

COUNCIL ASSESSMENT REPORT

Panel Reference	PPSSTH-19
DA Number	DA.2019.1227
LGA	Queanbeyan-Palerang Regional Council
Proposed Development	Expansion of the Anglican School - Googong including: 16 new classrooms for senior students which will include eight (8) new general learning spaces and eight (8) speciality classrooms (and associated prep rooms and storage areas), Car Park & Landscaping.
Street Address	136 Gorman Drive GOOGONG NSW 2620 Lot 613 DP 1195842
Applicant/Owner	Purdon Planning Pty Limited on behalf of Anglican Church Property Trust Diocese of Canberra
Date of DA lodgement	9/10/2019
Number of Submissions	Nil
Recommendation	Approval with conditions
Regional Development Criteria (Schedule 7 of the SEPP (State and Regional Development) 2011	Private infrastructure and community facilities over \$5 million
List of all relevant s4.15(1)(a) matters	<ul style="list-style-type: none"> State Environmental Planning Policy No. 55 Contaminated Land Management State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 State Environmental Planning Policy (State and Regional Development) 2011 Queanbeyan Local Environmental Plan 2012
List all documents submitted with this report for the Panel's consideration	<ul style="list-style-type: none"> Attachment 1 - Conditions of consent
Clause 4.6 requests	N/A
Summary of key submissions	N/A
Report prepared by	Belinda McManus
Report date	17 March 2020

Summary of s4.15 matters

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

Yes

Legislative clauses requiring consent authority satisfaction

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

Yes

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

Clause 4.6 Exceptions to development standards

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

Not Applicable

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S7.24)?

Not Applicable

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

Conditions

Have draft conditions been provided to the applicant for comment?

Yes

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

1.0 Executive Summary

This application seeks approval for the expansion to the Anglican School in Googong including an education Hub comprising 16 new classrooms for senior students which will consist of eight (8) new general learning spaces and eight (8) specialty classrooms and associated prep rooms, storage areas, toilets, staff centre, car park and landscaping.

The current student population is 185 with projected increases to 675 by 2026, the expansion of the school is to accommodate the growing population within the Googong area and at full capacity will accommodate 800 students.

The development application is private infrastructure over \$5 million under Division 4.7 of Part 4 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*. The consent authority is the Southern Regional Planning Panel (Southern) as it meets the criteria under Schedule 7 of State Environmental Planning Policy (State and Regional Development) 2011 - Private infrastructure and community facilities over \$5 million

The subject site is zoned R1 – General Residential under the *Queanbeyan Local Environmental Plan 2012 (QLEP)* and Educational establishments are not listed as developments permitted with consent. The proposal is permissible by virtue of the State Environmental Planning Policy (*Educational Establishments and Child Care Facilities 2017*) (*SEPP (Educational)*) and the main issues raised in the assessment relate to:

- Traffic and access.

The development is not inconsistent with the aims of the *SEPP (Educational)* and the objectives of Zone R1 - General Residential.

The proposed development is compatible with the existing buildings on the school site and responds to the physical characteristics of the landform. The development will not result in adverse impacts to adjoining properties by way of loss of amenity such as overshadowing or overlooking or adverse impacts to the character of the site or surrounding locality.

The application was advertised in The Queanbeyan Age (local newspaper) on 29 October 2019 and notified to the adjoining owners from 29 October to 12 November 2019. During this period no submissions were received.

An assessment under Section 4.15 of the *Environmental Planning and Assessment Act 1979* has been undertaken and the application is recommended for approval subject to the imposition of conditions.

2.0 Introduction

2.1 Description of Proposal

The application seeks approval for the expansion to the Anglican School at 136 Gorman Drive, Googong.

Specifically the expansion include:

- Construction of an education Hub comprising eight (8) general learning spaces and eight (8) specialty classrooms, totaling sixteen (16) teaching spaces and associated preparatory rooms, storage areas, hospitality and design commons, covered outdoor learning spaces, toilets, staff centre and outdoor forum.

The specialty classrooms will contain an earth science lab, biology, physics, chemistry laboratories, textile technology space, wood and metalwork space, food technology learning space and a café. It is also noted that the café will be the school canteen and will fill basic lunch orders, the sale of snacks and provide coffee for staff, Food Technology will not be making food for the café,

- Construction of a carpark comprising 69 spaces, 10 drop off/pick up spaces and bicycle parking for staff and students. The carpark will have entry from Hearne Street and exit to Rodgers Road.
- Landscaping, relocation of existing shade sale and infrastructure services.

2.2 Background

Previous Applications

178-2013

Southern Joint Regional Planning Panel approved the Erection of An Educational Establishment (The Anglican School Googong) Including Associated Works on 3 March 2014.

The development was carried out in stages with the Early Learning Centre and park completed in 2016, the parking lot completed in 2016, 'Tallaganda' classroom building completed in 2017, junior field completed in 2017, administration and junior science completed in 2018 and general learning areas and music room completed in 2019.

236-2017

Development application 236-2017 approved a Sales Office for a limited time (2 year period) on 3 August 2017 which has since been removed from the site.

2.3 Description of subject site

The subject site is legally described as Lot 613 DP 1195842 and is commonly known as 136 Gorman Drive, Googong – The Anglican School Googong. The site is bound by Gorman Drive to the north, Rosa Street to the east, Rogers Road to the south and Hearne Street to the West.

The subject site currently operates as The Anglican School – Googong with 185 students currently enrolled. Existing structures upon the site are as follows:

- Early Learning Centre,
- 'Tallaganda' classroom building,

- 'Yumalundi' classroom building which includes the administration building and shade structure.

Vehicular access to the site is provided via existing driveways on Rosa Street. Surrounding developments consists of predominantly single storey dwellings, double storey dwelling, multi dwelling units and is adjacent to the Rockley Oval Sports Ground and a commercial center.



Figure 1: Locality plan



Figure 2: Site photos

3.0 Evaluation

The proposed development has been assessed under Section 4.15 heads of consideration of the EP&A Act. The assessment has identified the following key issues which are elaborated upon for the Panel's consideration.

Section 4.15(1)(a)(i) provisions of any environmental planning instrument

State Environmental Planning Policies

State Environmental Planning Policy No.55 – Remediation of Land

Potential for land to be contaminated (Clause 7(1))

A consent authority must not consent to the carrying out of any development on land unless it has considered whether the land is contaminated. The subject site is currently being used as a school and a Contamination Survey that was previously prepared for the subdivision of the land concluded that the general grazing land within this neighbourhood is not contaminated and that development can proceed without any remediation. Further investigations indicated that the site is not an area of environmental concern and there is no reason to suspect that this land is contaminated. A site audit statement also detailed that the land was suitable for such development as schools, park, recreational open space and playing fields (amongst others uses).

Accordingly, the subject site is considered to be suitable in the current state for the purposes of the proposal. As such the proposed development is considered to satisfy the requirements of the SEPP 55 (Remediation of Land).

State Environmental Planning Policy (Infrastructure) 2007

Proximity to Electricity (Clause 45)

The application was referred to Essential Energy in accordance with Clause 45 of the *State Environmental Planning Policy (Infrastructure) 2007*. An email response was received on the 14 November 2019 providing comments that *'Strictly based on the documents submitted, Essential Energy has no comments to make as to potential safety risks arising from the proposed development'* but have provided general comments, these comments will be placed on the development consent (if granted) as advisory notes.

Traffic Generating Development (Clause 104)

The application was referred to NSW Transport Roads and Maritime Services (RMS) in accordance with Clause 104 of the *State Environmental Planning Policy (Infrastructure) 2007*.

An email response was received on the 25 November 2019 providing comments that *'RMS does not believe the development will have a significant impact on Canberra Street/Monaro Avenue and on this basis, does not object to the development application'*.

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

SEPP (Education) and aims to simplify and standardize planning approvals for education establishments and early education and care facilities.

The provisions of the SEPP have been considered with the following clauses being of relevance to the proposed development:

Development permitted with consent (Clause 35)

Development for the purposes of a school, such as is proposed, is permitted with consent on land zoned R1 – General Residential being a prescribed zones. Therefore the proposed development is permissible with consent.

Design Quality Principles (Clause 35 (6))

Clause 35(6) provides that before determining a development application for a school, the consent authority must take into consideration the design quality of the development when evaluated in accordance with the design quality principles set out in Schedule 4 of the policy. An assessment of the proposed development against each of the design quality principles follows:

Principle 1—context, built form and landscape

The proposed development is considered to be appropriately sited and designed as to sit in context with the existing school and ancillary structures on the site. The proposed building will be located central to the site (setback 76m from the front boundary, 47m from the rear, 109m from the western side and 126m from the eastern side boundary) and with the use of footpath connections and landscaping will provide an effective link through to the existing buildings on the site.

The building is single storey and incorporates design features that integrate the topography of the site further aiding in reducing any potential bulk and scale of the building when viewed from the public domain.

The proposed development incorporates water sensitive landscaping with a variety of plantings and surface treatments including canopy trees, shrubs and ground cover/grasses that will integrate the existing buildings on the site with the proposed structure and contribute to the existing streetscape.

Based upon the above, the proposed development is considered to satisfy Principle 1—context, built form and landscape.

Principle 2—sustainable, efficient and durable

The new building has been designed to have adequate solar access and will incorporate energy saving measures such as north facing design and large windows on the southern side that will allow sunlight throughout the day.

Water sensitive landscaping is proposed to be incorporated in to the development as to optimize water reuse and the proposed landscaping will use a combination of both indigenous and exotic species.

The school design has been based on a contemporary pedagogy design which will enable both internal and external teaching spaces. An adaptable floor plan (general learning areas) will further enable any future changes to classroom layouts and the open design allows for both senior and junior students to interact creating different learning opportunities.

The proposed materials for the building will include metal roofing and cladding, face brick and timbers; these materials are generally considered to be durable and resilient to the elements.

No solar or off grid infrastructure is proposed at this stage however the design of the building will allow for the implementation of such measures in the future.

Based upon the above, the proposed development is considered to satisfy Principle 2 - sustainable, efficient and durable.

Principle 3—accessible and inclusive

The proposed development has been designed to meet accessible compliant access requirements including ramps, wheelchair access and slip resistance paths. The school

proposes to incorporate wayfinding information (including braille and tactile signage) for guidance throughout the buildings and accessible car parking spaces will also be provided in the proposed car park.

Based upon the above, the proposed development satisfies Principle 3 - accessible and inclusive

Principle 4—health and safety

The design of the proposed development will ensure that safety and security are achieved through the use of permeable fencing, lighting, controlled access and landscaping.

The orientation and design of the building will ensure that natural light and ventilation is optimised throughout the learning spaces and the extended roof line of the building creates covered outdoor learning areas providing opportunities for external teaching spaces.

Large windows and outdoor learning areas will face onto active outdoor spaces including the outdoor forum and locker storage areas providing opportunity for surveillance by teachers and staff.

The proposed development will also not impact on the pedestrian access to the site from Gorman Drive where the main administration building is located.

Based upon the above, the proposed development satisfies Principle 4 – health and safety.

Principle 5—amenity

The design of the school provides for a high level of amenity for both students and staff through flexible learning spaces. The adaptable floor plan will enable future changes to classroom layouts and the design includes both internal and external (covered) teaching spaces. The outdoor forum area provides a variety of outdoor seating and recreation areas.

The proposed building will be located central to the site and set back 76m from the front boundary (Gorman Drive) which would be considered the higher traffic road to the development site, the building will also be located behind the existing “Yumalundi” classroom and administration building further aiding in any potential traffic noise impact.

The site is predominantly surrounded by residential development however, due to the location and design of the building and proposed landscaping it is considered that the proposal will not detract from the existing built and landscape environment or the existing amenity of the area.

Based upon the above, the proposed development satisfies Principle 5 – amenity

Principle 6—whole of life, flexible and adaptive

This proposed development will provide capacity to accommodate new classrooms and facilities for senior students due to the growing population within the Googong area.

The adaptable floor plan will enable internal layout changes to the classrooms to meet the needs of both students and teaching staff. The design of the building and outdoor areas provides flexibility for teaching spaces by way of both internal classrooms and external teaching spaces.

The site has sufficient overall space for future expansion to meet the needs of a growing community whilst still maintaining open space.

Based upon the above, the proposed development satisfies Principle 6 – whole of life, flexible and adaptive.

Principle 7—aesthetics

The development incorporates design features, materials and landscaping that will complement the existing built form on the site and surrounding area.

The proposal is not considered to be out of context with the surrounding development and will be appropriately sited on the site to ensure that the development has a positive contribution to the quality and character of the site and the surrounding neighbourhood.

Based upon the above, the proposed development satisfies Principle 7 – aesthetics.

Design standards in QLEP (Clause 35 (7))

The QLEP does not contain any design quality standards.

Competitive Design Process (Clause 35 (8))

There are no competitive design process requirements set out in a relevant environment planning instrument as a prerequisite and as the capital investment value is less than \$50 million this clause is not applicable.

Traffic-generating development (Clause 57)

The proposed development will result in the accommodation of 50 or more additional students and involves the extension of existing premises on a site that has direct vehicle and pedestrian access to a road. As such, Council referred the application to NSW RMS for comment. An email response was received on the 25 November 2019 providing comments that *'RMS does not believe the development will have a significant impact on Canberra Street/Monaro Avenue and on this basis, does not object to the development application'*.

Traffic, Parking and Access

The subject application was accompanied by a Traffic Impact Assessment prepared by TTW Structural Civil Traffic Façade. Council's Development Engineer has reviewed the subject application provided the following comments:

Traffic, Parking & Access:

A traffic and parking assessment was submitted supporting the development application by Taylor Thomson Whitting (TTW) dated 23 September 2019. The assessment utilised parking rates from the ACT to determine the appropriate number of parking spaces which should be provided and concluded that 59 parking spaces and 10 drop off pick up spaces would be sufficient to service the expansion of the school. The assessment also expects to retain 36 on street parking spaces on Rosa Street and Gorman Drive that could be utilised for visitors and drop off pick up, however these spaces cannot be guaranteed to the development and it is noted some of the parking on Gorman Drive does not exist anymore as the bus bay outside the school was recently extended to cater for stacking of buses on Gorman Drive during peak periods. Whilst Council excludes the consideration of on street parking for the development, the off street parking provided by the proposed and existing development exceeds the ACT Guideline (with exception of short stay parking, 17 as opposed to 25) and any QPRC requirement, thus is considered sufficient.

The internal circulation appears adequate, though without appropriate signage and line marking can be confusing thus additional signage and potentially amendment to the circulation layout at the Hearne Street Entry would be

beneficial, though as this is private infrastructure this is the school's responsibility to maintain and improve.

The two driveways on Hearn Street are in close proximity to the adjacent intersections, the exit driveway approximately 5m from the Rogers/Hearne Street Intersection and the entry driveway opposite Hawes Street. Whilst the location of the driveways on Hearne Street are not ideal, limitations to where vehicle access points can be constructed due to existing road width and proximity to sub arterial road, Gorman Drive. It would be Council's preference to delay the construction of the exit driveway on to Hearne street until the second stage of the car park is built to assess real traffic data to ascertain if it is necessary. This should be red amended on the plans.

The proposal was tabled at the Local Development Committee to receive feedback and comments from the Committee members (Council, RMS and Local Police). Overall, the proposal was positively received with minor comments pertaining to pedestrian access from the car park to the school grounds and whether the set down area was envisaged to utilise by school bus services. The committee also raised concerns about the lack of detail around the development of future stages fronting Gorman Drive. The meeting minutes are included below.

Expansion of the Googong Anglican School

The committee reviewed a report on the proposed expansion of the Googong Anglican School, noting the school zone is already in place on surrounding streets along with some facilities and existing car-park on Rosa Street. The designs for a second car-park with entrance on Hearne Street and exits on Hearne Street and Rogers Road was reviewed. The committee congratulated the school for considering off-street parking facilities. Safety in school zones can be considerably enhanced in locating car-parking and drop-off facilities in an off-street area removed from the hazards of the on-street road network. The school's existing car-park on Rosa Street is an example of this and benefits have been noted in Rosa Street from having off-street school zone facilities. The following comments/feedback were provided:

- . It was unclear from the car-park design plans how pedestrian activity within the car-park and to the school entrance would be handled. Give consideration to the pedestrian connectivity and eliminating multiple walkway points from the top parking bays where it leads to the travel lane for the pick-up and drop-off. Consider filtering pedestrians from top parking bays to main walking points to convey them across the pick-up travel lane.*
- . It was noted turning circles for a 12.5m vehicle were run for the design. The design may enable potential bus drop off in the car park. It was unclear if this was the intention and feedback was noted about safety benefits of separating bus activity and pick-up and drop off vehicle activity.*
- . Rogers Road is a narrow street and unlikely to support parking where there is increased school activity in the block. Would recommend installation of 'No Stopping' on both sides of road for Rogers Road in the block with the car-park.*
- . Consideration of on-street parking should also be given to Hearne Street – while not as narrow as Rogers Road it is unlikely to support parking on both sides of the street with the generated school activity. Would recommend 'No Stopping' on one-side of Hearne Street.*
- . The Traffic Study made reference to maintaining on-street parking spaces along Gorman Drive as possible parking for the school – the on-street parking is not exclusively available for the school and cannot be guaranteed. The parking provisions for the two car-parks (existing Rosa St and proposed Rogers Road) being off-street should be encouraged for school activity.*

Gorman Drive is a busy arterial road and where possible reducing school related parking on this road would reduce school activity interaction with non-related road activity on Gorman Drive.

A revised plan with inclusion of consideration to pedestrian access was received 12/02/2020. It was noted that buses will be excluded from the car park, the school supports the restriction of parking along Hearne & Rogers Streets and the school does not claim parking along Gorman Drive in responding to the Committees comments.

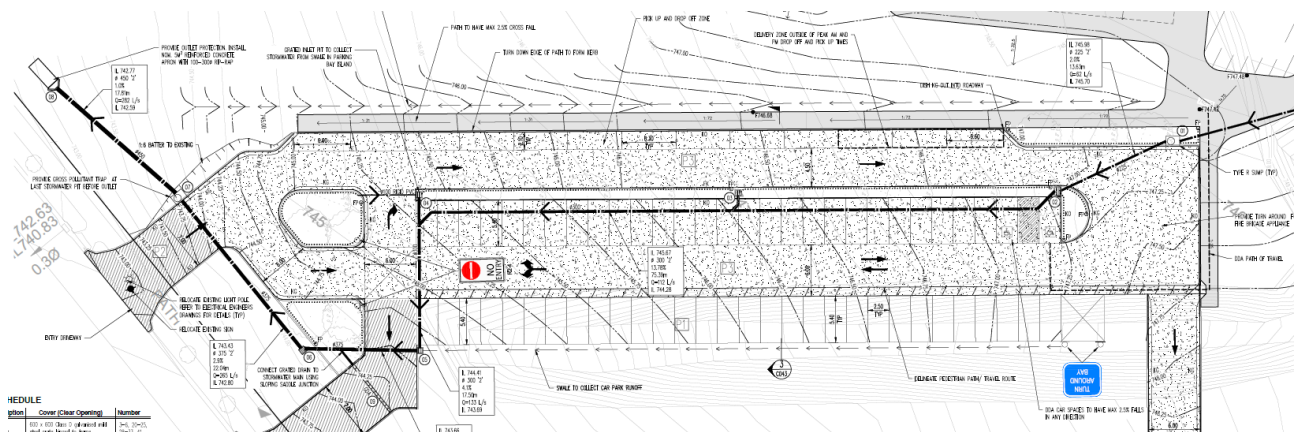
Hi Christie,

I know I talked about pedestrian movement through the carpark specifically when we grappled with all the factors involved in the design of the carpark. Is it possible to send me an image of the carpark and I can draw on where we discussed we would channel the pedestrians to get them safely through the car park, to the foot path and from the school.

Just to address some of the other points below:

- 1. There is no intention to bring buses in to the carpark. It is not designed for this purpose at all. Buses and car pick ups need to remain separate, as they are at present.*
- 2. The school fully supports parking only on one side of Hearne St and no parking on Rogers Rd.*
- 3. The school has no claim over parking on Gorman Drive, and staff are asked to park in the school car park.*

*I hope this is helpful for all.
Merryn*



The installation of signage for the enforcement of no stopping zones will form a condition of consent for the applicant to undertake during/following construction works. It is noted that the southern parking bay where the pedestrian delineation is signalled, construction of this bay is not expected to be undertaken until a later date thus the plans are to be red amended to relocated the pedestrian way to adjacent to the northern long stay parking bays or the median between the short and long stay parking.

Part of NSW Policing response to Council's request for comments pertaining to the development raised aspects of pedestrian and road safety which were not raised by NSW Police when the development raised at the Local Development Committee. Their comment is included below;

I would also like to strongly suggest that PRIOR to any further works a traffic management plan be established as well as established school crossings for the children who attend the Anglican School Googong. I

can confirm that I have witnessed children crossing the road in a hesitant and unsafe manner. I strongly believe this is because there is NO designated and allocated area for a children crossing at the Anglican School Googong. The repercussions of further building, with an increase of children enrolled at the school (some of which who do not have the capacity to cross roads safely) would be catastrophic, it could lead to serious injury or death.

In responding to NSW Policing's concerns, it should be noted that a traffic impact assessment was lodged supporting the proposal. Whilst intersection performance was not examined in the study, it should be noted that the car park size exceeds any Local or State requirements which is one of the principal challenges with developments of this nature. A traffic management plan prior to construction works will be conditioned as part of the development consent, though a traffic management plan for the on-going use of the facility is not feasible, particularly in identifying the most appropriate position for a pedestrian crossing as the school is not fully developed, it is difficult to predict the behavioral patterns and hence most appropriate crossing point(s). Council is aware that a pedestrian crossing is required to service the school site, though is reserved in implementing one prematurely particularly on this side of the school. Council's road safety officer has also advised that an Active Transport application for a pedestrian crossing on Rosa Street is being pursued by Council and designs for the crossing were approved by Local Traffic Committee in October 2019. Council's preference is to manage pedestrian movement on the lower trafficked roads such Rosa, Rogers and Hearne Streets rather than Gorman Drive and if an addition crossing is required in the future an appropriate location can be implemented in the most appropriate location based on real data and observation rather than prediction.

Conclusion

The proposed development is considered to satisfy the requirements of the SEPP (Education).

State Environmental Planning Policy (State and Regional Development) 2011

As the proposal is development that has a capital investment value of more than \$5 million, the development is classed as Regionally Significant Development. The consent authority for the proposed development is the NSW Southern Regional Planning Panel (the Panel).

The DA has been assessed and processed by Council for submission to the Panel for determination.

Queanbeyan Local Environmental Plan 2012 (QLEP 2012)

Aims of the QLEP 2012 (Clause 1.2)

The proposed development is generally consistent with the broad aims of the QLEP 2012.

Permissibility

The subject site is zoned R1 – General Residential under the *Queanbeyan Local Environmental Plan 2012* (QLEP). While development for the purposes of a school such as is proposed is prohibited within the R1 zone under the QLEP 2012, the proposed development is permissible with consent under Clause 35 of SEPP (Education) which prevails in this instance.

Zone Objectives

An assessment of the proposal against the objectives of the R1 General Residential zone is included below:

Objectives	Complies
➤ To provide for the housing needs of the community.	N/A
➤ To provide for a variety of housing types and densities.	N/A
➤ To enable other land uses that provide facilities or services to meet the day to day needs of residents.	Yes
➤ To ensure that buildings with non-residential uses have a bulk and scale that is compatible with the zone's predominantly residential character.	Yes
➤ To promote walkable neighbourhoods and a sense of community.	Yes
➤ To ensure that where possible, development maintains existing bushland.	N/A
➤ To encourage medium to high density housing located in close proximity to the town and village centres.	N/A

Comments: The proposed development is considered to be generally consistent with the objectives of the R1 zone and is considered to provide for the day to day needs of the residents while being of a built form that is complementary to the existing development within the locality.

Demolition

Under Clause 2.7 of the QLEP 2012, the proposal does not involve demolition of an existing structure.

Part 4: Principal development standards

An assessment of the proposal against the relevant provisions contained within Part 4 of the QLEP 2012 is provided below.

Height of building

Cl.	Standard	Controls	Proposed	Complies
4.3	Height of building	8.5 m	5.9 m	Yes

Part 6: Local Provisions

The relevant provisions contained within Part 6 of the QLEP 2012 are addressed below as part of this assessment:

Part 6 Urban Release Areas

Clause 6.2 Public Utility Infrastructure

Clause 6.2 requires that development consent must not be granted for development on land in an urban release area unless Council is satisfied that any public utility infrastructure that is essential for the development is available or that adequate arrangements have been made to make that infrastructure available when it is required.

The site is capable of being serviced and Council's Development Engineer has assessed the provisions of public utility infrastructure.

7.1 Earthworks

Clause 7.1 of the QLEP 2012 provides requirements for earthworks. The proposal is consistent with Clause 7.1 as excavation works that are required will be associated with the development and will not require any significant cut or fill. To mitigate any detrimental impact that the development may have on the site the consent will contain conditions that sediment and erosion controls are to be put in place and that disturbed surfaces are to be rehabilitated.

7.6 Airspace operations

Clause 7.6 of the QLEP 2012 makes provisions for developments that penetrate the Limitation or Operations Surface for the Canberra Airport.

The proposed development penetrates the 720.00AHD level on the Obstacle Limitations Surface Map for the Canberra Airport. This is due to the existing ground level of the majority of land within Googong Township being above 720.00AHD. The Commonwealth Department of Infrastructure and Regional Development (DIRD) has previously issued Controlled Activity approvals for development in Neighbourhood 1A and Neighbourhood 1B in Googong. The approvals are subject to structures not exceeding a maximum height of 822m AHD or 20m AGL. Separate approval in accordance with the Regulations must be sought for any crane operations or other structures within this Googong site which will exceed the height of 822 metres AHD or 20 metres AGL.

The proposed structures will not exceed the height of 822 metres AHD or 20m actual ground level and comments in relation to the use of cranes will be placed on the development consent as an advisory note.

7.9 Essential services

Development consent must not be granted unless the consent authority is satisfied that the development can be adequately serviced.

Council's development engineer provides the following comments in regards to services:

Water:

Extension of water mains and construction of hydrants mentioned in SOEE with reference to technical drawings. The only hydraulic drawing which were able to be provided were internal hydraulic plans for the hydrant water and sewer servicing of the extension. The hydrant services are shown to be taken from the existing school servicing.

Nonetheless, any modifications or additional servicing from Council's infrastructure will need to be undertaken as a Section 68 application or by Council at the cost of the applicant.

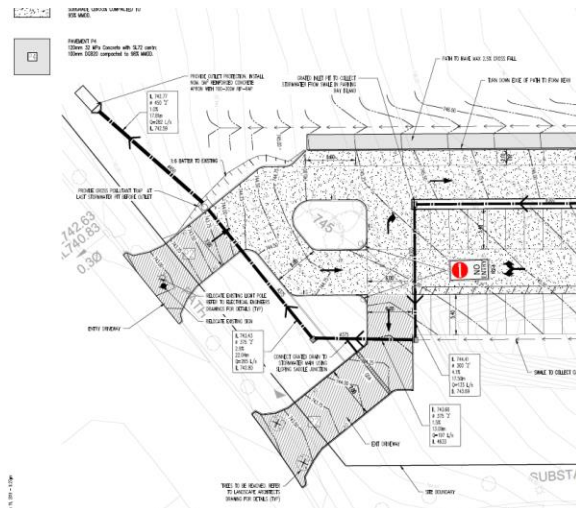
Sewer:

The lots has a sewer service tie along the Gorman Drive frontage of the development. The internal sewer servicing plan show the extension will be serviced from the existing sewer connection.

Nonetheless, as the other fronting streets surrounding the lot do not have sewer mains within the verge on the lot side of the road, any further servicing that may be required from either, Rosa, Rogers or Hearn Street will require a road crossing and Section 68 application.

Stormwater:

Stormwater management for the proposed development is briefly indicated within Civil drawings provided. Broadly, the development will divert stormwater into the existing stormwater system of the school near Gorman Drive, though parts of the proposal closer to the proposed car park and the car park itself appear to divert stormwater flows via a drainage swale adjacent to Hearne Street to the existing pit near Gorman Drive.



The slope of the site along the property boundary along Hearne Street would make it challenging to construct an appropriately sized channel/swale along this boundary hence some consideration may be given to directing some water flows to the stormwater inlet pits within Hearne Street. Plan should be red amended to reflect this and any desire to connect to this infrastructure will require a section 68 application separate to this approval.

No details have been provided pertaining to stormwater runoff quality or quantity, though given the site has been ear marked as a school site for the Googong Township the runoff quantity and quality should have been factored during the subdivision design.

Section 4.15(1)(a)(ii) the provisions of any proposed instrument

Nil

Section 4.15(1)(a)(iii) provisions of any development control plan

Clause 35(9) of SEPP (Educational) stipulates that a provision of a Development Control Plan that specifies a requirement, standard or control is of no effect, regardless of when the Development Control Plan was made.

There are no specific controls in Queanbeyan Development Control Plan 2012 or the Googong Development Control Plans specific to the development therefore the SEPP (Educational) prevails and the application has been assessed on its merits.

Section 4.15(1)(a)(iiia) provisions of 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

The proposed development is subject to the Googong Voluntary Planning Agreement (VPA) which outlines infrastructure, facilities and services associated with the development of the Googong Urban Release Area. The VPA requires that these will be provided or met by the developers in lieu of payment of Section 7.11 Contributions.

Council has also previously received confirmation from the developer of Googong that it is not their intention to recover costs associated with water and sewer infrastructure for development within Googong, therefore any funds that were to be collected for the development would be returned to the applicant.

As the site is subject to the Googong Voluntary Planning Agreement (VPA) no contributions under Section 64 and Section 7.11 are applicable to the development.

Section 4.15(1)(a)(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)

Matters specified under the EP&A Regulations 2000 have been considered in the assessment of this application.

Provisions of AS 2601-1991 in relation to demolition of structures (Clause 92)

The development application does not involve the demolition of structures.

Consent authority may require buildings to be upgraded (Clause 94)

Conditions of consent are recommended requiring all new works be undertaken in accordance with the relevant provisions of the Building Code of Australia.

Section 4.15(1)(a)(v) provisions of any coastal zone management plan (within the meaning of the Coastal Protection Act 1979)

Not applicable

Section 4.15(1)(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

The following matters have been considered in the assessment of this application:

Natural Environment

The subject site is not identified within Council's Terrestrial Biodiversity map (QLEP) and will not require the removal of any vegetation. The site is predicted to contain modified native vegetation under Council's predictive native vegetation mapping however, an inspection of the site noted that it has been fully cleared of vegetation.

The site is not considered to be of specific environmental significance and a variety of plantings and surface treatments are proposed as part of the landscaping plan for the site to further enhance the site and its streetscape.

The development is not likely to have any long term adverse impacts on the natural environment and conditions of consent are recommended to minimise impact to the natural environment.

Landscaping

The proposed development incorporates water sensitive landscaping with a variety of plantings and surface treatments including canopy trees, shrubs and ground cover/grasses that will integrate the existing buildings on the site with the proposed structure and contribute to the existing streetscape. The proposed landscaping will use a combination of both indigenous and exotic species.

Built Environment

The building is single storey and incorporates design features that integrate the topography of the site further aiding in reducing any potential bulk and scale of the building when viewed from the public domain.

The design of the building is considered to be compatible with the existing character of the locality and it is considered unlikely that the proposed development will result in any

significant negative impacts on the built environment and is considered to be satisfactory in its current form.

Social Impact

The proposed development is considered likely to result in positive social impacts through the provision of additional educational infrastructure for a growing population.

Economic impact

The proposed development will not result in any significant adverse impacts or negative economic impacts upon the locality or community. During the construction period the development will bring short-term employment opportunities to the local economy.

Developer Contributions

The proposed development is subject to the Googong Voluntary Planning Agreement (VPA) which outlines infrastructure, facilities and services associated with the development of the Googong Urban Release Area. The VPA requires that these will be provided or met by the developers in lieu of payment of Section 7.11 Contributions.

Council has also previously received confirmation from the developer of Googong that it is not their intention to recover costs associated with water and sewer infrastructure for development within Googong, therefore any funds that were to be collected for the development would be returned to the applicant.

As the site is subject to the Googong Voluntary Planning Agreement (VPA) no contributions under Section 64 and Section 7.11 are applicable to the development.

Section 4.15(1)(c) – The suitability of the site for the development

The proposed development is considered to be appropriately sited as to respond to environmental constraints upon the site. As such, the subject site is considered to be suitable in its current state for the purposes of the proposed development.

Section 4.15(1)(d) Any submission made in accordance with this Act or the Regulations

The development was advertised in The Queanbeyan Age (local newspaper) on 29 October 2019 and notified to the adjoining owners from 29 October to 12 November 2019.

During this period no submissions were received.

Section 4.15(1)(e) The public interest

The proposed development is considered to be generally in the public interest and will provide a valuable service to the local community. The proposal will have minimal adverse effect on the public interest. Conditions of consent regarding site management throughout the construction process are recommended as to ensure there is minimal impact on surrounding properties during construction period.

4.0 Referrals

The following referrals were undertaken:

Internal

Building Surveyor

Council's Building Surveyor reviewed the subject application and raised no objection to the proposed works subject to the imposition of conditions of consent including requirements that all new works comply with the Building Code of Australia and the implementation of appropriate fire safety measures.

Development Engineer

Council's Development Engineer has assessed the essential services, traffic, parking and access and has raised no objection to the proposed development subject to imposition of the recommended conditions of consent.

Health Officer

Council's Environmental Health Officer raised no objection to the proposed development subject to imposition of the recommended conditions of consent.

Trade Waste Officer

Council's Trade Waste Officer raised no objection to the proposed development subject to imposition of the recommended conditions of consent.

Waste Officer

Council's Waste Officer raised no objection to the proposed development, however a request was made for Waste Management Plans to be provided for the construction of the development and for the management of waste post build.

Relevant conditions of consent will be imposed to ensure that satisfactory Waste Management Plans are provided to Council for approval.

External

Essential Energy

The application was referred to Essential Energy in accordance with Clause 45 of the *State Environmental Planning Policy (Infrastructure) 2007*. An email response was received on the 14 November 2019 providing comments that *'Strictly based on the documents submitted, Essential Energy has no comments to make as to potential safety risks arising from the proposed development'* but has provided general comments.

An email response was received on the 25 November 2019 with the following general comments:

1. If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment.
2. Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with.
3. Satisfactory arrangements must be made with Essential Energy for the provision of power to all new classrooms. It is the Applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity to all new improvements, which may include the payment of fees and contributions.
4. In addition, Essential Energy's records indicate there is electricity infrastructure located within the property and within close proximity to the property. Any activities within these locations must be undertaken in accordance with the latest industry guideline currently known as *ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure*. Approval may be required

from Essential Energy should activities within the property encroach on the electricity infrastructure.

5. Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the *Electricity Supply Act 1995 (NSW)*.
6. Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the *Code of Practice – Work near Overhead Power Lines and Underground Assets*.

Comments provided from Essential Energy will be placed on the development consent (if granted) as advisory notes.

NSW Roads and Maritime Service

The proposed development will result in the accommodation of 50 or more additional students and involves the enlargement or extension of existing premises on a site that has direct vehicle and pedestrian access to a road. As such, Council referred the application to RMS for comment.

An email response was received on the 25 November 2019 which advised that the RMS has raised no objection to the proposal and noted the following:

- *The development would generate additional traffic. The impact of this traffic needs to be considered and adequately mitigated. RMS notes that the external traffic and transport impacts of the school development were considered in the DA for the full Neighbourhood 1A development (DA 233/2012).*
- *The proposed car park layout consists of 60 perpendicular spaces and 13 parallel spaces. An expansion of the car park has been considered to cater to the increased demand induced by future developments within The Anglican School Googong.*
- *School zones were extended in October 2018 to allow for the expansion.*
- *Pedestrian generator points are yet to be determined and it is not recommended to install pedestrian facilities at this stage on Gorman Drive. It is noted that Gorman Drive also features a refuge crossing that supports a staged crossing.*

RMS does not believe the development will have a significant impact on Canberra Street/Monaro Avenue and on this basis, does not object to the development application.

NSW Police - Crime Prevention Officer

The development application was forward to the Crime Prevention Officer at the NSW Police Monaro Police District for comment. An email response was received on the 19 November 2019 with the following recommendations:

Due to the nature of the development, identified crime risks and issues, we recommend the following:

- *The development applicant submit a traffic management plan*
- *The development applicant submit a security plan*
- *The development applicant provide a Closed Circuit Television plan*
- *The development applicant submit a maintenance plan (including the maintenance of all trees and plants to ensure they are healthy and do not impair natural surveillance of the area.)*

I would also like to strongly suggest that PRIOR to any further works a traffic management plan be established as well as established school crossings for the children who attend the Anglican School Googong. I can confirm that I have witnessed children crossing the road in a hesitant and unsafe manner. I strongly believe this is because there is NO designated and allocated area for a children crossing at the Anglican School Googong. The repercussions of further building, with an increase of children enrolled at the school (some of which who do not have the capacity to cross roads safely) would be catastrophic, it could lead to serious injury or death.

Comments received from Councils Development Engineer noted that “In responding to NSW Policing’s concerns, it should be noted that a traffic impact assessment was lodged supporting the proposal. Whilst intersection performance was not examined in the study, it should be noted that the car park size exceeds any Local or State requirements which is one of the principal challenges with developments of this nature. A traffic management plan prior to construction works will be conditioned as part of the development consent, though a traffic management plan for the on-going use of the facility is not feasible, particularly in identifying the most appropriate position for a pedestrian crossing as the school is not fully developed, it is difficult to predict the behavioural patterns and hence most appropriate crossing point(s). Council is aware that a pedestrian crossing is required to service the school site, though is reserved in implementing one prematurely particularly on this side of the school. Council’s road safety officer has also advised that an Active Transport application for a pedestrian crossing on Rosa Street is being pursued by Council and designs for the crossing were approved by Local Traffic Committee in October 2019. Council’s preference is to manage pedestrian movement on the lower trafficked roads such Rosa, Rogers and Hearne Streets rather than Gorman Drive and if an addition crossing is required in the future an appropriate location can be implemented in the most appropriate location based on real data and observation rather than prediction.

Comments made in relation to security and management will be placed on the development consent (if granted) as advisory notes.

5.0 Conclusion

The development is Regional Development for the purposes of the State Environmental Planning Policy (State and Regional Development) 2011 and the Southern Regional Planning Panel is the consent authority for the application.

The application has been assessed under the relevant State Environmental Planning Policies and *Queanbeyan Local Environmental Plan 2012*. This assessment found that the development generally satisfies the controls and requirements of these instruments. The application seeks no variations and will not result in any visual impacts, loss of amenity or solar access to any surrounding residence.

The other relevant matters for consideration under section 4.15 of the EP&A Act have also been considered. The development is suitable for the site, will have an acceptable impact on the site, local area and neighbouring properties. The submissions from agencies have been considered and conditions recommended where appropriate. No public submissions were received that related to this development. There are no significant public interest concerns resulting from the development.

The development is recommended for conditional approval.

6.0 Recommendation

- 1. That Development Application DA2019.1227 for the expansion of the Anglican School - Googong known as 136 Gorman Drive, Googong and**

legally identified as L Lot 613 DP 1195842 be Approved subject to the conditions in Attachment 1.

- 2. NSW Roads and Maritime, Essential Energy and NSW Police be advised of the outcome of the determination.**