

SOUTHERN REGIONAL PLANNING PANEL

COUNCIL ASSESSMENT REPORT

Panel Reference	PPSSTH-551
DA Number	25/2187 (PAN-528755)
LGA	Wingecarribee Shire Council
Proposed Development	Alteration and addition to the existing McGrath Hall that will involve demolition of the western portion for a new food technology classroom, hospitality kitchen, covered outdoor learning area and other associated amenities and storage rooms.
Street Address	Chevalier College, 566 Moss Vale Road BURRADOO NSW 2576
Applicant/Owner	Applicant – CHEVALIER COLLEGE Owner – SOCIETY OF MISSIONARIES OF SACRED HEART
Date of DA lodgement	8 May 2025
Number of Submissions	Public Notification - Notification: 14 May 2025 to 13 June 2025. - Nil submissions
Recommendation	Approval subject to conditions of consent
Regional Development Criteria (Schedule 6, Clause 2 of State Environmental Planning Policy (Planning Systems) 2021)	Section 5, Schedule 6 of the SEPP (Planning Systems) 2021 <i>In accordance with section 5 under Schedule 6 Regionally significant development of the SEPP, the proposed development has an estimated development cost of more than \$5 million for the purpose of an educational establishment. Therefore, the consent authority is the Southern Regional Planning Panel.</i> The cost of the proposal is \$6,506,807.00 Ex. GST
List of all relevant s4.15(1)(a) matters	<i>Environmental Planning and Assessment Act 1979;</i> <i>Environmental Planning and Assessment Regulation 2021;</i> <i>State Environmental Planning Policy (Planning Systems) 2021;</i> <i>State Environmental Planning Policy (Resilience and Hazards) 2021;</i> <i>State Environmental Planning Policy (Transport and Infrastructure) 2021;</i> <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021;</i> <i>Wingecarribee Local Environmental Plan 2010; and</i> <i>Bowral Township Development Control Plan.</i>
List all documents submitted with this report for the Panel's consideration	1. Draft Conditions of Consent 2. Architectural Plans (Amended) 3. Landscape Plans (Amended) 4. Civil Plans (Amended) 5. Access Report 6. Environmental Sustainability Design Report 7. NABERS Embodied Emissions Material Form 8. Bushfire Assessment Report 9. Flora & Fauna Report

	10. Statement of Heritage Impact 11. Arboricultural Impact Assessment (Amended) 12. Stormwater Management Report 13. Section J Assessment 14. Multidiscipline Report 15. Waste Management Plan
Report prepared by	Lauren Williams – Senior Development Assessment Planner
Report date	19 November 2025

Summary of s4.15 matters

Have all recommendations in relation to relevant s4.15 matters been summarized 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**

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? **N/A**

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S7.24)? **No**

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

Conditions

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

EXECUTIVE SUMMARY

Council is in receipt of a development application for alterations and additions to the existing McGrath Hall within Chevalier College at 566 Moss Vale Road, Burradoo NSW 2576 legally described as Lot 12 in DP 748370.

The site is zoned R5 'Large Lot Residential' under the Wingecarribee Local Environmental Plan 2010. The proposed development involves the construction of alterations and additions to an existing educational establishment. The WLEP does not list "*educational establishment*" as a prohibited use in the R5 zone and it is therefore permitted with consent.

The application was publicly notified from 14 May 2025 to 13 June 2025 (31 days). No submissions were received during the submission period.

An assessment of the development application has been undertaken against the following relevant planning instruments:

- *Environmental Planning and Assessment Act 1979*;
- *Environmental Planning and Assessment Regulation 2021*;
- *State Environmental Planning Policy (Planning Systems) 2021*;
- *State Environmental Planning Policy (Resilience and Hazards) 2021*;
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*;
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*;
- *Wingecarribee Local Environmental Plan 2010*; and
- *Bowral Township Development Control Plan*

The proposed development has been assessed against the relevant matters for consideration pursuant to Section 4.15 of the *Environmental Planning and Assessment Act, 1979*, including likely impacts, the suitability of the site for the development, and the public interest.

The assessment has found that the proposed development is consistent with the objectives and provisions of the relevant environmental planning instruments. The application is supported by sufficient information to demonstrate the site is suitable for the proposed development. The proposal will not result in any adverse impacts on the built or natural environment. The development is therefore considered to be in the public interest.

Considering the above, it is recommended that the Southern Regional Planning Panel determine the development application pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979* by way of approval in line with the recommended conditions of consent outlined in this report.

BACKGROUND

Application Background

A pre-lodgement meeting was held with the Applicant on 17 March 2025 regarding the subject proposal. Council's internal officers provided several recommendations to be adopted by the Applicant in the formal advice issued after the meeting.

The subject development application was lodged with Council on 8 May 2025 and a site inspection was undertaken on 22 July 2025.

Council did not request any additional information within the assessment process.

Amended plans were provided by the applicant on 1 August 2025, which included a minor change to the proposed tree removal and landscape plan. Council's Tree Management Officer reviewed the amended plans and provided a satisfactory referral response on 19 August 2025.

SITE DESCRIPTION

General

The subject site is legally identified as Lot 12 DP 748370, 566 Moss Vale Road, Burradoo NSW 2576.

The site is bounded by Moss Vale Road to the east, Eridge Park Road to the west and Charlotte Street to the north.

The site has a total land area of approximately 42.93ha.

The site currently accommodates 'Chevalier College', an educational establishment comprised of several buildings and ancillary development, and has access points from Moss Vale Road, Charlotte Street and Eridge Park Road.

The subject site is a listed heritage item of local significance as per Schedule 5 of the WLEP, known as '*Chevalier College (former Riversdale group of buildings and garden)*' (I189).

Parts of the subject site, particularly within the western portion closer to Moss Vale Road, are identified as Biodiversity Values area on the Biodiversity Values Map and Threshold Tool. The proposed development site is within an already disturbed area and no adverse impact is expected.



Figure 1: Aerial Image (Nearmap)



Figure 2: Inset Aerial Image (Nearmap)



Figure 3: McGrath Hall, as viewed from existing carpark (Author)



Figure 4: McGrath Hall, as viewed from existing stage (Author)



Figure 5: Western portion of McGrath Hall as existing (Author)



Figure 6: Stair to entry foyer of McGrath Hall as existing (Author)



Figure 7: Existing entry Foyer (Author)



Figure 8: Eastern elevation of McGrath Hall as existing (Author)



Figure 9: View to the south of McGrath Hall, towards buildings of heritage significance (Author)

DESCRIPTION OF THE DEVELOPMENT

The subject development application seeks consent for alterations and additions to an existing educational establishment, Chevalier College. The proposed development is to occur within the existing school boundaries and consists of the following works:

- Demolition of the western portion of McGrath Hall, backstage area on the eastern portion of the building and a pathway to the north and west of the building.
- Reconstruction of the western portion of McGrath Hall

West Wing

- Food technology room
- Hospitality room and scullery
- Entry foyer/General Learning Area
- Covered outdoor learning area,
- Prep, cold and dry storage room, and
- Amenities

East Wing

- New furniture storage room
- Amenities, laundry and storage room
- Removal of five (5) trees

No increase to staff or student numbers is proposed as part of this application.



Figure 10: Site Plan (Leaf Architecture)

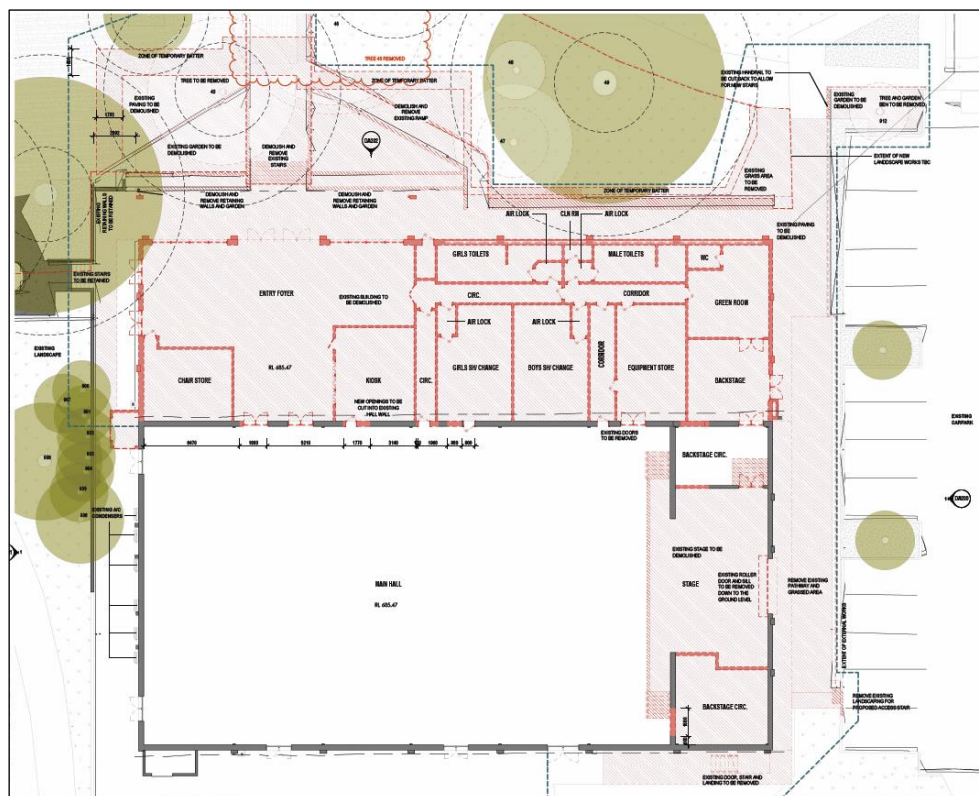


Figure 11: Demolition Plan (Leaf Architecture)

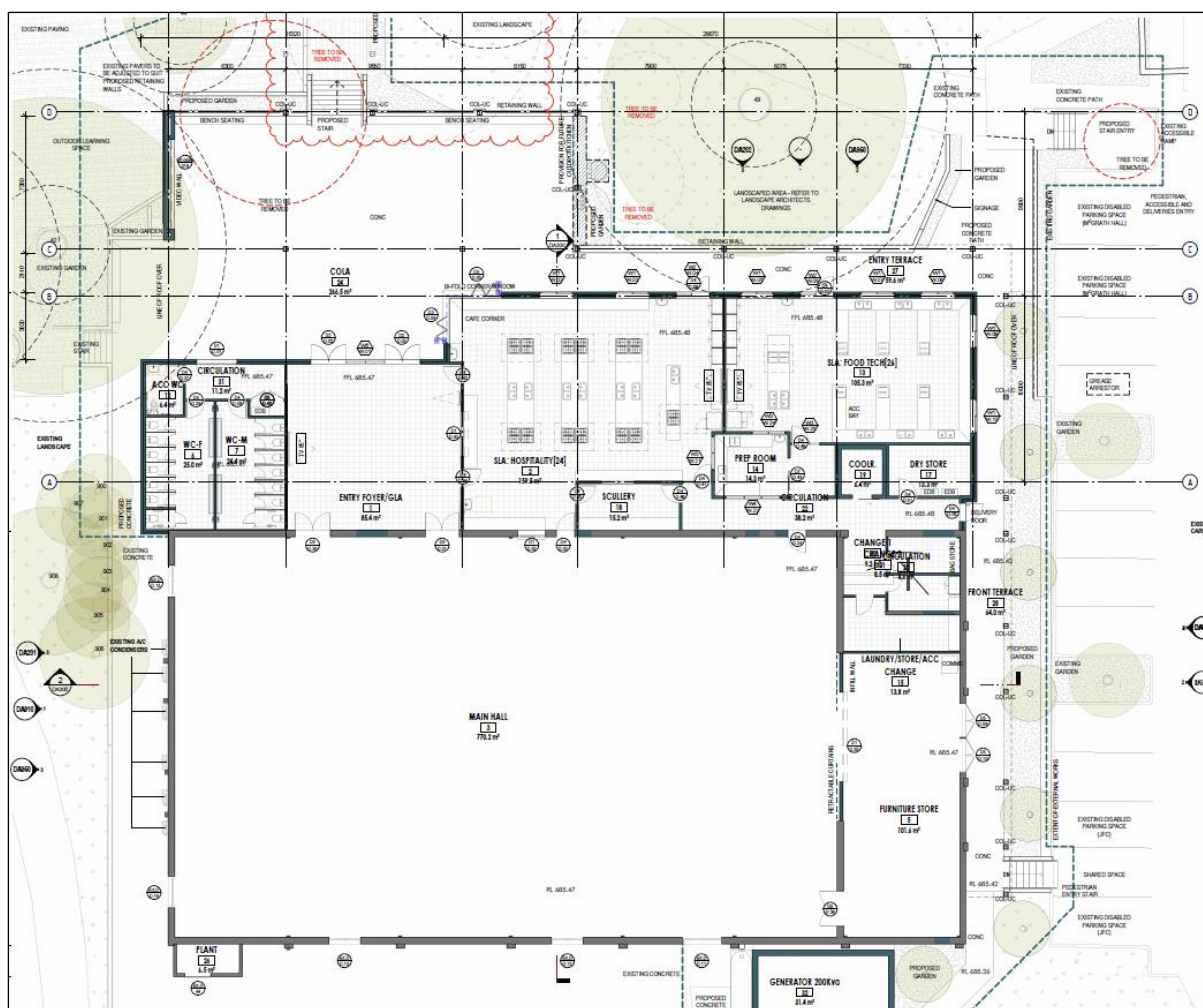
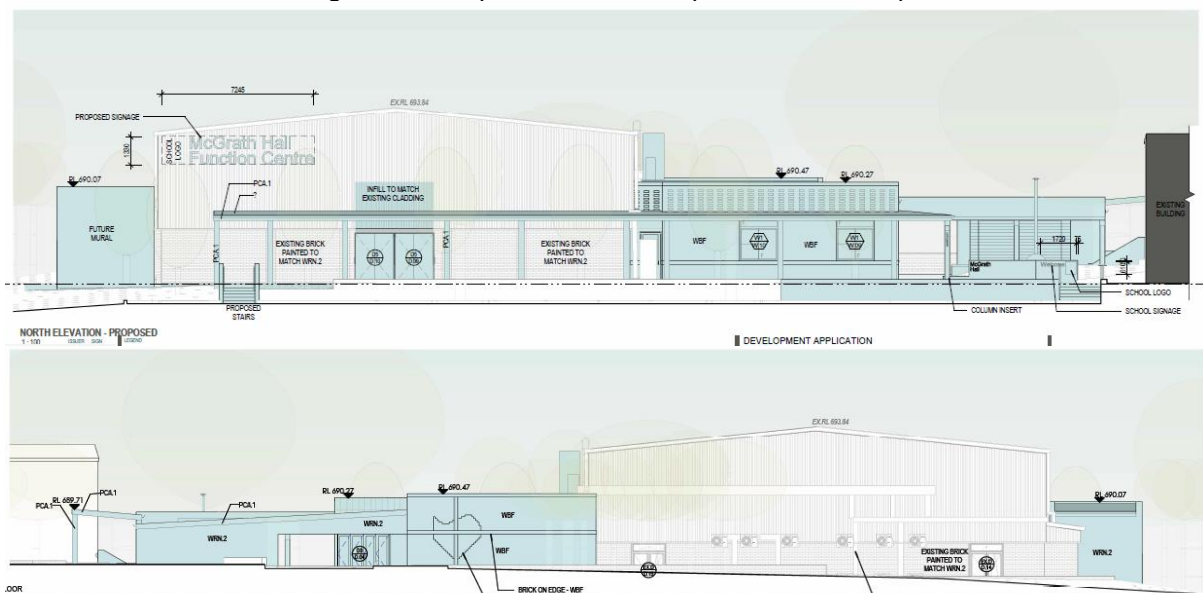


Figure 12: Proposed Floor Plan (Leaf Architecture)



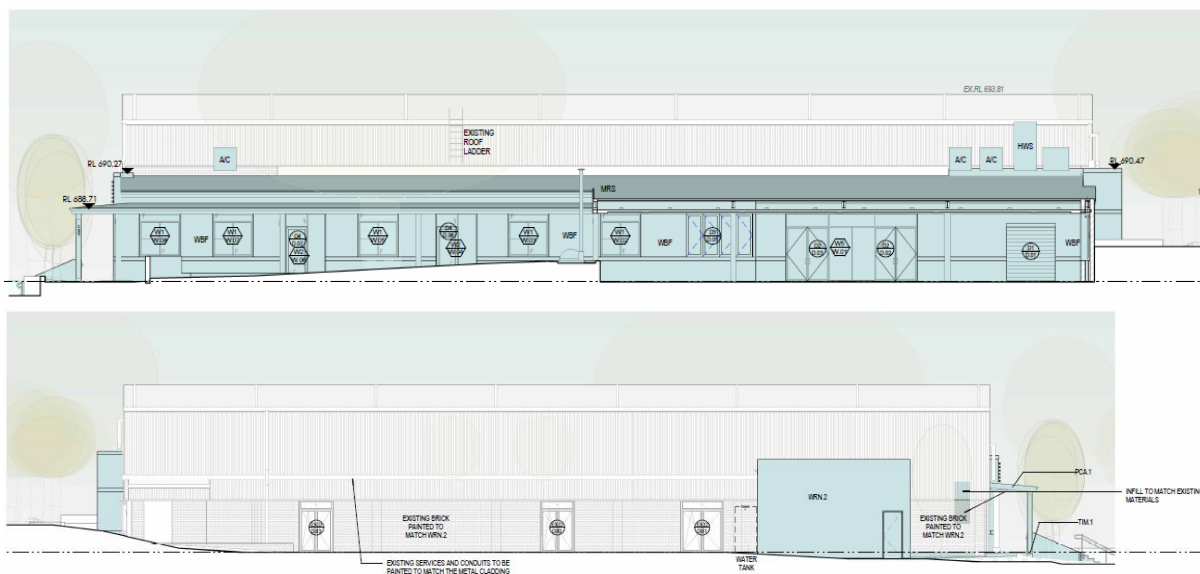


Figure 13: Elevations (Leaf Architecture)



ARTIST'S IMPRESSION - CHEVELLER HOSPITALITY ENTRY TO MCGRATH HALL FROM THE EXISTING CARPARK



ARTIST'S IMPRESSION - CARPARK, SECONDARY STAIRS AND GENERATOR



ARTIST'S IMPRESSION - COVERED OUTDOOR LEARNING AREA



ARTIST'S IMPRESSION - STAIRS FROM THE SCHOOL OFFICE

Figure 14: Artist Impression (Leaf Architecture)

Referral Comments:

The development application was referred to several internal and external technical experts as follows:

Environmental Health Officer: Satisfactory, subject to conditions.

Assessment Officer's Comment: Recommended conditions have been included in **Attachment 1**.

Food Premises

- Conditions 20 and 53 (Food Premises Requirements)
- Condition 62 (Food Premises)

Noise

- Condition 61 (Operational Noise Levels)

Development Engineer: Satisfactory, subject to conditions.

Assessment Officer's Comment: Recommended conditions have been included in **Attachment 1**.

- Condition 12 (Section 68 Local Government Act 1993 Approvals)
- Condition 13 (Section 138 Roads Act 1993 Approval)
- Condition 15 (Developer to provide photos of damage to Council property)
- Condition 17 (Structural Engineer's Details)
- Condition 18 (Construction Management Plan)
- Condition 19 (Detailed Stormwater Drainage System Design)
- Condition 25 (Erosion and Sediment Control Plan)
- Condition 28 (Erosion and Sediment Control)
- Condition 45 (Utility Services)
- Condition 46 (Stormwater - Construction)
- Condition 47 (Stormwater – Discharge)
- Condition 48 (Erosion and Sediment Control Plan Compliance)
- Condition 35 (Construction Management Plan)
- Condition 37 (Prevention of Nuisance)
- Condition 56 (Section 68 Local Government Act Final)
- Condition 56 (Council Property)
- Condition 57 (Civil Engineering works and services)
- Condition 58 (Certification of Internal Civil Works)

Water / Sewer Development Engineer: No objection to the subject proposal. No conditions required.

Assessment Officer's Comment: Noted.

Accredited Certifier: Satisfactory, subject to conditions.

Assessment Officer's Comment: Recommended conditions have been included in **Attachment 1**.

- Condition 7 (Fire Safety Existing Building Upgrade)
- Condition 11 (Application for a Construction Certificate (Building Works))
- Condition 16 (Access for People with Disabilities)
- Condition 51 (Occupation Certificate)
- Condition 50 (Building Upgrade Measures)
- Condition 49 (Final Fire Safety Certificate)
- Condition 62 (Annual Fire Safety Statement)

Ecologist: Satisfactory, subject to conditions.

Assessment Officer's Comment: Council's Ecologist determined the proposal satisfactory subject to conditions. To prevent overlap between the recommendations of Council's Tree Management Officer and Ecologist, the recommended conditions have been incorporated into conditions as follows:

- Condition 29 (Fauna Protection)
- Condition 53 (Final Tree & Fauna Management Certification)

Heritage Advisor: Satisfactory, no conditions required.

Assessment Officer's Comment: Noted.

Tree Management Officer: Satisfactory, subject to conditions.

Assessment Officer's Comment: Recommended conditions have been included in **Attachment 1**.

- Condition 8 (Tree Management)
- Condition 21 (Tree Protection Requirements)
- Condition 28 (Tree Protection)
- Condition 53 (Final Tree & Fauna Management Certification)
- Condition 63 (Tree Management)

NSW Rural Fire Service (external referral): No objection to the proposal subject to compliance with concurrence.

Water NSW (external referral): No objection to the proposal subject to compliance with concurrence.

Assessment Officer's Comment: A condition will be included in the attached Consent as follows:

- Condition 9 (Concurrence – Water NSW)
- Condition 10 (Concurrence – RFS)

ASSESSMENT UNDER SECTION 4.15 OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The provisions of any EPI, draft EPI; DCP; and the regulations [s4.15(1)(a)]

Environmental Planning and Assessment Act 1979

S4.14 Consultation and development consent – certain bush fire prone land

At the time of lodgement, the subject site was identified as bushfire prone land. However, it is no longer identified on the map.

Section 4.14 of the EP&A Act specifies –

- (1) *Development consent cannot be granted for the carrying out of development for any purpose (other than a subdivision of land that could lawfully be used for residential or rural residential purposes or development for a special fire protection purpose) on bush fire prone land (being land for the time being recorded as bush fire prone land on a relevant map certified under section 10.3(2)) unless the consent authority—*
 - (a) *is satisfied that the development conforms to the specifications and requirements of the version (as prescribed by the regulations) of the document entitled Planning for Bush Fire Protection prepared by the NSW Rural Fire Service in co-operation with the Department (or, if another document is prescribed by the regulations for the purposes of this paragraph, that document) that are relevant to the development (**the relevant specifications and requirements**), or*
 - (b) *(b) has been provided with a certificate by a person who is recognised by the NSW Rural Fire Service as a qualified consultant in bush fire risk assessment stating that the development conforms to the relevant specifications and requirements.*

The Applicant provided a Bushfire Assessment Report (Building Code & Bushfire Hazard Solutions Pty Limited, dated 8 April 2025) to accompany the application, which stipulates that the works can be constructed to BAL-19. See further assessment below.

Rural Fires Act 1997

In accordance with 100B of the Rural Fires Act 1997, the subject application includes development of bush fire prone land for a special fire protection purpose (educational facility).

NSW RFS provided a Bush Fire Safety Authority, dated 3 June 2025 for the subject application. General Terms of Approval are included as part of the Determination.

SEPPs

State Environmental Planning Policy (Planning Systems) 2021

In accordance with section 5 under Schedule 6 Regionally significant development of the SEPP, the proposed development has an estimated development cost of more than \$5 million for the purpose of an educational establishment (\$6,506,807.00). Therefore, the consent authority is the Southern Regional Planning Panel.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 Remediation of land

Chapter 4 of SEPP (Resilience and Hazards) 2021 (section 4.6) requires the consent authority to consider whether land is contaminated prior to granting consent to the carrying out of any development on that land, and to be satisfied that the land is suitable for the proposed use.

Council's Environmental Health Officer reviewed the proposal and raised no objection.

As such, Council is satisfied that the land is suitable for the proposed development and consent is able to be granted in this regard.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 Vegetation in non-rural areas

Chapter 2 of SEPP (Biodiversity and Conservation) 2021 contains provisions replacing the former SEPP (Vegetation in Non-Rural Areas), and the aims are (a) to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and (b) to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

Chapter 2 of the SEPP applies to the subject application as the subject land is located within a non-rural land use zone specified in 2.3 (1)(b).

There are five (5) trees impacted by the proposed development, all of which are exotic, ornamental specimens. Council's Tree Management Officer has raised no objection in relation to the proposed tree removal and determined the application satisfactory subject to the recommended conditions.

Refer to the following conditions of the attached draft conditions of consent:

- Condition 8 (Tree Management)
- Condition 21 (Tree Protection Requirements)
- Condition 28 (Tree Protection)
- Condition 53 (Final Tree & Fauna Management Certification)
- Condition 63 (Tree Management)

Chapter 6 Water catchments

The site is located within the Sydney Drinking Water Catchment. Pursuant to clause 6.5 of the SEPP a consent authority must not grant consent to the carrying out of development under Part 4 of the Act on land in the Sydney drinking water catchment unless it is satisfied that the carrying out of the proposed development would have a neutral or beneficial effect on water quality and that the impact on water flow in a natural waterbody will be minimised. The application is a Module 5 development for the purposes of the Neutral or Beneficial Effect (NorBE) on Water Quality Assessment Guideline.

WaterNSW is satisfied that the proposed development can achieve a neutral or beneficial effect (NorBE) on water quality and has provided appropriate Concurrence conditions for inclusion.

Water NSW issued concurrence on 20 June 2025 subject to conditions.

State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 3 Educational establishments and child care facilities

Section 3.36 of this SEPP is applicable, given the proposed development involves a school. The following relevant provisions have been addressed.

(1) Development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone.

Comment: Section 3.34 of the SEPP identifies the R5 Large Lot Residential zone as a prescribed zone. The proposed development would occur within a prescribed zone and is permitted with consent.

(6) Before determining a development application for development of a kind referred to in subsection (1), (3) or (5), the consent authority must take into consideration—

(a) the design quality of the development when evaluated in accordance with the design quality principles set out in Schedule 8, and

(b) whether the development enables the use of school facilities (including recreational facilities) to be shared with the community.

Comment: The Applicant has submitted the below assessment against Schedule 8 design quality principles which has been considered as satisfactory by Council. It is also noted that the proposed school facilities would have the capability to be shared with the community.

Schedule 8 Design quality principles in schools—Chapter 3

Responsive to context <i>Schools should be designed to respond to and enhance the positive qualities of their surroundings.</i> <i>In designing built forms and landscapes, consideration should be given to a Country-centred approach and respond to site conditions such as orientation, topography, natural systems, Aboriginal and European cultural heritage and the impacts of climate change.</i> <i>Landscapes should be integrated into the overall design to improve amenity and to help mitigate negative impacts on the streetscape and neighbouring sites.</i>	<i>“The site is characterised by large existing trees, abundant open space and a combination of existing brick buildings, lightweight construction contemporary buildings and some heritage buildings.</i> <i>The subject site can be seen from the main entry to the school and from Charlotte St. The development cannot be seen from the heritage items located further to the south of the site. The design is deliberately low scale with a simple roof form and brickwork that complements the natural surroundings.</i> <i>The proposed building footprint is similar to the existing building footprint that will be demolished as part of the development. A new covered outdoor learning area extends beyond the proposed building footprint to the west, nestled in under large existing trees.</i> <i>Overall, the proposed works aim to be sympathetic to their surroundings through maintaining a low scale and external material selections that blend with the existing context. The large existing trees remain as the main feature of the area.”</i> <u>Comment:</u> The proposed alterations and additions will respond well to the existing landscape and surroundings. Council is satisfied that this principle has been addressed.
Sustainable, efficient and resilient <i>Good school design combines positive environmental, social and economic outcomes and should align with the principles of caring for Country.</i>	<i>“The construction is of high-quality durable materials (i.e. face brickwork) with proven longevity and energy efficiency that require little maintenance or replacement for years to come.</i> <i>The structure is designed for ease of construction and allows for flexibility of refurbishment in the future.</i> <i>The light roof colour aims to minimise solar absorption, and the placement of external covered walkway areas provides sun shading to the northern and western facades of the proposed building.</i>

<i>Schools should be designed to be durable and resilient in an evolving climate.</i> <i>Schools and their grounds should be designed to minimise the consumption of energy, water and other natural resources and reduce waste.</i>	<i>The internal finishes will also be resilient and durable, minimising ongoing maintenance. All hydraulic and electrical fittings will be selected to be energy and water efficient. The roof is designed to be capable of supporting future solar panels.”</i> <u>Comment:</u> Council is satisfied that this principle has been adequately addressed.
Accessible and inclusive <i>School buildings and grounds should be welcoming, easy to navigate and accessible and inclusive for people with differing needs and abilities.</i> <i>Schools should be designed to respond to the needs of children of different ages and developmental stages, foster a sense of belonging and seek to reflect the cultural diversity of the student body and community.</i> <i>Schools should be designed to enable sharing of facilities with the community and to cater for activities outside of school hours</i>	<i>“The proposed building is designed to be welcoming, easy to navigate, accessible and inclusive. The one-storey building is provided with a staircase and a walkway that will be designed to be accessible in accordance with AS 1428. The path of travel to the building from the adjoining carpark will also be accessible.</i> <i>The classrooms, corridors and covered outdoor learning areas are designed for ease of movement of people with a disability.”</i> <u>Comment:</u> The proposed alterations and additions will improve the interface between the Charlotte Street carpark and the existing McGrath Hall, ensuring a legible and easy to navigate entry. Council is satisfied that this principle has been adequately addressed.
Healthy and safe <i>Good school design should support wellbeing by creating healthy internal and external environments.</i> <i>The design should ensure safety and security within the school boundaries, while maintaining a welcoming address and accessible environment.</i> <i>In designing schools, consideration should be given to connections, transport networks and safe routes for travel to and from school.</i>	<i>“The proposed architectural and landscape designs have been carefully designed to ensure the wellbeing, safety and security of both students and staff. The following design features have been implemented:</i> <i>- Clear sight lines towards and within the proposed building are provided to facilitate casual surveillance to the public domain.</i> <i>- Clear sight lines to the entry areas of student amenities have been provided, to allow for supervision.</i> <i>- The placement of windows that overlook the adjoining covered outdoor learning area and walkways provide a welcoming and open environment, where learning is on display.</i> <i>- Provision of accessible paths of travel for all</i> <i>- To enhance the wellbeing of building occupants, materials will be selected to be low VOC (off gassing), all learning areas will have a view to the outdoors and will be provided with natural light”</i> <u>Comment:</u> The proposed alterations and additions promote healthy and safe activities within the school grounds, while also improving the interface at this entry/exit point. Council is satisfied that this principle has been adequately addressed.
Functional and comfortable <i>Schools should have comfortable and engaging</i>	<i>“The construction of the new building will enhance the students learning experience through the new built environment. The proposed building extension has been designed to complement</i>

spaces that are accessible for a wide range of formal and informal educational and community activities. <i>In designing schools, consideration should be given to the amenity of adjacent development, access to sunlight, natural ventilation, proximity to vegetation and landscape, outlook and visual and acoustic privacy.</i> <i>Schools should include appropriate indoor and outdoor learning and play spaces, access to services and adequate storage.</i>	<i>the existing buildings and landscaped areas on campus, creating additional indoor and outdoor learning spaces that have good access to sunlight, natural ventilation and visual privacy. The spaces will be designed to have good acoustics and thermal comfort all year round.</i> <i>Landscape amenity is retained and enhanced through the introduction of additional covered outdoor learning areas on the campus and additional areas of seating for student underneath the existing trees. These areas will be used by the students for passive recreation and for outdoor learning.”</i> <u>Comment:</u> The works will improve the existing McGrath Hall space to ensure it is a comfortable, engaging space for education and community activities. Adequate consideration has been given to the amenity of the proposed building.
Flexible and adaptable <i>In designing schools, consideration should be given to future needs and take a long-term approach that is informed by site-wide strategic and spatial planning.</i> <i>Good design for schools should deliver high environmental performance and ease of adaptation, and maximise multi-use facilities.</i> <i>Schools should be adaptable to evolving teaching methods, future growth and changes in climate, and should minimise the environmental impact of the school across its life cycle.</i>	<i>“One of the brief requirements for the project was to provide a range of spaces that are flexible and adaptable to suit multiple different uses. Specifically, the GLA/ café/ foyer space and the COLA have been designed as large and open plan areas, with moveable furniture, so that they may be used by different groups and for different purposes.</i> <i>In addition, the structural design of the building makes it easily adaptable for future refurbishments, promoting a ‘long life loose fit’ approach and helping to minimise the environmental impact of the school across its lifecycle.”</i> <u>Comment:</u> Council is satisfied that this principle has been adequately addressed.
Visually appealing <i>School buildings and their landscape settings should be aesthetically pleasing by achieving good proportions and a balanced composition of built and natural elements.</i> <i>Schools should be designed to respond to and have a positive impact on streetscape amenity and the quality and character of the neighbourhood.</i> <i>The identity and street presence of schools should respond to the existing or desired future character of their locations.</i> <i>The design of schools should reflect the school’s civic role and community significance.</i>	<i>“The appearance of the new building has been designed to positively contribute to its natural and built surroundings. The new building addition is designed to be low scale and to fit underneath the existing trees, maintaining the landscape character of that area of the site.</i> <i>The building facade has been carefully designed to complement existing buildings on the site, at the same time as creating a contemporary architectural aesthetic that can be repeated on future projects at the college campus.</i> <i>The overall built form and landscape design will provide a positive impact on the quality and character of the site and will be an improvement to the existing building, as viewed from Charlotte St and from within the College campus.</i> <i>The interior of the building will be designed to be welcoming and to celebrate the unique Catholic charism of the Chevalier Community.”</i>

	<u>Comment:</u> Council is satisfied that this principle has been adequately addressed.
--	---

(9) A provision of a development control plan that specifies a requirement, standard or control in relation to development of a kind referred to in subsection (1), (2), (3) or (5) is of no effect, regardless of when the development control plan was made.

Comment: Noted.

State Environmental Planning Policy (Sustainable Buildings) 2022

Chapter 3 Standards for non-residential development

The provisions of Chapter 3 are not applicable to the subject development as it does not involve the erection of a new building and involves alterations, enlargement or extension of an existing building, with an estimated development cost of less than \$10 million.

Notwithstanding, the Applicant has provided Ecologically Sustainable Development Report (Lehr Consultants) and a NABERS Embodied Emissions Materials form indicating the proposal's energy consumption and emissions performance. These are acknowledged.

State Environmental Planning Policy (Industry & Employment) 2021

Chapter 3 Advertising & Signage

The proposal includes the erection of a wall building identification sign on the northern elevation of McGrath Hall to Charlotte Street, therefore Chapter 3 applies. This chapter aims to ensure signage is compatible with the desired amenity and visual character of an area, is effective and is of high-quality design and finish.

3.11 Matters for consideration

(1) A consent authority (other than in a case to which subsection (2) applies) must not grant consent to an application to display an advertisement to which this Chapter applies unless the advertisement or the advertising structure, as the case requires—

- (a) is consistent with the objectives of this Chapter as set out in section 3.1(1)(a), and*
- (b) has been assessed by the consent authority in accordance with the assessment criteria in Schedule 5 and the consent authority is satisfied that the proposal is acceptable in terms of its impacts, and*
- (c) satisfies any other relevant requirements of this Chapter.*

The Applicant has submitted the below assessment against Schedule 5 which has been considered as satisfactory by Council.

<i>(1) This Chapter aims—</i> <i>(a) to ensure that signage (including advertising)—</i> <i>(i) is compatible with the desired amenity and visual character of an area, and</i> <i>(ii) provides effective communication in suitable locations, and</i> <i>(iii) is of high quality design and finish, and</i> <i>(b) to regulate signage (but not content) under Part 4 of the Act, and</i>	<i>The proposed signage to the exterior is considered to meet the above aims and objectives above. A detailed assessment is provided below against the assessment criteria in Schedule 5.</i> <u>Comment:</u> Council is satisfied that this criterion has been adequately addressed.
--	---

(c) to provide time-limited consents for the display of certain advertisements, and (d) to regulate the display of advertisements in transport corridors, and (e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.	
1 Character of the area • Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? • Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The site is located in a residential zone and in a residential area. The proposed signage fronting Charlotte Street is integrated into the development and consistent with the character of the area <u>Comment:</u> Council is satisfied that this criterion has been adequately addressed.
2 Special areas • Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The site is not located in an environmentally sensitive areas, heritage conservation areas, natural or other conservation areas, open space areas, waterways, rural landscapes. <u>Comment:</u> Council is satisfied that this criterion has been adequately addressed.
3 Views and vistas • Does the proposal obscure or compromise important views? • Does the proposal dominate the skyline and reduce the quality of vistas? • Does the proposal respect the viewing rights of other advertisers?	The signage proposed fronting Charlotte Street will not obstruct any important views, protrude above the building line or dominate the skyline. The sign will be erected beyond the existing ridge line. <u>Comment:</u> Council is satisfied that this criterion has been adequately addressed.
4 Streetscape, setting or landscape • Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape? • Does the proposal contribute to the visual interest of the streetscape, setting or landscape? • Does the proposal reduce clutter by rationalising and simplifying existing advertising? • Does the proposal screen unsightliness? • Does the proposal protrude above buildings, structures or tree canopies in the area or locality? • Does the proposal require ongoing vegetation management?	The signage is appropriate for the setting as it will provide identification of the building without visually dominating the streetscape. The design will ensure a clear and effective communication to motorists. <u>Comment:</u> Council is satisfied that this criterion has been adequately addressed.
5 Site and building • Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located? • Does the proposal respect important features of the site or building, or both?	The proposed signage is suitable in scale and design of the intended purpose. The sizing, location and appearance of the proposed sign have been incorporated into a cohesive design strategy for the site. The signage will not present as the dominant visual features of the proposed development.

• Does the proposal show innovation and imagination in its relationship to the site or building, or both?	<u>Comment:</u> Council is satisfied that this criterion has been adequately addressed.
6 Associated devices and logos with advertisements and advertising structures • Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	The location of the sign has been subject to a coordinated design process. <u>Comment:</u> Council is satisfied that this criterion has been adequately addressed.
7 Illumination • Would illumination result in unacceptable glare? • Would illumination affect safety for pedestrians, vehicles or aircraft? • Would illumination detract from the amenity of any residence or other form of accommodation? • Can the intensity of the illumination be adjusted, if necessary? • Is the illumination subject to a curfew?	No illumination is proposed. <u>Comment:</u> Council is satisfied that this criterion has been adequately addressed.
8 Safety • Would the proposal reduce the safety for any public road? • Would the proposal reduce the safety for pedestrians or bicyclists? • Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The signage is not located or positioned to impact the safety of any public road. The signage is not considered to reduce safety for pedestrians or bicyclist. The sign will not cause disruption of any sightlines from a public area. <u>Comment:</u> Council is satisfied that this criterion has been adequately addressed.

LEPs

Wingecarribee Local Environmental Plan 2010

The proposed development is subject to a number of sections under Wingecarribee LEP 2010, and these are discussed as follows

Clause & Provisions	Comment	Compliance
1.4 Definitions	The development is for the purposes of alterations and additions to an existing 'educational establishment', being a school known as 'Chevalier College'.	Compliant
2.3 Zone objectives and Land Use Table	The proposed development involves the construction alterations and additions to an existing educational establishment. The WLEP does not list "educational establishment" as prohibited in the R5 zoning of the property and is therefore permitted with consent.	Compliant

2.7 Demolition requires development consent	The proposal involves partial demolition of Mcgrath Hall. Appropriate conditions of consent have been recommended to ensure demolition is undertaken in accordance with the relevant Australian Standard.	Compliant
4.3 Height of buildings	No height of buildings has been adopted for the site.	N/A
4.4 Floor space ratio	No floor space ratio has been adopted for the site	N/A
4.6 Exceptions to development standards	None proposed.	N/A
5.10 Heritage Conservation	The subject site is a listed heritage item of local significance as per Schedule 5 of the WLEP, known as '<i>Chevalier College (former Riversdale group of buildings and garden)</i>' (1189). Council's Heritage Advisor reviewed the subject application and has determined it as satisfactory. See further assessment below.	Compliant
7.3 Earthworks	Minor cut is required to provide a building pad for the proposed new section of the McGrath Hall. As per Clause 7.3(1) of the WLEP, the proposed earthworks are not considered to have any detrimental impact on environmental functions, processes, neighbouring uses or features of the surrounding land. The Applicant provided an adequate Cut and Fill Plan indicating the indicative extent of earthworks. The matters under Clause 7.3 (3) have been addressed and no adverse impacts are envisioned.	Compliant
7.4 and 7.5 Natural Resources Sensitivity - Biodiversity and Water	The subject site is not located within the Regional Wildlife Habitat Corridor and therefore 7.4 does not apply. In addition, the site is not riparian land or land identified as "Natural Waterbodies" and 7.5 does not apply.	Compliant
7.10 Public Utility Infrastructure	Development consent must not be granted for development on land to which this clause applies unless the Council is satisfied that any public utility	Compliant

	infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required. Reticulated water supply and sewer is available to the site. Electricity is also available to the site. The existing and proposed utility infrastructure is adequate to support the proposed alterations and additions.	
--	--	--

DCP's

Bowral Township Development Control Plan

The subject site and proposed development are subject to the Bowral Township Development Control Plan (BTDCP). As per section 3.36(9) of the *State Environmental Planning Policy (Transport and Infrastructure) 2021*, the provisions of this Plan with respect to the proposed development are of no effect. Notwithstanding, an assessment of the applicable provisions in the BTDCP is undertaken as follows:

DEVELOPMENT CONTROL PLAN			
SECTION	CONTROL	ASSESSMENT	COMPLIANCE
PART A – ALL LAND			
Section 3 – Biodiversity			
A3.2 Flora & Fauna Assessment	Retain & protect native species, endangered ecological communities, threatened species, Koalas and protect wildlife corridors. Required where the development will potentially impact native vegetation & fauna.	Parts of the subject site, particularly within the western portion closer to Moss Vale Road, are identified as Biodiversity Values area on the Biodiversity Values Map and Threshold Tool. The application was accompanied by a Flora and Fauna Assessment Report (Apical Bushfire Planning, dated 24/03/2024). Council's Ecologist reviewed the application and provided the following comment: <i>'The FFA has provided sufficient information to justify that the Biodiversity Offset Scheme is not triggered by the proposed development and provides adequate information to determine that a native, remnant PCT does not</i>	Yes

		occur within the proposed development footprint. ELA is satisfied that a sufficient number of replacement plantings will be provided as landscaping trees, which will compensate for the loss of vegetation. The proposal has made a reasonable attempt to avoid and minimise impacts to biodiversity.' No further detailed assessment is required. Council's Ecologist recommended a number of conditions which have been incorporated into the following: ▪ Condition 29 (Fauna Protection) ▪ Condition 53 (Final Tree & Fauna Management Certification)	
Section 4 – Water Management			
A4.3 Development in Sydney's Drinking Water Catchments	In order to implement Objective (b) above, Council requires compliance with all aspects of the SEPP as they apply to the particular development. Applicants are advised to acquaint themselves with the SEPP as it relates to their development.	Concurrence has been provided by Water NSW and is to be included in any consent granted. WaterNSW is satisfied that the proposed development can achieve a neutral or beneficial effect (NorBE) on water quality and has provided appropriate Concurrence conditions for inclusion.	Yes
A4.5 Stormwater Management Plan	A Stormwater Management Plan report will be required by Council for all development that will result in: a) An increase in the impervious area of the site, or b) A change in the direction of overland flow The intent of the Stormwater Management Plan is to demonstrate that 'post	Council's Development Engineer reviewed the submitted Stormwater Concept Plans along with the other supporting documentation, and raised the following matters in relation to their assessment: • Concept stormwater management plan has been submitted and available from ECM. • Legal point of discharge: The development site falls	Yes

	development' overland water flows will not exceed 'pre development' flows in terms of: a) Volume, b) Quality (including nutrient content), and c) Direction, The Stormwater Management Plan must be prepared in accordance with Council's Engineering Design and Construction Specification.	towards the street. The applicant is proposing a pit and pipe system that will connect to the site network. This is satisfactory. Detention is not required according to engineering specification D09 because the increase imperviousness is not > 10%, the development site is a 'rural' site and not expected to cause impact downstream.	
A4.6 Erosion and Sediment Control Plans	Where building or earthworks are proposed, an Erosion & Sediment Control Plan must be provided to Council. Plans and all associated works must meet the Neutral or Beneficial Effect test and the water quality objectives using Current Recommended Practices contained in the State Environmental Planning Policy (Sydney Drinking Water Catchment 2011). Reference will also be required to the Landcom publication: Managing Urban Stormwater: Soils and Construction Vol 1, 4th Edition, Landcom, 2004.	Council's Development Engineer reviewed the application and recommended a number of erosion and sediment control conditions which have been included.	Yes
Section 7 – Subdivision, Demolition, Siting & Design			
A7.2 Demolition	(a) No demolition may occur on property which is an Item of Heritage, or is located within a Heritage Conservation Area, without the consent of Council. (b) An application for such demolition shall be accompanied by a Landscape Plan, prepared by someone considered by Council to be suitably qualified for such a task.	Development consent is sought for the demolition of the existing western portion of McGrath Hall. No demolition is sought to significant heritage fabric on the subject site. Standard conditions of consent relating to demolition have been recommended (Condition 6).	Yes

A7.3 Site Analysis	This section of the DCP contains various requirement for a Site Analysis to be provided with DAs.	A satisfactory site analysis has been provided.	Yes
A7.4 Cut & Fill	Cut & fill is consistent with LEP & stepping of development to accommodate contours of site.	As discussed previously within this report, minor cut is required to provide a building pad for the proposed new section of the McGrath Hall. As per Clause 7.3(1) of the WLEP, the proposed earthworks are not considered to have any detrimental impact on environmental functions, processes, neighbouring uses or features of the surrounding land. The Applicant provided an adequate Cut and Fill Plan indicating the indicative extent of earthworks. The matters under Clause 7.3 (3) have been addressed and no adverse impacts are envisioned.	Yes
A7.5 Shipping Containers	The installation of shipping containers on any site is prohibited unless approval has been for the conversion and subsequent for use as a residential building.	Not applicable.	N/A
A7.9 Alterations to Items of Heritage	Heritage Items are identified in Schedule 5 of Wingecarribee LEP 2010 and applicants are directed to this Schedule and to the provisions of Clause 5.10 of the LEP regarding Heritage Conservation in general. To protect and enhance the heritage value of the town, Council shall not	Council's Heritage Advisor provided a number of recommendations as part of the formal Pre-Lodgement process held with Council. Council's Heritage Advisor reviewed the scheme as part of the assessment process and has determined as follows:	Yes

	grant consent to the carrying out of development on any land to which this Clause applies unless it is satisfied that the development: (a) Is sympathetic to the retained elements of the Heritage Item and its setting in terms of setback, scale, building design and form, materials, proportion and spacing of openings, to achieve a subtle contrast between old elements and new. (b) Retains as much of the existing building fabric as is possible, particularly those elements which contribute towards the building's visual/heritage significance. (c) Minimises the modification to original door or window openings, spacings and proportions. (d) Removes any unsympathetic building elements, additions or accretions, including awnings on commercial buildings. (e) Reinstates the original facades and architectural elements. (f) Retains natural surface finishes, or applies colour schemes for external painting which reflect the relevant historical period. Cladding with modern finishes is not permitted.	• The changes provided to the proposal address the key issues in ensuring that the proposed works will have an acceptable impact upon the cultural heritage significance of the school and site; • No further recommendations are offered; • No conditions related to heritage matters are provided for the application. As such, the proposed development is supported on heritage grounds.	
--	---	---	--

A7.10 Development within the Vicinity of Heritage Items	Adequately set back to ensure Heritage Item is not dominated by new development. Compatible with architectural elements of nearby Heritage Item. Compatible with the average height, bulk and scale of buildings located on adjoining or nearby land.	Council's Heritage Advisor recognises that the proposed works would not result in any adverse impact to the cultural significance of the school or heritage item as included above.	Yes
Section 8 – Safer by Design			
A8.4 Specific Design Requirements	The principles of Safer by Design may be applied to both commercial and residential development. In particular, Council requires all development to demonstrate that it provides: a) Well-defined building entrances which are clearly visible from the street. Narrow or splayed entrances are preferable to deep-set entrance ways. b) Internal spaces must be open and visible, eliminating hidden corners. c) Walkways and connecting paths must be open with good visibility. d) Signs and vegetation should be located so that they do not create 'entrapment' points where people are hidden from view. e) On-site garaging must provide clearly defined exit points and be lit at night, both inside the garaging and around the entrance/exit points. Such lighting should be movement-activated lighting that focusses on the access areas.	The proposed alterations and additions will meet the principles for crime prevention through environmental design (CPTED). <u>Surveillance</u> - The alterations and additions are sited within existing building footprint and will maintain clear sightlines between school buildings and the public domain. <u>Access Control</u> - Security mechanisms and clear boundary delineation will assist. <u>Territorial Reinforcement</u> - The development will maintain a clear reinforcement between the school boundary and surrounding public domain. - The existing carpark to Charlotte Street is to remain, which sets a clear delineation of space on the site. - The proposed landscaping on the site is also considered to enhance reinforcement of private open space to the Charlotte Street frontage. <u>Space Management</u>	Yes

	f) Building entrances, walkways, connecting paths and garaging must be well lit in accordance with the provisions of Section A8 of this Plan to ensure that such lighting is down-ward focussed and effective without generating glare or annoyance beyond the area being lit.	The new building alterations are to be adequately maintained by the College to deter any antisocial behaviour.	
Section 9 – Construction Standards & Procedures			
A9.12 Waste Management and Disposal	A Waste Management Plan is required for all demolition works and /or construction works (with a value greater than \$50,000).	A Waste Management Plan has been prepared for this application and addresses demolition and construction works.	Yes
PART C – RESIDENTIAL ZONED LAND			
Section 11 – Educational Establishments			
C11.3 Development Controls	(a) A site analysis must be prepared as described in Section A3 of this Plan.	A satisfactory site analysis has been provided.	Yes
	(b) The position of the development on the site and front and side setbacks will be assessed with regard to any potential solar or visual impacts on neighbouring properties.	The proposed development retains the existing setback to the property boundary. The works are largely contained within existing building footprint and would not result in any adverse impact to solar access of any habitable rooms.	Yes
	(c) On residential-zoned land the maximum site coverage of all buildings shall not exceed 40% of the total site area.	The site has a total site area of 42.93ha and the site achieves a total building area of 25,090m ² equivalent to 5.84%.	Yes
	(e) The design of the development shall consider the projection of noise from various associated activities. A Noise Impact Assessment Statement indicating proposed noise levels prepared by a suitably qualified Acoustics Engineer may be considered necessary dependant upon the scale and location of the proposed development.	Council's Environmental Health Officer reviewed the application and raised no objection to the proposal subject to an operational noise condition which has been included.	Yes

	(f) A Traffic Impact Study shall be submitted along with the development application. The Study shall assess the impact of anticipated attendance figures on surrounding streets and the measures proposed to minimise any potential impacts. Where State Environmental Planning Policy No. 11 – Traffic Generating Developments (SEPP 11) applies, the report shall also be submitted to the Roads and Traffic Authority (RTA) for their assessment.	The proposal does not involve any changes to existing car parking numbers or arrangements on site. Council's Development Engineer reviewed the application and raised no objection in this regard. Traffic impacts have been adequately addressed in the submitted Statement of Environmental Effects.	Yes
	(g) On-site car parking shall be required at the rate of 1 space per 5m² of Gross Floor Area, or 1 space per 6 persons attending, whichever is the greatest. For further detail on car parking design, applicants are directed to Section A of this Plan.	Not applicable to this assessment as included above.	N/A
	(h) Landscaping must be provided in accordance with the requirements of Part A of this Plan.	Landscaping has been provided in accordance with the requirements of this Plan. Council's Tree Management Officer and Heritage Advisor have reviewed the Landscape plan, and have raised no objection subject to the recommended conditions of consent.	Yes

DRAFT INSTRUMENTS

There are no draft Environmental Planning Instruments relevant to the site or proposed development.

REGULATIONS

Building Demolition

Demolition work is proposed and subject to conditions of consent.

Fire Safety

Subject to conditions of consent.

Upgrading of Buildings

Subject to conditions of consent.

Temporary Structures

Not applicable to this proposal.

Deferred Commencement Consent

Not applicable to this proposal.

Modification or Surrender of Development Consent or Existing Use

Not applicable to this proposal.

Ancillary Development

Not applicable to this proposal.

BASIX

Not applicable to this proposal.

Designated Development

Not applicable to this proposal.

PLANNING AGREEMENTS

No planning agreement or draft planning agreement has been entered into or offered.

CONTRIBUTIONS

Developer contributions are not payable on the proposed development given there would not be an increase in gross floor area.

Impacts of the Development [s4.15(1)(b)]

Context & Setting

The proposed works are considered appropriate to the existing school (Chevalier College) which is set within an established residential area, characterised by predominantly low-density housing.

The alterations and additions to the existing school will remain compatible with the surrounding area and will have minimal impact in regard to adjoining properties and land uses, subject to compliance with recommended conditions of consent.

Access, Transport and Traffic

Council's Development Engineer has reviewed the proposal and raised no objection given the scope of the proposal, subject to conditions of consent.

Public Domain

It is considered that the proposal will have a negligible impact on the public domain given its setting.

Utilities

The site has adequate utility services to cater for the proposal.

Heritage

The subject site is a listed heritage item of local significance as per Schedule 5 of the WLEP, known as '*Chevalier College (former Riversdale group of buildings and garden)*' (I189).

- Council's Heritage Advisor reviewed the proposal and determined the works will have an acceptable impact upon the cultural heritage significance of the school and site. No conditions related to heritage matters were recommended in this instance.

As such, the development application is supported on heritage grounds.

Other Land Resources

The proposal will not have any negative impact on:

- Productive agricultural land.
- Mineral or extractive resources.
- Water supply catchments.

Flora and Fauna

Council's Ecologist and Tree Management Officer have reviewed the application, raising no objection to the proposal subject to conditions of consent.

Noise and Vibration

It is considered that the proposal will have a negligible impact in terms of noise and vibration, subject to compliance with recommended conditions of consent.

Natural Hazards

The subject site is not identified as containing any natural hazards.

Technological Hazards

There is no existing contamination on the subject site.

Social and Economic Impacts in the Locality

The likely social and economic impacts of the proposal are positive.

Cumulative Impacts

There would be no negative cumulative impacts as a result of the proposal.

Waste and Operational Management

It is considered suitable arrangements are proposed in relation to waste management during demolition and construction as well as operation of the development. Ongoing waste collection is to be covered by existing arrangements which is considered acceptable.

Suitability of the Site [S4.15(1)(c)]

The site is considered to be suitable for the development given the relevant planning matters related to the proposed use across the site have been considered and addressed throughout the assessment of

this application. The proposal has been considered by all relevant state agencies and Council and found to be supportable.

Submissions [S4.15(1)(d)]

The application was notified between 14 May 2025 and 13 June 2025.

No submissions were received.

The Public Interest [S4.15(1)(e)]

The proposal generally satisfies the prevailing planning controls and facilitates the '*orderly and economic use and development of land*' which is one of the objects of the *Environmental Planning and Assessment Act 1979*.

Accordingly, it is considered that approval of this application is in the public interest.

Conclusion and Recommendation

Following assessment of the development application, it is considered that all relevant matters have been addressed, and / or conditions imposed to ensure that any potential impacts are negated. It is considered that this report adequately addresses the impacts of the proposal in terms of health, visual amenity, suitability of the site, services and utilities, flora and fauna, traffic, and the many other areas identified above.

The development application has been assessed in accordance with the matters for consideration under section 4.15(1) of the *Environmental Planning and Assessment Act 1979*, and all relevant environmental planning instruments and Council policies, and is considered to comply with all relevant items.

It is recommended that the Southern Regional Planning Panel determine the development application pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979* by way of approval in line with the recommended conditions of consent outlined in and attached to this report.