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Contact: Jonathan Goodwill

Ref: DA0261/16

12 April 2017

Anglican Schools Corporation  
Level 1, 420 Forest Road  
HURSTVILLE NSW 2220

Dear Sir/Madam

## NOTICE OF DETERMINATION OF DEVELOPMENT APPLICATION

SECTION 81(1)(A) ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

**Application No.:** DA0261/16  
**Proposed Development:** Progressive increase of number of students from 830 to a maximum of 1250 from the year 2016 to 2030  
**Property:** 29 Bancroft Avenue ROSEVILLE NSW 2069

Pursuant to Section 81 of the Act, notice is given that the above Development Application has been determined by the granting of consent, subject to the conditions specified in this Notice.

**Date of determination:** 6/04/2017  
**Date from which consent operates:** 12/04/2017  
**Date consent lapses:** 13/04/2019

The conditions of consent are as follows:

### CONDITIONS THAT IDENTIFY APPROVED PLANS:

#### 1. Approved architectural plans and documentation (new development)

The development must be carried out in accordance with the following plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of this consent:

Plan no.	Drawn by	Dated
DA_1_03 Issue A - Existing 1994 Approved Library Car Park Dimensions	Studio GA	15/03/2017

DA_1_02 Issue A - Car Park Allocation (Between DA approval and completion of Carpark)	Studio GA	15/03/2017
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Document(s)	Dated
Letter prepared by Studio GA responding to the requirements of clause 32 of SEPP (Infrastructure) 2007	20 July 2016

**Reason:** To ensure that the development is in accordance with the determination.

## **2. Terms of approval - first stage of the student number increase**

Prior to the first stage of the student number increase to a maximum of 1000 students the applicant shall submit to Council for review and approval evidence that there is a minimum of 129 off street car spaces available for use by staff and year 12 students. The number of students must not be increased beyond the existing maximum of 830 students until Council has provided written confirmation that the requirements of this condition have been satisfied.

**Reason:** To ensure that adequate car parking is provided.

## **3. Terms of approval - second and final stage of the student number increase**

Prior to the second stage of the student number increase to a maximum of 1250 students the applicant shall:

- (a) obtain an occupation certificate for the car park approved under the development consent to DA0262/16; and
- (b) obtain approval for and implement an increase in the capacity of the Victoria Street student drop/off pick up zone by 2 vehicles from 13 vehicles to a minimum of 15 vehicles.

**Reason:** To ensure that adequate car parking and student drop off/pick up facilities are provided.

## **4. Travel management plan**

A travel management plan shall be prepared dealing with entry and exit to and from the site, site parking, traffic circulation, and the drop off and collection of students on public streets within the area. The travel management plan must be submitted to Council and approved by Council's traffic engineer prior to any increase in the number of students. The travel management plan is to be

published and copies given to all parents/guardians of students enrolled at the school and also made available for viewing from the schools website.

**Reason:** To ensure that all reasonable efforts are made to ensure that traffic generated does not have an adverse impact on the pedestrian safety and the operation of the road network.

## **5. Amendments to conditions of the development consent to DA1499/00**

In accordance with section 80A(1)(c) of the Environmental Planning and Assessment Act 1979 conditions 4 and 8 of the development consent to DA1499/00 issued by Ku-ring-gai Council are to be replaced with the following conditions:

*4. The maximum number of students enrolled at the school at any one time shall not exceed 830 unless that number is increased by modification pursuant to Section 96 (2) of the Environmental Planning and Assessment Act 1979 or a subsequent development consent.*

*8. Provision is to be maintained at all times for the parking of 120 vehicles on the site in accordance with Council's development Control Plan No. 43 - Carparking unless a subsequent development consent or Section 96 modification consent requires a different number of car parking spaces.*

**Reason:** To ensure that the development consents which relate to the operation of the school are amended in accordance with the development consent to DA0261/16.

### **Reason for conditions**

To safeguard the amenity of the locality.

### **Other approvals**

This consent does not include any other approvals granted under Section 78A(5) of the Environmental Planning and Assessment Act 1979.

### **Right of appeal**

If you are dissatisfied with this decision, Section 97 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within six (6) months of the date on which you receive this Notice.

### **Advisings**

- a) Council is always prepared to discuss its decisions and in this regard please do not hesitate to contact Jonathan Goodwill on telephone **9424 0000**.

- b) Section 82A of the Environmental Planning and Assessment Act 1979 provides that the applicant may request a review of the determination. The request must be made in writing on the S.82A Review application form (refer Council's website or customer service centre) within six (6) months of receipt of this Notice of Determination, together with payment of the appropriate fees. It is recommended that the applicant discuss any request for a review of determination with Council staff before lodging such a request. There is no right of review under S82A of the Act in respect of Designated, Integrated Development or applications determined by the Joint Regional Planning Panel.
- c) Changes to the external configuration of the building, changes to the site layout, density and unit configuration internal changes to the proposed building or any changes to the proposed operation of a use may require the submission of a modification application under Section 96 of the Environmental Planning and Assessment Act 1979. Any proposed modification to the development consent, must result in a development that is substantially the same development as that which was originally approved. It is recommended that the applicant discuss any request for a review of determination with Council staff before lodging such a request.
- d) Your attention is drawn to the necessity to:

Obtain a **Construction Certificate** under Section 109(1)(b) of the Environmental Planning and Assessment Act 1979 in respect of the development consent.

**An application for a Construction Certificate** may be lodged with Council. Alternatively you may apply to an accredited certifier.

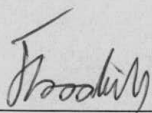
*All building work must be carried out fully in accordance with the conditions of the development consent and it is an offence to carry out unauthorised building work that is not in accordance with the development consent.*

*An offence under the Environmental Planning and Assessment Act 1979 and Regulations is subject to a penalty up to \$110,000 and \$11,000, respectively.*

*Council may also serve a notice and an order to require the demolition/removal of unauthorised building work or to require the building to be erected fully in accordance with the development consent.*

*On the spot penalties will be imposed for works which are carried out in breach of this consent, or without consent.*

*A Section 96 application is required to be submitted to and approved by Council, prior to commencement of any variations from the approved plans and conditions of consent.*

A handwritten signature in dark ink, appearing to read 'J. Hooker', is written above a horizontal line.

Signature on behalf of consent authority

per/

**Team Leader**

**Development Assessment**