Phillips (9710 0569) as this is Council's development assessment officer who will most likely be responsible for the assessment of your DA.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Amanda Treharne', with a long horizontal flourish extending to the right.

Amanda Treharne
Team Leader – Development Services