



planning consultants

Statement of Environmental Effects

Staged Alterations and Additions to St Stanislaus' College

220 Bentinck Street, Bathurst



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Abbreviations

AHD	Australian Height Datum
AS	Australian Standard
BCA	Building Code of Australia
Block A	Gallagher wing
Block B	Horan wing
Block C	McAuliffe O'Reilly wing
Block D	Slattery wing
Block E	John Hall wing
Block F	John McMahon wing
Block G	Brothers wing
Block H	Agriculture wing
Block J	Performing arts centre and gymnasium
Block K	trade training centre
Block L	Old Infirmary
Block X	Technological and applied studies workshop
Block Y & Z	Demountable buildings
CC	construction certificate
CIV	capital investment value
College	St Stanislaus' College
Council	Bathurst Regional Council
DA	development application
DCP	development control plan
DFP	DFP Planning Proprietary Limited
DPE	NSW Department of Planning and Environment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2021</i>
EPI	environmental planning instrument
ET	equivalent tenements
FSR	floor space ratio
GFA	gross floor area
HIS	heritage impact statement
LEP	<i>Bathurst Regional Local Environmental Plan 2014</i>
LGA	local government area
RL	reduced level
RPP	regional planning panel
SEE	statement of environmental effects
SEPP	state environmental planning policy
STEAM	science, technology, engineering, arts and mathematics
TfNSW	Transport for NSW
WRPP	Western Regional Planning Panel

Executive Summary

The Development Application (DA) is for alterations and additions to St Stanislaus' College at 220 Bentinck Street, Bathurst. The proposed works are permissible pursuant to *State Environmental Planning Policy (Transport and Infrastructure) 2021* (SEPP TI).

St Stanislaus' College is a faith-based school that opened in 1867 and currently has approximately 700 students enrolled across Years 7 to 12 including approximately 90 boarding students.

The proposed development seeks to achieve the following aims:

- **Upgrades to College:** Significant refurbishment and upgrades to the College to enable the continued provision of education and boarding facilities.

The proposed alterations and additions are summarised as follows:

- **Internal Alterations:** including new library, administration area, boarding accommodation and facilities, staff areas, teaching facilities and student wellbeing area;
- **External Additions:** including the installation of four (4) lifts, balconies to the central courtyard, an access ramp to the principal pedestrian entrance and a new covered outdoor area;
- **Demolition:** including part of the Horan wing (Block B) and canteen/senior study rooms to create a larger undercroft (Block F); and
- **Staging:** The construction of the development in five (5) stages.

The staging of the works is to allow for the continued operation of the College during construction activities. However, the proposal is not a staged development or concept development application within the meaning of Division 4.4 of the *Environmental Planning and Assessment Act, 1979* (EP&A Act).

The Western Regional Planning Panel (WRPP) is the determining authority as the DA relates to an educational establishment (school) and the CIV of the proposed development is greater than \$5 million. Therefore, pursuant to Schedule 6 of *State Environmental Planning Policy (Planning Systems) 2021* (SEPP PS) the development is regionally significant development and the WRPP is the determining authority.

A Pre-DA meeting was held with Bathurst Regional Council on 29 March 2022 and a further meeting was held with Council on site on 30 May 2022. The matters raised during these meetings have been incorporated and addressed in plans and documents accompanying the DA (**Refer Section 2.3**).

The proposed development has been assessed against the relevant considerations under Section 4.15 of the EP&A Act (refer to **Section 5**). Key environmental assessment matters are:

- **Heritage:** A Heritage Impact Statement (HIS) accompanies the DA. The HIS provides a detailed assessment of heritage significance of the various buildings, considers the potential impact of the proposed works and provides mitigation measures to reduce impact. The HIS demonstrates compliance with the relevant statutory heritage provisions is achieved and the proposal will allow for the continued use and conservation of the landmark St Stanislaus' College buildings.

The DA is accompanied by a Clause 4.6 written request to vary the maximum height of building applying to the land under the *Bathurst Regional Local Environmental Plan 2014* (LEP). The maximum height proposed is 14.7m where the development standard is 9.0m. The written request demonstrates compliance with the development standard is unreasonable and unnecessary in this instance and that there are sufficient environmental planning grounds to justify the contravention of the standard including retention of heritage fabric, accessibility and fire egress, location of the breach minimising visual impact and the use of suitable materials to minimise bulk and scale.

The proposal is considered to satisfactorily respond to the opportunities and constraints of the site and the relevant legislation, is unlikely to result in adverse impacts in the locality and is worthy of approval by Western Regional Planning Panel.

1 Introduction

1.1 Commission

DFP has been commissioned by St Stanislaus' College to prepare a Statement of Environmental Effects (SEE) for the proposed development at 220 Bentinck Street, Bathurst (the site).

This report is to accompany a DA to Bathurst Regional Council (Council) for the proposed development comprising:

- **Internal Alterations:** including new library, administration area, boarding accommodation and facilities, staff areas, teaching facilities and student wellbeing area;
- **External Additions:** including the installation of four (4) lifts, balconies to the central courtyard, an access ramp to the principal pedestrian entrance and a new covered outdoor area;
- **Demolition:** including part of the Horan wing (Block B) and canteen/senior study rooms to create a larger undercroft (Block F); and
- **Staging:** The construction of the development in five (5) stages.

The proposed development is permissible with the development consent in the SP2 Infrastructure (Multiple Uses) Zone (the SP2 Zone) pursuant to the LEP and SEPP TI.

1.2 Purpose of this Statement

The purpose of this report is to provide Council and Western Regional Planning Panel with all relevant information necessary to assess the subject development proposal and to determine the DA in accordance with section 4.16 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the *Environmental Planning and Assessment Regulation 2021* (the Regulation).

1.3 Material Relied Upon

This SEE has been prepared by DFP based on the information listed below and a site inspection undertaken on 30 May 2022.

- Survey Plan (*prepared by Craig Jaques & Associates*);
- Architectural Plans (*prepared by Stanton Dahl Architects*);
- Design Statement (*prepared by Stanton Dahl Architects*);
- 3D Flythrough – New Library (*prepared by Stanton Dahl Architects*);
- Heritage impact Statement/Assessment (*prepared by Umwelt*);
- Access Statement (*prepared by Vista Architects*);
- BCA Statement (*prepared by Chris Dan*); and
- Quantity Surveyors Report (*prepared by Wilde and Woollard*).

2 Background

2.1 St Stanislaus' College

St Stanislaus College was established in 1867. As the College population grew plans were developed for a purpose-built facility which was constructed on the current site and occupied by the College in 1873. The college is the oldest Catholic boys' boarding school in Australia.

2.2 Previous Development Consents

Bathurst Regional Council provided a record of the development consent records for St Stanislaus' College from 1940 onwards which is summarised below:

- **1940** – Extensions to St Stanislaus' College (BAB1940/0057).
- **1951** – Extensions to St Stanislaus' College (BAB1951/0186).
- **1971** – Science Laboratory (BAB1971/0178) and additions to school (BAB1971/0061).
- **1973** – Library and additional classrooms (BAB1973/0232).
- **1974** – Temporary classroom (BAB1974/0011).
- **1978** – Extensions to art room (BAB1978/0008).
- **1979** – Additions to shed (BAB1979/0008).
- **1980** – Additions and alterations to boarding area (BAB1980/0418).
- **1982** – New classrooms (BAB1982/0440), alterations to dormitories (BAB1982/0104) and fire stairs (BAB1982/0003).
- **1986** – Springboard and swimming pool fence (BAB1986/0031).
- **2003** – Fire alarm monitoring system (DA2003/0834) and shelter for seats (DA2003/0653).
- **2004** – Convert auditorium to dormitory accommodation (DA2004/0514).
- **2008** – Two temporary marquees for festival (DA2008/0705).
- **2010** – New classrooms and workshop (DA2010/369), kitchen refurbishment (DA2010/804) and internal alterations to dormitories (DA2010/0803).
- **2012** – Internal alterations to dormitory accommodation (DA2012/89, DA2012/0558) and scoreboard (DA2012/0162).
- **2016** – Rooftop solar panel installation (DA2016/0024).

2.3 Pre-DA Meetings

2.3.1 Pre-DA Meeting

On 29 March 2022, a pre-DA meeting was held with Council Officers. A summary of the comments and response is provided in **Table 1**.

Table 1 Response to Pre-DA Meeting Comments		
Discipline	Commentary	Response
Heritage	<i>The competing forces of access compliance, fire compliance and heritage considerations need to be carefully balanced.</i>	Addressed – Refer to Section 5.2.3 .
	<i>The preliminary plans propose substantial alterations to the fabric of the Horan and McAuliffe / O'Reilly wings. Further discussion will be required as to the appropriateness of these alterations once more information is available through the investigations undertaken by</i>	Addressed – Refer to Section 5.2.1 .

2 Background

Table 1 Response to Pre-DA Meeting Comments

Discipline	Commentary	Response
	<i>the Heritage Consultant and Structural Engineer.</i>	
Access	<i>The main entrance into the Marble Hall will need to be made fully accessible should it be proposed to be the principal public entrance. Noting that this may require a considered design that addresses and is sympathetic to the historical fabric and sense of place of this entrance.</i>	Addressed – Refer to Section 5.2.2 .
Capacity	<i>The optimum number of students for operation of the College is 700. The College has operated at 900 students in the past. There is no intention to increase student numbers above 700 at the present time.</i>	Addressed - The proposed development does not seek any change to the existing student numbers as detailed at the Pre-DA Meeting.
	<i>The current number of boarders is 87 with a plan to increase to 120.</i>	Addressed – The proposed development seeks to provide a boarding capacity of 120.
Development Contributions	<p><i>Development Contributions may be payable for:</i></p> <ul style="list-style-type: none"> - Water Headworks; and - Sewer Headworks. <p><i>The above contributions would be payable in the circumstances where there is an overall increase in the student capacity of the College or an increase in the overall number of Equivalent Tenements (ET)... It is requested that student capacity and ETs be addressed in the application so that Council can determine the applicability of the contributions.</i></p>	Addressed - Refer to Section 5.1.8 .
DA Documentation Requirements	<p>1. Full Architectural Plan Package; 2. Statement of Environmental Effects; 3. Statement of Heritage Impact (SoHI) (HIS) – <i>The SoHI is to clearly identify the significance of any fabric to be altered and should discuss how any impacts on this fabric has been mitigated.</i></p>	Addressed - Refer to Section 1.3 for list of documents and plans accompanying the DA.

2.3.2 Second Pre-DA Meeting (Heritage Specific)

On 30 May 2022, a second on-site pre-DA meeting was held with Council Officers and the applicant to discuss heritage impacts specifically including a site walk-over. The detail contained within the HIS accompanying the DA, and the 3D flythrough of the new library, provide the detail requested at this second meeting.

3 Site Context

The site context is described in relation to the surrounding development (**Section 3.1**), the College (**Section 3.2**) and the development area within the College (**Section 0**).

3.1 Surrounding Development

An aerial photograph of development surrounding the site is shown in **Figure 1**.

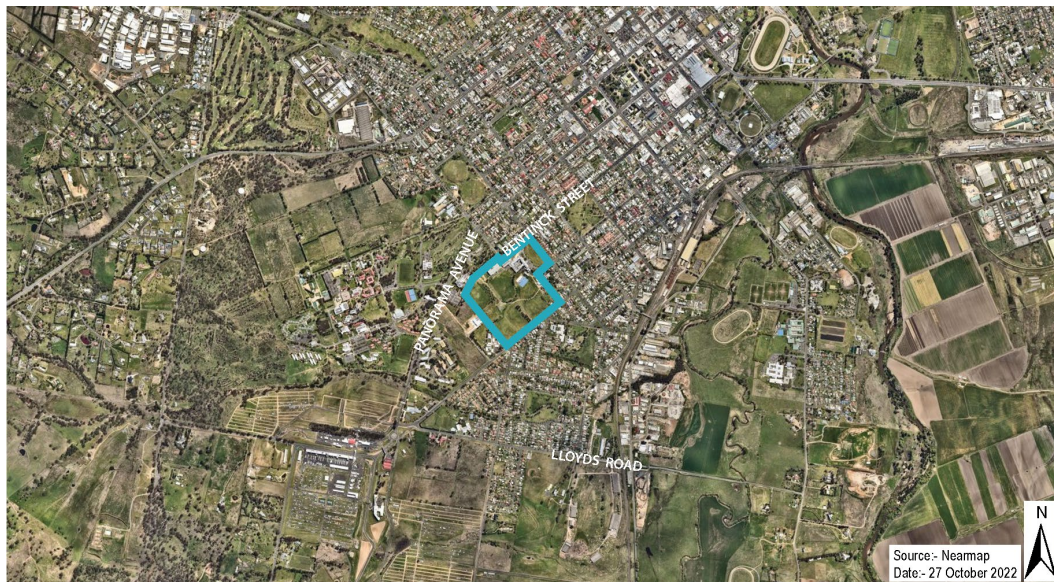


Figure 1 Surrounding Development

3.1.1 Residential

Single detached residential development characterises development to the north-east and south-east of the site.

3.1.2 Education, Health and Technology Precinct

To the south-west of the site is located Bathurst South Public School and Bathurst TAFE which forms part of an Education, Health and Technology Precinct. This Precinct also includes Charles Sturt University, Forestry Corporation of NSW and the Environment Protection Authority.

3.1.3 Mount Panorama

Further to the south-west of the site (approximately 1000 metres) is the Mount Panorama Motor Racing Circuit.

3.1.4 Vision Bathurst 2040

The surrounding development is described generally in Bathurst Regional Council's Local Strategic Planning Statement (LSPS) entitled 'Vision Bathurst 2040'. The LSPS describes the surrounding development in general terms as shown in **Figure 2**. The College site is outlined in blue in **Figure 2**.

3 Site Context

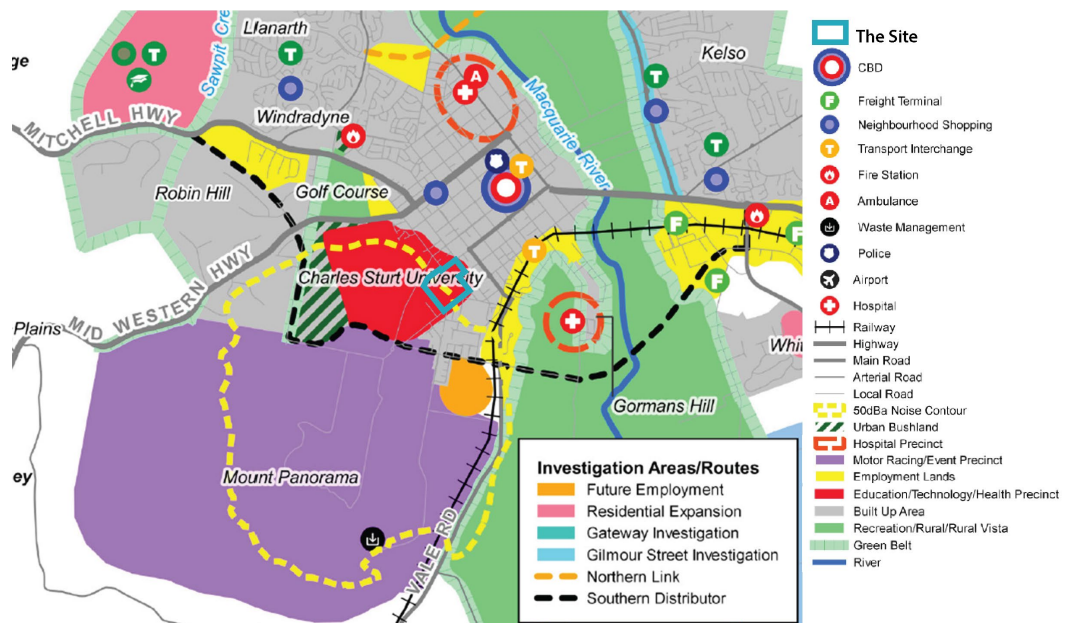


Figure 2 Excerpt from Bathurst City Structure Plan (Source: Vision Bathurst 2040)

3.1.5 Topography

The topography of the locality is characterised by the low point at Macquarie River (RL 650), which rises in a westerly direction to the site (RL 706) and rises further in a westerly and south-westerly direction to the peak of Mount Panorama (RL 870).

3.2 St Stanislaus' College

3.2.1 College Location

The College is located at 220 Bentinck Street, Bathurst on the south-western edge of Bathurst City Centre (see Figure 3).

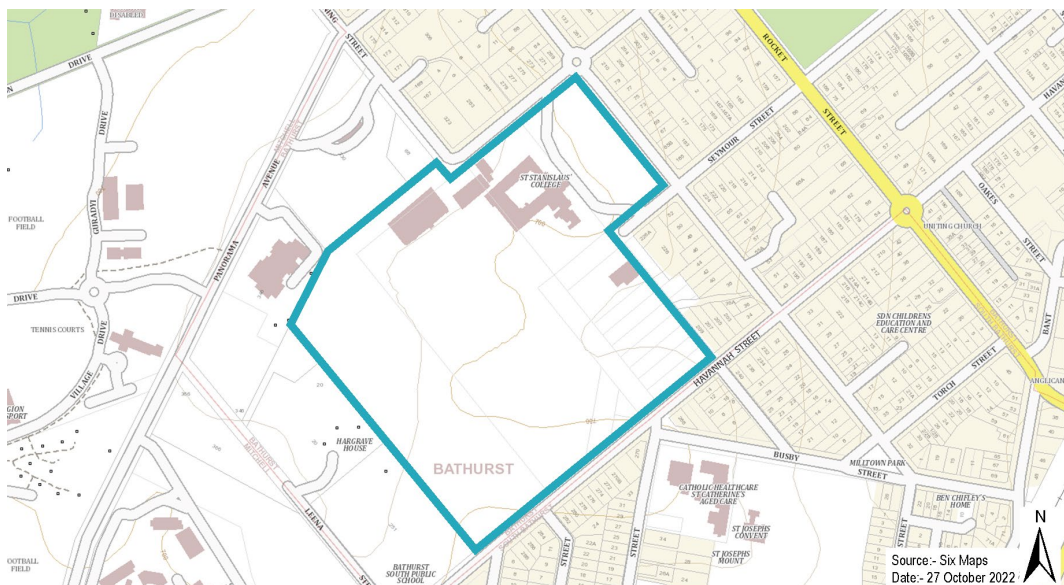


Figure 3 Site Location

3.2.2 College Allotments

The College is located across 17 allotments including:

- Lots 1-2, Section 118, DP758065
- Lots 11-17, Section 117 DP758065

3 Site Context

- Lot 161 DP750357
- Lot 226 DP750357
- Lot 249 DP 750357
- Lots 1-4 DP 132171
- Lot 100 DP 1163597

The College has a total site area of approximately 212,500m².

3.2.3 Street Frontages

Street Frontages

The College has the following street frontages:

- **Bentinck Street:** North of the site including the principal vehicular entrance to the College.
- **Brilliant Street:** North-east of the site. The main College building is orientated towards Brilliant Street overlooking the residential area and Bathurst City Centre.
- **Seymour Street:** North-east of the site, intersecting with Brilliant Street, including a second vehicular egress point and service vehicle access points.
- **Havannah Street:** South-east of the site adjacent to open space/playing fields and containing security fencing the entire frontage with no vehicular access points.

3.2.4 College Layout

An aerial photograph of the College is provided in **Figure 4**. The main College buildings (and the area of the proposed works) is located in the northern part of the site fronting Bentinck and Brilliant Streets. The remainder and majority of the site to the south, east and west is open playing fields and landscaped areas.



Figure 4 Site Context

3.2.5 Building Layout

The College building layout is shown in **Figure 5** and described in **Table 2** (the buildings subject to this DA are shaded green in **Table 2**).

3 Site Context

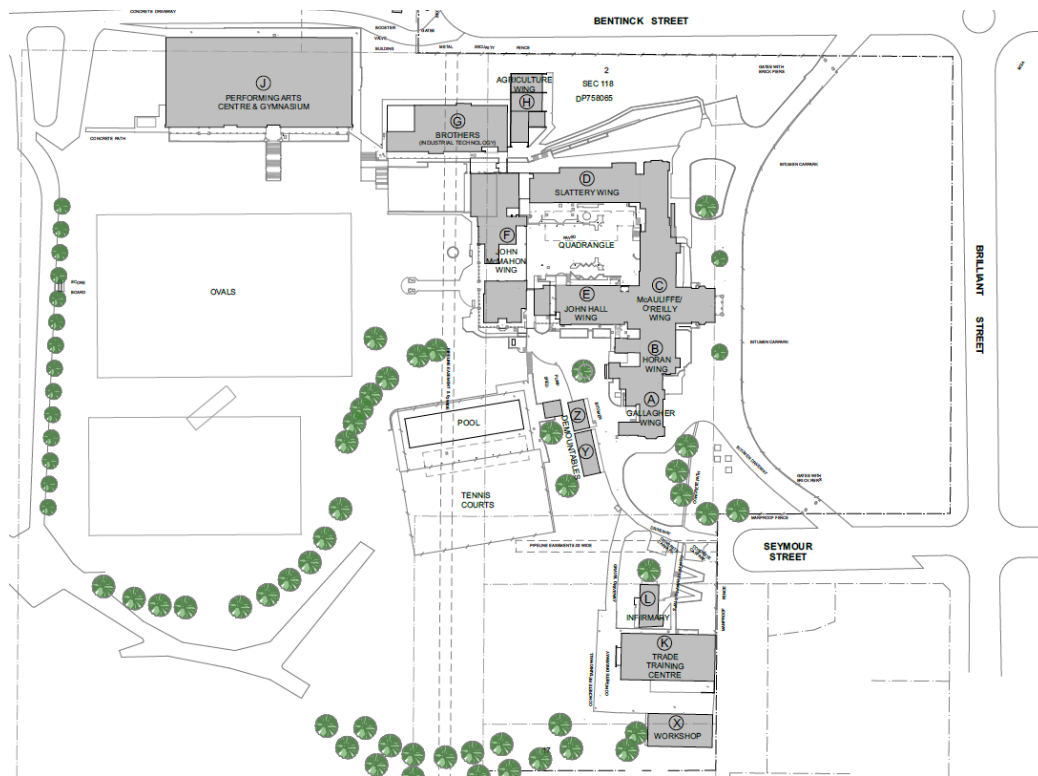


Figure 5 College Building Layout (Source: Stanton Dahl)

Table 2 College Building Layout (Existing Uses)

Building	Name	Description
A	Gallagher Wing	Building A is three storeys (with mezzanine) and is presently used principally for boarding uses including refectory, dormitory and recreation uses. Other uses include staff laundry, staff accommodation and records storage.
B	Horan Wing	Building B is three storeys and is presently used for staff/meeting rooms and senior's refectory on the ground floor, Vincentian father's accommodation and facilities on the first floor, and boarding dormitory on the second floor.
C	McAuliffe/O'Reilly Wing	Building C is three storeys and is presently used for the Marble Hall and staff administration on the ground floor, the chapel and Vincentian father's accommodation and facilities on the first floor, and boarding dormitory and the chapel void and choir risers on the second floor.
D	Slattery Wing	Building D is two storeys and is presently used for an infirmary and science learning areas on the ground floor and boarding dormitory and learning centre/common room on the first floor.
E	John Hall Wing	Building E is four storeys (including a basement level) and is presently used principally for boarding accommodation. Other uses include music practice rooms, a book room and archives.
F	John McMahon Wing	Building F is three storeys and includes the library, senior study area, canteen, undercroft, uniform shop, and ceramics on the ground floor; learning spaces on the first floor; and learning and staff areas on the second floor.
G	Brothers Wing	Building G is two storeys and includes Technological and Applied Studies (TAS) learning areas.
H	Agriculture Wing	Building H is single storey and includes Agriculture learning areas and plots.

3 Site Context

Table 2 College Building Layout (Existing Uses)

Building	Name	Description
J	Performing Arts Centre and Gymnasium	Building J is two storeys and includes both performing arts learning areas and indoor recreation (gymnasium) uses.
K	Trade Training Centre	Building K is two storeys and includes trade training facilities.
L	Infirmery	Building L is single storey and was formerly used as the infirmery.
X	Workshop	Building X is two storeys and includes Technological and Applied Studies (TAS) learning areas.
Y	Demountable	Building Y is a single storey demountable building.
Z	Demountable	Building Z is a single storey demountable building.

3.2.6 Existing Operational Details

Table 3 summarises the existing operational details of the College.

Table 3 Existing Operational Details

Item	Existing
Cohort	Year 7 to 12
Current Enrolment	Approximately 690 students
Staff	100
Core School Hours	8:55am to 3:25pm
Current Boarding Enrolment	Approximately 90 students (included in 690 total enrolment).
Access and Transport	<p>The school is serviced by the local road network facilitating student pick-up/drop-off on-site and access to on-site staff parking. Student pedestrian entry points to the College are via the southern and northern sides of Block F.</p> <p>School bus routes by the Bathurst Buslines Group service St Stanislaus' College in the morning and afternoon as follows:</p> <ul style="list-style-type: none"> • Morning Routes: S701, S702, S704, S705, S706, S707, S708, S711, S712, S714, S716, S717, S720, S722, S724 • Afternoon Routes: S731, S732, S734, S735, S736, S737, S740, S742, S744, S747, S749, S750, S751. <p>School bus routes by the Lithgow Buslines Group service St Stanislaus' College in the morning and afternoon as follows:</p> <ul style="list-style-type: none"> • Morning Routes: 6 • Afternoon Routes: 6, 13

3 Site Context

3.3 Development Area

3.3.1 Location of Proposed Development

The College buildings subject of the proposed development are located on Lot 2, Section 118, DP 758065 and partially located on Lot 161 DP750357 (**Figure 6**).



Figure 6 Site Context – Development Area

The proposed development relates to Buildings A to F as shown in **Figure 7**.

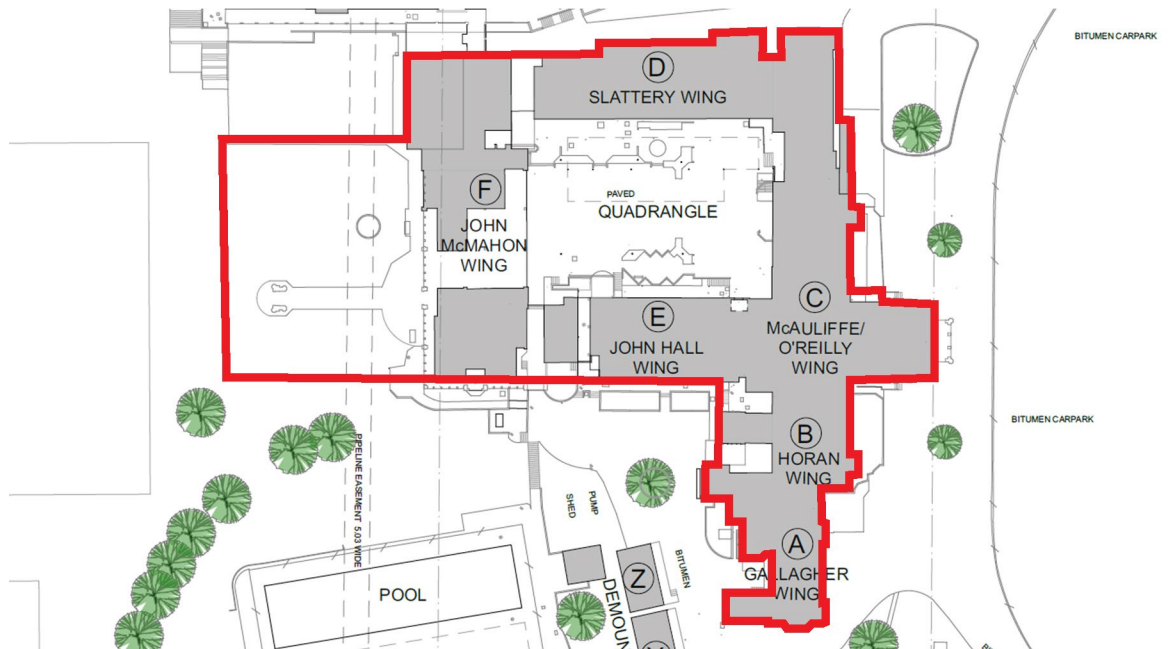


Figure 7 Development Area Buildings

3.3.2 Periods of Construction

The development area buildings are interconnected but have differing periods of construction as detailed in **Figure 8**.

3 Site Context

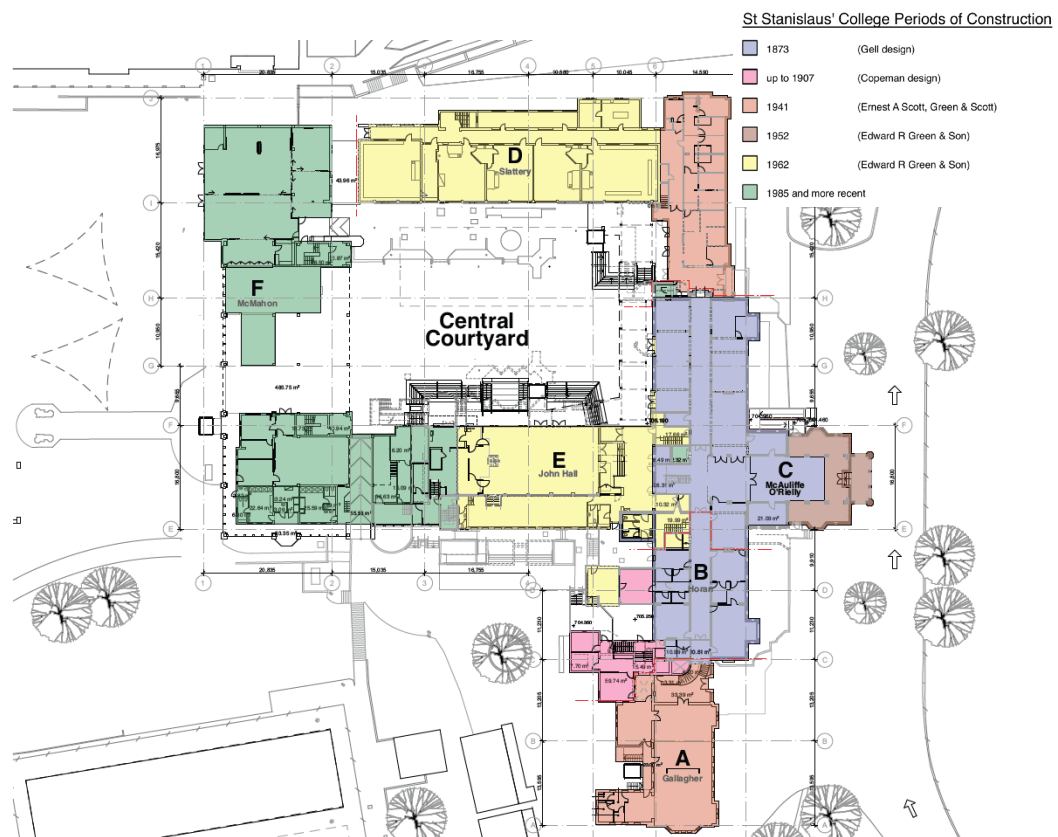


Figure 8 Diagram of Periods of Construction

The periods of construction are as follows:

- **1873** - Block C (Central) and Block B;
- **1907** – Part of Rear of Block B;
- **1941** – Block C (North) and Block A;
- **1952** – Block C (Central Entrance);
- **1962** – Block D and Block E
- **1985** – Block F

3.3.3 Built Form

The existing built form of the development area buildings is described as ranging from two to four storeys around a central courtyard.

The development area buildings primarily address the north-eastern boundary of the site, towards Brilliant Street, with an aspect over Bathurst City.

The primary façade is characterised by the central entrance featuring the chapel at the first and second storey and its distinctive arched windows. The roof of the central entrance is a gable roof with a ridgeline line running in a north-east/south-west direction.

This contrasts to the adjoining parts of the primary façade which step from three storey to two storey elements and have a roof ridgeline running in a north-west/south-east direction.

The façade is also characterised by the large spired bell tower offset behind the central entrance and lower height spires at the ends of the adjoining three storey elements.

The primary façade is detailed on the cover of this SEE and replicated in **Figure 9** below.

3 Site Context



Figure 9 Primary Façade

3.3.4 Site Inspection

A site inspection was undertaken on 30 May 2022 (see **Figure 10** to **Figure 17**).



Figure 10 Location of Proposed Accessible Ramp (northern side of Block C – Marble Hall)



Figure 11 Block C - Internal Courtyard Façade

3 Site Context



Figure 12 Block E – Internal Courtyard Façade



Figure 13 Block E Basement Level – Internal Courtyard Façade

3 Site Context



Figure 14 Block F – Internal Courtyard Façade



Figure 15 Block F Rear Façade and Adjacent Open Space

3 Site Context



Figure 16 Block C Ground Level



Figure 17 Rear of Horan Wing

4 Proposed Development

4.1 Summary of Proposed Development

The proposed alterations and additions are summarised as follows:

- **Internal Alterations:** including library, administration, boarding accommodation and facilities, staff areas, teaching facilities and a wellbeing centre;
- **External Additions:** including the installation of four (4) lifts, balconies, access ramp to the principal pedestrian entrance and a new covered outdoor area;
- **Demolition:** including part of the Horan wing (Block B) and canteen/senior study rooms to create a larger undercroft (Block F); and
- **Staging:** The construction of the development in stages.

4.2 Internal Alterations

4.2.1 Marble Hall and Entry Foyer

Internal alterations are proposed to relocate the principal pedestrian entrance to the Marble Hall. The Slattery Museum will be retained and unaltered by the proposal. Internal alterations are proposed replacing the parlour office with an interview room and the taxidermy displays (to be relocated within the school) with a reception (southern side) and entry to the new central learning hub (northern side).

4.2.2 Library

Internal alterations are proposed to create a central learning hub/library on the ground floor of Block C replacing existing administration areas. This will entail some demolition of internal walls. The new library extends into the southern return of Block D.

4.2.3 Administration

Existing administration areas are proposed to be relocated to the southern end of Block C and in Block B.

4.2.4 Boarding Accommodation and Facilities

Accommodation

The proposed development seeks to rationalise the existing boarding accommodation to locate all boarding areas on the first and second floors across Blocks B, C and E. The boarding accommodation will remove the Vincentian accommodation (currently unused) in proximity to boarding accommodation.

The proposed development includes six boarding dormitories comprising a total of 120 beds as follows:

- Three dormitories are located on the first floor and include:
 - **Dormitory 1:** 16 bed capacity
 - **Dormitory 2:** 17 bed capacity
 - **Dormitory 5:** 21 bed capacity
- Three dormitories are located on the second floor and include:
 - **Dormitory 3:** 20 bed capacity
 - **Dormitory 4:** 20 bed capacity
 - **Dormitory 6:** 26 bed capacity

4 Proposed Development

Facilities

The proposed internal alterations provide improved boarding facilities within Block E including a boarding activity space at the basement level (replacing dormitories) and a new boarding kitchen and dining area at ground level (replacing dormitories).

4.2.5 Staff Areas

The proposed internal alterations relocate and create a staff hub and boarding staff accommodation within Block A replacing a boarder's refectory, dormitory and recreation area.

4.2.6 Teaching Facilities

The proposed internal alterations create new teaching facilities principally within Block F including:

- **Ground Level:** Science Technology Engineering Arts and Mathematics (STEAM) Hub (north of undercroft) replacing the library and senior study area; and uniform shop and food technology teaching facilities altering the existing ceramics/uniform shop.
- **First Floor Level:** General Learning Areas (GLAs), seminar rooms and IT replacing learning spaces, staff offices, art and altering the IT layout.
- **Second Floor Level:** GLAs and seminar rooms replacing learning spaces and staff rooms.

It is noted no internal alterations are proposed to the central wing of Block D.

4.2.7 Wellbeing Centre

The proposed internal alterations will create a new wellbeing centre within Block D including new infirmary rooms at the ground level and staff areas for wellbeing staff including counsellor, careers, chaplain, learning supports, year co-ordinators and Aboriginal education at the first floor level.

4.3 External Additions

4.3.1 Lifts

The proposed external additions include the installation of four (4) lifts as shown in **Figure 18** to **Figure 21**.



Figure 18 Elevation of Proposed Lift to Block F

4 Proposed Development



Figure 19 Elevation of Proposed Lift to Block A

4.3.2 Balconies

The proposed external additions include the installation of balconies facing the central (internal) courtyard.



Figure 20 Elevation of Proposed Balcony (Rear of Block C)

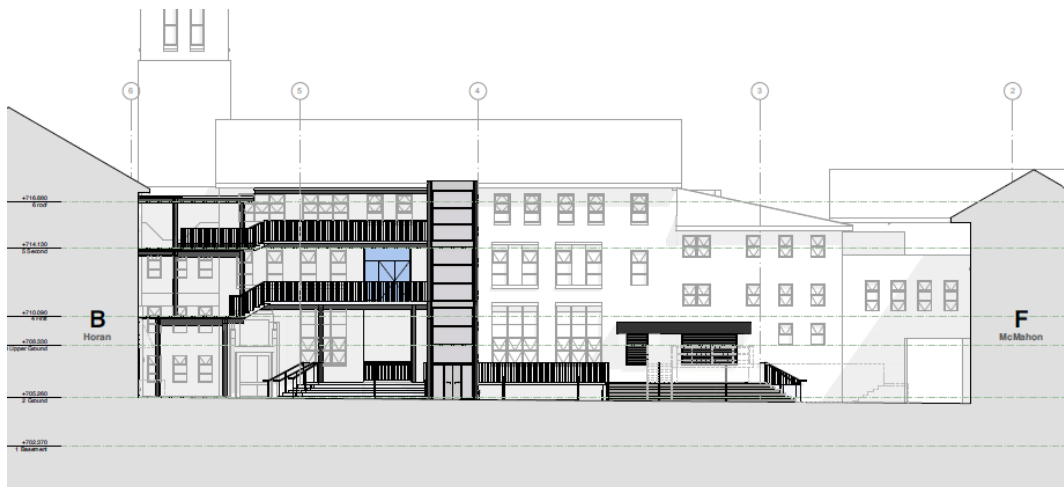


Figure 21 Elevation of Proposed Balcony (Rear of Block E)

4 Proposed Development

4.3.3 Accessible Entrance

The proposed external additions include a new accessible entrance to Building C as shown in **Figure 22**.

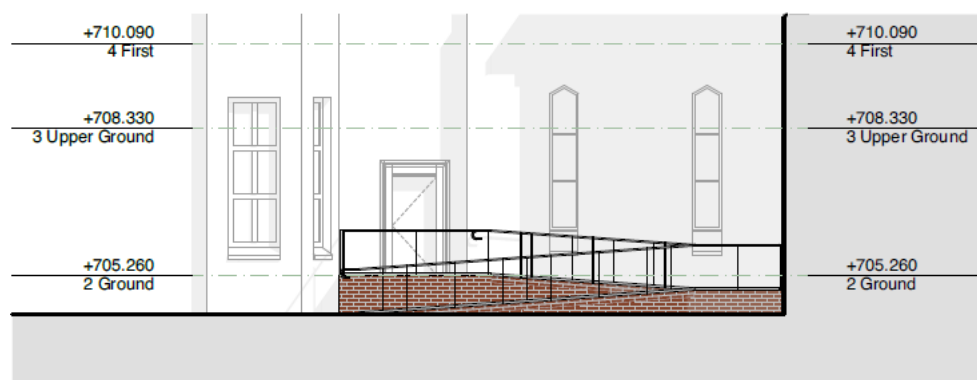


Figure 22 Elevation of Proposed Accessible Entrance

4.3.4 Covered Outdoor Area

The proposed external additions include a new covered outdoor area to the rear of Block F

4.4 Demolition

4.4.1 Canteen and Senior Study

To facilitate the expansion of the undercroft area to Building F, the canteen and senior study rooms are proposed to be demolished (Refer to **Section 3.3.2** for period of construction – 1985).

4.4.2 Part of Horan Wing

To facilitate improved College circulation, a single storey part of the Horan wing is proposed to be demolished (refer to **Section 5.2.1** for heritage assessment) and **Figure 17** for photograph.

4.5 Staging

The proposed alterations and additions are proposed to be undertaken in stages to allow for the continued operation of the College. The proposal is not a staged development or concept development application within the meaning of Division 4.4 of the *Environmental Planning and Assessment Act, 1979* (EP&A Act).

Error! Reference source not found. summarises the proposed phasing of the alterations and additions to the College.

Table 4 Staging

Phase	Level	Details
1	Ground	<u>Block B</u> : Welcome Hub <u>Block C</u> : Wellbeing Centre and Central Learning Hub <u>Block F</u> : STEAM Hub, COLA and Food Tech, BBQ Area
	First	<u>Block C</u> : Boarding Dormitory 1 <u>Block F</u> : GLA Inquiry Hub
	Second	<u>Block F</u> : GLA Enquiry Hub
2	Ground	<u>Courtyard/Block A</u> : New External Circulation
	First	<u>Block A</u> : Staff Room <u>Block B</u> : Boarding Dormitory 2
	Second	<u>Block A</u> : Boarding Staff Accommodation <u>Block B</u> : Boarding Dormitory 4

4 Proposed Development

Table 4 Staging

		<u>Block C</u> : Boarding Dormitory 3
3	Ground	<u>Block E</u> : Boarding Dining Room, Kitchen and Terrace <u>Courtyard</u> : Lift Circulation (excluding Block F – Phase 1)
	First	<u>Block C</u> : Support Services <u>Block E</u> : Boarding Dormitory and Verandah
4	Basement	<u>Block E</u> : Boarding Activity Space
	Second	<u>Block E</u> : Boarding Dormitory 6
5	Ground	<u>Block A</u> : Staff Development Hub

4.6 Operational Details

The proposed development does not seek to alter the operational details of the College. The proposal is a refurbishment only and reallocates existing component uses within the College buildings to provide modern, open and transparent educational and boarding spaces. As such, no limitation on capacity is requested/required as part of the proposed development.

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This section provides an environmental assessment of the proposed development in respect of the relevant matters for consideration under section 4.15(1) of the *Environmental Planning and Assessment Act, 1979* (EP&A Act).

5.1 Planning Controls

The following subsections assess the proposal against the relevant provisions of applicable Environmental Planning Instruments (EPIs), Draft EPIs, Development Control Plans (DCPs), Planning Agreements and matters prescribed by the Regulation in accordance with section 4.15(1)(a) of the EP&A Act.

5.1.1 Environmental Planning and Assessment Regulation 2021

Section 32 - Extract of development application for erection of building

The DA is accompanied by plans which identify the applicant and the land to which the application relates and the additions to the building including proposed height and external configuration of the site.

Section 61 - Australian Standard AS2601 – Demolition of Structures

In accordance with Section 4.15(i)(a)(iv) of the EP&A Act and Section 61 of the Regulation, the Proposal must be assessed against the provisions of AS2601 as it involves demolition of buildings. Compliance with AS2601 can be achieved by way of conditions of consent.

Section 64 – Consent authority may require upgrade of buildings

In accordance with Section 4.15(i)(a)(iv) of the EP&A Act and Section 64 of the Regulation, the consent authority must consider whether it is appropriate to require the existing building to be brought into total or partial conformity with the *Building Code of Australia* as the proposed building work represents more than half of the total volume of the building. The applicant requests review of any draft condition/s regarding Section 64 of the Regulation noting the requirement to not be inconsistent with the Heritage Impact Statement (HIS) recommendations, which may require a performance solution to address the provisions of *Building Code of Australia*.

5.1.2 State Environmental Planning Policy (Planning Systems) 2021 (SEPP PS)

The proposal is Regionally Significant Development (RSD) under SEPP PS.

Schedule 6 of SEPP PS includes the following [**bold text is our emphasis**]:

5 Private infrastructure and community facilities over \$5 million

Development that has a capital investment value of more than \$5 million for any of the following purposes—

- (a) *air transport facilities, electricity generating works, port facilities, rail infrastructure facilities, road infrastructure facilities, sewerage systems, telecommunications facilities, waste or resource management facilities, water supply systems, or wharf or boating facilities,*
- (b) *affordable housing, child care centres, community facilities, correctional centres, **educational establishments**, group homes, health services facilities or places of public worship.*

The proposal meets the criteria for RSD as the capital investment value of the proposed works to St Stanislaus' College will be greater than \$5 million.

Accordingly, the DA will be required to be determined by the Western Regional Planning Panel.

5.1.3 State Environmental Planning Policy (Resilience and Hazards) 2021 (SEPP RH)

SEPP RH relates to remediation of contaminated land and requires, amongst other things, investigations to be undertaken as part of the development assessment process, to determine

5 Environmental Planning Assessment

whether the subject land is likely to be contaminated and if so, what remediation work is required.

The development area has been used for school purposes and there is no known other use of the development area that would warrant contamination reporting. For these reasons, the mandatory considerations for the consent authority are met and SEPP RH satisfied.

5.1.4 State Environmental Planning Policy (Biodiversity and Conservation) 2021 (SEPP BC)

Chapter 4 of SEPP BC applies to the site as it is located within the Bathurst Regional Council Local Government Area which is listed in Schedule 2 of SEPP BC.

Section 4.9 applies as the site has an area of at least 1 hectare (including adjoining land within the same ownership) and does not have an approved koala plan of management applying to the land.

Section 4.9(2) requires the consent authority to assess whether the development is likely to have any impact on koalas or koala habitat.

Given the proposed development relates to the existing College buildings, the consent authority can be satisfied the development would likely have low or no impact on koalas or koala habitat and therefore the mandatory considerations of SEPP BC have been satisfied.

5.1.5 State Environmental Planning Policy (Transport and Infrastructure) 2021 (SEPP TI)

Table 5 provides a summary assessment of the proposed development against the relevant provisions of SEPP TI

Table 5 Assessment against Relevant Provisions of SEPP TI		
Provision	Assessment	Consistent
3.36 – Schools – development permitted with consent		
<i>(1) Development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone.</i>	The land is zoned SP2 Infrastructure. SP2 Infrastructure is a prescribed zone. The development is for the purpose of a school. The development is therefore permitted with consent.	Yes
<i>(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—</i> <i>(a) the design quality of the development when evaluated in accordance with the design quality principles set out in Schedule 8, and</i> <i>(b) whether the development enables the use of school facilities (including recreational facilities) to be shared with the community.</i>	The proposed development is of a kind referred to in subsection (1). A Design Statement prepared by Stanton Dahl and accompanying the DA demonstrates design quality is achieved in accordance with the design quality principles set out in Schedule 8. No change is proposed to the current uses of the school.	Yes
<i>(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</i>	The proposed development is of a kind referred to in subsection (1). The DCP is of no effect where it specifies a requirement, standard or control.	Yes

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Table 5 Assessment against Relevant Provisions of SEPP TI

Provision	Assessment	Consistent
<i>development control plan was made.</i>		
3.58 – Traffic-generating development		
<p><i>(1) This section applies to development for the purpose of an educational establishment -</i></p> <p><i>(a) that will result in the educational establishment being able to accommodate 50 or more additional students, and</i></p> <p><i>(b) that involves—</i> <i>(i) an enlargement or extension of existing premises, or</i> <i>(ii) new premises,</i></p> <p><i>on a site that has direct vehicular or pedestrian access to any road.</i></p>	<p>The proposed development seeks to upgrade an existing school and is not for the purposes of enlargement or extension of existing premises. Accordingly, Section 3.58 does not apply and a referral to TfNSW is not required.</p>	Yes

5.1.6 Bathurst Regional Local Environmental Plan 2014 (LEP)

Table 6 provides a summary assessment of the proposed development against the relevant provisions of the LEP.

Table 6 Assessment against Relevant Provisions of the LEP

Provision	Assessment	Consistent
2.2 – Zoning	<p>The land is zoned SP2 Infrastructure (Education, Public Administration).</p> <p>An excerpt of the LEP Zoning Map is provided at Figure 23.</p> <p>The proposed development is for education purposes (a school) which is permitted with consent on the land.</p>	Yes
4.3 – Height of buildings	<p>The land is mapped with a maximum height of buildings development standard of 9m.</p> <p>An excerpt of the LEP Height of Buildings Map is provided at Figure 24.</p> <p>The maximum height of buildings proposed (new structures) is 14.7m.</p> <p>The DA is accompanied by a Clause 4.6 written request to vary the development standard.</p>	No – A Clause 4.6 written request to vary the development standard accompanies the DA.
4.4 – Floor space ratio	<p>The land is not mapped with an FSR development standard.</p>	N/A
5.10 – Heritage Conservation	<p>The land is mapped as containing a local heritage item under Schedule 5 Part 1 of the LEP being:</p> <ul style="list-style-type: none"> Item No. 9 – St Stanislaus' College and curtilage. 	Yes

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Table 6 Assessment against Relevant Provisions of the LEP

Provision	Assessment	Consistent
	<p>The land is mapped as forming part of a local heritage conservation area under Schedule 5 Part 2 of the LEP being:</p> <ul style="list-style-type: none"> Bathurst Conservation Area <p>The DA is accompanied by a Heritage Impact Statement as required by Clause 5.10 of the LEP.</p> <p>The outcomes of the Heritage Impact Statement are discussed in Section 5.2.1 of this SEE.</p>	
7.3 – Airspace operations	<p>The proposed development is inside Airspace Affected Land with an Obstacle Limitation Surface (OLS) Contour of RL884.5.</p> <p>The proposed works being at <RL720 are well below the OLS Contour and accordingly no consultation/concurrence is required with the relevant Commonwealth aviation body.</p>	Yes
7.4 – Development in areas subject to aircraft noise	<p>This clause does not apply as the land is not mapped as being within an ANEF contour of 20 dBA or greater.</p>	N/A
7.6 – Mount Panorama environs	<p>Part of the College site is identified as 50 dBA on the Mount Panorama Environs Map.</p> <p>An excerpt of the Mount Panorama Environs Map is provided at Figure 26.</p> <p>The area within which the development is proposed is outside that part of the land mapped as 50 dBA and therefore the clause does not strictly apply.</p> <p>In any event, the proposed development is principally upgrading and refurbishing of existing buildings and is not for the purpose of creating additional floor area or an expansion of the existing school.</p> <p>The objectives of the clause will not be thwarted by the proposed development.</p>	Yes

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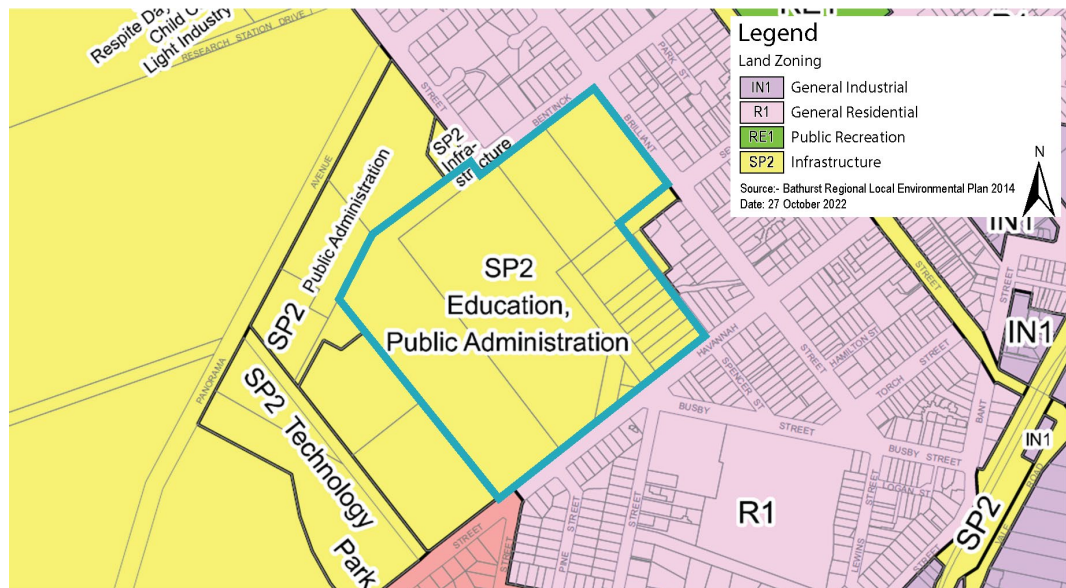


Figure 23 Extract from LEP Zoning Map

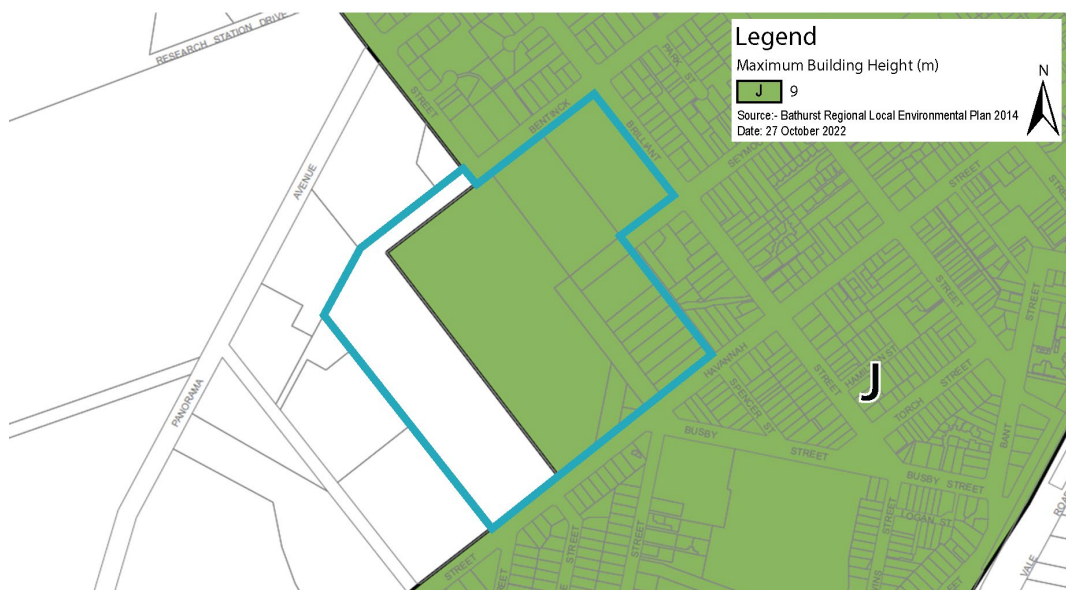


Figure 24 Extract from LEP Height of Buildings Map

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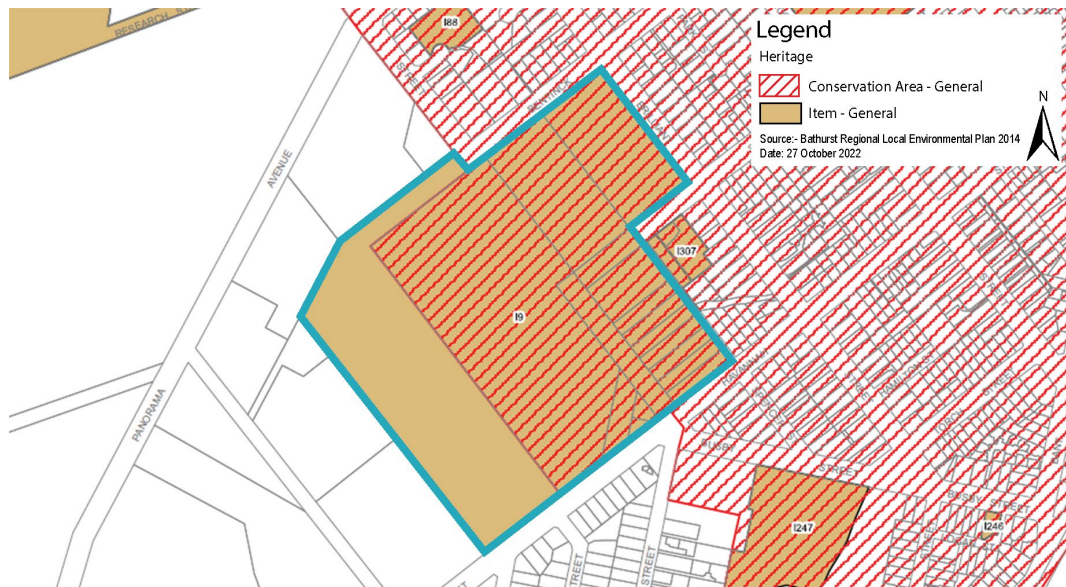


Figure 25 Extract from LEP Heritage Map

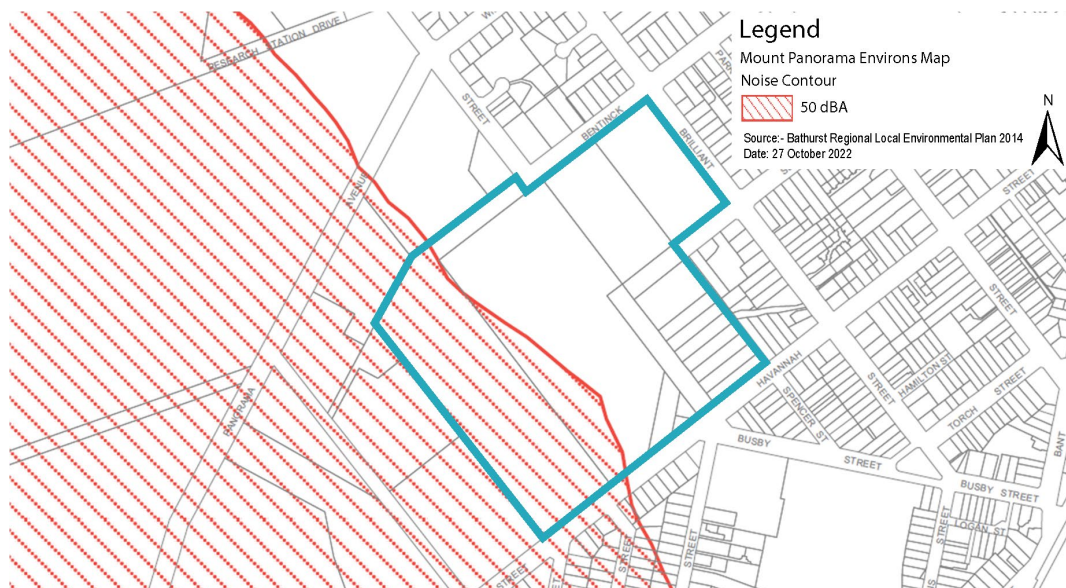


Figure 26 Extract from Mount Panorama Environs Map

5.1.7 Bathurst Development Control Plan 2014

Section 3.36(9) of SEPP TI stipulates a DCP requirement, standard or control is of no effect for the proposed development.

Notwithstanding, **Table 7** provides a summary assessment of the proposed development against the relevant provisions of the DCP.

Table 7 Assessment against Relevant Provisions of the DCP		
Provision	Assessment	Consistent
2 – Exhibitions and Notification of Development Applications	<p>Bathurst Regional Community Participation Plan was adopted by Council on 17 July 2019.</p> <p>The proposed development is to a landmark site as defined by the DCP, requiring public exhibition (14 days) in the local newspaper.</p>	Yes

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Table 7 Assessment against Relevant Provisions of the DCP

Provision	Assessment	Consistent
8 – Mount Panorama and Environs	The College is not within the marked boundary of DCP Map No. 28 and therefore Section 8 of the DCP does not apply.	N/A
9 – Environmental Considerations	<p>9.9 – Sustainable Building Design and Energy Efficiency</p> <p>In accordance with Section 9.9.2, a Section J Report would likely be required to accompany a Construction Certificate application to demonstrate compliance with the National Construction Code.</p> <p>9.10 - Vegetation Management and Biodiversity</p> <p>No vegetation is proposed for removal as part of the proposed development.</p>	Yes
10 – Urban Design and Heritage Conservation	<p>A detailed assessment of heritage impacts is provided in the HIS accompanying the DA and in Section 5.2.1 of this SEE.</p> <p>10.1A – Pre-Development Application Meeting – Heritage</p> <p>A specific site walkover was conducted between Council's heritage consultant and the applicant's heritage consultant on 30 May 2022.</p> <p>10.2 – Heritage Impact</p> <p>A Statement of Heritage Impact (SoHI/HIS) was requested by Council as part of the Pre-DA Meeting and accompanies the DA.</p> <p>10.2.2 – Conservation Management Plan</p> <p>The proposed works do not trigger the requirement for a Conservation Management Plan given the recommendations and findings of the HIS.</p> <p>10.2.3 – Statement of Heritage Impact</p> <p>The HIS accompanying the DA addresses the DCP requirements to include:</p> <ul style="list-style-type: none"> a) <i>A statement demonstrating the heritage significance of a heritage item, or a place or site within a heritage conservation area.</i> b) <i>An assessment of the impact that the proposed development will have on that significance.</i> c) <i>Proposals for measures to minimise that impact.</i> <p>10.3 – Demolition of Buildings</p> <p>The proposed works include partial demolition to a 1960s addition (Block B) and 1985 building (Block F) and these works have been assessed as satisfactory.</p>	Yes

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Table 7 Assessment against Relevant Provisions of the DCP

Provision	Assessment	Consistent
	<p>10.5 – Development within the Bathurst and Kelso Heritage Conservation Areas</p> <p>The HIS addresses the suitability of the development with respect to the statement of significance of the Bathurst Heritage Conservation Area importantly noting the DA does not alter the city-facing façade of the College with the exception of a new accessible entry.</p>	
13 – Landscaping and Greening	<p>The proposed development includes the construction of a level hardstand area to the rear of Block F for the purpose of providing extended hardstand play area. The landscaping is detailed on the architectural plans accompanying the DA.</p> <p>The College currently has limited hardstand play area within the central courtyard which will be further impeded by the proposed upgrades to facilitate access (lifts and balconies).</p> <p>The additional hardstand will provide much needed hardstand play area and result in a negligible decrease in landscaped area given significant deep soil/landscaped areas throughout the College grounds.</p>	Yes
14 – Parking	<p>14.3 Car Parking</p> <p>The proposal results in negligible change to the Gross Floor Area (GFA) – likely reduction through demolition in Block A/Block F. Accordingly, under 14.3(b) no change to off-street parking is required.</p>	Yes
15 – Crime Prevention	<p>15.4 Development Standards</p> <p>It is noted the proposed development may be referred to NSW Police Service under Council's <i>Crime Prevention Through Environmental Design</i> (CPTED) protocol.</p> <p>A formal crime risk assessment is not considered warranted in this instance. The proposed design provides for a more open, transparent (passive surveillance), and modern educational facility.</p>	Yes
16 – Earthworks	<p>16.3 – Changing the Level of Land</p> <p>The proposal includes excavation for the lift shaft adjacent to Block E to allow for lift access and tiered stairs/seating to the existing basement level (proposed boarding activity space).</p> <p>The excavation proposed is limited to the lift shaft and tiered stairs and seating to a maximum depth of approximately 3 metres. The DCP provides for a degree of flexibility for excavation external to a building.</p>	Yes

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Table 7 Assessment against Relevant Provisions of the DCP

Provision	Assessment	Consistent
	The limited extent of the excavation and the intent to provide for improved circulation including direct accessible connections from the basement level to the central courtyard is considered reasonable environmental planning grounds for the extent of excavation proposed.	

5.1.8 Development Contributions

Bathurst Regional Council Contribution Plans

There are no Contributions Plans, made pursuant to Section 7.11 or Section 7.12 of the EP&A Act, that apply to the proposed development.

Water Management Act 2020

Division 5 of the *Water Management Act 2000* applies to the proposed development and would allow for the water supply authority (Bathurst Regional Council) to request a monetary contribution (or the construction of works) for water management works.

Bathurst Regional Council has advised two methods for the calculation of Water Headworks and Sewer Headworks charges.

- Increase in Student Numbers: The first method relates to any intended increase in student numbers. The proposed development does not seek to increase student numbers. The purpose of the proposed development is to bring enrolment back to historic levels through the upgrades of the existing buildings.
- Additional Plumbing Fixtures: The second method is based on additional plumbing fixtures. Each plumbing fixture has an equivalent fixed unit (FU) rating:
 - Shower: 2FU
 - Toilet: 4FU
 - Basin: 1FU
 - Cleaner Sink: 1FU
 - 25 Fixed Units (FU) = 1 Equivalent Tenements (ET)

Table 8 provides a detailed comparison of the existing and proposed Fixed Units (FU) and demonstrates the proposal will reduce the FU for the College (-198 FU).

Table 8 Change in Fixed Units (FU)

Type	Existing	Proposed	Change
Shower	92	40	-52 (-104 FU)
Toilet	94	63	-31 (-124 FU)
Basin/Cleaner Sink	67	97	+30 (+30 FU)
Total			-198 FU

Accordingly, no Water Headworks and Sewer Headworks charges apply to the proposed development.

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5.2 Likely Impacts of the Development

The following subsections assess the likely impacts of the development in accordance with section 4.15(1)(b) of the EP&A Act.

5.2.1 Heritage

A Heritage Impact Statement prepared by Umwelt accompanies the DA. A summary of the findings of the report is as follows:

Heritage Significance

Heritage Item

The site is identified as an item of local heritage significance in the LEP (Schedule 5, Part 1, Item No. 19) being described as 'St Stanislaus College and curtilage'. The following statement of significance for St Stanislaus' College is sourced from the NSW Heritage Database, Heritage Item ID: 1080342:

An outstanding and architecturally magnificent Catholic School college group designed by local architect Edward Gell. The early decades of teaching of the school were predominantly by fathers of the Vincentian order, most notably Father Joseph Slattery a forerunner in the science of X-rays and Radiography. A small but highly significant museum to Father Slattery is contained within a room off the School's main hall.

Heritage Conservation Area

The site is identified as being within a heritage conservation area in the LEP (Schedule 5, Part 2) being the 'Bathurst Conservation Area'. The DCP provides the following statement of significance for the Bathurst Conservation Area:

The conservation area of Bathurst City is historically significant because it includes the commercial and civic heart of Bathurst and reflects the nineteenth century development of this important NSW provincial centre. Bathurst was the first town founded west of the

Blue Mountains, and it was a place that developed a high level of prosperity during the latter half of the nineteenth century, particularly as a consequence of the gold rushes of the central west region as well as the pastoral and other industries of the Bathurst district. Additionally, much of the conservation area is of integral social importance for the community because of its lengthy association with various themes in Bathurst's history.

Incorporating a wide range of building forms, types and styles, the area has a richness of cultural features. It includes a number of excellent examples of particular architectural styles from the Victorian and Federation eras, and these include Classical, Gothic and Romanesque styles among others.

With its historic character, the cohesiveness created by the red brick used in many of the buildings, the landmark qualities of the spires, domes, massing and other attributes of a number of the buildings, the inherent qualities of the architectural styles represented, and the fine parks and streets, the conservation area is a part of Bathurst that has strong streetscape and other aesthetic qualities.

Heritage Items within the Vicinity

The site is in the vicinity of an item of local heritage significance in the LEP (Schedule 5, Part 2, Item No. 1307) known as Bishops Court, located at 226-226A Seymour Street, Bathurst. The following statement of significance for Bishops Court is sourced from the NSW Heritage Database Item ID: 1080276:

A substantial two storey Victorian villa in a large garden. Despite some minor alterations, it remains a good example of a wealthy Victorian gentleman's villa. Has added historical significance as the former home of Bishop Samuel Marsden. The ranking of Bathurst as a cathedral city, with bishops in residence, contributed as well to Bathurst's standing as a regional centre of importance.

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Heritage Impact

Bishops Court

The HIS identifies no impact on the heritage significance of the heritage item in the vicinity as the works are not visible from Bishops Court.

Bathurst Conservation Area

The HIS identifies no impact on the heritage significance of the Bathurst Conservation Area as the works are not visible from outside the College except for the new access ramp which is subject to design recommendations.

St Stanislaus' College

The HIS provides a detailed impact assessment for St Stanislaus' College.

i. Periods of Construction

Figure 8 provides the periods of construction of St Stanislaus' College which is replicated in Appendix A of the HIS.

ii. Significance of Elements

The HIS provides a further grading of significance of elements of the exterior and interior as shown in **Figure 27**.

ELEMENTS OF THE EXTERIOR	GRADING
The three spires and the north-east façades of buildings built or approved for construction by 1941, including those of the Gallagher, Horan and McAuliffe O'Reilly buildings.	EXCEPTIONAL
Remaining sections of the Gallagher, Horan and McAuliffe O'Reilly buildings, including works built by 1959.	HIGH
John Hall Building Elements of the Gallagher, Horan and McAuliffe O'Reilly buildings built after 1959	MODERATE
All buildings and works built after 1963, the Slattery and McMahon buildings, swimming pool, sports fields	LITTLE
There are no entire buildings that are intrusive	INTRUSIVE
ELEMENTS OF THE INTERIOR	GRADING
There are no fixed elements of Exceptional significance	EXCEPTIONAL
Original joinery and decorative plaster, mantelpieces and fireplaces from before 1910 in the Gallagher, Horan and McAuliffe O'Reilly buildings	HIGH
Original timber stairway including balustrading	
Original joinery from the 1910-1959 periods	MODERATE
All fabric from 1960 onwards	LITTLE
There are no elements considered to be Intrusive	INTRUSIVE

Figure 27 Grading of Significance of Interior and Exterior Elements

iii. Assessment of Impacts

Section 7 of the HIS provides a detailed assessment of impact and outlines all impacts to be either neutral, acceptable or positive subject to recommendations.

Recommendations to Minimise Impact

The HIS identifies ten (10) recommendations to minimise the impact on the heritage significance of St Stanislaus' College including the following:

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R1 – It is preferable to move original doors and original door frames with architraves within the walls of the same level in preference to moving the door to storage.

R2 - All steel-framed pointed windows to be removed must be labelled with their place of origin and stored securely on the school site. The storage site needs to be inside where rain is kept out.

R3 – All original joinery items from the nineteenth century to be removed must be labelled with their place of origin, and stored securely on the school site. The storage site needs to be inside where rain is kept out, but enables enough ventilation (whether natural or mechanical) to ensure that the stored joinery items do not rot or grow mould. This includes original nineteenth-century timber door frames, architraves, door leaves, skirtings and windows. It also includes steel-framed windows.

R4 – The marble mantelpiece and hearth in the Vincentian Library on the first floor of the Horan Building (proposed Year 11 Boarding Dormitory 2 lounge room) should be retained in situ.

R5 – One original timber mantelpiece would be moved to storage from the first floor of the McAuliffe / O'Reilly building to allow for the remodelling of the boarding facilities.

R6 – The proposed ramp up to the marble hall should be constructed with red brick facing to the side walls, matching the adjacent bricks as closely as possible. The masonry of the ramp should not extend any higher than 250mm above the floor level of the marble hall. The handrail should be a selected steel of simple minimal design to ensure that the new ramp has minimal visual impact on the setting of the building.

R7 – The two sets of original doors being stored in the basement should be restored to the Boarding Circulation 2 space on the second floor of the McAuliffe / O'Reilly building.

R8 – Ensure that the new steps and walkway at first floor level on the north-west side of the John Hall wing does not cut into or damage the sandstone portal around the ground-floor doorway to the quadrangle.

R9 – Retain face bricks taken from nineteenth-century school buildings. These may be stored anywhere on the school site under a cover. These bricks may be used for the conservation of the early buildings of the school site.

R10 – Investigate if the senior refectory Annex 2 can be retained past Phase 5. This appears to be an early phase of construction with matching brickwork in English bond.

All recommendations have been incorporated into the design and/or can be imposed as conditions.

Conclusion

The proposed heritage impacts are therefore considered to have been adequately assessed and compliance with the LEP and DCP has been demonstrated.

The HIS concludes as follows:

The proposed alterations and addition of a circulation system in the quadrangle at St Stanislaus College will have an acceptable impact on the heritage significance of the item. The works will have no impact on the Bathurst Conservation Area, or on the landmark significance of the school or on any other heritage item.

The alterations are mostly internal and involve no additional enclosed space. The alterations are intended to improve the amenity in education for a similar number of students as attend the school presently. The school has dedicated itself to reform and an open character within the school buildings is necessary for this reform to be apparent in the external image and inward culture of the school. To achieve this, it has been necessary to move interior doors and some internal windows. The design approaches this opening up of interior rooms cautiously to ensure that the work is largely reversible. All original joinery will be retained on site.

All outward views from the heritage item towards the city will be retained unchanged. There will be no change to views in the conservation area. The courtyard will have a more filigree character with the construction of the steel walkways, lift and stair on the south-west side of the main building. This is an essential work for code compliance and is associated with minimum new openings in the original rear wall of the main building.

The proposed alterations are consistent with the heritage objectives of the Bathurst Regional LEP 2014 and the Bathurst Regional DCP 2014. Considering the needs of the school, and the methodology for the treatment of significant fabric, Umwelt endorses the

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heritage impact of the proposed alterations considering the recommendations in this report to Bathurst Regional Council.

5.2.2 Access

An access consultant has been engaged by the College to provide accessibility advice to inform the design of the proposed development.

A final access statement accompanies the DA confirming the proposed design as submitted is capable of meeting all relevant accessibility requirements.

The proposed development provides for substantial upgrades to accessibility throughout the College including:

- Accessible boarding rooms;
- Accessible sanitary facilities; and
- Accessible circulation and paths of travel including covered ramps and lift access.

The access upgrades have been considered as part of the HIS and as such do not alter the findings of the HIS or the heritage conservation in the proposed design.

5.2.3 Fire Safety

A BCA statement accompanies the DA. The statement relevantly concludes that BCA compliance can be assessed in detail at the Construction Certificate stage.

Notwithstanding, it is noted the consent authority is required to consider Section 64 of the Regulation and consider whether it is appropriate to require the existing building to be brought into total or partial conformity with the *Building Code of Australia*.

The heritage implications of any *Building Code of Australia* upgrades can be resolved by way of a condition that would require any BCA fire safety upgrade measure to be not inconsistent with the HIS.

Given the availability of Performance Solutions to meet the *Building Code of Australia*, this is considered an appropriate way to manage any potential conflict between heritage conservation and fire safety.

5.2.4 Construction

The construction will occur in stages to allow for the continued operation of the College. The impacts of the staged construction to adjoining properties are considered minor given the internal or inter-facing nature of the works. The College would be responsible for managing impacts internally. Standard construction hours are considered a sufficient mechanism to manage construction impacts in this instance.

5.2.5 Traffic and Parking

The proposal does not seek to increase GFA or impose/increase a cap on students/staff. The proposed development provides for upgrading of existing facilities within the existing approved building envelopes. Accordingly, pursuant to the DCP, no additional parking is required and no change in traffic impacts to the local road network would result from the proposed development.

5.3 Suitability of the Site for Development

The suitability of the site for an educational establishment is not altered by the proposed development satisfying section 4.15(1)(c) of the EP&A Act.

5.4 Public Interest

In accordance with section 4.15(1)(e) of the EP&A Act, the proposed development is considered to be in the public interest because it:

5 Environmental Planning Assessment

- Allows for the continued use of a heritage item for its original usage as an educational establishment providing improved social infrastructure to the Bathurst Region;
- Does not detract from the Bathurst Heritage Conservation Area through minimal interventions to the city-facing landmark facade;
- Allows for improved accessibility;
- Contains the built-form of the College principally within the same footprint as existing buildings retaining large areas of open space and landscaping; and
- Is a permissible use and does not increase the capacity of the school.

6 Conclusion

The Development Application (DA) for alterations and additions to St Stanislaus' College at 220 Bentinck Street, Bathurst, will provide significant refurbishment and upgrades to the College to enable the continued provision of education and boarding facilities.

The DA is made pursuant to *State Environmental Planning Policy (Transport and Infrastructure) 2021* (SEPP TI) and has been assessed against the relevant considerations under Section 4.15 of the EP&A Act meeting the requirements of the Regulation, relevant environmental planning instruments (with the exception of building height) and development control plans.

The DA is accompanied by a Clause 4.6 written request to vary the maximum height of building development standard applying to the land under the *Bathurst Regional Local Environmental Plan 2014* (LEP). The maximum height proposed is 14.7m where the development standard is 9.0m. The written request demonstrates that compliance with the development standard is unreasonable and unnecessary in this instance and there are sufficient environmental planning grounds to justify the contravention of the standard.

The key environmental impact assessment matter is heritage. The submitted HIS provides a detailed assessment of heritage significance, impact and provides mitigation measures to reduce impact. The HIS demonstrates compliance with the relevant statutory heritage provisions is achieved and the proposal will allow for the continued use and conservation of the landmark St Stanislaus' College buildings.

The proposal is considered to satisfactorily respond to the opportunities and constraints of the site and the relevant legislation, is unlikely to result in adverse impacts in the locality and is worthy of Western Regional Planning Panel approval.