NSW Department of Education

Review of Environmental Factors

New Lennox Head Public School and Preschool

Document version: 1

Date: 23/05/2025

NSW GOVERNMENT

Acknowledgement of Country

The NSW Department of Education acknowledges the Nyangbul people of the Bundjalung Nation as the traditional custodians of the land on which the new Lennox Head Public School and preschool is proposed.

We pay our respects their Elders past and present and celebrate the diversity of Aboriginal people and their ongoing cultures and connections to the lands and waters of Australia.

The NSW Department of Education is committed to honouring Aboriginal peoples' cultural and spiritual connections to the land, waters and seas and their rich contribution to society.

The NSW Department of Education recognises that by acknowledging our past, we are laying the groundwork for a future that embraces all Australians; a future based on mutual respect and shared responsibility.

Declaration

This Review of Environmental Factors (REF) has been prepared by EPM Projects on behalf of the NSW Department of Education (department) and assesses the potential environmental impacts which could arise from construction of the proposed new Lennox Head Public School and a preschool at Montwood Drive, Lennox Head NSW 2478 (Lot 5 Deposited Plan (DP) 1239938).

This REF has been prepared in accordance with the *Guidelines for Division 5.1 Assessments* and any relevant addendum (the Guidelines), and the relevant provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act), the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation) and *State Environmental Planning Policy (Transport and Infrastructure) 2021* (TI SEPP).

This REF provides a true and fair review of the activity in relation to its likely impact on the environment and the information it contains is neither false nor misleading. It addresses to the fullest extent possible all the factors listed in Section 3 of the Guidelines, the EP&A Regulation and the Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999* (EPBC Act).

In preparing the REF I have declared any possible conflict of interests (real, potential or perceived) and I do not consider I have any personal interests that would affect my professional judgement.

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Table of Contents

Tables

Figures

Appendices

Appendix	Name
1	Mitigation Measures
2	Traffic and Access Impact Assessment
3	Flood Impact and Risk Assessment
4	Flood Emergency Response Plan

Abbreviations

Abbreviation	Description
ACHAR	Aboriginal Cultural Heritage Assessment Report
AEP	Annual Exceedance Probability
AHD	Australian Height Datum
AHIMS	Aboriginal Heritage Information Management System

Abbreviation	Description
APZ	Asset Protection Zone
BAL	Bushfire Attack Level
BC Act 2016	*Biodiversity Conservation Act 2016*
BCA	Building Code of Australia
BC Regulation	Biodiversity Conservation Regulation 2017
BC SEPP	*State Environmental Planning Policy (Biodiversity and Conservation SEPP) 2021*
BDAR	Biodiversity Development Assessment Report
BFSA	Bush Fire Safety Authority
CEMP	Construction Environmental Management Plan
COLA	Covered Outdoor Learning Area
Concept DA	MP07-0026
Council	Ballina Shire Council
CWC	Connecting with Country
DA	Development Application
Department	NSW Department of Education
Design Guide	*Design Guide for Schools* published by the Government Architect in May 2018
DP	Deposit Plan
DPE	Department of Planning and Environment
DPHI	Department of Planning, Housing and Infrastructure
DSI	Detailed Site Investigation
EDC	Estimated Development Cost
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	*Environmental Planning and Assessment Act 1979*
EP&A Regulation	*Environmental Planning and Assessment Regulation 2021*
EPBC Act	*Environment Protection and Biodiversity Conservation Act 1999*
EPI	Environmental Planning Instrument
FFL	Finish Floor Level
FIRA	Flood Impact and Risk Assessment
FM Act	*Fisheries Management Act 1994*
GLA	General Learning Area
Guideline	Guidelines for Division 5.1 Assessments, 2022
Heritage Act	*Heritage Act 1977*
IPA	Inner Protection Area
LEP	Ballina Shire Local Environmental Plan 2012
LGA	Local Government Area
LSPS	Ballina Shire Local Strategic Planning Statement 2022-2024

Abbreviation	Description
MNES	Matters of National Environmental Significance
NCC	National Construction Code
NP&W Act	*National Parks and Wildlife Act 1974*
NSW RFS	NSW Rural Fire Service
OC	Occupation Certificate
OOSH	Outside of School Hour
PA	Public Address
PBP 2019	Planning for Bushfire Protection 2019
PCEMP	Preliminary Construction Environmental Management Plan
Planning Systems SEPP	*State Environmental Planning Policy (Planning Systems) 2021*
POEO Act	*Protection of the Environment Operations Act 1997*
PPE	Personal Protective Equipment
Proponent	NSW Department of Education
PMF	Probably Maximum Flood
PSI	Preliminary Site Investigation
REF	Review of Environmental Factors
RF Act	*Rural Fires Act 1997*
Resilience and Hazards SEPP	State Environmental Planning Policy (Resilience and Hazards) 2021
Roads Act	*Roads Act 1993*
SDRP	State Design Review Panel
SEPP	State Environmental Planning Policy
SES	State Emergency Services
SFPP	Special Fire Protection Purpose
SIS	Species Impact Statement
Site	Lot 5 DP 1239938; Montwood Drive, Lennox Head NSW 2478
SSDA	State Significant Development Application
Sustainable Building SEPP	*State Environmental Planning Policy (Sustainable Buildings) 2021*
TfNSW	Transport for NSW
TI SEPP	*State Environmental Planning Policy (Transport and Infrastructure) 2021*
TWG	Transport Working Group
WM Act	*Water Management Act 2000*

Executive Summary

The Proposal

The proposal relates to the construction of a new public school and preschool at Lennox Head located at Lot 5 DP 1239938; Montwood Drive, Lennox Head NSW 2478 (the site). The new school campus will contain a two (2) storey building for general learning spaces, library, administration, amenities and storage, a single storey preschool building, and a single level multi-purpose hall with a canteen area, Outside of School Hours Care (OOSH) and covered outdoor learning area. The proposal will also include landscaping across the site, playspace, sports court and car parking.

The new Lennox Head primary school will accommodate approximately 552 students from Kindergarten to Year 6 and 40 staff, as well as a dedicated 40-place preschool with 4 staff. The new school and will replace the existing public school, which does not have enough permanent classrooms to cater for the enrolments in the region, and is not suitable for expansion due to the site's Indigenous cultural significance, which is subject to an Aboriginal Heritage Impact Permit.

The proposed site formed part of a State Significant Development Application (SSDA) under MP07_0026 approved by the Minister of Planning in 2008 for 'A 63 lot subdivision comprising 54 residential lots, 6 super lots for future development, 2 open space lots and a residual lot'. Since then, the SSDA has been modified on 8 occasions related to administrative and design changes. The site was originally earmarked for a future retirement living development, however, since the original approval the NSW Department of Education (department) has acquired the land for a new public school.

For the avoidance of doubt, there is no statutory obligation under Section 4.24 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) for the proposed activity to be consistent with the Concept Approval, as the activity is being determined under Part 5 of the EP&A Act.

Figure 1: Indicative Perspective Drawing

The site is zoned R3 Medium Density Residential under the *Ballina Shire Local Environmental Plan 2012* (LEP) and adjoins C2 Environmental Conservation land to the east, southeast and south that also contains a watercourse. The watercourse traverses north-east to south-west before connecting to a dam located on the western side of Montwood Drive.

Planning Pathway

The proposal involves the development of a new government school by the department, on land that does not contain an existing or approved school and is in a prescribed zone. Accordingly,

pursuant to Sections 3.37A of the TI SEPP the proposed works are classified as development which may be carried out without consent.

The proposal also involves the development of a new government preschool by the department within the proposed school site. Accordingly, pursuant to Section 3.37(1)(a)(vii) of the TI SEPP, the proposed works are classified as development which may be carried out without consent.

Therefore, the proposal is considered an 'activity' for the purposes of Part 5 of the EP&A Act and is subject to an environmental assessment. As required under Division 5.1 of the EPP&A Act, the environmental impacts of the proposed activity are assessed using a REF. It is a statutory requirement under Section 5.5 of the EP&A Act that the REF assesses all matters affecting or likely to affect the environment as a result of the development to the "fullest extent possible", for the purpose of the protection and enhancement of the environment.

This REF has been prepared in accordance with the relevant provisions of EP&A Act, EP&A Regulation, TI SEPP, *Biodiversity Conservation Act 2016* (BC Act), *Fisheries Management Act 1994* (FM Act) and the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). It has also been prepared with regard to the Department of Planning and Environment (DPE)'s *Guidelines for Division 5.1 Assessments* (DPE, June 2022) (the Guideline), and the *Guidelines for Division 5.1 assessments - consideration of environmental factors for hospital and school activities Addendum* (DPHI, October 2024).

Consultation

Early consultation has been undertaken with community, Ballina Shire Council, authorities and relevant stakeholders. Further consultation will be undertaken with in accordance with statutory requirements under the TI SEPP and having regard to the *Stakeholder and community participation plan for new health services facilities and schools* (Department of Planning Housing and Infrastructure (DPHI), October 2024) (SCPP DPHI) and the Stakeholder and *Community participation plan For new schools and major school upgrade projects undertaken under Division 5.1 of the EP&A Act 1979* (Department of Education, October 2024) (SCPP DoE).

Comments received will be carefully considered and responded to.

Environmental Impacts

The key environmental impacts identified in the preparation of the REF are as follows:

- **Flood** – The site becomes affected from the 1 in 20 Annual Exceedance Probability (AEP) (5% AEP) riverine flooding event, however, the school buildings are above the Probable Maximum Flood (PMF) level. The site is also affected by flash flooding in heavy rainfall events, landscape features such as swales are provided to mitigate the impacts of flash flooding on the preschool. The REF is supported by a flood impact assessment and a Flood Emergency Response Plan.
- **Traffic** - Increase in traffic volumes within the surrounding road network will occur as a result of the activity. The existing road network, including surrounding traffic intersections have sufficient capacity to accommodate the school. Measures to increase active travel and public transport usage will be promoted and have been integrated into the design which will further encourage sustainable transport options and reduce traffic. Road widening of Snapper Drive and Montwood Drive are proposed to accommodate the kiss and drop area and bus bays respectively.

- **Noise** – The school will generate some noise resulting from the use of public address (PA) systems and school bell, pick up and drop off, outdoor play spaces and services. However, these impacts are minor and will be suitability mitigated through attenuation and management measures.
- **Bush Fire** – The site is not mapped as bush fire prone land however given the vegetation adjoining the site to the east and south, Planning for Bushfire Protection has been considered and appropriate mitigation measures are proposed.

Other impacts have been considered as detailed in this REF.

Justification and Conclusion

Based on the environmental assessment undertaken as part of this REF, it has been determined that the proposal will not result in any significant or long-term impacts. The potential impacts identified can be reasonably mitigated and where necessary managed through the adoption of suitable site practices and adherence to accepted industry standards.

The environmental impacts of the proposal are not likely to be significant. Therefore, it is not necessary for an Environmental Impact Statement (EIS) to be prepared, nor is approval required from the Minister for Planning and Public Spaces under Part 5.1 of the EP&A Act. The proposed activity will not impact any Matters of National Environmental Significance and approval of the Activity under the Commonwealth EPBC Act is not required.

On this basis, it is recommended that the department determine the proposed activity in accordance with Part 5 of the EP&A Act and subject to the adoption and implementation of mitigation measures identified within this report.

1. Introduction

The department proposes to establish and construct a new Lennox Head Public School and Preschool (the activity) at the corner of Snapper Drive and Montwood Drive, Lot 5 in DP 1239938; Montwood Drive, Lennox Head on land owned by the Minister for Education and Early Learning.

The proposed construction of a new public school and preschool will provide essential infrastructure within the previously subdivided community in Lennox Head that was approved by the Minister of Planning under MP07_0026.

This REF has been prepared by EPM Projects on behalf of the department to determine the environmental impacts of the proposed new public school and preschool at Lennox Head. For the purposes of these works, the department is the proponent and the determining authority under Division 5.1 of the EP&A Act.

The purpose of this REF is to describe the proposal, examine and take into account all matters affecting or likely to affect the environment and to detail mitigation measures to be implemented to manage any impacts.

The potential environmental impacts have been assessed in accordance with the *Guidelines for Division 5.1 Assessments* (DPE, June 2022), Guidelines for Division 5.1 assessments - consideration of environmental factors for hospital and school activities Addendum (DPHI, October 2024), EP&A Act, the EP&A Regulation, and the EPBC Act.

The assessment contained within the REF has been prepared having regard to:

- Whether the proposed activity is likely to have a significant impact on the environment and therefore the necessity for an EIS to be prepared and approval to be sought from the Minister for Planning and Public Spaces under Division 5.2 of the EP&A Act; and
- The potential for the proposal to significantly impact Matters of National Environmental Significance (MNES) on Commonwealth land and the need to make a referral to the Australian Government Department of Environment and Energy for a decision by the Commonwealth Minister for the Environment on whether assessment and approval is required under the EPBC Act.

The REF addresses the requirements of Section 5.5 of the EP&A Act, which requires that the department examines, and take into account to the fullest extent possible, all matters affecting, or likely to affect, the environment by reasons of the proposed activity.

Pursuant to Section 171(4) of the EP&A Regulation, a copy of the REF must be published on the proponent's website or on the NSW Planning Portal, if the activity:

- Has an estimated development cost (EDC) of more than $5 million, or
- Requires an approval or permit for the activity under FM Act, *Heritage Act 1977* (Heritage Act), *National Parks and Wildlife Act 1974* (NP&W Act) or *Protection of the Environment Operations Act 1997* (POEO Act), or
- If the determining authority considered it in the public interest to publish the REF.

The proposed activity has an EDC of more than $5 million and therefore a copy of the REF will be published on the Department of Education website and the NSW Planning Portal.

Following consideration of the key environmental aspects and the information presented in this REF, it is concluded that by adopting the mitigation measures identified in **Appendix 1**, the

proposal will not result in significant environmental impacts, and therefore an Environmental Impact Statement is not required. In addition, the proposed activity will not be carried out in a declared area of outstanding value; is not likely to significantly affect threatened species, populations or ecological communities, or their habitats; or impact biodiversity values. Accordingly, neither a Species Impact Statement (SIS) nor a Biodiversity Development Assessment Report (BDAR) is required.

1.1 Background

The project responds to identified need to provide more permanent primary school classrooms and expanded access to early child care education to address population growth borne from greenfield residential developments and urban renewal around the Lennox Head area. The existing Lennox Head Public School, 25 Byron Street, Lennox Head, has a significant shortfall of permanent student accommodation. During site investigation to consider developing the existing school site, a significant number of Aboriginal artefacts were discovered, triggering an Aboriginal Cultural Heritage Assessment Report (ACHAR) and subsequent Aboriginal Heritage Impact Permit (AHIP) and associated compliance conditions. In December 2021 the department determined the best option to meet current and projected enrolment demand in Lennox Head was to relocate the school to new facilities on an appropriate new site.

The proposed new site is located within a recently subdivided Lennox Head community also known as Pacific Pines Estate under a Concept Development Application, (Concept DA) MP07-0026, and now referred to as Epiq Lennox Head. The Minister approved the development for 'A residential subdivision comprising subdivision for single dwellings, duplexes and medium density, a neighbourhood centre comprising commercial and retail space, a community centre, tavern and retirement village' on 12 November 2008.

The concept application was approved to be undertaken in 13 stages which included the subdivision of land, creation of new roads, landscape embellishment works for new open space and greenspaces (**Figure 2**).

Since its approval, the Concept DA has undergone 10 modifications with the most recent approval (modification 10) was determined by the Department of Planning and Environment on 8 April 2021.

The following Development Applications (DA) have been approved on the proposed site:

- DA 2020/562 – Temporary earthworks stockpile of approximately 38,000m3 of excavated material within a footprint of 4.26ha and temporary crushing of material. These works have now been completed on the site.
- DA 2008/510.1 – internal road network connection to Montwood Drive and Snapper Drive.

Notwithstanding the site was originally proposed for a residential aged care development, the Department of Education purchased the site with a view to relocating Lennox Head Public School to the site due to the constraints with the existing school site.

For the avoidance of doubt, there is no statutory obligation under Section 4.24 of the EP&A Act for the proposed activity to be consistent with the Concept Approval, as the activity is being determined under Part 5 of the EP&A Act.

Figure 2: Subdivision approval under MP07-0026

2. The Site

2.1 Site locality

The site is located at the corner of Montwood Drive and Snapper Drive, Lennox Head and is situated within the Ballina Shire local government area (LGA) and Jali Local Aboriginal Land Council, refer to **Figure 3**. It is located approximately 1.7km southwest of the Lennox Head town centre, 4km north of Ballina Byron Gateway Airport and 6km south of Ballina town centre.

Figure 3: Locality Plan

2.2 Site Description

The site is irregularly shaped and is legally described as Lot 5 in DP 1239938; Montwood Drive, Lennox Head. The site has an approximate site area of 41,700m^2 with two road frontages, a 175m frontage to Montwood Drive on the west and a 250m frontage to Snapper Drive to the north, refer to **Figure 4**. The topography of the land falls north-east to south-west with the highest point of the site located on the north-eastern corner at 7m Australian Height Datum (AHD) and the lowest point located at the south-western corner at 2m AHD.

The site was previously used as a temporary on-site detention basin during the subdivision and road network construction works under MP07-0026. The majority of the basin was filled in and the site regraded. The land is predominately covered with grass and has a silt detention basin located in the southwestern corner of the site. To the north of the detention basin are two (2) mounds of stockpile from the earthworks.

The adjoining land to the east/south and west of Montwood Drive is environmental conservation land that is predominately covered with grass and scattered vegetation (85 Habitat Way, Lot 104 DP1241817). Development to the north of Snapper Drive consists of low and medium density single and two-storey residential dwellings. Further to the north, east and west of the site are

residential dwellings and small pocket parks. To the west of Snapper Drive is a wetland area and regional water detention basin, and further to the west is the Lennox Head local centre which consists of retail and commercial premises including Woolworths, chemist and food and drink outlets, refer to **Figure 5**. Images of the site and surrounds are provided on the site photo sheet below.

Figure 4: Site Plan (Source: Nearmap 28 October 2024)

Figure 5: Surrounding Development (Source: Nearmap 21 December 2024)

Site Photo Sheet


1. Looking toward site from Snapper Drive


2. Site from northern side of Snapper Drive


3. Site from Montwood Drive looking north-east


4. Sediment pond in south-west of site


5. Dwellings on northern side of Snapper Drive


6. Dwellings on northern side of Snapper Drive


7. Snapper Drive looking west


8. Looking north up Montwood Drive


9. Regional detention pond (west of site)


10. Vegetation in wetlands to the west of site


11. Fig Tree Hill (northern end of Montwood Dwe)


12. Epic shopping village

2.3 Site Constraints and Opportunities

Consideration of site constraints has been undertaken through a review of the Section 10.7 (2 & 5) Planning Certificates dated 2 February 2023, mapping under relevant Environmental Planning Instruments (EPIs), and a review of specialist consultant reports and other desktop assessments.

2.3.1 Existing Flood Conditions

The site is affected by regional (mainstream) flooding from the riverine network as well as localised (overland) flooding in heavy storm events. The site is affected differently by each type of flooding, which is discussed below.

Existing Regional (Mainstream) Flood Conditions

Based on the Draft 2024 Ballina Flood Study, the southern portion of the site is affected by backwatering from the North Creek from at least 1 in 20 AEP (5% AEP). Flood levels are provided in **Figure 6**.

Flood Event	Peak Flood Level (m AHD)
1 in 20 (5% AEP)	2.2
1 in 100 (1%) AEP	2.5
1 in 500 (0.2%) AEP	2.6
PMF	5.4

Figure 6: Flood levels affecting the site (Source: BMT)

Regional flooding will increase in intensity up to the probable maximum flood (PMF) event, which will inundate the southern portion of the site and the entirety of Montwood Drive, with the northern portion of the site and Snapper Drive being flood free (**Figure 7**).

Figure 7: Regional Flood PMF Extent of the site (Source: BMT)

Existing Local (Overland) Flood Conditions

Flood modelling has been carried out to assess overland peak flood levels. A hydrologic model was developed including intensity-frequency-duration design rainfall estimates developed by the Bureau of Meteorology (BoM) that were adjusted to match present climatic conditions as per *Australian Rainfall and Runoff: A Guide to Flood Estimation, Book 1.* Existing local flood modelling results for events from the 10% AEP to the PMF are provided in Flood Impact and Risk Assessment. The PMF extent is indicated in **Figure 8** below, which provides that onsite flooding would occur to a depth of 0.5 metres in the north-eastern portion of the site.

Figure 8: Existing Conditions – Modelled PMF Extent of the site (Source: BMT)

2.3.2 Other site considerations

- Access – The site is situated within an existing road network with road frontage to both Snapper Drive (north) and Montwood Drive (west). Both roads have a footpath, kerb and guttering, and are local roads speed limited to 50km/hr.
- Views – The surrounding topography rises up to ridgelines to the north, east and south.
- Bush Fire – The site is not mapped as bush fire prone land, however, future risk has been identified from the wetlands to the west and conservation lands to the south and south-east.
- Acid Sulfate Soils – The site is mapped as containing Class 2 and 5 Acid Sulfate Soils as indicated in **Figure 9**.

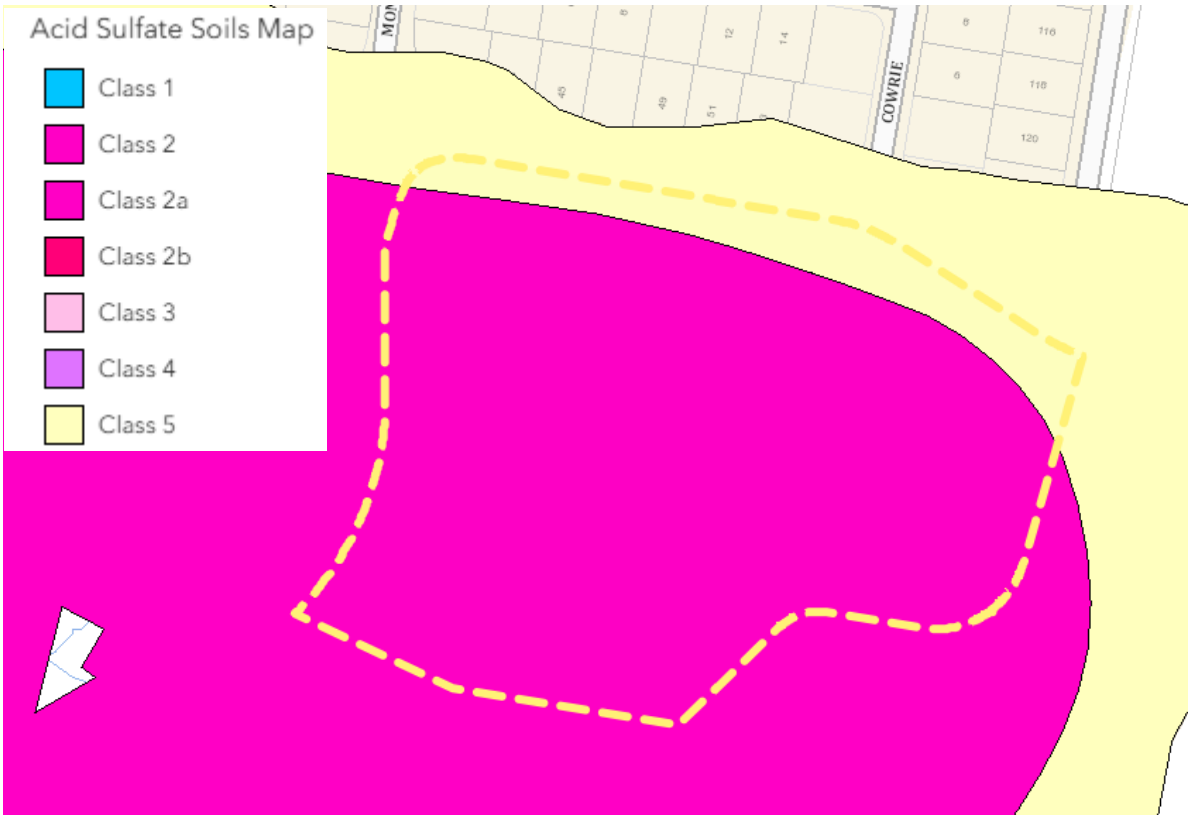


Figure 9: Acid Sulfate Soils mapping (Source: NSW Spatial Viewer)

- Vegetation – The site contains no vegetation (other than grasslands) and is not identified as containing any items of ecological significance.
- Contamination – Borehole testing at 44 locations across the site, including one surface water test, confirms that contamination was not identified in any of the samples.
- Soil Conditions – The soil conditions on the site are silty clay, with low to medium plasticity, firm to very stiff, to depths of up to 6.95 metres below ground level (mbgl). The pH level of soils was tested and found to be acidic, ranging between pH levels of 4.2-4.9 across the site.
- Groundwater – Groundwater was encountered while auguring at approximate borehole depths of 3.2m in BH101; 4.8m in BH102; and 4.5m in BH103 and BH104.
- Aboriginal Cultural Heritage – due to previous earthworks, the site is considered to have a low likelihood of archaeological artefacts occurring. Viewlines to the ridgeline and creek line hold low aesthetic significance.

3. Proposed Activity

The proposed activity includes the construction of a new public school and preschool at Lennox Head accommodating approximately 552 students in K-6 and 40 preschool children, as well as 44 staff, which includes the following works:

- Site preparation including site establishment and earthworks,
- Construction of three (3) buildings including:
    - Building A:
      A two (2) storey primary school building containing 24 General Learning Areas (GLA), six (6) multi-purpose learning area, six (6) learning commons, a library, reception, administration, staff rooms and associated storage, amenities and services.
    - Building B:
      A single storey building containing, a multi-purpose hall, Covered Outdoor Learning Area (COLA), canteen, Outside of School Hour (OOSH) facilities, sports storeroom and other associated storage and amenities.
    - Building C:
      A single storey preschool building that will accommodate 40 students and includes two (2) playrooms, an outdoor play area and staff rooms and other storage and associated amenities.
- New hard and soft landscaping,
- Games court and active outdoor play space,
- 55 at grade car parking spaces (41 staff spaces and 14 preschool spaces for staff including 1 accessible space and visitors) and 47 bicycle parking,
- Realigning the pedestrian footpath to facilitate road widening works along Snapper Drive for a Kiss and Drop zone during drop off and pick up times. Outside drop off and pick up times, the Kiss and Drop zone will be available for parking,
- Boundary realignment on Snapper Drive (to accommodate road widening works),
- New roundabout at intersection of Stoneyhurst Drive and Snapper Drive,
- Realignment of pedestrian footpath to enable road widening for a bus bays along Montwood Drive,
- Boundary realignment along Montwood Drive (to accommodate road widening works),
- Waste storage and collection area adjacent to the carpark,
- Emergency and maintenance access path through the southern portion of the site between Montwood Drive and carpark exit to Snapper Drive for emergency vehicles, and
- Site services.

3.1 Summary of the Activity

Table 1 provides a summary of key aspects of the activity.

Table 1: Summary of the activity

Project Element	Description
Site Area	41,700m^2
Project Name	New Lennox Head Public School and Preschool

Project Element	Description
Project Summary	Construction and operation of a new primary school and preschool including a two-storey school building, multi-purpose hall, preschool building, at-grade car parking, outdoor play areas, sporting facilities, landscaping, ancillary works and public domain works.
Use	Educational establishment and child care centre
Public School Student and Staff Numbers **Preschool** Student and Staff Numbers	 Approximately 552 students and 40 staff 40 children and 4 staff
Car & Bicycle Parking and Kiss and Drop	On-site car parking – 55 spaces Bicycle parking – 47 spaces Kiss and drop facilities – 4 drop-off/pick-up bays with a queuing capacity of 23 vehicles along Snapper Drive
Height	Maximum height: 10.45m Maximum storeys: 2 storeys
Play Space	A variety of outdoor play spaces are proposed across the site including the active open play areas, games court and performance space.
Canopy Cover	The activity will achieve a total canopy cover of 18,497m^2 once the trees have matured.
Off Site Works	• Construction of a roundabout and new driveway entrance off Snapper Drive for staff, visitor and service vehicles. • Realignment of pedestrian footpath to establish the kiss and drop zone along the southern side of Snapper Drive. • Road widening and realignment of pedestrian footpath to establish the bus bay along the eastern side of the road reserve on Montwood Drive. • Signage and line marking • Utilities and services connections

The key features of the proposed activity are shown in **Figure 10**.

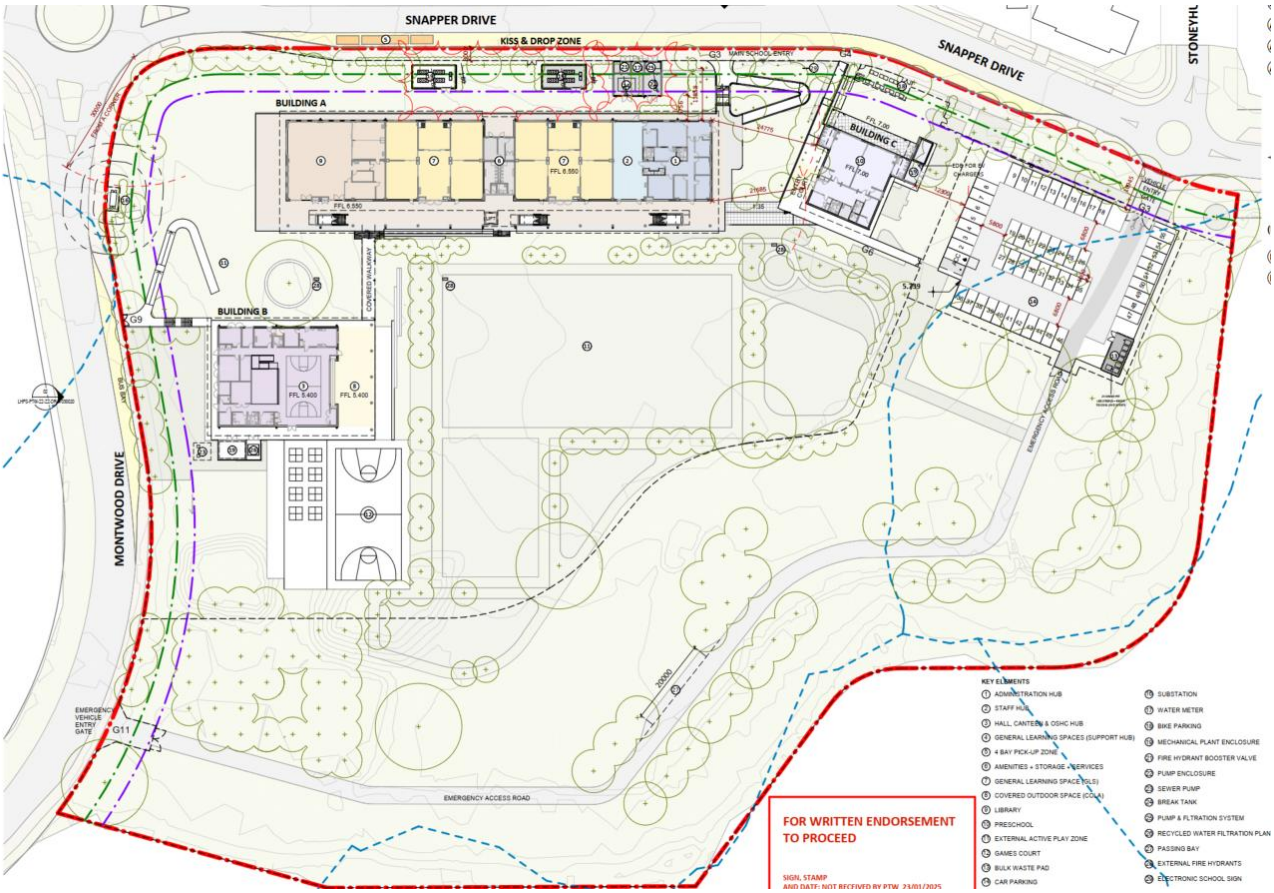


Figure 10: Site plan

3.2 Demolition

The proposed activity includes demolition of the entire length of the existing road verge on Snapper Drive (southern side) and a part of the existing road verge on Montwood Drive (eastern side) as well as in-filling the existing sediment pond. An excerpt of the demolition plan is provided at **Figure 11**.

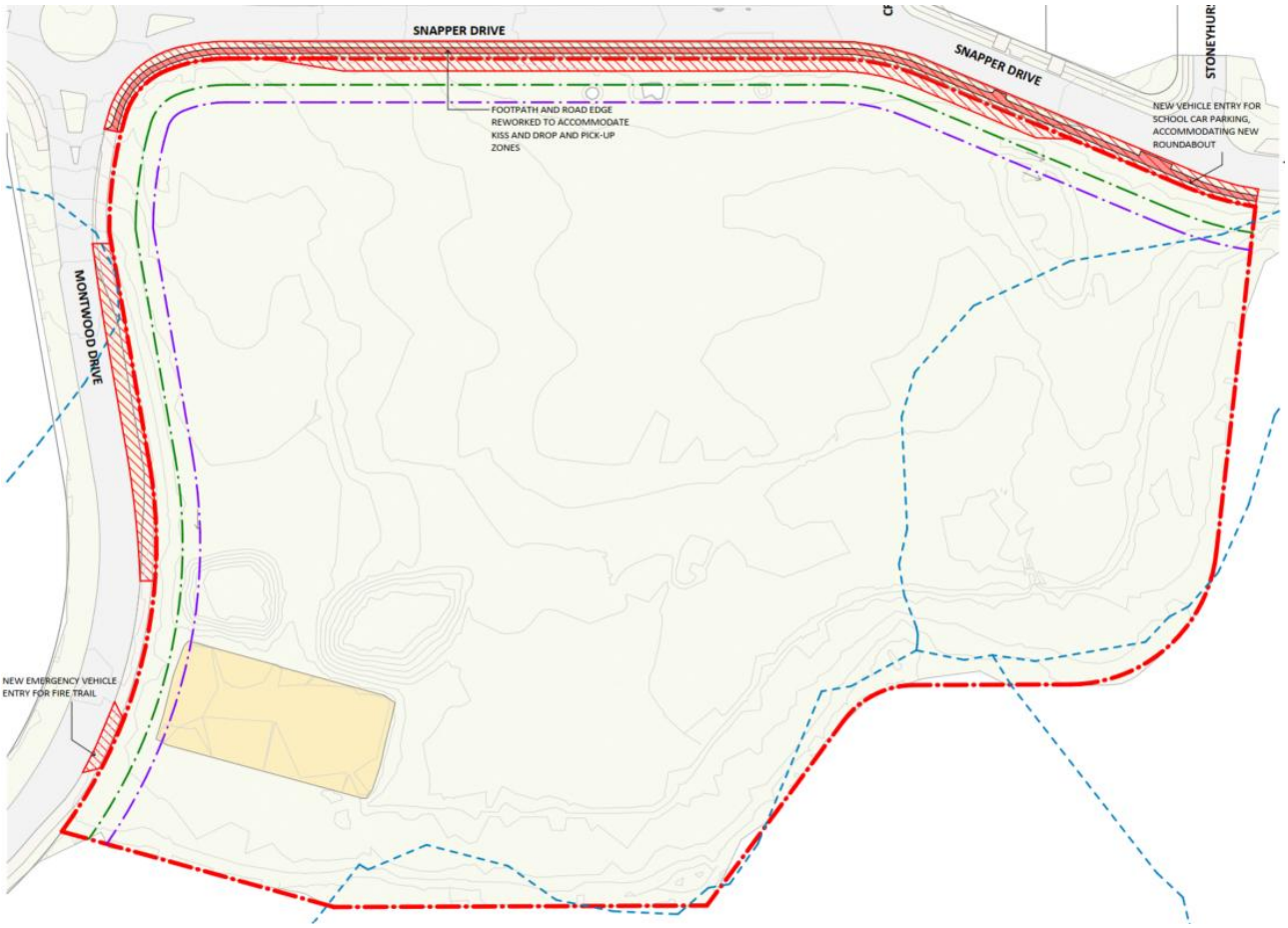


Figure 11: Proposed demolition plan

3.3 Earthworks

Earthworks are proposed to be carried out to grade the site to deliver the proposed building pad, car parking and associated infrastructure.

All efforts have been made to balance cut and fill, with the extent of earthworks. The proposed activity includes approximately 2,693m^3 of cut and 4,704m^3 of fill to achieve the desired grading. The cut and fill volumes provided are concept only and are subject to change pending final coordination and detailed civil design.

Appropriate sediment and erosion control measures will be implemented prior to the commencement of the works.

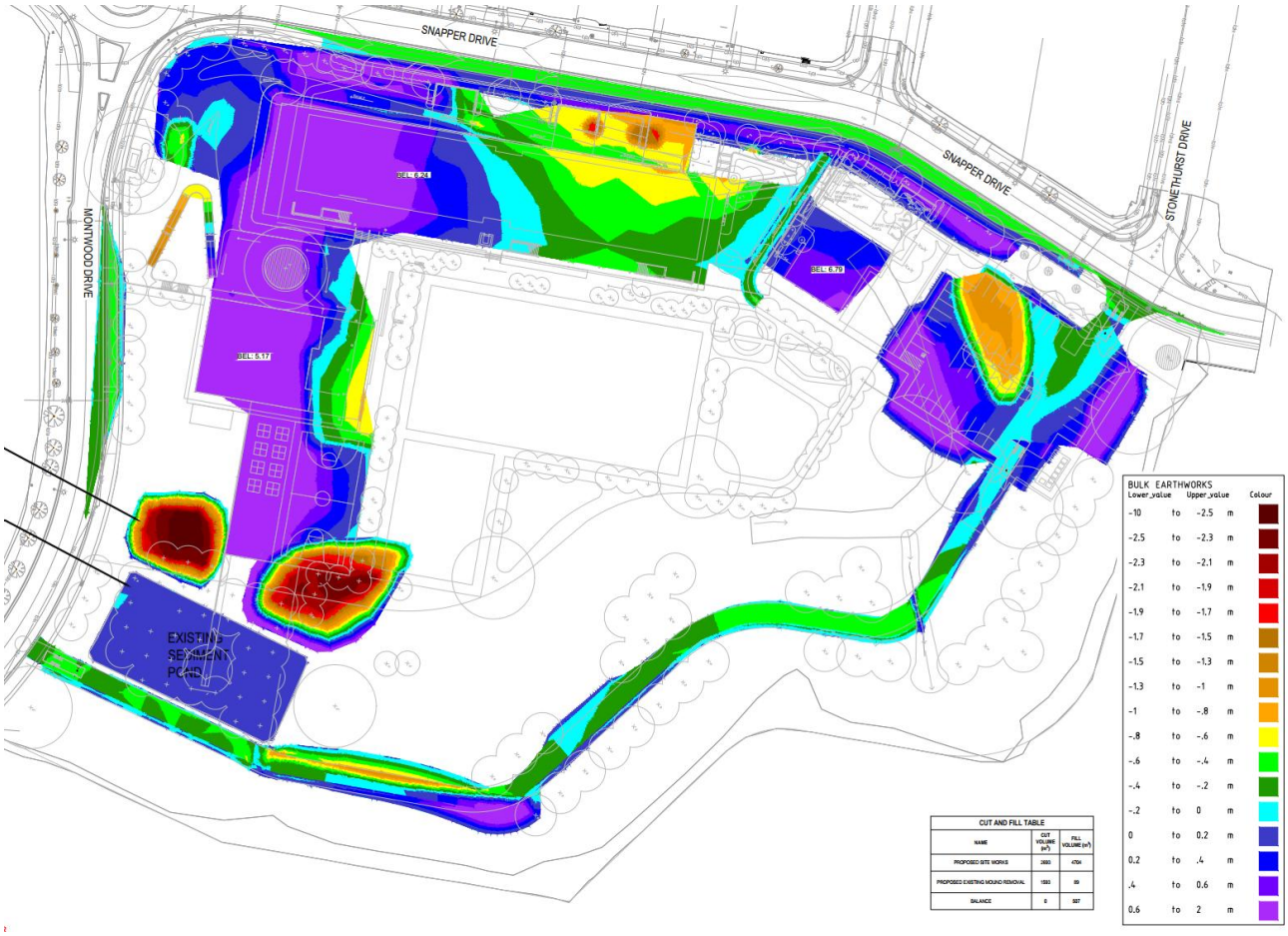
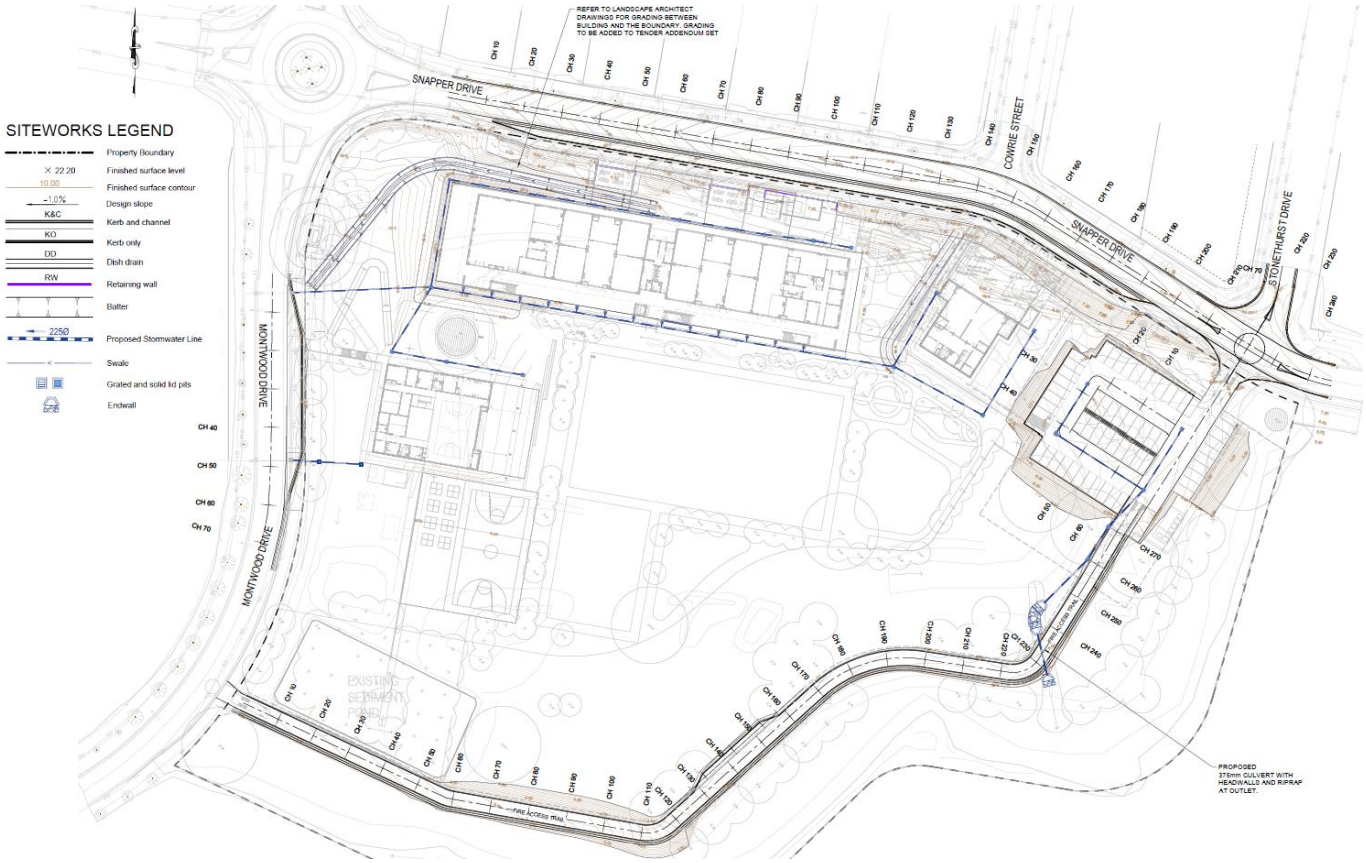


Figure 12: Proposed cut and fill plan

3.4 Stormwater

The site is located within the Epiq Lennox Head subdivision where the regional stormwater detention and stormwater quality facilities have been delivered to the west of the site at Lot 5 DP 1239938. Pits and pipes across the subdivision have been designed to at least 5% AEP. Where pipe capacity exceeds greater than 5% AEP, stormwater will be conveyed through overland flow paths.



3.5 Built Form and Design

3.5.1 Built Form

The building footprints are designed and configured to address the two street frontages, with three (3) buildings. Building A, the main building is a rectangular, two-storey building, with a length of approximately 95 metres along the western portion of the Snapper Drive frontage. Building A has stairs and circulation paths along the southern façade of the building as well as lift access. Building C, the single-storey preschool and the car park have frontage to the eastern portion of the Snapper Drive frontage. Building C, the Hall, OOSH and canteen, is rectangular in shape and located to the south of Building A, with frontage to Montwood Drive.

The proposal generally exceeds the minimum 6 metre front setback requirement to Snapper Drive. The majority of the building line of Building A and C is setback 13.5m behind the property boundary line. Plant is located in three areas within the front setback to Snapper Drive; one plant area is adjacent to the front fenceline, and two smaller mechanical plant areas are setback from the boundary by approximately 1 metre.

The activity also achieves a 15m secondary street setback to Montwood Drive. The maximum height of the proposed activity is approximately 10.45m above existing ground level.

Direct access and clear sight lines are provided from the pedestrian entries on Snapper Drive and Montwood Drive to the main school buildings and outdoor play area. The outdoor play area is the central focus of the site, which allows for good passive and active surveillance during break times.

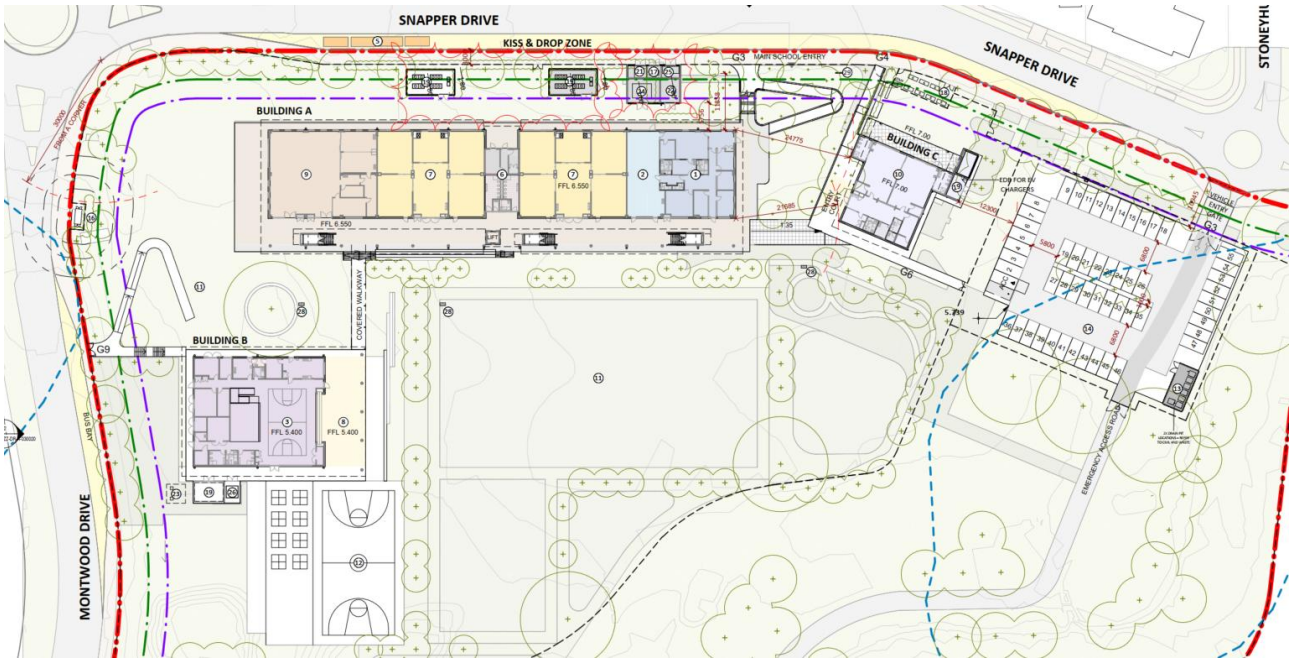


Figure 13: Indicative Ground Floor – Site Plan

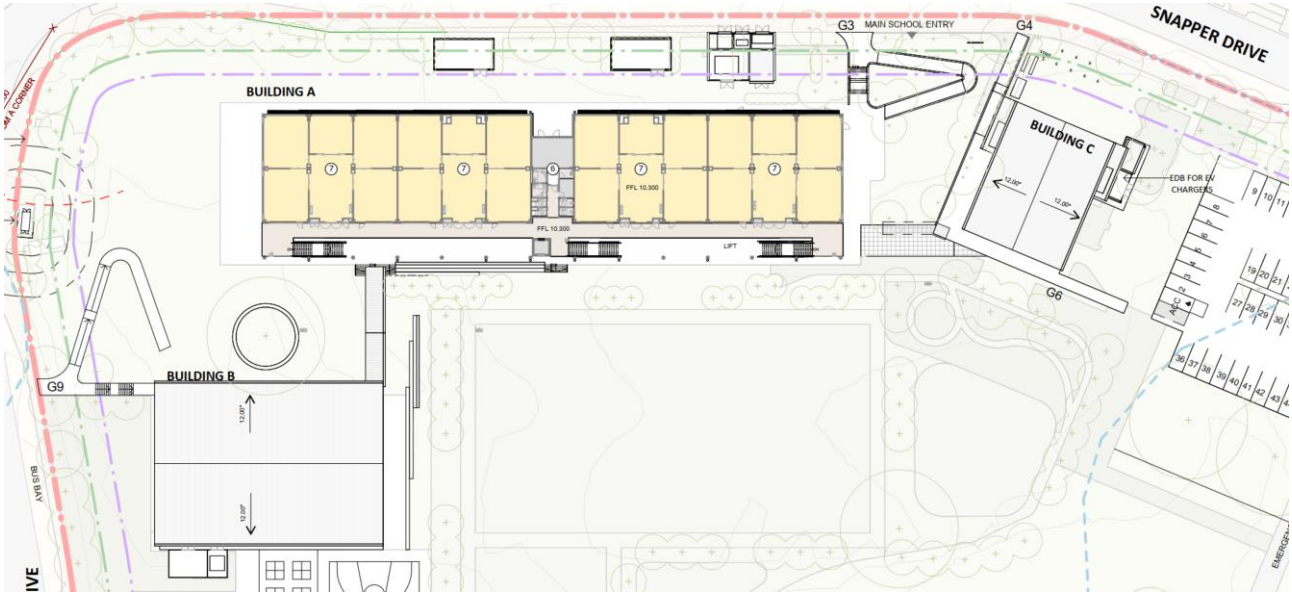


Figure 14: Indicative First Floor – Site Plan

3.5.2 Signage

An electronic information sign is proposed at the main pedestrian entrance to the school to provide information to the school community. The pole sign will include the school's name and emblem as well as a digital screen. The sign will have a height of less than 6m and a width of approximately 2.1m. The screen will be located at least 2.1m above ground level.

3.5.3 Façade treatments

PTW Architects has prepared an indicative material palette for the school building as indicated in **Figure 15**. The proposed colours and materials integrate with the surrounding bushland colours,

Connecting with Country strategy and EFSG and are consistent with the colour palette of the surrounding residential subdivision.

Figure 15: Indicative Material & Colour Palette (Source: PTW Architects)

3.5.4 Design

An Architectural Design Statement has been prepared by PTW Architects which details the design methodology for the new school.

The materiality of the proposed building draws inspiration from the surrounding vegetation including neutral tones and khaki colours. The design is based on the Department of Education's Pattern Book for Schools. Materiality and finishes have been selected to provide visual interest as well as meeting sustainability targets and consideration of how students and staff will interact with the built form. External cladding with perforated panels is proposed for the façade to screen from the sun, and window treatments will provide visual interest and sun shading.

The layout of the building is capable of compliance with the Building Code of Australia and accessibility standards.

Design Guide and Design Quality Principles

The proposed built form responds to the design quality principles outlined in Schedule 8 of the TI SEPP and the Design Guide for Schools.

The design has also been presented to the State Design Review Panel (SDRP) and comments raised by the panel have been considered and responded through the proposed design (see **Section 5.3**). The Architectural Design Statement provides a detailed response to the panel's comments.

3.5.5 Connecting with Country

A Connecting with Country Framework has been prepared for this REF, which provides details regarding First Nations engagement throughout the design development process.

During the consultation process, the design team have been informed by the Connection with Country these include:

- Planting – installing local and native species along the Seasonal Walk that wraps around the perimeter of the outdoor play area encourages students to learn about which plants flower when, the animals that visit in certain months and materials that can be harvested.
- Welcome – installing an ‘acknowledgement to Country’ statement at the entrance of the school for awareness of and respect for the Traditional Custodians of the land. The performing space at the main school entrance provides a visual cue for a welcoming open space for students, staff and visitors.

Other opportunities to bring CWC to the school are available through artworks, textures and storytelling elements to reflect the environment and Indigenous history of the land.

3.5.6 Sustainability and Climate Change

The proposed built form incorporates sustainability measures to provide a comprehensive approach to environmental responsibility, addressing key principles and aligning with regulatory standards. A Sustainable Development Plan prepared by Arcadis will achieve a 4 Star Green Star Design and the following have been considered as part of the proposed design to ensure a sustainable outcome:

Indoor Environment

- Low emission paints on all internal flat and low-sheen areas and water-based paints for internal areas
- Installing optimum insulation in floors and internal walls to improve energy efficiency and thermal comfort
- Install high performing glazing systems e.g. double glazing to improve thermal comfort and energy efficiency
- Incorporate natural ventilation and artificial ventilation for areas that cannot be naturally ventilated.
- Provide daylight to indoor learning areas

Water

- Use of native plants that require minimal watering
- To reduce potable water consumption, utilise the existing recycled water network for irrigation on turf areas.

Energy

- No fossil fuel use as part of the proposal. 100% electrification.
- Solar panels on the roof to maximise on-site generation
- Applying sustainable design principles for example window size, shading, building orientation, thermal mass, building colour to reduce the need for active cooling and heating

Waste

- Provide waste collection facilities and install appropriate signage to ensure waste is disposed correctly
- Use of building materials which are able to be disassembled for re-use

Material

- Selection of materials to reduce carbon emissions
- Choice of light colour and reflective materials for pavements, sidewalks and building to reduce the absorption of solar heat.

3.6 Landscaping

The proposed landscaping design prepared by PTW, includes significant planting of trees, shrubs and ground covers. A variety of landscaping planting is proposed as detailed in the planting schedule that incorporates native species. Planting is proposed along the road frontages to Snapper Drive and Montwood Drive; within the car park; throughout the outdoor play areas; and between buildings. The playspace provides a range of active and passive outdoor learning and play spaces and accessible circulation paths are provided throughout. Significant consultation about Connecting with Country has driven the landscape design along with climatic considerations and the need to provide shaded retreats.

Fencing is also proposed along the northern boundary of the site before wrapping around the active outdoor play areas and up Montwood Drive.

Figure 16: Proposed landscaping design

3.7 Access and Parking

Pedestrian

The main pedestrian entrance to the school is located from the footpath on Snapper Drive between Buildings A and C. Generous landscaping and a ramped entryway will welcome students to the school via the open outdoor performance area and into either the main school building (Building A) or playground area (**Figure 17**). Secondary pedestrian entries are located further to the west on Snapper Drive adjacent to the head of the Kiss and Drop zone, and on Montwood Drive adjacent to the bus bays.

Pedestrian access to the preschool (Building C) is provided from the carpark where parents will be able to park and walk their children into the building.

Vehicular

Access to the site will be provided off a new roundabout at the intersection of Snapper Drive/Stoneyhurst Drive. The car park will provide a total of 55 car parking spaces, including 44 staff parking spaces, ten (10) visitor parking spaces and one (1) accessible parking space (**Figure 17**). The waste storage area is located in the south-eastern corner of the carpark and waste collection will be accommodated through the car park. Vehicular access is also provided of Montwood Drive, however this access is only provided for emergency services vehicles.

The Kiss & Drop zone is located on Snapper Drive, which provides for four (4) drop off spaces and 23 queuing spaces at the front of the school. Students will move between the school and kiss and drop via a pathway to the west of Building A.

Bicycle parking is also provided for the activity with bicycle racks located next to the outdoor play area of Building C.

Figure 17: Proposed car park and access

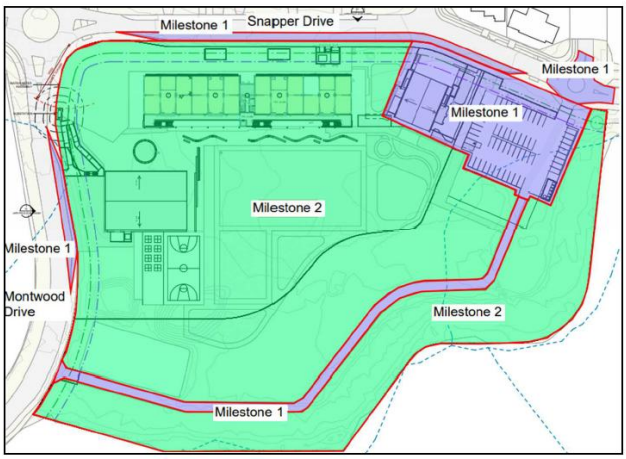
3.8 Construction

A Preliminary Construction Management Plan (PCMP) has been prepared by Johnstaff to outline the general construction management principles and controls to be implemented on site.

Construction Sequencing

The activity will be completed in a staged construction approach with the following separable milestones:

- Milestone 1 – Pre-School
- Milestone 2 – Public School



Construction Hours

During the construction phase the following construction hours will occur in accordance with the POEO Act, being:

- 7:00am to 6:00pm, Monday to Friday
- 8:00am to 1:00pm, Saturday
- No work without prior approval on Sundays and Public Holidays

Site Establishment

The main contractor will provide the necessary temporary facilities required for a safe and secure work place, including but not limited to:

- Site office
- Site security and fencing
- Site amenities
- First aid
- Materials storage

3.9 Utilities and Services

The proposed activity will require service connection to the utility service mains. A summary of the proposed utility infrastructure that is available or to be augmented is outlined below. A Hydraulic Services Design Report prepared by WSCE and Mechanical and Electrical Schematic Design Report prepared by Arcadis.

- **Sewer** – Connection will be made from the existing sewer manhole at located to the west of (SMH201-2) to the site.
- **Water** – Connection will be made from the existing 100mm diameter Water Main branch on Snapper Drive near the main school entry to the site.
- **Recycled Water** – Connection will be made from the existing 100mm diameter Water Main branch on Snapper drive to the site.
- **Electricity** – A 500kVA substation will be provided to the north of Montwood Drive on site.
- **Telecommunication** - NBN and Telstra connections will be available to the site.
- **Gas** – No gas connection is proposed for the activity.

3.10 Waste Management

Demolition and construction waste management is to be undertaken in accordance with the Construction Waste Management Plan prepared by EcCell Environmental Management.

An Operational Waste Management Plan has been prepared by EcCell Environmental Management to describe the proposed operational waste management practices. Based on the proposed student and staff numbers for the school, the following waste storage will be provided in accordance with the Environmental Protection Authority (EPA) *Better Practice Guide for Resource Recovery in Residential Developments* (2019):

- General Waste: 2 x 1,500L
- Recycling: 1 x 1,500L
- Green Waste: 1 x 1,100L

- Comingled waste: 1,100L

Waste will be collected at a frequency rate of once a week. A dedicated waste storage area is provided within the carpark where the waste collection will also occur during outside of operation hours (6am-8am Monday to Friday).

The site will be serviced by a private waste contractor or Council.

3.11 Operation

The new public school will operate with approximately 552 primary school students, 40 preschool children and 44 staff.

Hours of operation is between 8am and 4pm with staff arrival and departure typically occurring between 8am-9am and 3pm-4pm.

Out of School Hours will generally operate in the following times and days:

- Before School Care: Monday to Friday 7am-9am during school term
- After School Care: Monday to Friday 3pm - 6.20pm during school term
- Vacation Care: Monday to Fridays 7.30am – 6pm during school holidays and pupil free days
- Waste collection to occur outside of operational hours: (e.g.6am-8am)

4. Proposal Need and Alternatives

4.1 Proposal Need

Infrastructure at the current Lennox Head Public School (25 Byron Street, Lennox Head) is aged and in need of upgrading. The NSW Department of Education (DoE) has identified the need to provide more new, modern, permanent primary school facilities and expanded access to early childhood education to address population growth borne from greenfield residential developments and urban renewal in the Lennox Head area. Ballina Shire Local Strategic Planning Statement (LSPS) 2022-2024, anticipates 1,027-1,542 new residential zoned lots (infill and greenfield) in Lennox Head by 2024. The school requires an additional 16 permanent teaching spaces to meet projected demand, and in the interim additional needs are being met through the use of demountable classrooms.

During site investigations to establish options for expansion at the existing school site, a significant number of Aboriginal artefacts were discovered, triggering an ACHAR and subsequent AHIP. The AHIP imposed a range of conditions on development of the site and prevented installation of further demountable buildings.

In light of this and other factors, the department determined the best option to meet the education needs of the Lennox Head community was to relocate the school to new facilities on an appropriate new site.

This approach will provide the Lennox Head community with access to all brand new, modern classrooms and core facilities as well as a new public preschool.

To stabilise growth of Lennox Head Public School until new facilities could be provided, the intake area for the school was temporarily adjusted so that areas to the south became in zone for Southern Cross Public School in East Ballina. Land in Lennox Head was acquired to enable the Lennox Head Public School to be relocated and a new public preschool for 3-5 year olds to be provided onsite.

The proposed primary school is appropriately sized to meet the anticipated education needs of an intake area similar to that which was in place prior to the adjustment. The intake area for the new school will be set approximately 12 to 18 months ahead of start of operations. The proposed activity also improves the spatial alignment of supply with new demand in the area, by locating Lennox Head Public School in closer proximity to recent and planned new residential development.

It is proposed to undertake the activity and ancillary works as ‘development permitted without consent’ pursuant to Section 3.37A of the TI SEPP. It is envisaged that the school will commence operation for Day 1 Term 1 in 2027.

4.2 Alternatives

The proposed activity has been developed following a consideration of options and alternatives to address the need identified above. A summary of the options considered is provided in **Table 2**.

Table 2: Assessment of Options and Alternatives

Option	Discussion	Preferred Option
Option 1: The Proposed Activity	The proposed activity will provide essential school infrastructure to meet the needs of a growing community. The new site for Lennox Head Public School will accommodate current and projected enrolment demand.	Option 1 is preferred due to the growth in the locality, and the constraints at the existing school site. The new site is well located within Lennox Head, with 700 new dwellings immediately adjacent to the proposed site. The new site will have good access to public transport, active transport pathways and an existing road network.
Option 2: Alternate site	Alternative sites were considered, however were not pursued due to their location or environmental constraints.	Option 2 is not preferred as the alternative site were not located within proximity to the catchment and would result in an unacceptable impact to the environment.
Option 3: Do Nothing	To do nothing, would mean the existing Lennox Head Public School students would remain in older style classrooms and facilities and there would be no ability for the school to expand to meet increased demand. The changes intake area boundaries would remain in place, with southern parts of Lennox Head remain in area for Southern Cross Public School.	Option 3 is not preferred as it relies on retaining the existing highly constrained site, which does not address the current and forecast demand for education in the locality.

5. Statutory and Strategic Framework

The proposed activity as described in Section 3 is required to be assessed "to the fullest extent possible" against the applicable statutory planning framework pursuant to Part 5 of the EP&A Act, and must take into account the environmental factors set out in Section 171 of the EP&A Regulation and Table 1 of Division 5.1 Guidelines and Table A1 of the Guidelines Addendum October 2024.

5.1 Permissibility and Planning Approval Pathway

Section 4.1 of the EP&A Act states that if an EPI provides that development may be carried out without the need for development consent, a person may carry out the activity, in accordance with the EPI, on land to which the provision applies. In this regard, environmental assessment of the activity is required under Part 5 of the EP&A Act.

TI SEPP aims to facilitate the effective delivery of infrastructure and educational establishments across the state and provides that various developments for the purposes of a government school are permitted without consent. The proposed activity is development permitted without consent as outlined at **Table 3**.

Table 3: Description of Proposed Activities under the TI SEPP

Division and Section within TI SEPP	Description of Works
Chapter 2 Infrastructure, Part 2.3 Development controls	
Division 4 Electricity generating works or solar energy systems **Section 2.38(4) – Solar Energy Systems**	**Solar Energy Systems** Section 2.38 of the TI SEPP permits development for the purpose of solar energy systems to be carried out by or on behalf of a public authority without consent on any land if it is ancillary to an educational establishment. The proposed activity for an education establishment includes solar panels on the roof, which will be delivered by the department and therefore the works carried out are development permitted without consent.
Division 17, Subdivision 1 Roads and road infrastructure facilities **Section 2.109 – Development for the purpose of a road or road infrastructure facilities**	**Road Infrastructure** Section 2.109 of the TI SEPP permits development for the purpose of a road or road infrastructure to be carried out by or on behalf of a public authority without consent on any land. The proposed activity includes new driveway crossovers, road widening for a Kiss & Drop zone and pedestrian footpath on Snapper Drive and bus bay on Montwood Drive as well as the installation of a roundabout at the intersection of Snapper Drive and Stoneyhurst Drive. These works will be delivered by the department and do not require approval under the *National Parks and Wildlife Act 1974*, therefore the works are development permitted without consent.
Division 18 Sewerage systems **Section 2.126(6) – Development for the purpose of sewerage reticulation systems**	**Sewerage Systems** Section 2.126 of the TI SEPP permits development for the purpose of reticulation systems to be carried out by or on behalf of a public authority without consent on any land. The proposed activity includes connection from the site to the existing sewer system, located on the western side of the wetlands. This work will be delivered by the department, and is consistent with Section 2.126.
Division 20 Stormwater Management Systems **Section 2.137 -**	**Stormwater Management Systems** Section 2.137 of the TI SEPP allows development for the purpose of a stormwater management system carried out by or on behalf of a public

Division and Section within TI SEPP	Description of Works
Development for the purpose of stormwater management systems	authority without consent. The proposed activity includes drainage works and pipes to ensure the sites stormwater runoff is directed to the appropriate facilities. The works will be delivered by the department and is consistent with Section 2.137.
Division 24 Water supply systems **Section 2.159(1) – Development for the purpose of water reticulation systems**	**Water Services** Section 2.159 of the TI SEPP allows development for the purpose of water reticulation systems to be carried out by or on behalf of a public authority without consent on any land. The proposed works includes connection to the existing water main on Snapper Drive, which will be delivered by the department and is consistent with Section 2.159.
Chapter 3 Educational Establishments and Child Care Facilities **Part 3.4 Schools – Specific Development Controls**	
Section 3.37A – New government schools – development permitted without consent	The proposed activity comprises development for the purposes of a government school on behalf of a public authority on land which does not contain an existing or approved school and is in the R2 Low Density Residential Zone which is a prescribed zone under the TI SEPP. The proposed activity involves the construction of building(s) with a maximum height of two storeys and approximately 10.45m, which is less than the four storey, 22 metre height limit under the TI SEPP. Appropriate consultation having regard to the SCPP – new health services facilities and schools, and the stakeholder and community participation plan will be carried out, refer to **Section 6**. The Design Quality Principles set out in Schedule 8 of the TI SEPP and the Design Principles set out in the Design Guide for Schools have been considered as set out in **Section 7.10.**
Schedule 8 – Design quality principles in schools – Chapter 3	The Design Quality Principles set out in Schedule 8 of the TI SEPP and the Design Principles set out in the Design Guide for Schools have been considered within the Architectural Design Report and discussed further at **Section 7.10** of this REF.

Activities permissible without consent require environmental impact assessment in accordance with Division 5.1 of the EP&A Act and are assessed and determined by a public authority, referred to as the determining authority. The department is the proponent and determining authority for the proposed works.

Additionally, Section 5.7 of the EP&A Act states that an activity that is likely to significantly affect the environment must be subject of an Environmental Impact Statement rather than an REF. The effects of the activity on the environment are considered in **Section 7** and have been assessed as a less than significant impact and can therefore proceed under an REF assessment.

Section 171(1) of the EP&A Regulation notes that when considering the likely impact of an activity on the environment, the determining authority must take into account the environmental factors specified in the guidelines that apply to the activity.

The *Guidelines for Division 5.1 Assessments* (DPE June 2022) and the *Guidelines for Division 5.1 assessments Consideration of environmental factors for health services facilities and schools Addendum* (DPHI, October 2024) provide a list of environmental factors that must be taken into account for an environmental assessment of the activity under Division 5.1 of the EP&A Act. These factors are considered in detail at **Section 7**.

5.2 Environmental Protection and Biodiversity Conservation Act 1999

The provisions of the EPBC Act do not affect the proposal as it is not development that takes place on or affects Commonwealth land or waters. Further, it is not development carried out by a Commonwealth agency or development on Commonwealth land, nor does the proposed development affect any matters of national significance. An assessment against the EPBC Act checklist is provided at **Table 4**.

Table 4: EPBC Act Checklist

Consideration	Yes/No
Will the activity have, or likely to have, a significant impact on a declared World Heritage Property?	No
Will the activity have, or likely to have, a significant impact on a National Heritage place?	No
Will the activity have, or likely to have, a significant impact on a declared Ramsar wetland?	No
Will the activity have, or likely to have, a significant impact on Commonwealth listed threatened species or endangered community?	No
Will the activity have, or likely to have, a significant impact on listed migratory species?	No
Will the activity involve any nuclear actions?	No
Will the activity have, or likely to have, a significant impact on Commonwealth marine areas?	No
Will the activity have any significant impact on Commonwealth land?	No
Would the activity affect a water resource, with respect to a coal seam gas development or large coal mining development?	No

5.3 Other Approvals and Legislation

Table 5 identifies any additional approvals that may be required for the proposed activity.

Table 5: Consideration of other approvals and legislation

Legislation	Relevant?	Approval Required?	Applicability
State Legislation			
National Parks and Wildlife Act 1974	No	No	The aim of the *National Parks and Wildlife Act 1974* is to conserve NSW's natural and cultural heritage. The principal legislative instrument for the protection and management of Aboriginal cultural heritage places and objects in NSW. An Aboriginal Heritage Information Management System (AHIMS) was undertaken on 6 February 2024, which undertook a search of Lennox Head, Skennars Head, part of Ballina and Kinvara. The AHIMS found 113 recorded Aboriginal sites and one Aboriginal place, however no registered sites were found within the site or within 1km of the site. Nevertheless, an ACHAR has been prepared by GML Heritage which confirms the site does not hold any Aboriginal heritage values and has nil to low potential for Aboriginal archaeological deposits. Therefore, the proposed activity does not result in an impact to any Aboriginal object to place.
Rural Fires	Yes	No	The proposed activity for a school is categorised as a

Legislation	Relevant?	Approval Required?	Applicability
Act 1997			Special Fire Protection Purpose (SFPP) in accordance with Section 100B of the *Rural Fires Act 1997*. The site is not mapped or affected by bush fire prone land, as such Bushfire Safety Authority or approval from the Rural Fire Service is not required under Section 100B(2).
Water Management Act 2000	Yes	No	The proposed activity is located within 40 metres of a mapped watercourse. As such Controlled Activity Approval (CAA) is required under Section 91 of the *Water Management Act 2000* (WM Act) however, Section 41 of the *Water Management (General) Regulation 2018* provides an exemption for public authorities in relation to CAA. As such, CAA under the WM Act is not required.
Biodiversity Conservation Act 2016	Yes	No	The site is cleared of any trees or vegetation. Nevertheless, a BDAR Waiver has been issued by DPHI on 7 November 2024.
Heritage Act 1977	No	No	No items, places, objects or conservation area of European or aboriginal heritage has been identified on or adjoining the site.
Fisheries Management Act 1994	No	No	An unnamed watercourse is located along the eastern portion of the site. The proposed activity does not result in permanent obstruction to water tidal patters or flows.
Contaminated Lands Management Act 1997	No	No	Council's Section 10.7 Certificate states that Council is not aware of anything that would qualify the site as contaminated land under the *Contaminated Lands Management Act 1997*. The site has previously been used as a temporary stockpiling ground. A Preliminary Site Investigation (PSI) and Detailed Site Investigation (DSI) has been prepared which confirm the site is considered to have low to medium risk of contamination due the previous activities on the site. Further geotechnical testing will be required if the earthworks are beyond what's presented in the DSI. This is discussed further in **Section 7.4** of this REF.
Roads Act 1993	Yes	No	Works are proposed within the public road reserve, however, pursuant to Schedule 2(5)(1) of the Roads Act, *"Section 138 does not require a public authority…to obtain a roads authority's consent to the exercise of the public authority's… functions in, on or over an unclassified road other than a Crown road."* Accordingly, a Section 138 approval for the public domain works described in this REF is not required. However, consultation with the Roads Authority is required.
Local Government Act 1993	Yes	No	In accordance with Section 69 of the *Local Government Act 1993,* the Crown is not required to obtain approval for anything that is incidental to the erection or demolition of a building. However, consultation with Council is required prior to the commencement of works that would otherwise require a Section 68 approval.
Mine Subsidence Compensation Act 1961	No	No	The site is not located within a mine subsidence area.
Environmental	Yes	No	An assessment against Section 171A of the Regulation is

Legislation	Relevant?	Approval Required?	Applicability
Planning and Assessment Regulation 2021 (Section 171A)			provided at **Section 7.13** of this REF.
Electricity Supply Act 1995	Yes	No	The Network Operator, in carrying out its function is required to notify Council in accordance with Section 45 prior to works on the substation commencing.
State Legislation – State Environmental Planning Policies			
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Yes	No	Chapter 4 of the *State Environmental Planning Policy (Biodiversity & Conservation) 2021* (BC SEPP) applies to the entirety of the Ballina LGA. However the site is not mapped within the "Important Population Boundary" or "Core Koala Habitat."
State Environmental Planning Policy (Sustainable Buildings) 2022	Yes	No	Chapter 3 is relevant to consider sustainable development measures. Chapter 3 of the *State Environmental Planning Policy (Sustainable Buildings) 2022* (Sustainable Buildings SEPP) doesn't apply to activities being undertaken as "development permitted without consent" under Part 5 of the EP&A Act. Nevertheless, the proposed activity has been designed with regard to the principles of ecologically sustainable design, minimising energy consumption, reducing greenhouse gas emissions, minimising water consumption and ensuing good thermal performance of buildings (**Section 7.11**).
State Environmental Planning Policy (Resilience and Hazards) 2021	Yes	No	A PSI and DSI has been prepared for the site which determined the site to have low to medium risk of contamination due the previous activities on the site. The DSI confirms the site is suitable for the proposed school use subject to extent of earthworks proposed that may require additional geotechnical assessment.
State Environmental Planning Policy (Industry and Employment) 2021	Yes	No	An electronic pole sign is proposed at the entry to the public school. An assessment against Schedule 5 of the SEPP has been undertaken and is summarised below: 1. The sign is compatible with the character and use of the site for a public school, and will be lower in height than the built form. 2. The sign will not detract from the amenity or visual quality of the area, and will provide important information to the school community. 3. The sign will not obscure or compromise important views and will not dominate the skyline 4. The sign will be approximately 2.1m wide and have a height of less than 6m, with the screen to be located a minimum of 2.1m above ground level to provide for clearance underneath. The sign is for school information purposes only. 5. The sign will be compatible with the scale of the two-storey school building and surrounding residential development and is located at the main entry, adjacent to the kiss and drop to maximise

Legislation	Relevant?	Approval Required?	Applicability
			opportunities for the school community and residents to access key information 6. The sign will include the school's name and logo as well as the electronic display. 7. The sign will include electronic, illuminated display. The display with comply with relevant Australian Standards to ensure it does not affect the safety of pedestrians or motorists or impact the amenity of surrounding residents. The sign will be subject to a curfew to ensure neighbour amenity is not impacted during nighttime hours. 8. The sign will not reduce safety for any public road or pedestrians or cyclists and will not obscure sightlines from public areas.

5.4 Strategic Plans

Table 6 considers strategic plans that are relevant to the proposed activity.

Table 6: Consideration of applicable Strategic Plans

Strategic Plan	Assessment
North Coast Regional Plan 2041 (NCRP 2041), released December 2022	The *North Coast Regional Plan 2041* (the Regional Plan) Guides the land use planning proprieties and decisions to 2041 for the North Coast Region. There is a total of 12 LGAs located within the North Coast Region including the Ballina LCA. The Regional Plan identified three (3) goals for the region: • Goal 1: Liveable, sustainable and resilient, • Goal 2: Productive and connected, and • Goal 3: Growth change and opportunity. The three goals are supported by 20 objectives, along with strategies, actions and collaborative activities. The proposed activity is consistent with the following objectives under the Regional Plan: • Objective 11: Support cities and centres and coordinate the supply of well-located employment land. • Objective 19: Public spaces and green infrastructure support connected and healthy communities.
North Coast Regional Plan 2036	The *North Coast Regional Plan 2036* sets a dwelling target for Ballina Shire to accommodate an additional 2550 dwelling by the year 2036 with population increase to 45,850. The proposed new school will accommodate the growing population anticipated for the region.
Ballina Shire Growth Management Strategy 2012	The *Ballina Shire Growth Management Strategy 2012* sets a vision for the Lennox Head region as "*the seaside village atmosphere and environmental heritage of Lennox Head will be retained and enhanced as the community works together to provide for the needs of existing and future generations*". The proposed activity is consistent with the following locality objectives: • Ensure that growth and development occur in a coordinated and integrated manner and to ensure that appropriate infrastructure is

Strategic Plan	Assessment
	provided in a timely manner. • Manage Aboriginal, European and other non-Aboriginal cultural heritage values in accordance with the best practice guidelines.
Ballina Shire Economic Development Strategy 2019	Consistent with the *Ballina Shire Economic Development Strategy 2019* the new school will increase the employment opportunities in the education sector within the Ballina Shire region. As of 2019, the region is made up of 909 full time employees in preschool and school education.
Ballina Shire Local Strategic Planning Statement 2020-2040	Ballina Shire Council's Local Strategic Planning Statement provides a 20-year vision for land-use within the Ballina Shire LGA. The proposed activity is consistent with the following planning proprieties outlined in the LSPS: • Planning Priority 2 – Encourage good urban design which increases changes for social interaction and connectedness. • Planning Priority 3 – Stimulate economic activity, and provide improved access to local services and facilities, by reviewing planning control around major Shire infrastructure such as Ballina Hospital, Ballina Byron Gateway Airport and education facilities. • Planning Priority 5 – Maintain a supply of suitably located employment land, close to population centres at Alstonville – Wollongbar, and Ballina – Lennox Head, so as to foster local employment opportunities and to reduce journey to work travel distances. • Planning Priority 9 – Protect the shire's historic heritage. • Planning Priority 10 – Ensure that new development is of a high standard in accordance with best practice guidelines applicable to Northern and Regional NSW. • Planning Priority 14 - Focus development to areas of least biodiversity sensitivity and least exposure to natural hazards such as flooding and bush fire risk.
Lennox Head Strategic Plan 2023-2043	The Lennox Head Strategic Plan 2023-2043 provides a specific character statement the western precinct of Lennox Head. The site is identified as a "new primary school" and therefore the school and associated impacts have been considered in the strategic document of the emerging residential suburb. The new school will support the fully services supermarket, medical centre, speciality shops, community facilities, playing fields and community garden. The development will enhance the existing community allowing students to walk or cycle to and from the Lennox Head village to the new school. 

Strategic Plan	Assessment
	Figure 18: Extract of map identifying the site as a new school (Source: LHSP 2023-2043)
Lennox Head Planning and Environmental Study 2023	The *Lennox Head Planning and Environment Study 2023* provides a detailed outline of the planning history, environmental characteristics, demographic profile, infrastructure program and the communities vision of Lennox Head. Within the year 2013-2022 the Lennox Head Primary School has experienced an increased number of enrolments from 326 to 492. Based on these figures, the new school will be able to accommodate the growing population over the next couple of years. Additionally, support the EPIQ shopping centre and sports field that has been delivered to the west of the site and within a short walk.

6. Consultation

6.1 Early Stakeholder Engagement

Table 7 provides a summary of early stakeholder (non-statutory) consultation undertaken to inform project development and preparation of the REF.

Table 7: Summary of Early Stakeholder Engagement

Stakeholder	Engagement
Aboriginal stakeholders	Stakeholders were engaged through Connecting with Country process involving two (2) Walks on Country on 17 June 2024 and 4 July 2024 and a Workshop on 31 October 2024. Attendees at these consultations included representatives from Jali LALC, AECG, SINSW, Lennox Head Public School, PTW Architects, local indigenous community members, parents from the school and preschool. Details of the themes and design responses that came out of these discussions are provided in the Connecting with Country. A summary is included below: • **Connecting systems** – maintaining natural connections to surrounding systems. Whole of site learning – plants have been selected based on Bundjalung Calendar. • **Seasonal walk/learning circuit** – connecting students with the cycles of Bundjalung Country. • **Productive Garden** – using native edible and resourceful planting from Bundjalung Country. • **Marker** – seating and waiting areas at key entry points around the Pandanus trees to provide moments for slowing down and engaging with Country upon arrival. • **Outdoor learning under the shade** – learning platforms beneath the shade of an endemic fig tree, linking to three mature fig trees that define the northern ridgeline. • **Quiet Learning/Wind Country** – outdoor learning space to reflect the presence of Wind Country, the Casuarina Room offers a sheltered, circular space for learning.
Transport Working Group (TWG) including Ballina Shire Council and Transport for New South Wales (TfNSW).	Stakeholders were engaged through the TWG process involving a series of meetings. Detailed responses are provided in the Traffic Impact Assessment prepared by Bitzios. A summary of key matters raised at each meeting and project team responses are provided in the sections below. Meeting on 26 September 2024: • Council was concerned that the area was not designed to support a school. Project response - traffic network capacity concerns were addressed with quantitative traffic analysis, SIDRA modelling on key intersections to confirm that the network can accommodate the traffic generated by the school use. • Council agreed to indented bus bays on Montwood Drive. Project response - noted • Council requested that if driveway access from Montwood Drive was necessary, that it be restricted to left-in/left-out.

Stakeholder	Engagement
	Project response - Montwood Drive vehicle entry adjacent to multi-purpose hall was deleted and waste storage/collection area was relocated to be adjacent to the car park to facilitate collection with entry from Snapper Drive. The only vehicle access from Montwood Drive is for emergency vehicles only. • Council raised concern about kiss and drop on Snapper Drive impeding two-way traffic flow during peaks. Project response road widening works are proposed to facilitate 27-space kiss and drop and ensure that two-way traffic flows are not impeded.
	Meeting on 2 December 2024: • Council accepted DCP shortfall of on-site parking provided a kiss and drop is provided Project response: kiss and drop is being provided on Snapper Drive with 4 drop off spaces and 23 queuing spaces. • Small “fried egg” roundabout at the Stoneyhurst/Snapper Drive intersection to facilitate u-turn movements into the kiss and drop area Project response - roundabout to be designed in consultation with TWG and installed prior to occupation. • Council suggested relocating pedestrian crossing though noted desire lines to the primary pedestrian access to the school Project response - further design development to propose pedestrian circulation measures across Montwood Drive through to Local Centre. Desire lines to be maintained. • TfNSW agreed to indented busbays along Montwood Drive *Project response* - road widening works are proposed to widen bus bay to ensure buses do not impede traffic flows.
	Meeting on 18 March 2025: • Discussions about bus route changes for school catchment • Design of kiss and drop facility and roundabout agreed. • Proposal to include vehicle site access off roundabout at Stoneyhurst/Snapper Drive intersection. Project response – design amended to relocate vehicle car park access further east to the roundabout. • Agreed on need for two pedestrian crossings, but details of crossing type to be finalised during s138 application process. • Project response – noted, design to be finalised in consultation with TWG during s138 process.
School Design Review Panel	Meeting #1 with SDRP was held on 6 December 2023 (a previous iteration of the design was presented). Detailed responses are provided in the Architectural Design Report . Key matters raised: **Connecting with Country** • Prioritise engagement with local Aboriginal community • Be selective in which cultural narratives are interpreted on the site. • Consider if the shared stories and histories of the existing school site are transferrable to the new site.

Stakeholder	Engagement
	Project response – Engagement has been undertaken, cultural narratives have been selected and interpreted in the design, existing artworks in the school will be transferred to the new campus. Site Strategy and Landscape • Further develop landscape design to reveal unique qualities of place Project response – Landscape design has been further developed to celebrate unique qualities of place, view corridors and endemic species. Built form: • Provide breaks along the building at Snapper Drive, noting the 110m+ length • Reduce impacts on bulk and scale through legible breaks in the building and providing a high degree of articulation • Ensure architecture includes a joyful/playful expression appropriate for a primary school context. • Project response – the main building has been reduced in length by approximately 15 metres, a combination of mitigation measures are proposed including mature landscape planting in the front setback, articulation of the building at the service core, window shading treatments to provide articulation, colour and materiality to break up the form. Sustainability • Demonstrate how sustainability initiatives will be integrated into the design.
	Meeting #2 with SDRP is proposed for May 2025 to discuss the final design. This section will be updated following that meeting.
Utility Providers	Consultation has been carried out with energy, water and telecommunications providers to provide confirmation that the site has suitable access to necessary utilities and services for the operation of the school. SINSW is engaged with Telstra for provision of phone and NBN connections to the site. Telstra has confirmed they can complete this work, but it will be completed by Telstra and therefore does not form part of the REF.

6.2 Early Community Consultation

Department of Education has kept the community informed through the whole project and the Table below provides a brief overview.

Table 8: Early Community Consultation

Date issued	Communication Type	Summary of content
December 2021	Community update	Notification that the existing Lennox Head Public School upgrade would not proceed and strategy would change to providing a new school on a new site.
April 2022	Community update	Update on early planning for the new school including upcoming EOI for land.

Date issued	Communication Type	Summary of content
May 2022	Community update	Notification of a change to the intake areas for Lennox Head and Southern Cross Public Schools to manage growth of LHPS.
June 2022	Community update	Update on early planning, including site shortlisting and business case.
September 2022	Planning update	Update on early planning, including site due diligence.
December 2022	Planning update	Update on early planning, including site acquisition
March 2023	Planning update	Update on early planning, including site acquisition
July 2023	Planning update	Announcement of the new school site
November 2023	Planning update	Update on early planning, including detailed due diligence.
April 2024	Planning update	Update on design, including indicative site plan.
May 2024	Project update	Notification that concept design was complete and invitation to Community Information Sessions.
June 2024	Information pack	Providing an overview of the concept design.
September 2024	Project update	Update on design process.
18 September 2024	Works notification	Notification of geotechnical investigations, including digging of boreholes.
November 2024	Project update – preschool specific	General update on early childhood education in the Ballina LGA.
November 2024	Project update	General update, including progress towards developing school design and preparing the planning application. Link to Community Survey for SIA.
March 2024	Project update	General update including commitment to public exhibition and community information sessions.

A Community Information Session was held on the 5 June 2024 with school staff, school principal, parents, students, neighbours, Ballina Shire Council and community members. An overview of the feedback provided as follow:

- Built form
    - Parking – “Not having any parking for drop off will be a problem.”
    - More covered outdoor space – “Given the climate in the Northern Rivers we need much more shade from the sun and shelter from rain so that students can be outdoors to eat their lunch and for recreation.”
    - Covered walkways – “The covered walkways are too narrow for bag storage and student passage. The overhang isn’t enough to protect from rain, particularly as the walkways will be south facing.” “Are there undercover walkways to the car park, curb and bus bay areas”
    - Kiss and drop – “How will kiss and drop work when most people will be entering Snapper Drive on the other side of the road and will need to do a u-turn or rat run through local roads to be on the right side of the road?”
    - Outdoor learning – “Can there be an amphitheatre or tiered seating area for outdoor learning and small performances?”

    - Location of sport court – “Can you consider moving the sport court to an area south of the hall so that it isn’t right outside the classrooms. It may be distracting and noisy if it is being used.”
    - Not enough shelter – “What is the size of the COLA outside the hall? There isn’t enough covered area for play or eating lunch. Need shade in our climate.”
- Environmental
    - Mosquitoes – “The mosquitoes around the area can be quite bad. Has this been taken into consideration”.
    - Drainage – “A lot of water runs down the hill from the housing areas to the north. How will this be managed?”
- Internal Layout
    - Canteen servery – “Does the canteen have a servery window and delivery door that are accessible without having to go into the hall? Don’t want deliveries across the hall floor and students need to be able to use the canteen while the hall is in use”
    - Larger storage space for the GA – “The space on the site plan is not sufficient for the equipment the GA uses. Would like a 5-bay garage to be placed somewhere. Currently using old container to store mowers, furniture equipment etc.”
    - Appropriate outdoor seating for lunch – “We need 1 or 2 staff toilets on the first floor. Teachers can’t leave their classes for a long period to get down to the staff room. Also relevant for staff that may be pregnant, ill or need the bathroom urgently.”
    - Visual and acoustic separation between classrooms and learning commons – “Teacher preference is to not use glass between the classrooms to minimise visual and audio disruption and distraction.”
    - Minimising distraction – “Important to minimise visual and audio distraction in the classrooms. Many parents don’t like the idea of open learning or glass between classrooms as their children will get distracted. Can that be considered in material selection?”

6.3 Statutory Consultation

Consultation will be undertaken in accordance with statutory requirements under the TI SEPP and having regard to the SCPP DPHI and the SCPP DoE. This includes:

- sending notices to adjoining neighbours, owners and occupiers inviting comments within 28 days,
- sending notices to the local council and relevant state and commonwealth government agencies and service providers inviting comments within 21 days,
- placing an advertisement in the local newspaper, and
- making the REF publicly available on the Planning Portal throughout the consultation period.

Comments received will be carefully considered and responded to.

7. Environmental Impact Assessment

The following sections assess the key environmental impacts of the activity and constraints of the site.

7.1 Traffic, Access and Parking

This REF is accompanied by a Traffic and Access Impact Assessment prepared by Bitzios Consulting (**Appendix 2**) for the proposed activity. The assessment reviews the existing road network, proposed impact on parking, site access arrangements, pedestrian movements and public transport.

7.1.1 Existing Conditions

The Traffic and Access Impact Assessment reviews the existing transport environment within the proposed site and a summary of the key modes of transport as follow:

- Road network: The surrounding road network predominantly contains two-lane local roads speed limited to 50km/h and owned by Ballina Shire Council. Most traffic movements that were observed were located near the shopping centre entrance and exit off Huntley Drive. There are two key intersections within proximity of the site being the roundabout at Snapper Drive/Montwood Drive and Huntley Drive/Snapper Drive (**Figure 19**).

Figure 19: Key Intersection (Source: Bitzios Consulting)

- Pedestrian: The site has well connected pedestrian infrastructure with 1.5m wide pathways, pram ramps and refuge islands. The footpath networks connect to Byron Bay Road and Skennars Head Road providing well-integrated connectivity to the surrounding local streets.
- Public Transport: No bus stops are currently located within the immediate vicinity of the new school site, as the subdivision is relatively new. The nearest bus stops are on North

Creek Road (500m east of the site), which has access to a range of bus routes 640, 640X and 662 that connect to the Ballina Byron Gateway Airport, Lismore, Southern Cross University (Northern Rivers Campus) and Byron Bay.

- Transport Mode Share: Based on a survey of students at the existing Lennox Head Public School in Byron Rd, Lennox Head; 12.9% of students walk to school, 12% cycle, 20.7% take public transport and 53.6% are driven to school. While car-based travel is the highest mode of travel, 48% are carpooling (i.e. dropped-off/picked up in a car with another sibling or other students).

7.1.2 Operational Traffic, Access and Parking

A range of transport facilities are proposed as part of the works, these include:

- Realignment of the existing pedestrian footpath to facilitate road widening works on Montwood Drive and Snapper Drive,
- Kiss & Drop Zone on Snapper Drive,
- “Fried egg” roundabout at the intersection of Snapper Drive / Stoneyhurst Drive,
- Bus Bay to accommodate two (2) buses on Montwood Drive,
- 40km/hr School Zone signage,
- Pedestrian crossing facilities adjacent to the roundabout at Montwood Drive/ Snapper Drive
- On-site car parking for 55 vehicles, and
- 47 Bicycle parking spaces.

A site plan of the above items is provided in **Figure 20**.

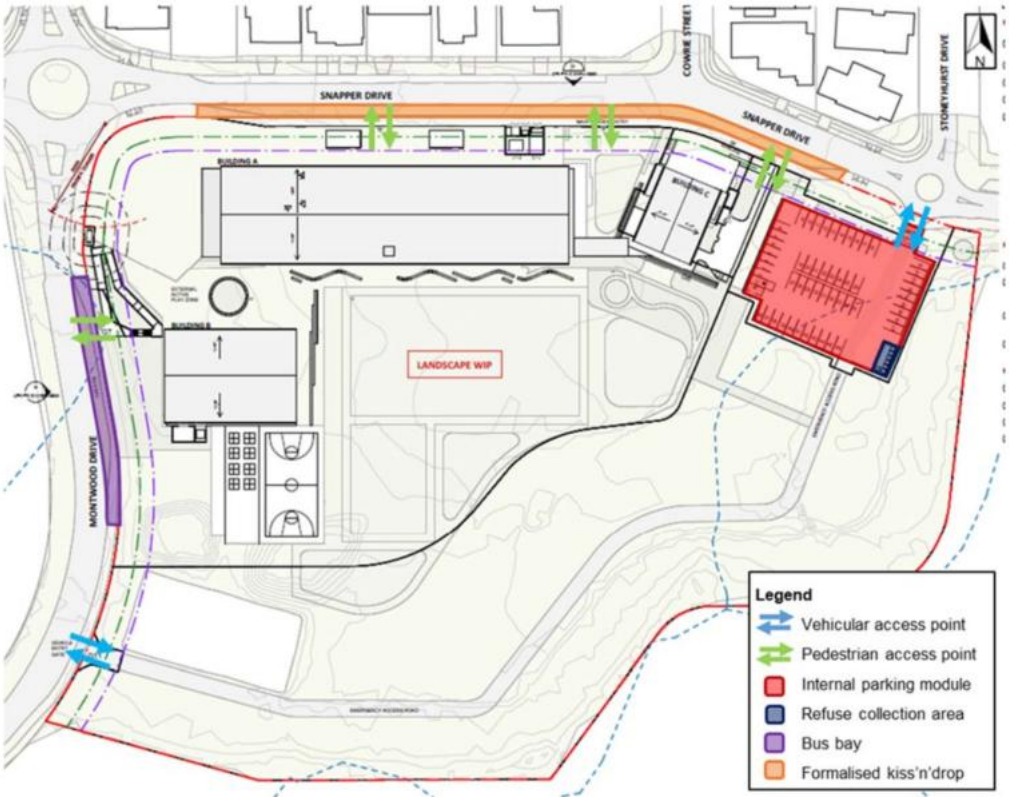


Figure 20: Proposed Transport Facilities (Source: Bitzios)

Road Widening of Montwood Drive and Snapper Drive

Road widening on Montwood Drive and Snapper Drive is proposed to accommodate the bus bay and kiss and drop zone respectively without impeding traffic movements, and provide a wider shared pedestrian and cycle path along Snapper Drive that will improve safety during peak drop-off and pick-up periods.

These works will require a minor realignment of the site's property boundary with Snapper Drive and Montwood Drive to facilitate widening of the public domain for the above works.

Kiss & Drop Zone

A Kiss & Drop zone is provided along the Snapper Drive frontage, with an approximate length of 162m, which includes a total of 4 bays for student loading and unloading plus queuing space for an additional 23 vehicles. Signposts will be erected within the 4 bays restricting a maximum of 2 minutes during school zone times. This facility will alleviate on-street parking demands as it provides an efficient way of drop-off and pick-up. Outside of school peak times, the Kiss & Drop zone will be formalised as on-street parking.

Roundabout at Snapper Drive / Stoneyhurst Drive Intersection

A new "fried egg" style roundabout is provided at the intersection of Snapper Drive / Stoneyhurst Drive to formalise a new vehicle driveway entrance to the site as well as accommodate u-turn movements for vehicles travelling east and wishing to use the Kiss & Drop facility. This type off roundabout enables heavy ridged vehicles to pass over the roundabout at the intersection.

Bus Stop on Montwood Drive

A new school bus stop facility is provided along the Montwood Drive frontage with adequate space for two (2) buses. Upgraded shared pedestrian and cycle pathway will provide connections to the site as well as north to Snapper Drive and south of the site. Swept paths provided in the TAIA confirm that buses can perform a u-turn movement at the Snapper Drive/Montwood Drive roundabout to enter the bus zone.

40km/hr School Zone

40km/hr speed limit will be enforced on the road network within the immediate vicinity of the new school. This includes Snapper Drive, Montwood Drive, Stoneyhurst Drive and Cowrie Street.

Car Parking and Kiss and Drop

Based on a total of 552 students and 40 staff for the primary school and 40 children and 4 staff for the preschool, a total of 82 spaces are provided on and off the site as follows:

- 55 spaces within the on-site car park (40 spaces for primary school staff, 4 spaces for preschool staff, 10 spaces for preschool visitors and one (1) accessible space).
- 27 spaces within the Kiss & Drop zone (all spaces will be available for parking outside peak periods).

The carpark has been designed in accordance with Australian Standards, and the following table confirms compliance with Ballina DCP car parking rates **Figure 21**.

Land Use	Parking Rate	Quantity	DCP Requirement	Spaces Provided
Primary School (Education Establishment)	1 space per 12 students plus 1 space per 2 employees	552 students 40 staff	67	41 staff bays on-site + KnD Facility 27 bays (*4 KnD bays + 23 storage bays. All bays available for parking outside peak periods)*
Pre-school (Child Care Centre)	1 space per 4 children plus drop off/ pick up area	40 children	10	14 (10 + 4 staff bays)
		Total	**77**	**55 + 27 = 82**

Figure 21: Car Parking Rates Compliance Table (Source: Bitzios)

The carpark will also facilitate waste collection from the waste storage area located in the south-eastern corner of the carpark. Swept path diagrams of a 10.4m front loading Refuse Collection Vehicle utilising the new roundabout and accessing and manoeuvring within the carpark is provided in **Appendix 2,** along with swept path diagrams of other service vehicles for delivery of up to 8.8m Medium Rigid Vehicle. Other service vehicles will utilise the service area by the waste storage area for deliveries.

Bicycle Parking

In accordance with the *Austroads Guide to Traffic Management*, 1 space per 5 pupils over Year 4 requires bicycle parking. A total of 184 students are over Year 4 therefore 37 bicycle parking spaces are provided within a secure area in the front setback to Snapper Drive.

Pedestrian Access

Pedestrian access is provided at multiple points across the site (**Figure 20**):

- Snapper Drive (East Entrance) – This access point will provide access only to the preschool.
- Snapper Drive (Main Entrance) – This access point will lead to the school reception, principal's office and outdoor performance area.
- Snapper Drive (West Entrance) – This access point will lead students to/from the Kiss & Drop zone down to the side of Building A into the outdoor play area.
- Montwood Drive – This access point will lead students from the bus stop area down to the outdoor play area.

Emergency Service Vehicle Access

An Emergency and Maintenance access road is provided from the car park through the site to the Montwood Drive access point. This will allow emergency service vehicles reach different parts of the site.

7.1.3 Traffic Assessment

Background traffic volumes for the existing road network were obtained during surveys on 19 June 2024 at the Snapper Drive/Montwood Drive, Montwood Drive/North Creek Road and Hutley Drive/Snapper Drive intersections. Traffic volumes during the morning and afternoon peaks were then used to model the impacts of traffic generated by the proposed activity.

Traffic generation rates for the morning and afternoon peaks were calculated to be 344 vehicles based on student and staff numbers as indicated in **Figure 22**.

Component	Quantity	Traffic Generation Rates		Trips (vph)	
		AM	PM	AM	PM
Preschool (staff and students)	40	0.83 trips per student	0.83 trips per student	34	34
Primary School (staff)	40	40 in	40 out	40	40
Visitors (KnD)	135*	135in, 135out	135in, 135out	270	270
			Total Net Increase in Trips	**344**	**344**

Figure 22: Traffic Generation (Source: Bitzios)

While traffic volumes are expected to occur during peak periods, the operation of the school is supported by a School Travel Plan to manage the operations of the Kiss & Drop and encourage the use of active and public transport facilities for staff and students to travel to and from school.

SIDRA modelling was carried out to determine the traffic impacts by comparing the existing traffic conditions, the future traffic conditions once the activity is operational (2027) and 10 years after the commencement of the activity (2037).

The following intersections were undertaken in the SIDRA modelling and concluded that all intersection were expected to retain a Level of Service following commencement of the activity and will operate well within an acceptable performance limit for the 2037 design. The result of the proposed traffic generated is expected to have a negligible impact on the overall performance therefore not requiring the need of any additional mitigation measures to be implemented.

- Snapper Drive / Stoneyhurst Drive / School Access Driveway
- Hutley Drive / Snapper Drive
- Snapper Drive / Montwood Drive
- Montwood Drive / North Creek Road

The Traffic and Access Impact Assessment has also concluded that the surrounding road network will not be impacted to a level that would require updates to the road capacity or cross section.

7.2 School Travel Plan

A School Travel Plan has been prepared by Bitzios to encourage the use of active and public transport for students and staff when travelling to and from school. A review of student travel distances to the site has been undertaken to identify the percentages within different mode share typologies

Catchment	Distance	Student Population	Proportion
400m	5min walk	7	1.4%
800m	10min walk	66	13.3%
1200m	15min walk / 5min bicycle	109	22%
2400m	10min bicycle	235	47%
Bus stops	400m	132	26%

Figure 23: Student population within walking & bicycle catchments (Source: Bitzios)

A series of strategies are proposed to encourage students and staff to reduce reliance on private vehicles, as follows:

- Staff end of trip facilities,
- Provision of bicycle parking area,
- Upgrades to pedestrian footpaths,
- Staff carpooling initiative, and
- Communication initiatives outlining green travel options including a Travel Access Guide.

These initiatives will be implemented with a view to achieving the following mode share shift targets:

Travel Mode	Existing Mode Share	STP Mode Share Targets Moderate (Reach)	Change	Timing Moderate (Reach)
Staff				
Private Vehicle	95.2%	90% (80%)	-5% (-10%)	2032 (2037)
Carpooling	0%	1% (3%)	12% (3%)	
Walking	4.8%	6% (9%)	+1.2% (4.2%)	
Cycling / Scooter	0%	2% (6%)	+2% (6%)	
Bus	0%	1% (2%)	+1% (+1%)	
Student				
Private Vehicle	54%	40% (26%)	-14% (28%)	2032 (2037)
Walking	13%	15% (17%)	+2% (4%)	
Cycling / Scooter	12%	15% (17%)	+3% (5%)	
Bus	21%	30% (40%)	+9% (19%)	

Figure 24: LHPS Mode Share Targets (Source: Bitzios)

A School Travel Plan Coordinator will be appointed within the first 12 months of the school operating and shall undertake an annual student and staff travel mode share survey. This data can be compared against the targets above to measure how effective the Plan has been, and make any necessary adjustments.

7.2.1 Construction Traffic

Heavy vehicle movements and access to the site during construction will be provided from Montwood Drive and any movements on Snapper Drive will be limited. This is to minimise community impact by avoiding the residential area where possible.

Construction worker parking will be located on the surrounding road networks.

A Construction Traffic and Pedestrian Management Plan will be prepared by the lead contractor to ensure safe construction access to the site and maintain adequate pedestrian movement in and around construction zones.

7.2.2 Mitigation Measures

Table 9: Mitigation Measures for Traffic, Access and Parking

Mitigation Measures	Timing
Implementation of safe pedestrian crossing facilities surrounding the site suitable for increased pedestrian demands to/from the school. Consult with Ballina Shire Council on appropriate pedestrian crossing facility to be installed at Montwood Drive/Snapper Drive intersection.	Prior to commencement of the school
Construct an indented bus bay facility on the eastern side of Montwood Drive suitably sized for two buses and associated stop/ shelter requirements.	During construction
Construct kerbside parking facility generally in accordance with Councils concept plans for Snapper Drive. Install appropriate kerbside signage and line marking to manage KnD operations and provide kerbside parking outside peak school periods.	During construction
To assist in managing demand and the operational efficiency of the KnD, bus bay and pedestrian access areas, the infrastructure provisions should be supported by the School Travel Plan, Travel Access Guide and supporting operational guidance on the correct and appropriate use of the transport facilities surrounding the site.	Operational
Associated off-site infrastructure works to support the school, including (but not limited to) services, driveways and pedestrian crossings: • Realigning the pedestrian footpath to facilitate road widening works along Snapper Drive for a Kiss and Drop zone during drop off and pick up times. Outside drop off and pick up times, the Kiss and Drop zone will be available for parking • Site boundary realignment along Snapper Drive to accommodate public domain works • Realignment of pedestrian footpath to enable road widening for the indented bus bays along Montwood Drive • Site boundary realignment along Montwood Drive to accommodate public domain works • Associated pedestrian and road upgrade works on the external network	During construction of relevant works

7.3 Noise and Vibration

A Noise and Vibration Impact Assessment Report has been prepared by E-LAB Consulting for the proposed activity to assess the noise and vibration generating noise sources and activities during construction and operation of the new school. The report has assessed the activity against the Ballina Shire Council DCP, NSW Noise Policy for Industry 2017, NSW Road Noise Policy 2011 and other relevant policies and guidelines for assessing operational noise and vibrations:

- Road noise intrusion into the activity from traffic movement and surrounding local roads,
- Noise emission from mechanical plant and equipment servicing the school,
- Noise emission from school PA systems and bells,
- Noise emission from student play noise during recess and lunch breaks,
- Noise emission from Building A, B and C indoor learning areas,
- Noise emission from Carpark and Kiss and Drop facility, and
- Noise impact from the traffic generation as a result of the activity.

7.3.1 Background Noise

Unattended noise surveys were carried out by Acoustic Works around the site, four (4) were taken within the existing residential developments being the nearest noise sensitive receivers (north, east, south and south west) (**Figure 25**). The data collected establishes the background noise levels in accordance with the Noise Policy for Industry 2017.

Figure 25: Unattended noise monitoring results (Source: Acoustic Works in E-Lab report)

The *Noise Policy for Industry 2017* sets out three (3) criteria for residential receivers.

- Intrusive assessment– that is, how audibly loud is the emitted noise compared to ambient, background noise. Criteria are determined relative to the measured rating background noise level (RBL + 5 dB(A)).
- Amenity assessment – that is, how loud is the absolute level of emitted noise, including cumulative noise from other existing sources considered to be “industrial” emissions. The NPfI nominates appropriate amenity noise levels depending on the receiver type and prevailing noise environment/zoning.
- Maximum Noise assessment – is not required for the proposed activity as operation during the night period is not proposed.

Noise level amenity criteria for the nearest residential receivers is provided at **Figure 26**.

RECEIVER CATCHMENT	RECEIVER TYPE	TIME OF DAY	RECOMMENDED AMENITY NOISE LEVEL - $L_{Aeq,period}$ dB(A)	PROJECT AMENITY NOISE LEVEL - $L_{Aeq,period}$ dB(A)	PROJECT AMENITY NOISE LEVEL - $L_{Aeq,15min}$ dB(A)
RC1 RC2 RC3 RC4	Residential – Suburban[1]	Day	55	50	53
		Evening	45	40	43
		Night	40	35	38
CC1	Commercial	When in use	65	60	63

Figure 26: Project noise level amenity (Source: E-Lab)

There are no specific noise requirements that relate to school developments (other than complying development). In addition, the Commissioner in Meriden v Pedavoli [2009 NSWLEC 183] determined that "*all noise that emanates from the normal activities of a school is not offensive*."

7.3.2 Operational Noise

Noise Impacts as a Result of the Activity

External noise emissions associated with the operation of a school includes noise emitted from:

- Mechanical services
- Public address system and school bell
- School activities
- Vehicle movements generated by the site.

Mechanical Services

The mechanical plant is located along the Snapper Drive frontage, and will operate during school hours. Based on the sound that is produced from the condenser units it will exceed the noise criteria affecting the nearest sensitive residential receivers and internally to the school.

To achieve the noise criteria requirements, noise barriers of a minimum 0.5m height above the highest condenser units are required to block line of sight to the condensers from the adjacent residential receivers and internal school receivers (**Figure 27**). These noise barriers are to be constructed with no gaps, made of material with minimum 12.5kg/m^3 such as a masonry wall or CFC sheeting.

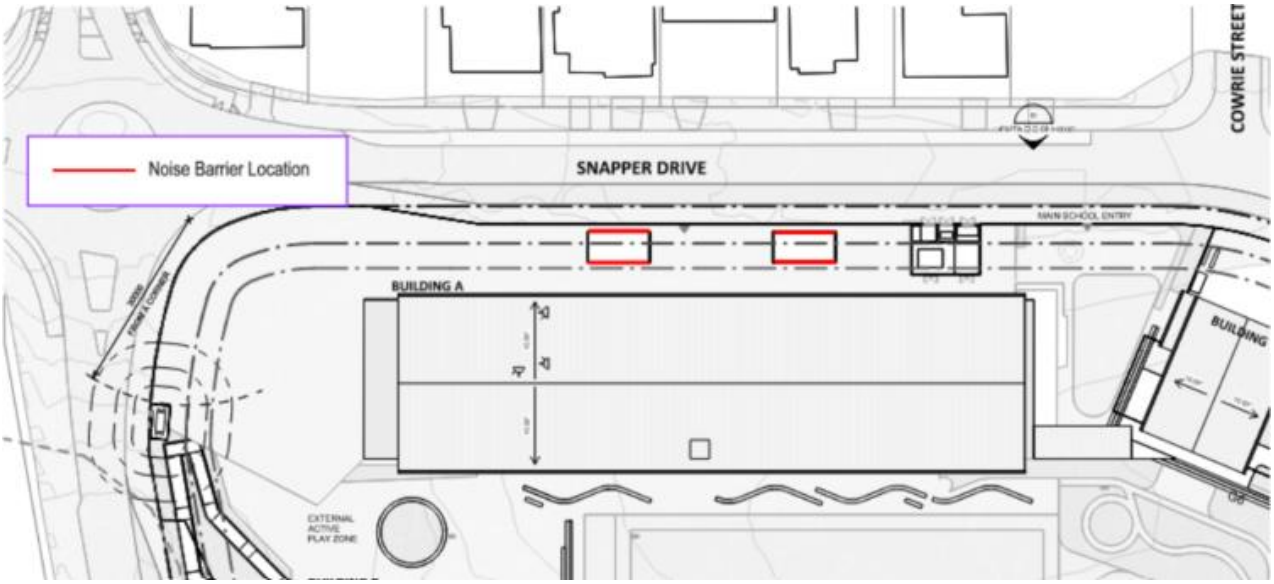


Figure 27: Mechanical plant noise barrier locations (Source: E-LAB)

Public Address System and School Bell

For the purpose of this noise assessment, public address (**PA**) system and school bells are assumed to be installed at each building facing internally to the outdoor play area. At a worse-case scenario each PA and school bell running simultaneously will result in a maximum 90dB(A) for a duration of 10 seconds in a 15-minute period. The noise generated by the PA system and school bell in a 15-minute period have been predicted to affect the façade of the nearest noise sensitive receivers to the north, east, south and southwest. The modelling carried out has determined that the noise emissions are below the noise limit for surrounding residents (**Figure 28**).

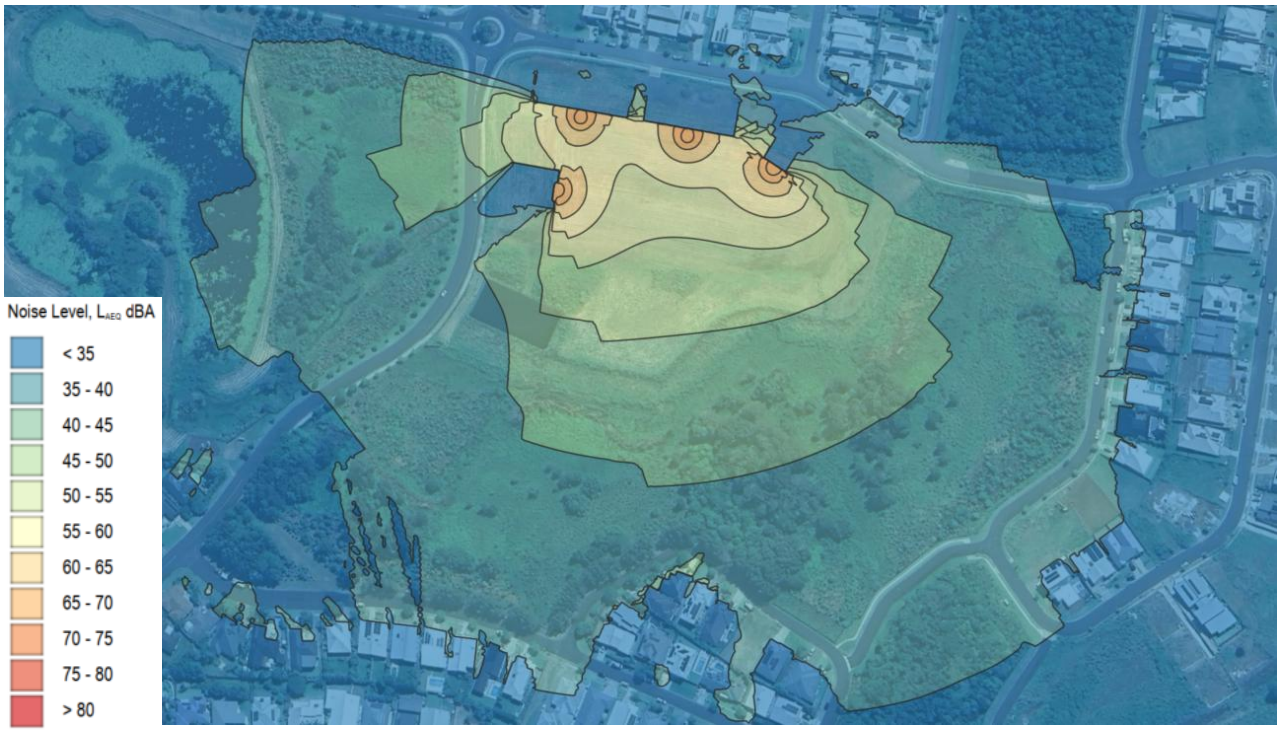


Figure 28: Noise Contour Map of PA System and School Bell (Source: E-LAB)

School activities

The assessment has assumed that during the recess and lunch breaks, all 552 students and 40 preschool students are all outdoors with 1 in 5 speaking/shouting at any one time, students playing at the games court, students speaking with a raised voice at 66dB(A) and students shouting at 78 dB(A). The results of the modelling determined that the outdoor play area is below the noise intrusiveness criteria for the nearest sensitive receivers (**Figure 29**).

Figure 29: Noise Contour Map of Recess and Lunch Noise Emission (Source: E-LAB)

Noise generated by indoor learning areas has been assessed with windows open to allow natural ventilation. The assessment determined the noise emissions from learning areas is consistent with noise amenity criteria.

Car Park and Kiss and Drop

The assessment includes the noise emissions generated by vehicle noise to and from the carpark and kiss and drop zone located to the north of the site. Noise generation from these locations is expected to occur during the peak periods in the morning and afternoon. Assessment of the worst-case scenario assumes a maximum of 288 vehicles over a 30 minute period. Predicted noise levels at surrounding receivers as a result of vehicle movements generated by the activity is compliant with noise criteria.

Figure 30: Noise Emission from Carpark and Kiss and Drop Zone (Source: E-LAB)

Traffic Noise Generation

Traffic noise impact generated from the activity is not considered to have any adverse impact on surrounding noise sensitive receivers given the increase noise level by 1.5dB should be perceptible.

Amenity within the school based on external noise impacts

External noise has been assessed to determine the internal noise amenity for the school classrooms and administration.

Road Noise

The site is bounded by Montwood Drive and Snapper Drive, both of which are not classified as a freeway, a tollway or transitway. The internal noise level of the activity is consistent with the noise level criteria using standard façade elements without the need for additional acoustic treatment or mitigation.

7.3.3 Construction Noise & Vibration

Construction working hours are expected to occur during standard hours, Monday to Friday 7am - 6pm and Saturday 8am-1pm. The proposed civil and structural works are expected to achieve compliance with the noise and vibration amenity criteria for the nearest residential receivers subject to implementation of the mitigation measures set out in **Section 7.3.4** below.

7.3.4 Mitigation Measures

The NVIA concludes that subject to implementation of the following mitigation measures, the activity is expected to comply with the applicable regulations with regard to noise and vibration.

Table 10: Mitigation Measures for Noise and Vibration

Mitigation Measures	Timing
Mechanical Services	
Mechanical plant and equipment is to be designed and installed to meet the noise emission requirements outlined within this NVIA report. Final plant location and plant equipment selection during design finalisation is to be reviewed prior to construction to ensure the noise criteria is achieved. Based on the information available at this stage, the following mitigation measure is recommended: • Outdoor condenser plant to have noise barrier 0.5m height above the highest condenser unit • Noise barrier to achieve 12.5kg/m³ with no gaps	During detailed design and construction
Construction Noise and Vibration	
Construction noise and vibration is to be mitigated to meet the criteria outlined in the Noise and Vibration Impact Assessment prepared by E-Lab. Prior to construction the contractor is to prepare a construction noise and vibration management plan for specific construction staging and final plant equipment.	During construction

7.4 Contamination and Soil Conditions

7.4.1 Contamination

A Preliminary Site Investigation has been prepared by ADE Consulting for the site to determine the likelihood of ground contamination from current and previous land uses along with a preliminary geotechnical investigation. The investigation included a site inspection and a desktop review of the site history, which concluded that further investigation is required based on the previous earthwork activities that may have some uncontrolled fill material and stockpiled soil.

As such a Detailed Site Investigation has been prepared by ADE Consulting, which included 44 test points and 9 boreholes across the site for soil sampling and laboratory results. Based on the laboratory results the soil was found to contain low levels of organochlorine and organophosphorus pesticides (OCP & OPP) and polychlorinated biphenyls (PCB), hydrocarbons and metals. However, levels did not trigger an exceedance of the site assessment criteria (SAC). No asbestos was found in boreholes or test pits and the majority of the site did not show visual signs of contamination that would exceed the SAC. As such, ADE has concluded that the site is suitable for the proposed school, however, should there be any extensive earthworks in the future, further assessment of groundwater may be required.

7.4.2 Soils and Salinity

A Geotechnical Investigation Report has been prepared by ADE Consulting. The site is partially mapped with Class 2 and Class 5 Acid Sulfate Soils under the LEP (**Figure 31**). Soil sampling was collected from 6 boreholes which detected acid sulfate soils through the site from 0.5m and below. The highest net acidity value was recorded at 72 mol H+/t at 1.5m below the ground surface of borehole 5. As such an Acid Sulfate Management Plan has been prepared by GeoLink to reduce the risks of acid sulfate soil disturbance during the excavation of soils.

Section 4 of the plan provides recommendations and measures that are to be undertaken throughout the excavation phase of the project.

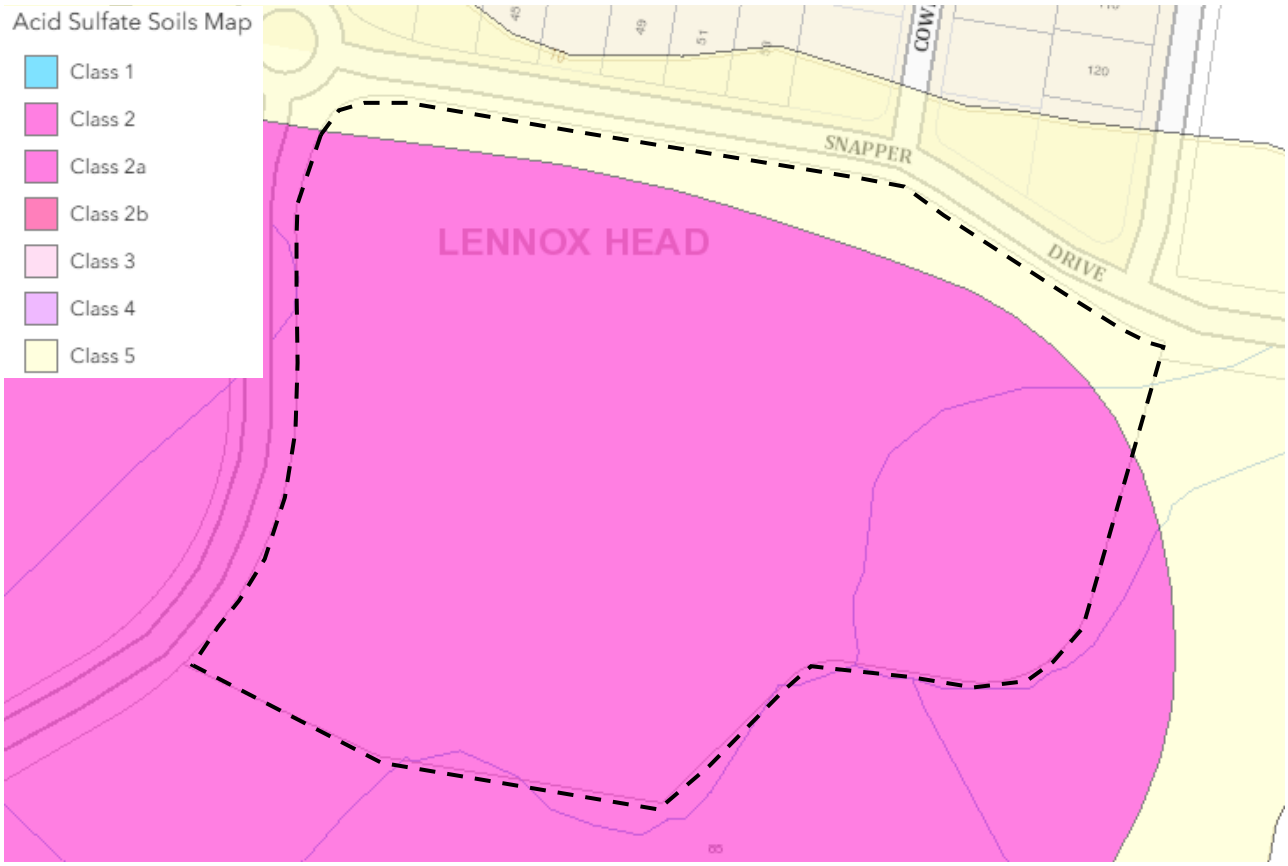


Figure 31: Extract of Acid Sulfate Soil Mapping (Source: NSW Spatial Viewer)

7.4.3 Mitigation Measures

Table 11: Mitigation Measures for Contamination

Mitigation Measures	Timing
Contamination & Acid Sulfate Soils	
The management of potential and actual acid sulfate soils shall be conducted in accordance with *the Acid Sulfate Soil Guidelines (NSW Acid Sulphate Soils Management Advisory Committee, August 1998)* and the Acid Sulfate Soils Management Plan prepared by Geolink Consulting Pty Ltd.	Prior to commencement of construction

7.5 Hydrology, Flooding and Water Quality

7.5.1 Flooding

A Flood Impact and Risk Assessment (FIRA) has been prepared by BMF (**Appendix 3**). The existing flood context of the site is discussed at Section 2.3.1 of this REF. The following sections assess post-activity flood conditions for regional (mainstream) flooding and local (overland) flooding.

Post Activity Regional (Mainstream) Flood Conditions

Modelling for post-activity regional (mainstream) flood conditions has not been carried out as the proposed activity will not significantly alter the floodplain or affect the flow characteristics of the regional flood conditions for all events up to and including the 1 in 500 AEP flood event.

The predicted maximum PMF level on site is 5.4m AHD and a comparison of the finished floor levels (FFL) of the school is detailed in **Figure 32**. The proposed buildings have been designed at or well above the mainstream flooding PMF, which will ensure evacuation routes are available in the event of a flood.

Proposed Building	Proposed Building FFL (mAHD)	Commentary
Building A	6.55	Building would be elevated several metres above regional PMF
Building B	5.4	Building would be elevated at or just above regional PMF
Building C	7	Building would be elevated over one metre above regional PMF
Carpark	5.739 (lowest point)	Carpark would be elevated above regional PMF

Figure 32: Comparison of Proposed Building FFLs and the PMF

Post-Activity Local (Overland) Flood Model

The proposed activities were incorporated into the hydraulic model as part of the post-activity scenario modelling to consider bulk earthworks and associated changes to surface levels and the buildings.

The flood impact results indicate that the proposed new buildings will be free from local overland flooding for all modelled events, except the PMF, when Building C (preschool) would be subject to minor overtopping (up to 100mm). The site's elevated location minimises flood impacts across most areas, with only shallow localised flood depths of approximately 0.15m occurring in isolated low-lying zones during the 1% AEP event. The majority of the site falls within an H1 hazard classification indicating low risk to people and property.

However, flood hazard mapping indicates that in a PMF event, the hazard rating will be predominately low (H1 or H2) with intermediate hazard up to H3 along the path between the preschool and carpark (**Figure 33**), but this is driven by the extremity of the PMF event and areas are below the H2 hazard rating at all other events.

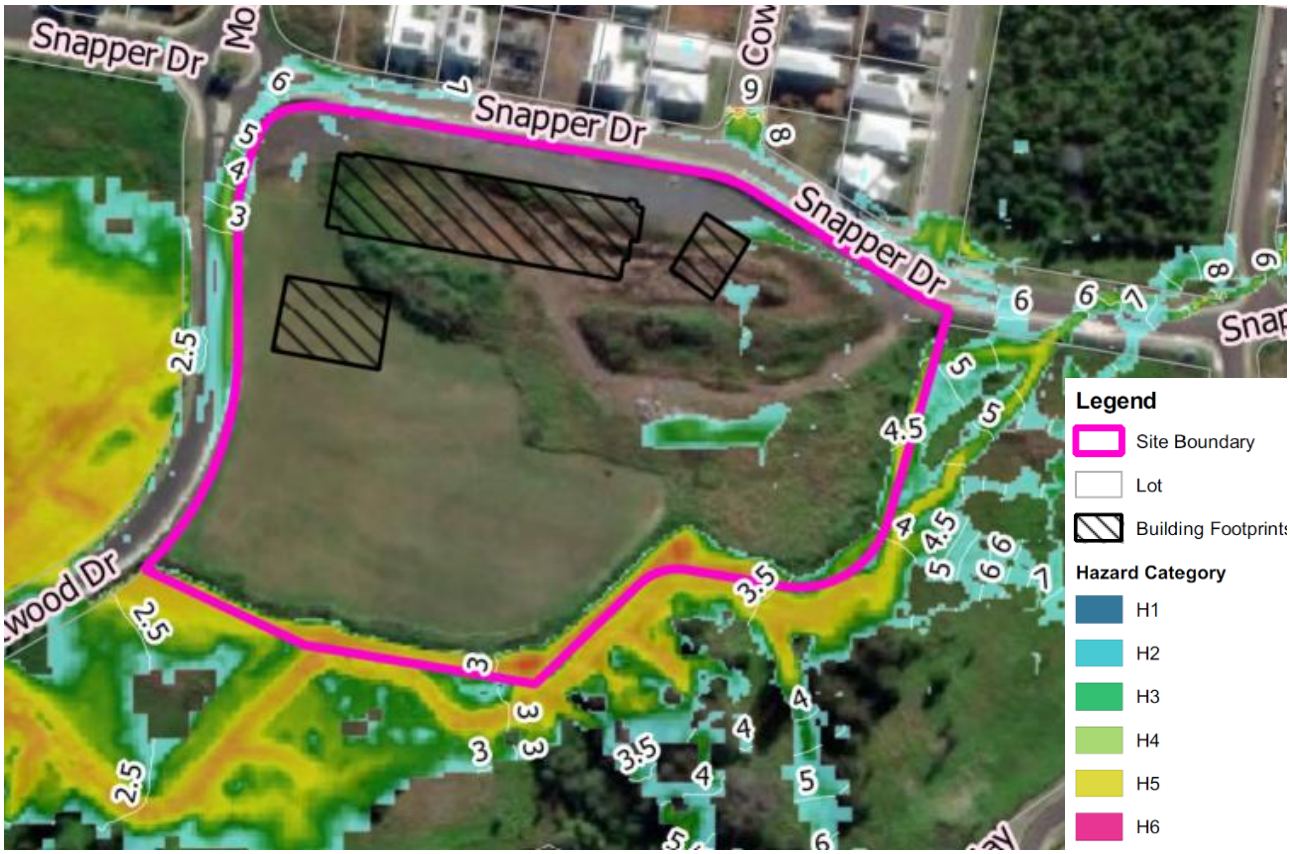


Figure 33: Post-Activity Local Flooding PMF Flood Hazard Rating

The proposed decrease in gutter depths on Snapper Drive and increase in elevations along the northern boundary of the site will result in minor a larger portion of flow concentrations along Snapper Drive and Montwood Drive under post development conditions but will have a negligible impact on trafficability for all modelled events. Minor off-site impacts are predicted for the neighbouring property at the corner of Stoneyhurst Drive and Snapper Drive. However, implementation of the mitigation measures along with the minor nature of the impacts and conservative assumptions in the FIRA will mean these can be alleviated as part of detailed design.

The FIRA has assessed the proposal against Section 5.21 of Ballina LEP, Ballina DCP, Planning Circular PS-24-001 Update on addressing flood risk in planning decisions (DPHI) and the Flood Risk Management Guidelines and concludes that the proposed activity is not expected to significantly alter flood behaviour or cause adverse environmental impacts off-site. The proposed activity aligns with sustainable environmental management practices and will result in minimal disruption to existing conditions and flood regimes.

Flood Emergency Response Plan

A Flood Emergency Response Plan (FERP) has been prepared by BMT for the proposed activity (**Appendix 4**). The site is predominately flood free during localised flash flooding events. Students from Building C should be relocated to Building A if localised flooding is a PMF event, there is flood free access between Building C and Building A via Snapper Drive. A shelter in place strategy until rainfall ceases. Waters should recede quickly once rainfall ceases, and therefore this strategy is consistent with the Shelter in Place Guidelines (DPHI, 2025).

With regard to regional flooding, the FERP provides that the Principal Emergency Management Strategy is to close the school during non-operational hours in response to a recorded flood of

2.6m AHD at the site or the issue of a severe thunderstorm or emergency storm warnings for the Ballina LGA in consultation with the State Emergency Service (SES).

The Secondary Emergency Management Strategy is closure of the school during operational hours and evacuation of occupants to the Lennox Head Community Centre in response to a recorded flood level of 2.6m AHD at the site and or the issue of a severe thunderstorm or emergency storm warnings for the Ballina LGA in consultation with the SES.

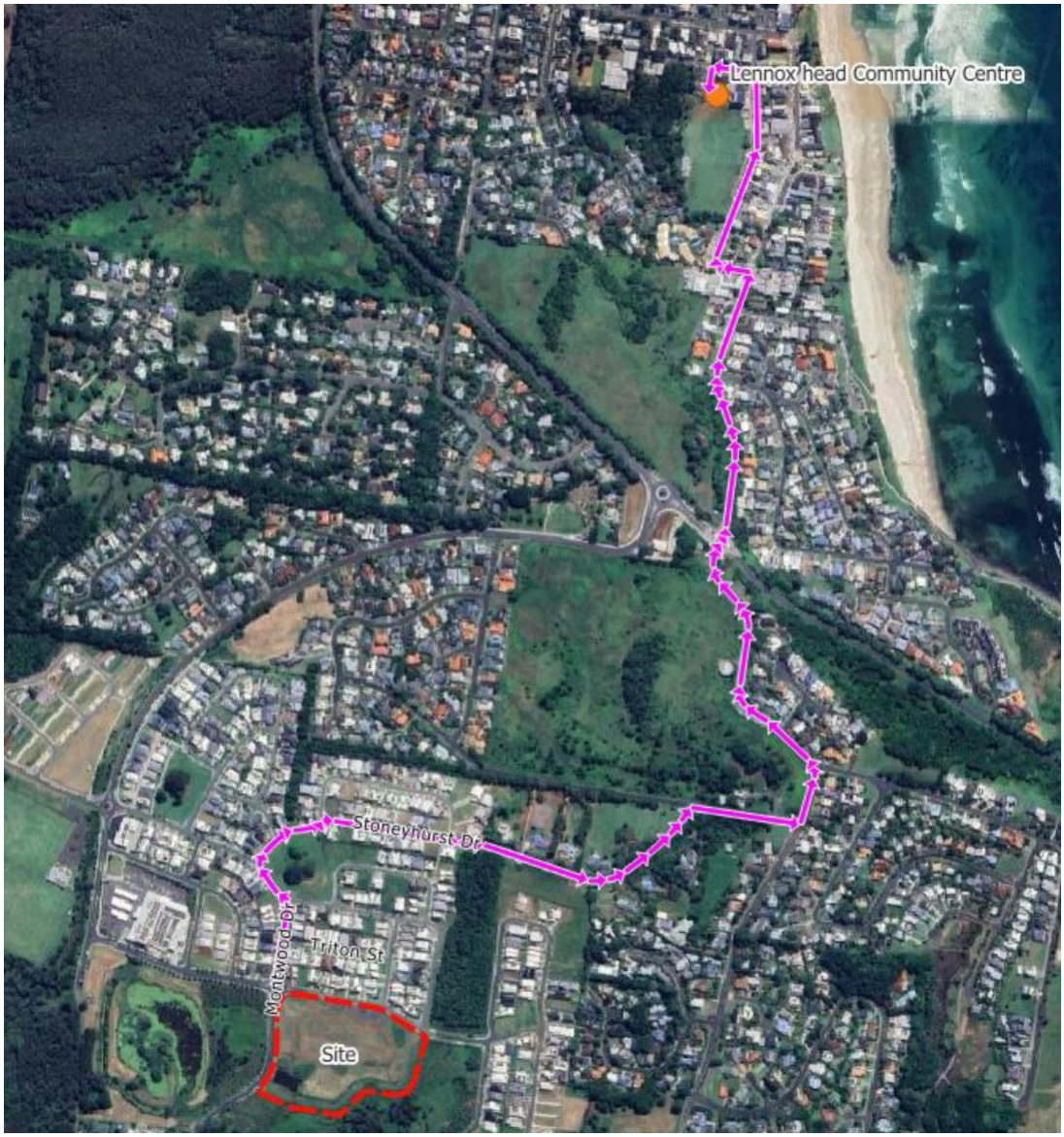


Figure 34: Proposed evacuation route from the school in a regional flood event

7.5.2 Stormwater

A Civil Engineering Report has been prepared in conjunction with the Civil Engineering Plans by enstruct. The report provides an assessment of the proposed stormwater, drainage, sediment and erosion control measure in accordance with the relevant Australian Standards, Council's DCP, Council's Stormwater Management Standards for Development, the Education Facilities Standards and Guidelines and Australian Rainfall and Runoff.

As detailed on the Civil Engineering Plans, drainage has been designed to collect stormwater from the roof to gutters, downpipes and into the in-ground pipe system. Surface stormwater will be collected in pits, which will include litter screens to remove litter, sediments and attached nutrients prior to discharge to council's stormwater system. This system will achieve pollutant reductions required under Ballina DCP and to reduce the amount of litter and large sediment from entering the downstream system. All pits and pipes have been designed to at least 5% AEP and where the pipe capacity exceeds 5% AEP, stormwater will be conveyed through overland flow paths, which are at the minimum 1% AEP.

The site will connect with the existing regional detention basin on Lot 5 DP 1239938 with stormwater treatment infrastructure, therefore an on-site detention is not required. Rainwater capture and reuse has not been included in the design as Council's recycled water reticulated main will be tapped to provide water for non-potable uses on site, such as irrigation. This will have a positive impact on the activity by reducing demand for potable water.

In accordance with the DCP, MUSIC modelling is not required for the activity, as the site is part of a regional water quality scheme. The Civil Report has recommended the use of filter baskets in all stormwater pits to capture litter to assist the regional waste quality scheme. Additionally, DRAINS modelling was completed for the road works in the public domain however onsite drainage have not been completed as Council does not require DRAINS run for pipes less than 600mm which are all the internal pipes being proposed. Nevertheless, DRAINS modelling will be carried out in the next phase of the project to confirm the calculations to ensure the drainage network is design accordingly.

The Civil Report concludes that subject to implementing the recommendations/mitigation measures such as erosion control and water quality management measures, the activity is not likely to significantly affect the environment.

7.5.3 Groundwater

Groundwater seepage was encountered at depths of 3.2m, 4.8m, 4.5m and 4.5m within Boreholes BH101, BH102, BH103 and BH104 (**Figure 35**) with no seepage found at the remaining two boreholes (BH105 and BH106). Earthworks are proposed across the site and in particular fill of up to 2m will occur in BH101, BH102, BH103 and BH104. It is unlikely that the proposed works will impact the existing water table.

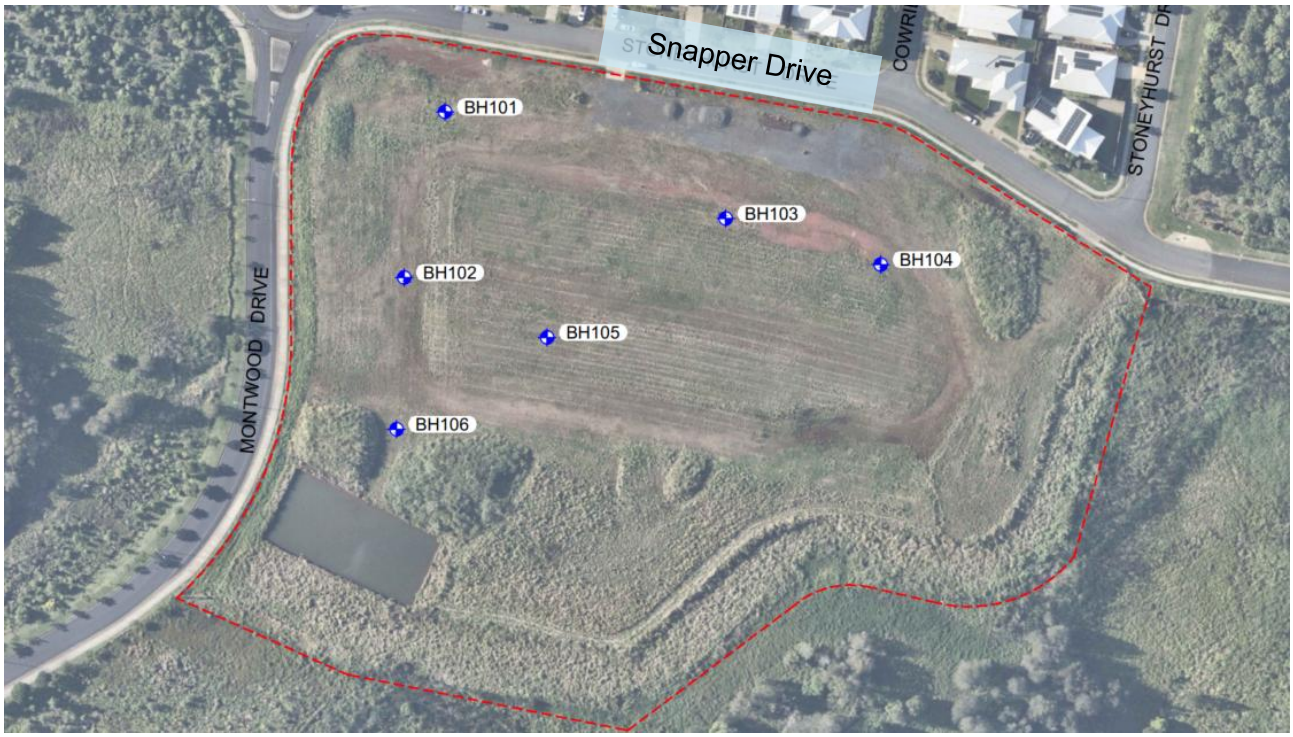


Figure 35: Borehole Locations (Source: ADE Consulting Group)

7.5.4 Mitigation Measures

Table 12: Mitigation Measures for Hydrology, Flooding and Water Quality

Mitigation Measures	Timing
Flooding	
Conduct flood modelling as part of detailed design development, particularly to properties along Snapper Drive to the north of the site and to the junction of Snapper Drive and Stoneyhurst Drive and ensure post-development conditions do not worsen flood affectation from pre-development levels.	Prior to commencement of relevant works
Provision of a pathway between Building C and Building A that is fee from local catchment flooding for any event.	Construction
Prior to the commencement of operation, the Flood Emergency Response Plan (FERP) is to be incorporated with the Emergency Management Plan and include the following: (a) Prioritise evacuation and avoid shelter-in-place by closing the school before the school day if flood events are forecasted and SES advises. (b) School administration must undertake annual evacuation preparations and an evacuation drill prior to the commencement of the wet season (typically November to April). (c) School administration to undertake responsibilities as set out in the FERP; and (d) Ensure that the Flood Warning Notice is maintained and permanently visible	Prior to commencement of operation
Stormwater Quality	
An Erosion and Sediment Control Plan must be implemented in accordance with the Landcom/Department of Housing *Managing Urban Stormwater, Soils and*	During construction

Mitigation Measures	Timing
Construction Guidelines (Blue Book). The controls must be in place, inspected and managed until the works are complete and all exposed erodible materials are stable relevant to each construction stage. Inspection records must be kept and provided to the Post Approval and Compliance Team on request.	
Groundwater	
Should any unexpected groundwater be encountered during construction works, works are to cease immediately. Where groundwater needs to be removed, an approval may be required under the *Water Management Act 2000*.	During construction

7.6 Aboriginal Heritage

An Aboriginal Cultural Heritage Assessment Report has been prepared by GML Heritage for the REF. Background research of the site's historical activities including a search of the Aboriginal Heritage Information Management System database. The AHIMS search was undertaken on the 6 February 2024 with no buffer zone specified and identified 133 Aboriginal sites and one Aboriginal place (**Figure 36**). However, no registered sites were identified within the site or within 1km of the site, noting that the area was part of a construction site for the creation of the existing residential community and has undergone significant earthworks through this process.

A site walk over was undertaken on 9 February 2024 which inspected the soil, recorded and photographed the sites condition to determine the archaeological potential. Based on the site walk no physical Aboriginal objects were found and it was evident that the land was found to be highly disturbed with extensive cut and fill work. Therefore, the site is classified as category one: disturbed with no archaeological sensitivity for Aboriginal objects.

The ACHAR also assesses the Aboriginal heritage significance in line with the Burra Charter's four principal values (social, historical, scientific and aesthetic). These four criteria are:

- Social Value: an item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.
- Historical Value: an item is important in the course, or patterning of NSW's cultural or natural history.
- Aesthetic Value: An item is important in demonstrating aesthetic characteristics and/or high degree of creative or technical achievement in NSW (or local area).
- Scientific Value: An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).

The assessment determined that the site does not hold any social, historical, or scientific values however there is a low aesthetic value of the site's connection with the landscape, including view lines to the ridgeline and creek line.

The ACHAR concluded that due to the extensive ground disturbance, ground excavation for the proposed school it is unlikely to impact or cause harm to Aboriginal objects or associated values. Any archaeological materials that may have been present would have been harmed through their displacement and removed from its original context.

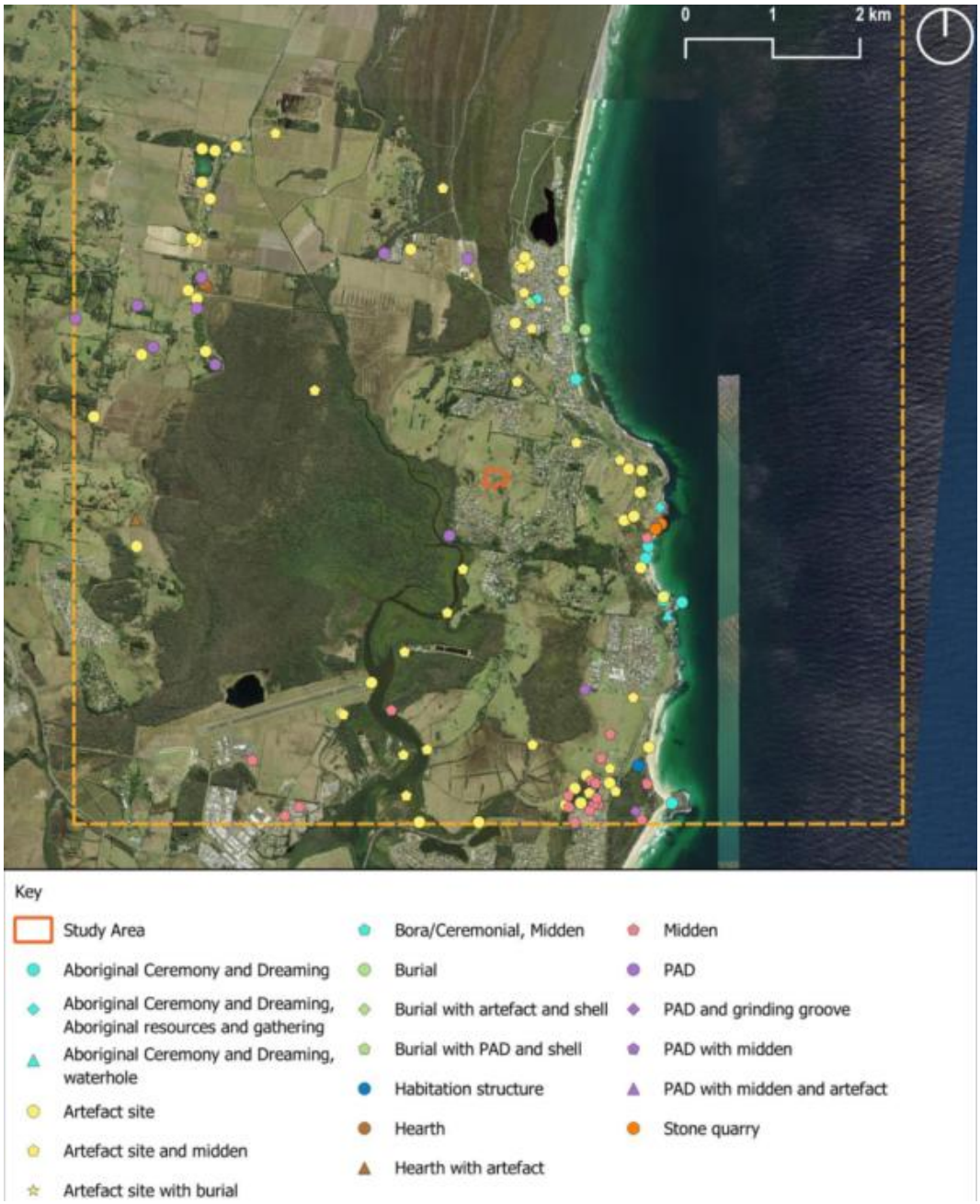


Figure 36: AHIMS Search Result (Source: GML)

7.6.1 Mitigation Measure

Table 13: Mitigation Measure for Aboriginal Heritage

ID	Mitigation Measures	Timing
	Unexpected Finds Protocol for Aboriginal Cultural Heritage If, during the process of works, an Aboriginal site or object is suspected or identified, the following unexpected finds protocol for Aboriginal cultural heritage should be enacted as detailed in Section 6.2.1 of the Aboriginal Cultural Heritage Assessment Report prepared by GML Heritage.	During construction

7.7 Environmental Heritage

The site is not identified as a local or State heritage item nor is it located within a Heritage Conservation Area under the LEP. Additionally, the site is not located within the immediate vicinity of any other heritage item that would warrant consideration under this REF. As such, a Heritage Impact Statement has not been prepared for the REF.

7.8 Ecology & Landscape

7.8.1 Ecology

A Biodiversity Summary report has been prepared by GeoLINK, which includes a Biodiversity Constraints Preliminary Review Report and a BDAR Waiver Application.

The report confirms the site is not mapped with biodiversity values, coastal wetlands, littoral rainforest, core koala habitat or preferred koala habitat. Based on the site's previous bulk earthworks that was carried out as part of the Epiq development the site is predominately cleared of vegetation. Vegetation present along the eastern and southern boundary are wetland species representing a highly degraded form of PCT *3962 Coastal Floodplain Phramites Reedland* and poor quality of the Threatened Ecological Community. Additionally, the site lacks permanent fauna habitat such as native vegetation, aquatic habitat and hollow-bearing trees from the previous site works.

As previously mentioned in this REF, a BDAR waiver has been issued by the Department of Planning, Housing and Infrastructure on the 7 November 2024. The letter confirms the proposed activity is not likely to have any significant impact on biodiversity values, therefore a BDAR is not required.

7.8.2 Landscape

Landscape plans have been prepared by PTW Architects, the design strategy for landscaping has focused on integrating the proposed buildings into the landscape, providing a range of external spaces for 1:1, small group and whole of class learning; provision of passive and active learning and play spaces as well as accessible circulation networks; introducing new native and endemic landscape planting to provide a strong, local landscape character and integrate the currently cleared site into the surrounding wetlands and conservation areas.

7.8.3 Mitigation Measures

Table 14: Mitigation Measure for Ecology

ID	Mitigation Measures	Timing
	Any injured fauna are to be taken to WIRES or Northern Rivers Wildlife Carers (NRWC). The contact details of WIRES (1300 094 737) and NRWC (6628 1866) are to be made known to the site supervisor and ecologist.	During construction
	All work is to be undertaken in accordance with the Saving Our Species Hygiene guidelines (DPIE, 2020). This includes: a) All plant, vehicles and personal items (footwear and clothing) are to be	During construction

ID	Mitigation Measures	Timing
	cleaned before entering the site. b) If plant, vehicles and personal items are taken off site during the works, these items are to be cleaned before returning to the site. c) All plant, vehicles and personal items (footwear and clothing) are to be cleaned offsite before being used again in other areas.	
	Measures are to be implemented during construction works so that machinery and plant do not introduce weed seed or propagules to the site (e.g. by adoption and implementation of the 'Arrive Clean, Leave Clean' guidelines (DoE 2015).	During construction
	Biosecurity risk weeds are to be managed according to requirements under the Biosecurity Act 2015 and/ or Council management measures.	During construction
	Contractors are to ensure all machinery is cleaned prior to entering the works areas to ensure that soil, vegetation and Yellow Crazy Ant is not imported to the site. Any observations of Yellow Crazy Ant are to be reported to the Biosecurity Hotline, the DPI website, or via the Local Lands Services office.	During construction
	A Biosecurity Certificate will be completed where any movement of material from the Queensland or New South Wales fire ant infested areas has the potential to carry Fire Ants in or out of the site (refer to the Department of Primary Industries website for this form)	During construction

7.9 Social Impact

A Social Impact Assessment (**SIA**) prepared by WSP, which includes discussion of the community consultations that have occur for this project and the feedback from the Lennox Head PS P&C, Lennox Head PS staff, parents and residents living near the new school site

The potential impacts identified in the SIA were as follow:

- Negative
    - Fears that the school culture will change as a result of the relocation
    - Disruption to student, family and staff routines from the relocation which may cause stress and anxiety
    - Removal of the school from Byron Street will change the community feel of Lennox Head Village
    - Use of the multipurpose hall by the school and OOSH will require operational management
    - Mosquitoes in the area occasionally negatively impact students and staff's learning/teaching, wellbeing and opportunities to use outdoor spaces
    - Concerns about increased traffic impacting Epiq residents during construction
    - Noise disturbance to neighbouring residents during school operating hours
- Positive
    - The location of the new school will support a mix of uses in Epiq,
    - Reduced active travel opportunities for those who will be living further from the new school site,
    - Active transport opportunities for those living close to the school site,
    - Increased connection with Country,
    - The new school site will accommodate future growth in the area and be more accessible to facilities moving into new developments,

- Additional preschool spaces will address future demands and provide opportunities for single destination drop-offs, and
- Removal of demountable buildings and improved modern facilities for existing and future students.

Based on the community feedback and impact assessment carried out, the SIA has determined that the new school site will provide a range of social benefits one being to accommodate the existing demand and growing population of the area as well as improving teaching facilities for existing and future students.

While a majority of the high negative impact issues relate to amenity during construction, increased traffic movements and visual impact, these are primarily related to the surrounding residences and immediate locality of the site where mitigation measures will be implemented to reduce construction noise and vibration, reduce the queueing on roads and implement tree planting.

Another high negative impact is the disruption to students, family and staff from the relocation causing stress and anxiety. The SIA has recommended mitigation measures to consult with families with the support they need including any other support to staff and existing pupils.

The SIA has identified that most negative impacts can be managed and be downgraded with the implementation of mitigation measure detailed in Section 6 of the SIA. **Table 15** provides consideration of social impacts.

Table 15: Social Impact

Type of Impact	Describe the impacts on the community and how they might be experienced, either positively or negatively	Discussion
Impacts on access – will there be an improvement to the quality of provision and a response to emerging and changing needs?	By providing a new school with new facilities it will enable the surrounding community to access an essential infrastructure for children in their learning and developing years.	As previously mentioned, the project is a response to the existing Lennox Head Public School inability to provide permanent classrooms, therefore by providing a new facility will enhance the communities learning experiences.
Impacts on privacy, overshadowing, peace and quiet, and visual amenity (views / vistas) - will there be significant change for neighbours and the local area during both construction and operation?	The proposed new two storey building is adequately setback from the streetscape and surrounding boundaries, which will therefore limit the visual privacy and overshadowing within the school site and minimise its visual impact when viewed from the streetscape. The building footprint has been located strategically along the north and western boundary to act as a shield to minimise the noise emitted from the outdoor play areas. Based on the topography and flood impacts of the site, the two storey building sits below Snapper Drive which helps reduce the bulk and	Mitigation measures to address noise, vibration and visual impact are provided in **Appendix 1**.

Type of Impact	Describe the impacts on the community and how they might be experienced, either positively or negatively	Discussion
	scale of the building. Additionally, landscape planting along the front setback area is proposed to help soften the building therefore, the visual impact of the new building is negligible when viewed from the adjoining properties.	
Impacts on sense of place - will there be effects on community cohesion or how people feel connected to the place and its character?	The new school site will positively influence the Epiq community by fostering community cohesion and enhancing connections to the surrounding neighbourhood. The site will also connect the Lennox Head village community to the Epiq community. Some residents have expressed concerns regarding the bulk and scale of the school, as well as traffic and noise generation.	The landscape design of the site has included Connecting with Country elements within the active outdoor play areas to create a sense of place and acknowledgement. Landscape planting will be provided along the street frontages that will provide a green buffer zone at the edge of the site between the public domain and the built form.
Impacts on the way people get around – will there be changes associated with traffic or parking in the area?	The relocation of the site will require existing and future students and parents to travel a different route to the new school site. Many school users report car travel as their preferred mode, the surrounding roads will experience higher volumes of traffic during construction and during the ongoing operations of the site. Similarly, an increase of on-street parking will be experienced.	Once the construction of school is complete, the delivery of the kiss and drop and bus facility will provide additional travel options and parking provisions.
Impacts on wellbeing - will there be benefits for students and the community associated with better school facilities, sporting facilities and grounds, and active transport options?	The activity will provide a positive outcome to the community through providing new social infrastructure for the existing and future community and through the implementation of the School Travel Plan.	The relocation of the Lennox Head PS into a new school facility will provide an improved learning space for students with access to new sporting facilities. The implementation of the School travel plan and delivery of road and pedestrian infrastructure will improve the current network.

7.10 Built Form – Design Principles

The activity has been designed in accordance with the Department of Education's *Pattern Book for Schools* and is consistent with the *Better Placed – Design Guide for Schools.* The design guide for school provides design principles that are used when designing new schools. The Architectural Design Report provides a detailed assessment of the proposed buildings against these design principles and the below is a summary against the design principles.

1. Context

The site is located within a master planned residential development with close proximity to the neighbourhood shops and playing fields. Combined with the new school, these three spaces will create a cohesive, connected local centre for the community.

Drawing from the consultations with the local indigenous groups, the design has incorporated the following ideas:

- Culturally-Inclusive Spaces: Incorporate outdoor learning areas, bush tucker gardens, and spaces designed for activities like weaving, painting, and storytelling.
- Connection to Water: Create spaces that evoke the ocean,
- Art and Recognition: Include wall art, murals, and galleries
- Outdoor Activity Areas: Provide climbing structures, footy fields, and green spaces with shaded seating to encourage connection with nature and physical activity.
- Educational Features: Embed traditional knowledge in curriculum-linked spaces, such as gardens or outdoor classrooms tied to the Bundjalung Seasonal Calendar.

The proposed tree planting has been strategically arranged to provide framed views through the site. This enables long visual vistas to pass through various landscape types, including passive play, hardstand areas and Active Open Play. Views are typically terminated on large feature trees towards the school boundary. Similarly views from outside the school site have been screened where appropriate providing a green, leafy outlook, visually minimising and framing proposed built form.

Groundcover, shrub and tree species have been selected to reflect “seasonal Connectors” outlined in the Connecting with Country framework developed by Garigarra and to strengthen the existing landscape character of the broader Northern Rivers, Ballina Shire area.

2. Sustainable, efficient and resilient –

   The project team have designed the proposed activity to respond to the natural environment, social and economic outcomes that align with Connection to Country.

   Sustainability measures incorporated throughout the design achieve 4-star Green Star. Measures include water and energy efficient fixtures and fittings, solar panels to reduce reliance on fossil fuels, natural ventilation.

   The landscaping aims to mitigate heat island effect to ensure appropriate comfort levels on site through shade cover; increase habitat and biodiversity opportunities on site; and capture, slow and filter stormwater run-off from the site.

3. Accessible and inclusion –

   The project team have adopted Department of Education standardised design with a ‘baseline’ design expressed in the Patternbook, enables equity, consistency and flexibility in learning environments that are used by project teams and consultants to design schools suited the specific needs of its community. The design objectives of the standardised design of GLS hubs include:

   1. achieve a balance of dedicated and multipurpose spaces
   2. facilities that are reconfigurable so that they have a long lifespan

3. the spaces are designed to be adaptable and agile so that over time as technology and pedagogy changes, as well as potential needs in the student cohort population, the space is still a quality learning environment

The hub's shared space is made up of three parts – the learning commons, MPS and PAA. Each of these areas is multipurpose and adaptable, with different affordances teachers can use to support learning. This offers both teachers and students the flexibility to engage in a variety of activities as required for curriculum delivery. The design of these spaces support varied modes of learning and ensure that students can transition easily between explicit instruction, independent work, collaboration, and reflection.

The variety of spaces in a hub enables many types of teaching and learning actions as different affordances and combinations are used. This means that principals and teachers have lots of ways to successfully offer high quality learning experiences for NSW public school students. It also means that as needs change over time, the space is adaptable and flexible enough to enable pedagogical changes to be enacted.

4. Healthy and safe –

The traffic report has confirmed that the site is serviced by suitable pedestrian and cycle infrastructure for safe travel to and from school. Accessible paths of travel are provided throughout the site. Flood and bushfire impacts have been mitigated through design and management measures. The proposed design meets Crime Prevention Through Environmental Design (CPTED) through the provision of. The following CPTED principles have been incorporated into the design:

- Natural surveillance – The proposed layout and location of the buildings provide natural surveillance both outwards to the street and inwards to the campus. In addition, there will be technical surveillance through CCTV.
- Access control – the campus will be surrounded by a high palisade fence. The landscape planting design has been arranged with trees and low ground covering to maximise passive surveillance and improve CPTED Principles. Shrub planting is located in selected edges and boundaries to provide opportunities for view to terminate on planting to selectively screen view in and out.
- Maintain Space/ Activity Management – active edges to the new buildings plus the location of the school administration at the main entry help to maintain space and manage activity. The school operations allow for controlled entry and exits of students, parents and visitors.
- Territorial reinforcement – Building A & B are connected through a sequence of linked covered walkways, which define the centre courtyard for outdoor learning.

5. Functional and comfortable –

The school has been designed with SINSW's standardised layouts for learning spaces and school core facilities. This approach has been tested to ensure it will deliver a functional and comfortable design.

The landscape design has been designed with the following objectives and aims:

- Integrate the proposed new buildings and built works within the school site and landscape
- Provide a range of external spaces for 1:1, small group and whole of class learning

- Define and integrate passive outdoor learning spaces, active play spaces and circulation networks
- Introduce new landscape planting to provide a strong, local landscape character and setting to the currently cleared site.
- Mitigate heat island effect and ensure appropriate comfort levels on-site.

6. Flexible and adaptable –

   The activity has been designed in accordance with the environmental constraints and climatic conditions of the site. The school has been designed in accordance with the Pattern Book which provides for future flexibility to adapt to evolving teaching methods with learning commons, multi-purpose rooms, sliding doors between classrooms to allow for large group learning or individual class learning.

7. Visual appeal –

   The school character and identify may be expressed through the design of selected elements including facades design, material selections and colour and landscaping.

   A visual impact assessment has been prepared to assess the design, which confirms that the single and two-storey built forms are of a similar height to surrounding development. The façade of Building A is articulated at the service core and will include window shading treatments and colour to provide visual interest to the streetscape. Tree planting in the front setback will set the building into its environment and break up the visual bulk and scale of Building A to the streetscape.

As discussed in **Section 6.1** of this REF, the design has also been reviewed by the State Design Review Panel (SDRP).

7.11 Other issues

Table 16: Other Environmental Impact Assessment Issues

Issue	Consideration
Visual Amenity and Privacy	A Visual Impact Assessment has been prepared by EPM Projects. A generous building setback of 13.5m is provided from the adjusted northern boundary with Snapper Drive (which will move 3 metres south to provide for kiss and drop area) and mature landscape planting is proposed within the front setback to Snapper Drive, which will mitigate the bulk and scale of the built form. The setback also allows for visual and acoustic privacy to the adjacent residential land uses. Building A being the main building offers a 2-storey building with glazing along the north and southern elevation providing sunlight and ventilation to the internal GLAs and views out to the outdoor areas. The materiality, roof and building design is sympathetic to the surrounding area and contributes to the urban character. Eight (8) key viewpoints were identified in the Visual Impact Assessment as having visual impact from the immediate surroundings of the site. These key viewpoints are categorised by who the activity is visually impacted by (motorist, pedestrian/cyclist and residents) and then determined by the level of impact (**Figure 37**).

Issue	Consideration

Table 13 Visual Impact Assessment Summary				
	Location	Motorist	Pedestrian/ Cyclist	Residents
Viewpoint 1	Residents on northern side of Snapper Road	Negligible	Moderate	High
Viewpoint 2	Corner of Snapper Dve & Montwood Dve looking east	Negligible	Moderate	High
Viewpoint 3	Looking north along Montwood Drive	Negligible	Moderate	n/a
Viewpoint 4	Looking west along Snapper Drive	Negligible	Moderate	n/a
Viewpoint 5	Looking south from Triton Street	Negligible	Low	Low
Viewpoint 6	Looking south from Cowrie Street	Negligible	Low	n/a
Viewpoint 7	Looking north from Fox Valley Way	Negligible	Low	Low
Viewpoint 8	Looking west from Habitat Drive	Negligible	Low	Low

Figure 37: Visual Impact Summary (Source: EPM Projects)

Viewpoints 1 and 2 are located directly opposite the site along Snapper Drive and are considered to have a high impact to residents. Whilst the bulk and scale are not characterised as a residential dwelling, it is characteristic of a school development, which is identified for the site in the Ballina Strategic Plan 2023-2043. The two-storey built form will be soften with landscaping along the frontage and residents will still have access to regional view to the east, west and beyond the school buildings.

Mitigation Measures

Mitigation Measure	Timing
Ensure that the selection of external colours, materials or finishes (including window shade treatments to Building A) of the building(s) minimises impacts on visual amenity, breaks up bulk and scale of built form, and ensure there is no increase in impacts identified within the visual amenity assessment of the REF.	Prior to construction of relevant works
Planting of trees between Building A and the street frontage in accordance with PTW's planting schedule to ensure visual impacts of the extended built form of Building A are softened.	Prior to occupation of relevant works
External mechanical plant to be screened to eliminate adverse impacts to visual amenity.	Construction of relevant works

Overshadowing

No adjoining properties will be overshadowed by the proposed building.

Some internal shadowing will be experienced due to the topography of the site. This is primarily located within the south and southwest portion of the external outdoor play area, planting area and walkway to Building A at 9am on the 21 June (**Figure 38**).

At 3pm on the 21 June, overshadowing is then experienced south east of Building A at the outdoor performance area and landscape planting area (**Figure 39**).

The amount and location of overshadowing will not negatively impact the activity with majority of the active outdoor play area and games court achieving direct sunlight.

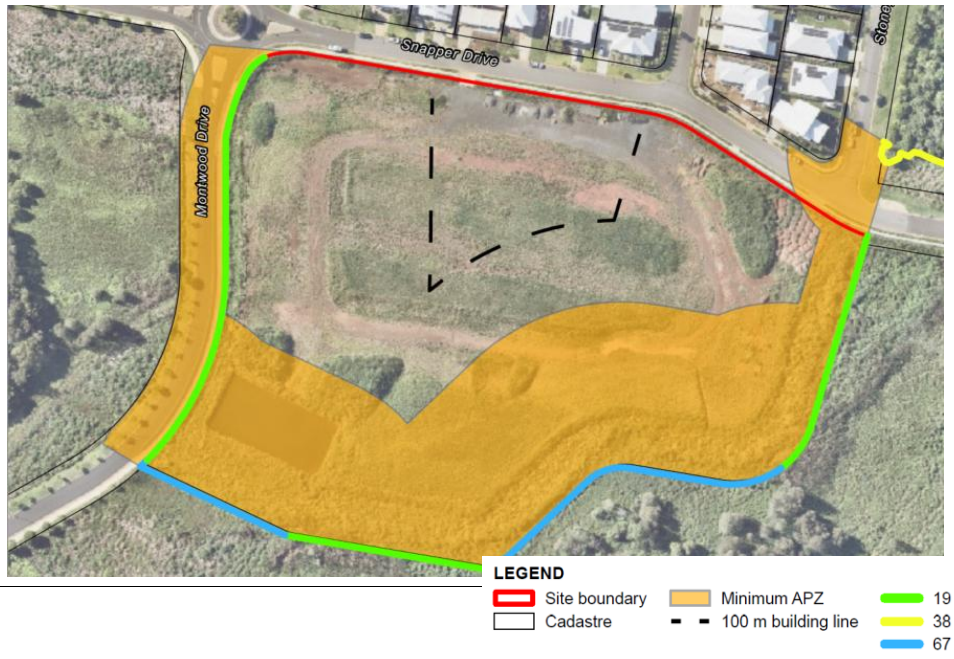
Issue	Consideration
	 **Figure 38: Shadow Diagram at 9am on 21 June**  **Figure 39: Shadow Diagram at 3pm on 21 June**
Bushfire	A Bushfire Hazard Assessment has been prepared by GeoLINK. The site is not identified as bushfire prone land however, based on the existing vegetation within the conservation zone land to the east, south and west of the site, a potential bushfire hazard assessment has been carried out.

Issue	Consideration

The assessment is assessed against *Planning for Bush Fire Protection 2019* (PBP 2019) and has provided the following mitigation measures for bushfire protection.

Mitigation Measures

Mitigation Measure	Timing
Establishment and management of entire site as an Inner Protection Area (IPA) in accordance with Appendix A4.1.1 of Planning for Bushfire Protection 2019.	Detailed design, during construction and ongoing operation
School buildings are to be located outside the asset protection zone identified in Table 5.1 of the Bushfire Hazard Assessment prepared by Geolink.	During construction
Landscaping of the site is to comply with Appendix 4.1.1 of Planning for Bush fire protection 2019.	During construction
Fencing is to comply with Section 7.6 of PBP 2019. If within 6m of a building must be made of non-combustible material.	Detailed design and during construction.
Construction of the school is to comply with Section 3 and Section 6 of AS3959 'Construction of building in bushfire prone areas' and Section 7.5 of Planning for Bushfire Protection 2019 except where varied by an accepted fire engineering strategy.	During construction
Access is to comply with Table 6.8b of Planning for Bushfire Protection 2019, except as outlined in Section 4.4 of the Bushfire Hazard Assessment prepared by Geolink.	During construction
Water and electricity services are to comply with Table 6.8c of Planning for Bushfire Protection 2019.	During construction
Prior to the commencement of operation, the Bushfire Emergency Management and Evacuation Plan to be prepared in accordance with the NSW Rural Fire Service document "A Guide to Development Bushfire Emergency Management and Evacuation Plans" and then be incorporated with the Emergency Management Plan.	Prior to the commencement of operation



<table>
<tr><th>Issue</th><th>Consideration</th></tr>
<tr><td></td><td>Figure 40: Asset Protection Zone (Source: GeoLINK)</td></tr>
<tr><td>Waste</td><td>
<u>Construction</u>
A Construction Waste Management Plan has been prepared by EcCell.
Disposal of any excavated waste and hazardous waste will be documented in the Waste Data File to ensure the waste is disposed accordingly. Similarly, any unexpected find such as asbestos or septic tanks must be documented should any unexpected find of potential contamination be encountered.
Stockpiles will be located on site where demolition and construction waste will be sorted before being re-used on site or transported off site for disposal or recycling at a licences waste facility.
<u>Operational</u>
An Operational Waste Management Plan has been prepared by EcCell Environmental. A waste storage area is proposed in the southeastern corner of the carpark that will accommodate:

2 x 1,500L for general waste
1 x 1,500L for paper cardboard waste
1 x 1,100L for comingled waste
1 x 1,100L for green waste

A private waste contractor will collect the waste once a week with waste vehicle entering and exiting the site via the carpark entrance from Snapper Drive. Waste will be collected outside operation hours to reduce conflict between cars and trucks. Bins will be located throughout the school and the cleaners will transport the waste to the waste storage area and will be sorted into the bins provided.

Mitigation Measures
<table>
<tr><th>Mitigation Measure</th><th>Timing</th></tr>
<tr><td>Prior to the commencement of operations, any operational waste management measures shall be detailed in an Operational Waste Management Plan. This Plan must outline how waste will be minimised, handled, stored and disposed of appropriately, in accordance with any relevant guidelines. A copy of the Operational Waste Management Plan is to be provided to the relevant DoE Project Lead for implementation during operations.</td><td>Prior to commencement of operation</td></tr>
<tr><td>The work site is to be left tidy and rubbish free each day prior to leaving the site and at the completion of works.</td><td>During construction</td></tr>
</table>
</td></tr>
<tr><td>Air Quality</td><td>Short term impacts to the air quality may arise through the demolition and construction phase. A Preliminary Construction Environmental Management Plan is required to be prepared prior to the issue of any Crown Certificate and must address how impacts to air quality will be mitigated.</td></tr>
<tr><td>Wind</td><td>Not applicable, the proposed buildings do not exceed 2 storeys.</td></tr>
<tr><td>Land Use</td><td>The site is zoned R3 Medium Density Residential, and the proposed educational establishment and relevant preschool is permissible with consent in the zone. The new public school and preschool will provide an essential social infrastructure to the community of Lennox Head that will accommodate the current and future students.</td></tr>
<tr><td>Coastal Risks</td><td>Not applicable.</td></tr>
<tr><td>Aviation</td><td>The school is not within the Ballina Byron Gateway Airport ANEF contours.</td></tr>
<tr><td>BCA & Structure</td><td>The proposed activity is capable of complying with the Building Code of Australia</td></tr>
</table>

<table>
<tr><th>Issue</th><th>Consideration</th></tr>
<tr><td></td><td>2022 (BCA) as outlined in the Building Code of Australia Assessment Report. The foundations and structure of the buildings has been designed by Enstruct in accordance with the BCA, normal engineering practices, relevant Australian Standards and the soil conditions of the site.</td></tr>
<tr><td>Accessibility</td><td>The proposed activity is capable of comply with the relevant requirement of the BCA as outlined in the DDA Assessment.</td></tr>
<tr><td>Ecologically Sustainable Development</td><td>An Ecologically Sustainable Development Assessment has been prepared by Arcadis. The proposed activity includes sustainability measures that achieve a 4-star Green Star rating. Measures include the following considerations:
Indoor Environmental Quality: The design will optimise daylighting, ventilation, and thermal comfort.
Water Conservation: Water-efficient fixtures, rainwater harvesting, and water-sensitive urban design will be implemented.
Energy Efficiency: The project will exceed NCC requirements by 10% through passive design, efficient systems, and potential renewable energy sources.
Material Efficiency: Sustainable materials with low embodied carbon and high recycled content will be prioritised.
Social and Cultural Considerations: The design will prioritise accessibility, universal design, and social interaction
Climate Change Resilience: The SDP incorporates strategies to mitigate climate change risks and build a resilient school facility.
The activity will contribute to NSW’s Net Zero emissions goal by 2050. The project is on-track to achieve 4-star Green Star rating and will be fossil fuel free after the occupation of the activity commences.
Mitigation Measures<table><tr><th>Mitigation Measure</th><th>Timing</th></tr><tr><td>Green Star Building certification must be obtained demonstrating that the activity achieves a minimum 4-star rating. Evidence of the certification must be provided to the DoE Sustainability Team.</td><td>Detailed design</td></tr></table></td></tr>
<tr><td>Utilities and Services</td><td>The following utilities and services have been investigated and consulted with its appropriate authority:
Sewer: Council has confirmed that the existing sewer main that connect into the site is at full capacity and have advised a new sewer rising main to a manhole at SMH201-2 is required.</td></tr>
</table>

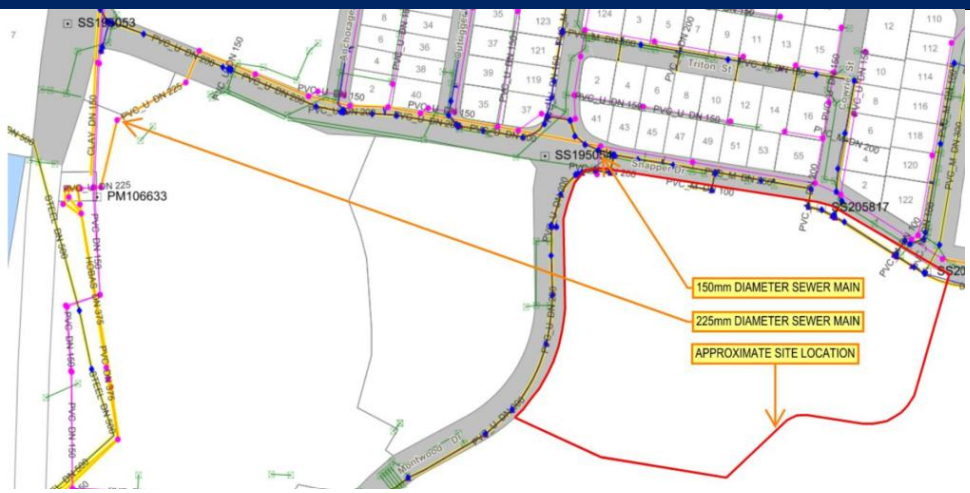
<table>
<tr><th>Issue</th><th>Consideration</th></tr>
<tr><td></td><td> 

Figure 41: Existing Sewer Main (Source: WSCE)

• Water: Council has confirmed that the existing water main on Snapper Drive can connect into the site with 102m and 44m head minimum pressure.
• Electricity: Essential Energy will be servicing the site via the proposed substation locate on the corner of Snapper Drive and Montwood Drive. A standard connection service offer has been obtained and can be accepted by the client/builder should they wish to continue with Arcadis as the ASP level 3 designers.</td></tr>
<tr><td>Electronic Signage</td><td>An electronic pole sign will be located at the main pedestrian entry to the school. An assessment against Schedule 5 of SEPP (Industry and Employment) has been carried out in Section 5.3 of this REF and confirms that the sign is consistent with the requirements under the SEPP. The sign will comply with relevant Australian Standards for illumination to ensure there is no safety impacts for motorists, cyclists or pedestrians; will not impede views or vegetation; and will be managed to ensure there are no unacceptable impacts to surrounding residents, particularly during the night-time period.

Mitigation Measures
<table>
<tr><th>Mitigation Measure</th><th>Timing</th></tr>
<tr><td>Sign must comply with AS 4282–1997, Control of the obtrusive effects of outdoor lighting. Operational hours for the sign must consider neighbour amenity, particularly during the night-time period.</td><td>Operation</td></tr>
</table></td></tr>
</table>

7.12 Cumulative Impact

As defined in Part 5.1 Guidelines, ‘Cumulative Impact’ is defined as the following:

> *Impacts that are a result of incremental, sustained and combined effects of human action and natural variations over time, both positive and negative, or by the compounding effects of a single project or multiple projects in an area, and by the accumulation of effects from past, current and relevant future projects. Refer to definition for ‘relevant future projects’ to understand scope of projects to be included.*

The term ‘relevant future projects’ is defined under the guidelines as comprising:

> *The following types of development are ‘relevant future projects’:*

- other State significant development and State significant infrastructure projects
- projects classified as designated development and require an EIS
- projects that require assessment under Division 5.1 of the EP&A Act that are likely to significantly affect the environment and require an EIS
- projects that have been declared to be controlled actions under the EPBC Act
- any major greenfield and urban renewal developments that are scheduled for the area (e.g. new areas zoned for urban development).

These types of projects are generally large in scale and could potentially contribute to or compound material impacts. They are also generally publicly notified and should therefore be known or reasonably foreseeable.

A review of the Major Projects Website, Regional Planning Panel Register and Ballina DA Tracker did not identify any 'relevant future projects' within a 500m radius of the site.

The site forms part of the community subdivision development previously known as Pacific Pines Estate, now Epiq Lennox Head that was rezoned under a Concept DA in 2008. Since then, the estate has transformed from greenfield into urban residential and commercial land uses, aligning with the concept DA, which established the road network, parks and open space, neighbourhood centre, residential and remnant vegetation.

The primary cumulative impact associated with the works related to the potential impacts associated with the construction works. The construction phase is temporary and likely to occur for 12-24 months. The construction works will be mitigated through the measures described in **Appendix 1**.

The ongoing operation of the Lennox Head Public School and Preschool will deliver an important social infrastructure to the community to cater for the growing population. Whilst the site and surrounding area will experience increased population to the locality, it will not result in unreasonable impact upon the amenity of the area. Accordingly, the impacts have been anticipated and are considered acceptable.

7.13 Consideration of Environmental Factors

Section 171(1) of the EP&A Regulation notes that when considering the likely impact of an activity on the environment, the determining authority must take into account the environmental factors specified in the guidelines that apply to the activity.

The assessment provided in the sections above has been prepared to provide a detailed consideration of the factors that must be taken into account for an assessment under Division 5.1 of the EP&A Act. These factors are summarised at **Table 17** below and where mitigation measures have been proposed in response to the factor, these have been identified.

Table 17: Environmental factors considered

Environmental Factor	Consideration	Mitigation Measure Reference
Any environmental impact on a community?	The proposed activity will not have a significant environmental impact on the community. However, traffic, noise and vibration, parking, air quality and visual impact may arise from the proposed activity. These impacts have been considered as part of this REF report, and where necessary mitigation measures have been included to minimise potential impact where they are unable to be avoided. Long-term, the proposed activity will have a beneficial impact for the community by replacing the existing public school with a modern and fit-for purpose school facility that meets sustainability measures, can accommodate the forecast population growth, and has been designed to be resilient to impacts from flood, bushfire and climate change.	Multiple Refer to **Appendix 1**.
Any transformation of a locality?	The proposed activity for the construction of a new public school and preschool will provide essential social infrastructure for the local community. The proposed activity will have a positive transformational impact on the locality. Once operational, the educational establishment will provide a much-needed infrastructure for the community and provide equitable access to local students to a local school.	Multiple Refer to **Appendix 1**.
Any environmental impact on the ecosystems of the locality?	The proposed activity will not result in significant impacts on the ecosystem of the locality. The proposal is unlikely to affect any threatened species, populations or ecological communities. Mitigation measures have been identified to minimise any indirect or potential impacts arising from sediment, dust, groundwater and acid sulfate soils.	Multiple Refer to **Appendix 1**.
Any reduction of the aesthetic, recreational, scientific or other environmental quality or value of a locality?	The proposal will not result in a reduction of the aesthetic, recreational, or scientific values of the locality. The new public school and preschool is to be constructed on an existing cleared and vacant land for urban development. The relocation of the school will enhance the locality with a new and modern educational facility that has been designed with landscaping and open spaces that will contribute to the aesthetics of the locality.	Multiple Refer to **Appendix 1**.
Any effect on locality, place or building having aesthetic, anthropological, archaeological, architectural, cultural, historical, scientific or social significance or other special value for present or future generations?	The site is not located within a local or State heritage item nor is it located within a heritage conservation area. The proposed activity is unlikely to impact on any Aboriginal cultural significance and no items, objects or places were found on the site or within the immediate vicinity. Nevertheless, an Unexpected Finds Protocol will be prepared if any Aboriginal objects or relics were discovered during the construction phase. The proposed activity incorporates cultural narratives and principles from the CWC	Multiple Refer to **Appendix 1**.

Environmental Factor	Consideration	Mitigation Measure Reference
	process into the school environment to reflect its importance and education purposes.	
Any impact on the habitat of protected animals, within the meaning of the *Biodiversity Conservation Act 2016*?	The site has previously undergone extensive land clearing and bulk earthworks. No tree or vegetation removal forms part of the proposed activity therefore, it is unlikely the proposal will impact on the habitat of protected animals. However, landscape planting will utilise endemic, indigenous species to the area, which will enhance habitat opportunities for local fauna.	Multiple Refer to **Appendix 1**.
Any endangering of any species of animal, plant or other form of life, whether living on land, in water or in the air?	Similar to the above, the proposed is unlikely to result in any impact on the habitat of endangered species of animals or plants as a result of the previous land clearing on the site.	Multiple Refer to **Appendix 1**.
Any long-term effects on the environment?	The overall activity will have a long-term positive effect on the local environment by providing a social infrastructure that has been designed to serve the community's current and future students.	Multiple Refer to **Appendix 1**.
Any degradation of the quality of the environment?	The proposal will not degrade the environment since the site has previously been cleared. Landscape planting will be provided across the site to improve the quality of the environment, utilising native endemic species.	Multiple Refer to **Appendix 1**.
Any risk to the safety of the environment?	The proposal has been designed in accordance with the environmental constraints of the site with particular focus on mitigating flood and bushfire risks. A FERP has been prepared to ensure the safety of students and staff in the event of mainstream flooding.	Multiple Refer to **Appendix 1**.
Any reduction in the range of beneficial uses of the environment?	The site is currently vacant and therefore will not reduce the range of beneficial uses of the environment. The proposal for an educational establishment is permissible within the R3 zone.	Multiple Refer to **Appendix 1**.
Any pollution of the environment?	Mitigation measures will be implemented during the construction phase to manage any pollution such as air, noise, vibration and water quality.	Multiple Refer to **Appendix 1**.
Any environmental problems associated with the disposal of waste?	EcCell Environmental Management has considered the waste generated from the construction and operational phases of the activity.	Multiple Refer to **Appendix 1**.
Any increased demands on resources (natural or otherwise) that are, or are likely to become, in short supply?	During the construction phase, any materials will be sorted and identified for reuse on site or recycled. The site is proposed to be connected to council's recycled water reticulation supply to reduce reliance on potable water. Energy and water efficient	Multiple Refer to

Environmental Factor	Consideration	Mitigation Measure Reference
	fixtures and fittings are proposed throughout the activity, along with solar panels to reduce reliance on fossil fuels. It is unlikely that the proposal will result in any increased demands on resources.	**Appendix 1**.
Any cumulative environmental effects with other existing or likely future activities?	The cumulative impacts are likely to be short-term during construction. The long-term operation of the public school and preschool will be a positive environmental effect. Refer to cumulative impact discussion in **Section 7.12** of this REF.	Multiple Refer to **Appendix 1**.
Any impact on coastal processes and coastal hazards, including those under projected climate change conditions?	Not applicable.	N/A
Applicable local strategic planning statement, regional strategic plan or district strategic plan made under Division 3.1 of the Act?	The proposed activity is generally consistent with the provisions of the North Coast Regional Plan 2036, Ballina Shire Growth Management Strategy 2012, Ballina Shire Council's Local Strategic Planning Statement and Lennox Head Strategic Plan 2023-2043. Refer to discussion in **Section 5.4** of this REF.	Multiple Refer to **Appendix 1**.
Any other relevant environmental factors?	There are no other environmental factors that would result in an unacceptable impact to the environment.	Multiple Refer to **Appendix 1**.

8. Justification and Conclusion

The proposed new Lennox Head Public School and Preschool at Montwood Drive, Lennox Head is subject to assessment under Division 5.1 of the EP&A Act. The REF has examined and taken into account to the fullest extent possible all matters affecting, or likely to affect, the environment by reason of the proposed activity.

As outlined in this REF, the proposed activity can be justified on the following grounds:

- It responds to an existing need within the community;
- It generally complies with, or is consistent with all relevant legislation, plans and policies;
- It has minimal environmental impacts; and
- Adequate mitigation measures have been proposed to address these impacts.

The activity is not likely to significantly affect threatened species, populations, ecological communities or their habitats, and therefore it is not necessary for a Species Impact Statement and/or a BDAR to be prepared. The environmental impacts of the proposal are not likely to be significant.

Therefore, it is not necessary for an EIS to be prepared and approval to be sought for the proposal from the Minister for Planning and Public Spaces under Division 5.2 of the EP&A Act. On this basis, it is recommended that the department determine the proposed activity in accordance with Division 5.1 of the EP&A Act subject to the implementation of mitigation measures identified within this report.