NSW Department of Education

Review of Environmental Factors

Lismore South Public School – Flood Recovery Rebuild

Document version: 4

Date: 23/06/2025

NSW GOVERNMENT

Acknowledgement of Country

The NSW Department of Education acknowledges the Widjabul Wia-bal people, the traditional custodians of the land on which the Lismore South Public School flood recovery rebuild is proposed.

We pay our respects to 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.

IMPORTANT

This Review of Environmental Factors (REF) has been prepared to support the planning approval of the rebuild of Lismore South Public School (LSPS). While the project was initially identified as *development permitted without consent* under the TI SEPP and therefore subject to assessment under Part 5 of the Environmental Planning and Assessment Act 1979 (EP&A Act), determination of the project will now be undertaken under the NSW Reconstruction Authority Act 2022 (RA Act) by the NSW Reconstruction Authority (RA).

Specifically, Section 68 of the RA Act states that the Minister may authorise the undertaking of development without the need for approval or assessment under the EP&A Act, including environmental assessment through a REF under Part 5 of that Act. Notwithstanding, this REF has been prepared, at the request of the department and the RA, to inform the RA's determination of the project. While this REF addresses matters under Part 5 of the EP&A Act, these are not matters or pre-conditions of which the RA needs to be satisfied of prior to determining the project.

Declaration

This REF has been prepared by Gyde Consulting on behalf of the NSW Department of Education (department) and assesses the potential environmental impacts which could arise from the rebuild of the Lismore South Public School at 69-79 Kyogle Street, South Lismore.

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

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1	21.02.24	Draft	Gyde Consulting	Mel Krzus, Director
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This REF has been prepared by Gyde Consulting with input from a number of other expert consultants. To the best of our knowledge, the information contained herein is neither false nor misleading and the contents are based on information and facts that were correct at the time of writing. Gyde Consulting accepts no responsibility or liability for any errors, omissions or resultant consequences including any loss or damage arising from reliance in information in this publication.

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Abbreviations

Abbreviation	Description
ACD	Asbestos Containing Dust
ACHAR	Aboriginal Cultural Heritage Assessment Report
ACM	Asbestos Containing Materials
AECG	Aboriginal Education Consultative Group
AEP	Annual Exceedance Probability
AHD	Australian Height Datum
AHIMS	Aboriginal Heritage Information Management System
AIA	Arboricultural Impact Assessment
AMP	Interim Asbestos Management Plan
ANEF	Australian Noise Exposure Forecast
ASSMP	Acid Sulfate Soils Management Plan
BCA	Building Code of Australia
BDAR	Biodiversity Development Assessment Report
CASA	Civil Aviation Safety Authority
CBR	California Bearing Ratio
CDC	Complying Development Certificates
CEMP	Construction Environmental Management Plan
CNVMP	Construction Noise and Vibration Management Plan
COLA	Covered Outdoor Learning Area
CPTED	Crime Prevention through Environmental Design
CTMP	Construction Traffic Management Plan
DCCEEW	Department of Climate Change, Energy, the Environment and Water
DDA	*Disability Discrimination Act 1992*
DPHI	Department of Planning, Housing and Infrastructure
DSI	Detailed Site Investigation
DTS	Deemed-to-Satisfy
EFSG	Education Facilities Standards and Guidelines
EIS	Environmental Impact Statement
EMP	Environmental Management Plan
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 Instruments
ERG	Expert Review Group
ESD	Ecologically Sustainable Development
FCF	Fibre Cement Fragments

Abbreviation	Description
FERP	Flood Emergency Response Plan
FFL	Finished Floor Level
FIRA	Flood Impact and Risk Assessment
FOGO	Food Organics and Garden Organics
FPL	Flood Planning Level
FRNSW	Fire and Rescue NSW
FTE	Full Time Equivalent
GANSW	Government Architect NSW
GARS	Lismore Growth and Realignment Strategy
GIPA Act	*Government Information (Public Access) Act 2009*
GLS	General Learning Space
HAA	Baseline Historical Archaeological Assessment
HBM	Hazardous Building Material
ILUA	Indigenous Land Use Agreement
LCC	Lismore City Council
LCSP	*Lismore Community Strategic Plan*
LDCP	*Lismore Development Control Plan 2012*
LGA	Local Government Area
LLEP	*Lismore Local Environmental Plan 2012*
LSPS	Lismore South Public School
MNES	Matters of National Environmental Significance
MSB	Main Switch Board
MSR	Main Switch Room
NCC	National Construction Code
NPW Act	*National Parks and Wildlife Act 1974*
NRAR	NSW Dept of Natural Resources Access Regulator
NRC	Noise Reduction Coefficient
NRWC	Northern Rivers Wildlife Carers
OLS	Obstacle Limitation Surface
OMP	Operational Management Plan
OSD	On-site Stormwater Detention
OSHC	Outside School Hours Care
PCB	Polychlorinated Biphenyls
PCG	Project Control Group
PCT	Plant Community Type
PMF	Probable Maximum Flood
PRG	Project Reference Group
RAP	Remediation Action Plan

Abbreviation	Description
REF	Review of Environmental Factors
RUM	Road User Movements
SAC	Site Assessment Criteria
SCPP DoE	*Stakeholder and community participation plan,* published by the NSW Department of Education October 2024
SCPP DPHI	*Stakeholder and community participation for new health services facilities and schools* published by the Department of Planning, Housing and Infrastructure October 2024
SDRP	State Design Review Panel
SEPP	State Environmental Planning Policy
SES	State Emergency Service
SIA	Social Impact Assessment
SIDRA	Signalised Intersection Design and Research Aid
SINSW	School Infrastructure NSW
SMF	Synthetic Mineral Fibres
SMP	Salinity Management Plan
SSD	State Significant Development
STP	School Travel Plan
TAIA	Transport and Accessibility Impact Assessment
TEC	Threatened Ecological Community
The department	NSW Department of Education
TI SEPP	State Environmental Planning Policy (Transport and Infrastructure) 2021
TPZ	Tree Protection Zone
TRH	Total Recoverable Hydrocarbons
TSG	Technical Stakeholder Group
TWG	Technical Stakeholder Group

Executive Summary

This REF has been prepared to support a request for an Ministerial Authorisation under Section 68 of the NSW Reconstruction Authority Act 2022 (RA Act). This project would otherwise constitute an activity under Part 5 of the EP&A Act and would be permissible under Section 3.37 of the TI SEPP.

The Northern Rivers region of NSW experienced unprecedented flooding in February and March 2022, with record-breaking water levels affecting several major river systems, including the Wilsons River. LSPS is part of the Northern NSW Schools group that suffered significant flood damage during these flood events, with the majority of its structures suffering above-floor inundation, rendering the existing buildings unsuitable for school operations.

Due to the damage caused to the existing school buildings during the 2022 flood event, the school is currently operating out of temporary learning facilities on the sports field and oval on the western side of Wilson Street, adjacent to the main school site. Given the extensive damage caused by the 2022 floods, the existing LSPS infrastructure necessitates demolition and reconstruction to adhere to current Education Facilities Standards and Guidelines (EFSG) and the department guidelines, and to respond to the flood constraints of the site.

Given the circumstances of the delivery of the project, and the location of the activity within a reconstruction area following a disaster that resulted in the declaration of a State emergency, the project will be determined by the RA under the Ministerial powers of Section 68 of the RA Act. To inform the RA's decision, a 'REF style' report has been prepared to provide an equivalent level of assessment and to support approval of the project.

This REF has considered the activity and its environmental impacts, and whilst not strictly required for a Section 68 authorisation, this REF has considered the provisions of Part 5 of the EP&A Act and the EP&A Regulation. This 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 Project. In particular, the REF has taken into account the factors set out in Section 171 of the EP&A Regulation, which are a key threshold consideration prior to a public authority approving a Part 5 activity.

The Site

LSPS is located at 69-79 Kyogle Street, South Lismore, and comprises two separate parcels of land, located to the east and west of Wilson Street, and consisting of multiple allotments. The western parcel accommodates the temporary LSPS school operations, which was established following the 2022 flood event. The eastern parcel is currently not operational, but will form the site of the new school facilities, the subject of this REF. The scope of this REF relates only to the eastern parcel, which is hereon referred to as "the site".

The site is bounded by Kyogle Street to the south and Phyllis Street to the north, surrounded by residential lots to the east and west. The site sits near the convergence of Leycester Creek (530m north of the school) and the Wilsons River (720m east of the site). It is zoned R2 Low Density Residential pursuant to the *Lismore Local Environmental Plan 2012* (LLEP 2012), comprises multiple elevated buildings, on-grade parking, open space and vegetation.

The site is located within a flood affected area with the peak flood level for the February 2022 event at RL 14.45m Australian Height Datum (AHD). It is also located within a drinking water catchment (pursuant to the LLEP 2012), is mildly undulating, is located within the boundaries of the Widjabul Wia-bal Native Title area (NCD2022/001) and is subject to an Indigenous Land Use Agreement (ILUA), is within the RL 54.4m AHD Obstacle Limitation Surface (OLS) for Lismore Airport and is subject to soil contamination and hazardous building materials (asbestos). The site is not heritage listed, bushfire prone, subject to dryland salinity or acid sulfate soils and has low

biodiversity value. The roads that surround the site are local roads, and while the site is serviced, some of these services were damaged during the floods and need to be replaced.

A detailed description of the site is in **Section 2.1** of this REF.

The Proposed Activity

The proposed activity involves the rebuild of LSPS and the LSPS Ngulliboo Jarjums Preschool on the eastern parcel of the site. Related works include tree removal and site preparation. A new elevated building will be constructed above the 2022 flood level (+ 500mm freeboard) with a replacement of teaching facilities and key functions (hall, canteen, storage, amenities and the like), as well as the preschool. Site landscaping is proposed, including new plantings and an enhanced canopy cover. Off-site public domain works include the formalisation of the kiss-and-drop zone on Kyogle Street (with one *No Parking* sign and posts installed), relocation of the accessible parking bay to within the school site, pavement adjustments to accommodate waste vehicle turning movements, targeted fencing modifications to improve student access and safety, and an upgraded bus stop for LSPS. The new building will be accessed from Kyogle Street, comparable with the former arrangement to the site. New and augmented utilities will be provided to replace those damaged in the floods and to ensure adequate servicing of the proposed new building.

Project Need and Justification

LSPS and the LSPS Ngulliboo Jarjums Preschool suffered extensive damage during the 2022 floods, with flood water entering the school and damaging most buildings as well as the school grounds. LSPS (and the preschool) is currently operating out of temporary accommodation on the sports field on the western side of Wilson Street, adjacent to the main school site.

The NSW Government is committed to rebuilding LSPS and the preschool. An investigation into the viability of the site has confirmed the department's intention to rebuild the school back at its original location. The school, the activity that is the subject of this REF, has been designed to be flood resilient, and to the latest EFSG and the department's standards.

Section 3 of this REF includes a more detailed analysis of options considered and project need.

Permissibility

The site is zoned R2 Low Density Residential pursuant to the LLEP 2012. *Centre-based childcare facilities* (the preschool) are permitted with consent; however, *educational establishments* (the school) are prohibited under the LLEP 2012.

Nevertheless, Section 3.36 of the Transport & Infrastructure SEPP (TI SEPP) states that development for the purpose of a school may be carried out with development consent on land in a prescribed zone. A prescribed zone is defined in Section 3.34 of the TI SEPP and includes the R2 zone. Therefore, both the preschool and the school are permissible uses on the land.

Planning Approval Pathway

The proposal involves works by the department (a public authority) within the boundaries of the existing LSPS. Accordingly, pursuant to Section 3.37 of the TI SEPP, the proposal would ordinarily be classified as development which may be carried out without consent, and subject to assessment and approval pursuant to Part 5 of the EP&A Act. A REF would be prepared to document the findings of the environmental assessment of the activity, to determine whether the proposal will have a significant impact on the environment.

However, as noted earlier, given the importance and urgency of the delivery of this flood recovery rebuild, the RA will determine the project pursuant to Section 68 of the RA Act. This REF has been prepared to inform the RA's decision with regard to the reconstruction of the school at the site, the risk response to the flood affectation of the site and surrounds, the impacts of the proposal and the

mitigation measures required to be imposed to ensure all impacts are reasonably mitigated or managed.

Additionally, the demolition of the existing buildings will be undertaken under a separate pathway as exempt development under Subdivision 13 – Demolition in Part 2 of the Exempt & Complying Development Codes SEPP 2008. However, demolition of other components, structures, ancillary components and tree removal form part of this activity.

Consultation

The activity has been subject to considerable consultation and engagement with key stakeholders. This includes meetings and workshops with Lismore City Council (LCC), Department of Planning, Housing and Infrastructure (DPHI), the State Emergency Service (SES), the Reconstruction Authority (RA), Transport for NSW (TfNSW), Heritage NSW, Registered Aboriginal Parties (including a walk on Country in August 2024), the Government Architect NSW (GANSW) School Design Review Panel and the local Community (workshops and sessions in 2023 and 2024). A series of cross-government risk workshops were also undertaken in late 2024 to evaluate flood risk relevant to the site and agree on an approach to assessment, risk mitigation and emergency management.

Refer to **Section 5** of this REF for a detailed description of engagement undertaken for the activity.

Formal consultation with regard to the project will be undertaken by means of exhibition of this REF and supporting documentation. Exhibition will be equivalent to the consultation that would ordinarily be undertaken per the TI SEPP and having regard to the *Stakeholder and community participation plan for new health services facilities and schools* (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, where required, prior to the RA's determination of the proposal.

Environmental Impacts

An environmental assessment has been undertaken to consider whether the activity is likely to significantly affect the environment. The assessment has also included assessment of:

- Whether there are likely to be impacts to matters of national significance under the EPBC Act.
- Whether a species impact statement would be required under the Biodiversity Conservation Act 2016.

This REF has found that the key potential environmental impacts associated with the activity include:

- **Traffic, Access and Parking** – The site is well-served by local roads, public transport, and pedestrian pathways, with sufficient parking and a planned kiss-and-drop zone to manage drop-off/pick-up. Traffic modelling indicates minimal impact, with intersections operating efficiently after considering the expected increase in vehicle trips. Road safety measures, including supervised pedestrian crossings, will be monitored to ensure safety for all users. Refer to **Section 6.1** for further detail.
- **Noise and Vibration** – While the proposed development will introduce some noise and vibration impacts, these have been carefully assessed and will be managed through targeted mitigation measures. The Noise & Vibration Assessment Report identifies potential sources of noise, including traffic, mechanical plant, and school operations, as well as external noise sources affecting the site. A range of design strategies and operational controls, such as acoustic treatments, equipment placement, and management protocols, will ensure compliance

with relevant noise criteria. Additionally, a Construction Noise and Vibration Management Plan (CNVMP) will be implemented to minimise temporary impacts during construction. With these measures in place, the proposal is considered acoustically appropriate and will not result in any significant adverse impacts on surrounding properties or the school environment. Refer to **Section 6.2** for further detail.

- **Contamination and Hazardous Material** – Contamination risks on-site will be managed through targeted remediation, including the removal of bonded asbestos-containing materials and lead-based paint. A Remediation Action Plan (RAP) will be implemented following demolition to ensure the site is safe for educational use. Refer to **Section 6.3** for further details.
- **Hydrology, Flooding and Water Quality** – While the site is subject to significant flood risks, the proposed building will be elevated above the 2022 flood level with additional freeboard. The design incorporates flood-resilient materials, elevated services, and an undercroft to maintain water flow, minimising impacts on neighbouring properties and ensuring long-term site safety. Refer to **Section 6.4** for further detail.
- **Aboriginal Heritage** – The site holds social significance for the Widjabul Wia-bal community, though past disturbances have resulted in low archaeological potential. Construction will proceed under an unexpected finds procedure to manage any potential heritage discoveries. Refer to **Section 0** for further detail.
- **Social Impact** – The Social Impact Assessment (SIA) highlights several very high positive impacts, including the continuity of social connections, the rebuilding of the school with contemporary facilities, and enhanced health and wellbeing due to flood mitigation measures. The proposal will benefit students, teachers, parents, and the wider Lismore community. Refer to **Section 6.10** for further detail.
- **Visual impact** – While the proposed building will be elevated and sit above the maximum height standard prescribed for the site, the height is in direct response to flood planning requirements for the site. The visual impact of the building has been minimised through siting, orientation, a mix of materials and finishes, and landscaping (existing and new). Refer to Section 6.10.2 for further detail.
- **Geotechnical (and salinity)** - Highly reactive alluvial clay and flood-prone conditions present geotechnical challenges, requiring careful foundation design. A combination of subgrade treatments, erosion control, and structural reinforcement will ensure stability and long-term durability, and minimisation of any adverse impacts. Refer to **Section 6.10.2** for further detail.

Standard mitigation measures and bespoke conditions have been identified for the activity, to ensure it is constructed and operated in a manner that does not adversely affect the amenity of the locality or the environment. Those mitigation measures can be found in **Appendix 1**.

Other impacts have been considered as detailed in this REF.

Other Approvals Required

Section 68 of the RA Act states that the Minister may authorise the undertaking of development without an approval or assessment under the EP&A Act and without consent from any person. Unless the Ministerial authorisation explicitly states that another Act or statutory instrument does not apply, other approvals *could* be required under other NSW legislation. For this project, the only other approval that may be required is an approval under Section 138 of the Roads Act 1993 for the new driveway to the site and off-site transport improvements. We understand the department are currently reviewing whether such an approval is required to be obtained by a public authority such as the department.

If dewatering is required to occur at the site (however unlikely), the requisite approvals from the relevant agency will be required under the *Water Management Act 2000*.

Separate consent will be required from LCC, under Section 68 of the Local Government Act for stormwater drainage work (Part B of Section 68).

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 detrimental 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, if this project had proceeded as a Part 5 activity, an REF would not be required to be furnished to DPHI prior to approval of the activity. Further, the proposal will not have any effect on 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 RA approve the proposal in accordance with Section 68 of the RA Act, and subject to the adoption and implementation of mitigation measures identified within this REF.

1. Introduction

The department proposes to rebuild the Lismore South Public School (the activity) located at 69-79 Kyogle Street, South Lismore (the site).

The Northern Rivers region of NSW experienced unprecedented flooding in February and March 2022, with record-breaking water levels affecting several major river systems, including the Wilsons River. LSPS is part of the Northern NSW Schools group that suffered significant flood damage during these flood events, with the majority of its structures suffering above-floor inundation, rendering the existing buildings unsuitable for school operations.

Due to the damage caused to the existing school buildings during the 2022 flood event, the school is currently operating out of temporary learning facilities on the sports field and oval on the western side of Wilson Street, adjacent to the main school site. Given the extensive damage caused by the 2022 floods, the existing LSPS infrastructure necessitates demolition and reconstruction to adhere to current EFSG and the department guidelines, and to respond to the flood constraints of the site. LSPS currently accommodates up to 230 students and a 20-place preschool co-located on the site.

This REF has been prepared by Gyde Consulting on behalf of the department to evaluate the environmental impacts of the proposed rebuild of the LSPS at the site.

Under typical circumstances, the proposed rebuild would ordinarily be categorised as *development permitted without consent* pursuant to Section 3.37(1) of the TI SEPP, comprising a mix of *"construction, operation of a building associated with the operation of a school"* and *"construction….of…a building to be used for the purposes of a relevant preschool"* and other minor ancillary works. In such circumstances, the department would be the proponent and determining authority under Part 5 of the EP&A Act. However, given the urgency and importance of the rebuild, determination of project will occur under Section 68 of the RA Act, rather than Part 5 of the EP&A Act. Therefore, while the department is the proponent, the Reconstruction Authority (RA) is the approval authority under Section 68 of the RA 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 protective measures to be implemented to mitigate impacts. This REF, while not strictly required for an approval to be issued under Section 68 of the RA Act, will assist the RA in its determination of the proposal.

The description of the proposed activity and associated environmental impacts have been undertaken in the 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:

- The impacts of the proposal and whether it is likely to have a significant impact on the environment; 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.

Whilst not strictly required under Section 68 of the RA Act, this REF addresses the requirements of Section 5.5 of the EP&A Act, which necessitates that all matters affecting, or likely to affect, the

environment by reason of the proposed activity, be taken into account to the fullest extent possible. This will ensure a robustness in the decision-making process associated with the rebuild of LSPS.

2. The Site and Proposed Activity

2.1 The Site

The site, located at 69-79 Kyogle Street, South Lismore, consists of two separate land parcels situated on either side of Wilson Street. The proposed activity for LSPS will be undertaken on the eastern parcel, where most of the school's existing structures are located. The western parcel contains sports fields and temporary learning facilities. **Figure 1** outlines the school's boundary, covering approximately 2.5 hectares. Due to flood damage, the existing buildings on the eastern parcel are currently unused, and students are temporarily using facilities on the sports field and oval, located on the western side of Wilson Street, adjacent to the primary school.

Figure 1: Aerial image of the broader LSPS site including the western and eastern parcels (Source: Nearmap)

2.1.1 Site locality

The site is located in the suburb of South Lismore and comprises 1 of the 9 government schools in the Northern Rivers region of NSW that were significantly affected by the floods in early 2022.

A map of the site in its regional setting is provided in **Figure 2**.

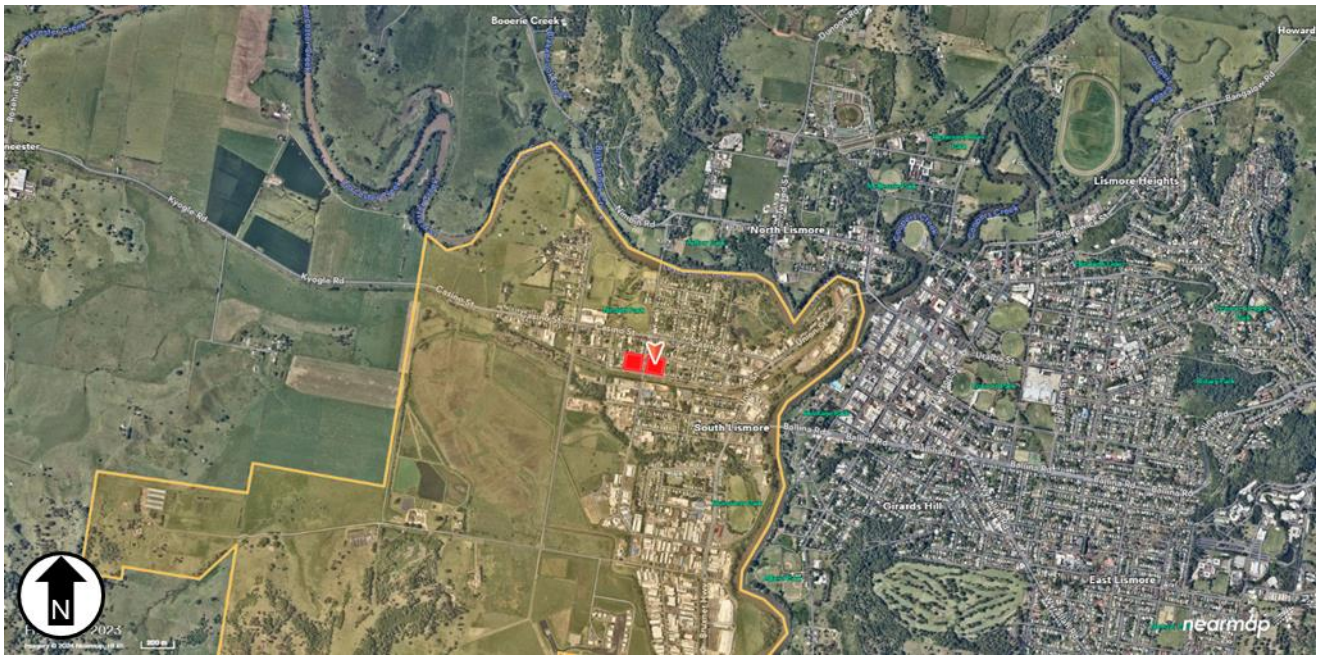


Figure 2: Aerial view of the LSPS in broader Lismore context (site outlined in red and Lismore South suburb highlighted in yellow) (Source: Nearmap)

The location and configuration of the site is shown in **Figure 1** and **Figure 2**.

2.1.2 Site Constraints and Opportunities

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

A summary of the identified constraints has been provided in **Table 1**, with relevant map extracts at **Appendix 2**.

Table 1: Site considerations and constraints

Consideration	Impacted	Source	Description
Hydrology Flooding (and Site Access)	Yes	Lismore Development Control Plan 2012 (LDCP) LLEP 2012 2012 Flood Impact and Risk Assessment **Appendix 10**	The site is located within a flood affected area. The peak flood level for the February 2022 event was RL 14.45m AHD. The site is also mapped as being predominantly located within a 'High-Risk Precinct' with some areas classified as Medium Risk within the Revised Flood LDCP. Additionally, the site is located within the 'South Lismore Flood Isolated Evacuation zone' in the Floodplain Risk Management Plan 2014, in which there is the potential for floodwaters to pose a danger to personal safety, cause damage to light structures, and create difficulties for physically capable adults to reach safety by wading.
Drinking Water Catchment	Yes	LLEP 2012	The site is located within a drinking water catchment pursuant to the LLEP 2012 (ref. Cl. 6.4).
Topography	N/A	Survey Plans at **Appendix 5**	The elevation of the site ranges between RL 11-12m AHD and the ground surface is mildly undulating.

Consideration	Impacted	Source	Description
Easements	N/A	Survey Plans at **Appendix 5**	No easements were identified on the Survey Plans.
Aboriginal Cultural Heritage	No	Aboriginal Cultural Heritage Assessment Report (ACHAR) at **Appendix 25**	The site is located within the boundaries of the Widjabul Wia-bal Native Title area (NCD2022/001) and is subject to an ILUA.
Non-Aboriginal Heritage	N/A	Baseline Historical Archaeological Assessment (HAA) **Appendix 26** LLEP 2012	The site is not an identified heritage item of State or local significance and is not situated within a heritage conservation area. Additionally, the Baseline Historical Assessment for the site prepared by EMM concludes that there are no recognised built heritage values for LSPS that would need to be considered in any future development proposal.
Acid Sulfate Soils	N/A	LLEP 2012 Salinity and Acid Sulfate Soil Assessment and Salinity Management Plan (SMP) at **Appendix 15**	The site is not mapped as being affected by Acid Sulfate Soils.
Salinity	N/A	Salinity and Acid Sulfate Soil Assessment and SMP at **Appendix 15**	The soils are classed as very strongly acidic to neutral (optimal plant growth); • The soils are generally classed as non-saline to slightly saline; • The soils are predominantly non-sodic and sodic; • The soils are generally non-aggressive to mildly aggressive towards buried concrete; • The soils are generally non-aggressive to mildly aggressive towards buried steel; • The groundwater is non-aggressive towards buried concrete; and • The groundwater is non-aggressive towards buried steel.
Geotechnical Conditions	Yes	Geotechnical Investigation at **Appendix 16**	The site is underlain by Quaternary alluvial floodplain deposits comprising “silt, very fine- to medium-grained lithic to quartz-rich sand, clay”. Site investigations have identified a generalised profile comprising relatively shallow fill and a deep alluvial soil profile. Alluvial soils comprise silty clay.
Groundwater Conditions	No	Geotechnical Investigation at **Appendix 16**	While initial investigations did not encounter any groundwater in boreholes, a return visit on 15 October 2024 identified ground water in one borehole at a depth of 5.3m. During flood events, groundwater is anticipated to rise closer to the ground surface.
Bushfire	N/A	NSW Rural Fire Service Mapping	The site is not mapped as bushfire prone land.
Site	Yes	Detailed Site Investigation (DSI) at	The DSI found that fill materials at the site contained various contaminants, including

Consideration	Impacted	Source	Description
Contamination		**Appendix 13**	lead, carcinogenic PAHs, and asbestos (as Asbestos Containing Materials (ACM)) above health-based screening criteria. A RAP has been prepared for the site to ensure the site is properly remediated and suitable for the proposed activity.
Asbestos and Hazardous Materials	Yes	Hazardous Buildings Materials Assessment at **Appendix 17**	The Hazardous Building Material (HBM) assessment conducted between 16 and 18 July 2024 identified: • Instances of friable and non-friable ACM and Asbestos Containing Dust (ACD) have been identified. • Lead based paint in exceedance of the 0.1% w/w lead content threshold was identified. • Lead in dust in exceedance of the 1 mg/m2 lead surface dust threshold was identified. • Synthetic mineral fibres (SMF) were visually identified as thermal insulation within a variety of locations within the building structures and heating equipment at the site. • Fluorescent light fittings potentially containing Polychlorinated Biphenyls (PCB) were observed.
Aviation	Yes	LDCP	The site is within an OLS area set for Lismore Airport. Therefore, the provisions set out in LLEP 2012 apply to the site. The controls require that developments above RL 54.5 metres AHD obtain approval from the Civil Aviation Safety Authority (CASA).
Vegetation and Biodiversity	Yes (vegetation) No (biodiversity values)	Ecological Statement at **Appendix 29**	• The site is not mapped as Biodiversity Value (BV) land on the Department of Climate Change, Energy, the Environment and Water (DCCEEW) Biodiversity Values Map and Threshold Tool. • The site does not occur within a Coastal Use Area and is not near mapped areas of Coastal Wetlands or Littoral Rainforests. • No parts of the site nor areas in proximity to the site are depicted on Council's Koala habitat mapping. • The site is not mapped as part of any Wildlife Corridor or Key Habitat. • The site primarily comprises cleared land with groups of linear trees consisting of native and exotic species and gardens that have been planted around the boundary of the site, as well as next to and in between buildings. Managed lawns are characterised by Couch (*Cynodon dactylon*), Carpet Grass (*Axonopus compressus**) and Kikuyu

Consideration	Impacted	Source	Description
			Grass (*Pennisetum clandestinum**). Vegetation within the site is not indicative of any native Plant Community Type (PCT). • Vegetation occurring on the site is not representative of any Threatened Ecological Community (TEC). • No threatened flora species were detected at the site and based on historical clearing at the site, no threatened flora species are likely to occur. • The lack of useable vegetation corridors and the distance to the closest habitat mean that it is unlikely that Koalas would utilise the site for foraging.
Infrastructure – Transport	Yes	Transport and Accessibility Impact Assessment (TAIA) at **Appendix 23**	The TAIA identifies 6 access points into the site with a bus zone located on Phyllis Street. The site currently has 13 on-site staff car parking spaces with one accessible parking bay and 25 on-street 90-degree parking spaces on southern side of Kyogle Street. The majority of the LSPS intake catchment area falls outside of the actual walking catchment. Therefore, it is expected that the students located outside this catchment will travel to school by car or bus.
Infrastructure – Services	Yes	Building Services Infrastructure Report at **Appendix 28** Civil Report at **Appendix 9**	A low voltage overhead cable belonging to Essential Energy exists across the western boundary edge. NBN cables exist on site across the western, northern and southern boundaries. A Telstra cable crosses from the northern boundary into the centre of the site. LCI's review of building services for the eastern parcel of the site identified extensive prior flood damage to electrical, communication, mechanical, and hydraulic systems. Electrical and communication cables require testing and possible replacement, with all switchboards and mechanical services needing replacement. Existing stormwater pits and pipes are located around the entirety of the site.

2.2 The Proposed Activity

The proposed activity comprises the rebuild of the LSPS on the eastern parcel of the site, in South Lismore, and will be delivered in a single stage. The western parcel is not part of the scope of the activity. The existing play equipment, Building K and the covered outdoor learning area (COLA) on the western parcel will be retained as part of the activity. Any works required on the western parcel (such as removal of demountable classrooms) will be subject to separate approval (if required).

A detailed description of the proposal is as follows:

1. Bulk earthworks, comprising fill and excavation and other site preparation works on the eastern parcel.

2. Construction of a new elevated school building on the eastern parcel for LSPS including:
    i. A one storey building (with undercroft areas below) fronting Kyogle Street containing a general learning space (GLS) hub, hall, library, support hub, administration, and pre-school.
    ii. Undercroft outdoor learning areas as well as amenities and storage located on ground level.
3. Removal of 49 trees.
4. A car park on the eastern side of the site, with access from Kyogle Street with 26 parking spaces. Waste collection will occur within this carpark, utilising the same access from Kyogle Street.
5. Multiple entrance points, including:
    i. Primary and secondary entries distributed on site frontages.
    ii. Vehicular access point to provide access to waste collection/delivery areas and car parking.

While the existing buildings on the site will be demolished, it is confirmed that this scope of work qualifies as exempt development and does not form part of this REF.

Other minor off-site works are proposed to improve broader transport arrangements for LSPS, including:

- Improvements to the existing vehicle crossing from Kyogle Street.
- New drop-off and pick up zones on Kyogle Street.
- Improved bus transport arrangements on Phyllis Street.
- Pavement adjustments on Kyogle Street to accommodate turning movements for waste vehicle.
- Removal of the existing non-compliant accessible parking bay on Kyogle Street, with accessible parking relocated internally on the school site.
- Targeted fencing modification on the northern footpath of Kyogle Street. Fencing panels adjacent to the easternmost bay be removed to enable safe and direct access to the footpath for alighting students, while the remainder of the fencing is to remain in place.

In isolation, the majority of these off-site works would ordinarily be classified as exempt development under the TI SEPP (Chapter 2, Section 2.113(1)(a)(iv), Section 2.113(1)(a)(xi) & (xii) and Section 2.113(2)). Nevertheless, for transparency and to enable a holistic understanding of the full scope of road and transport improvements for the rebuild, these works are considered (and assessed) as part of the broader proposal.

The figures below demonstrate the site plan/ground floor plane (including undercroft zone) and Level 1, being the primary accommodation level for LSPS and the preschool.

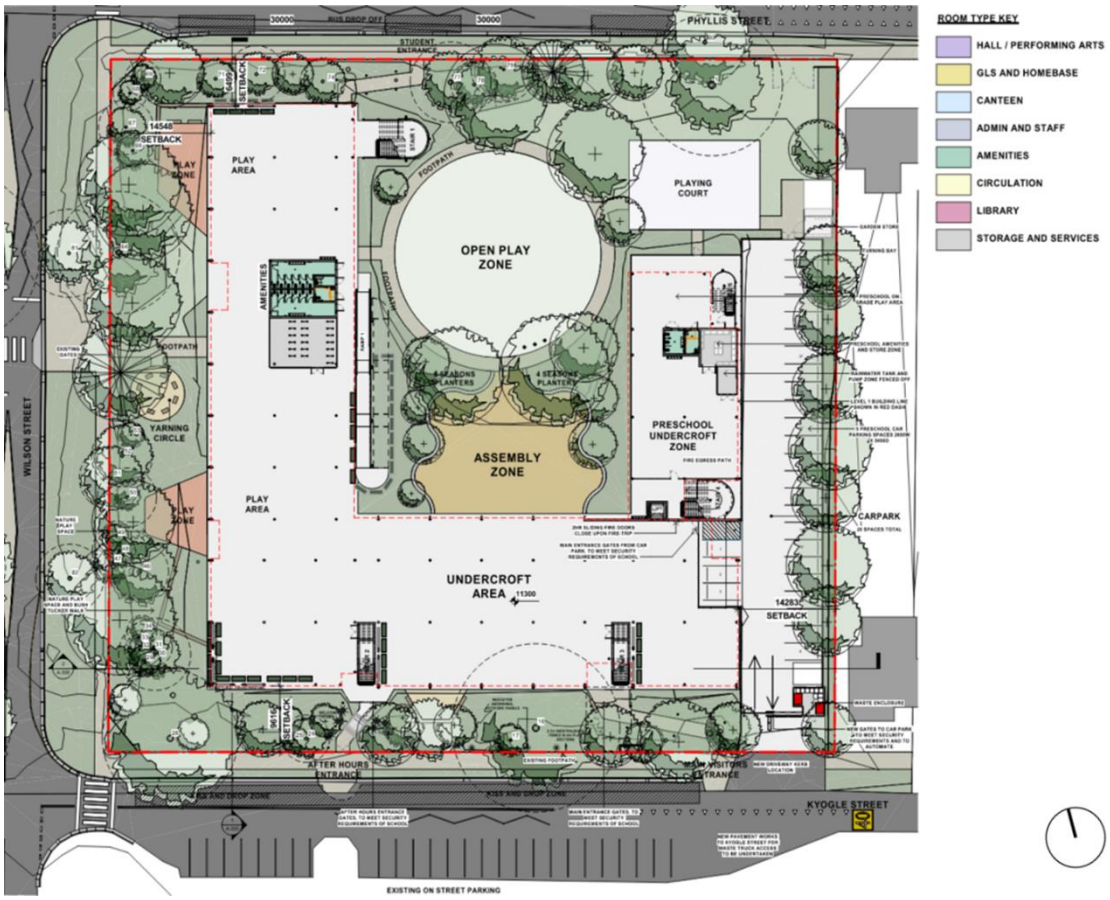


Figure 3: Proposed site plan (Source: EJE Architecture)

Figure 4: Proposed Level 1 plan (Source: EJE Architecture)

A detailed description of the works associated with the proposed activity is provided in the table and sections below.

Table 2: Summary of the activity

Project Element	Description
Site Area	Eastern parcel: 10,622.9m²
Project Name	Lismore South Public School – Flood Recovery Rebuild
Use	Educational establishment including a primary school and preschool
Student and Staff Numbers	LSPS: • 28 full time equivalent (FTE) school staff • 230 student enrolments The proposed onsite pre-school: • 2 pre-school staff • 20 pre-school students
Car Parking and Bicycle Spaces	26 car parking spaces 38 bicycle spaces (19 bike racks)
Building Height (maximum)	10.55m
Canopy Cover	2,972.7m² (28%)
Off Site Works	• Improvements to the existing vehicle crossing from Kyogle Street. • New drop-off and pick up zones on Kyogle Street. • Improved bus transport arrangements on Phyllis Street.

2.2.1 Design Development and Intent

2.2.1.1 Overview

The design of the building and landscape has been developed following an extensive review process, from masterplanning (and consideration of a range of options) through to concept design and now into schematic design. The design approach balances authority requirements relevant to site constraints (such as flooding and biodiversity), EFSG requirements, opportunities to connect with Country, as well as feedback from key stakeholders such as the School Design Review Panel, Aboriginal Education Consultative Group (AECG) and First Nations representatives.

The proposed built form integrates modern design principles with practical solutions for flood resilience and functionality, creating a cohesive and adaptive learning environment. The building is designed as a single-storey, U-shaped structure elevated above the 2022 flood level to enhance flood resilience. This layout maximises the site's potential, opening to the north to create a spacious outdoor play area with good levels of solar amenity, while preserving significant boundary trees, maintaining the site's natural character.

A key feature of the design is the undercroft area beneath the raised building, which serves as a versatile covered space for outdoor learning and play. The U-shaped configuration also allows the building to address key drop-off points along Kyogle and Wilson Streets, effectively dividing the site into two functional zones and optimising accessibility.

Prominent elements of the design further enhance the site's functionality and visual appeal. The Hall, located at the corner of Wilson and Kyogle Streets, acts as a key focal point for the

community. Clad in a distinct material, it stands out as a landmark while breaking up the façade. Along the western wing, the GLS Hubs are strategically positioned near the bus drop-off and pick-up points for convenient student access, with centrally located amenities ensuring equal access for all.

Figure 5: Artistic render of the Hall corner (Source: EJE Architecture)

Figure 6: Artistic render of the generously proportioned undercroft area being used as a shaded play space (Source: EJE Architecture)

The southeastern corner accommodates the Administration and Staff Hub, positioned directly above the staff car park for operational efficiency. Clear wayfinding is supported by stairs and lifts near this hub, facilitating access from both the car park and Kyogle Street. To enhance the façade along Kyogle Street, recessed stair elements in darker tones provide visual contrast, while school signage above these recesses provide further interest and clear wayfinding.

Figure 7: Administration and staff hub close to the main entrances of the site (Source: EJE Architecture)

The Preschool Hub, located on the eastern wing near the Administration Hub, supports operational needs with direct connections to outdoor play areas. A covered learning area and ground-level play zones offer flexibility, with stair access ensuring inclusivity and safety.

The material palette reflects durability and resilience, designed to withstand future flood events while contributing to the modern aesthetic. The integration of design elements ensures a cohesive environment that balances functionality, community identity, and the preservation of the site's natural features.

2.2.1.2 Design Guide for Schools and Design Quality Principles

The Architectural Design Quality Report at **Appendix 7** evaluates how the activity responds to the Design Guide for Schools and the Design Quality Principles in the TI SEPP. A summary is below.

Design Quality Principles

Principle 1: Responsive to Context

The school's design responds to the site's environmental and cultural context by consolidating the building into a single-storey form elevated above the 2022 flood level, enhancing flood resilience and creating a sheltered undercroft for outdoor learning and play. The U-shaped layout opens to the north, maximising natural light and preserving significant boundary trees. The Hall's prominent placement at Wilson and Kyogle Street establishes a community landmark, while landscape elements, including a yarning circle, bush tucker walks, and endemic planting, celebrate Bundjalung and Widjabul Wia-bal culture, fostering a strong Connection to Country.

Principle 2: Sustainable, Efficient and Resilient

The school is designed for long-term durability and climate resilience, targeting a 4-star Green Star rating and incorporating Net-Zero ready principles. Passive design strategies, including natural ventilation, shading, and tree canopy coverage, minimise reliance on mechanical systems and enhance comfort. Photovoltaic panels, energy-efficient building services, and water-sensitive urban design measures, such as bio-swales and rainwater reuse, reduce resource consumption and environmental impact. Durable, low-maintenance materials ensure longevity, while recycled and sustainably sourced materials support a circular economy. Educational opportunities on sustainability principles further reinforce the school's commitment to caring for Country.

Principle 3: Accessible and Inclusive

The school is designed to be welcoming, accessible, and inclusive for all users. Three entry points provide clear wayfinding, with the main entrance along Kyogle Street connecting directly to the Admin Hub and a community gathering space. A lift, accessible ramps, and compliant pathways ensure equitable access throughout the site. Hearing loops, colour-contrasting finishes, and inclusive amenities further support diverse needs. The Hall is positioned for after-hours community

use, while the gathering space, yarning circle, and student-designed artwork panels celebrate cultural diversity and foster a sense of belonging.

Principle 4: Healthy and Safe

The school is designed to promote wellbeing through healthy, safe, and accessible environments. The building orientation maximises natural light and ventilation, while covered walkways, an undercroft, and a COLA provide weather protection. The school is positioned for clear, secure pedestrian access, with dedicated pathways linking to community cycling networks and secure bike parking. Fencing ensures safety while maintaining a welcoming interface with the streetscape. Individual self-contained toilet cubicles are distributed throughout the building for privacy and accessibility, supporting student comfort and security.

The school design prioritises safety, wellbeing, and connectivity. Buildings are positioned to engage with the community while maintaining secure boundaries. Noise mitigation strategies include insulated walls, acoustic glazing, and tree buffers. Learning spaces maximise natural light, ventilation, and outdoor outlooks, enhancing comfort and focus. Flexible indoor and outdoor zones support a range of activities, from play to cultural and academic programs. The school layout ensures safe circulation, with defined pedestrian and vehicle routes. Flood-resilient storage and durable materials further enhance safety and long-term functionality.

Principle 5: Functional and Comfortable

The school design supports a variety of educational and community activities through flexible and engaging indoor and outdoor spaces. The buildings activate street frontages, integrating with the surrounding neighbourhood while providing a renewed sense of identity. Noise mitigation strategies include insulated walls, acoustic glazing, and natural screening from perimeter trees. Learning spaces are designed for flexibility, with access to technology and diverse outdoor areas for play, exercise, and cultural activities. The design prioritises natural light, ventilation, and outlook, with strategic building orientation and landscape buffers ensuring privacy. Storage and service areas are efficiently planned, with flood-resistant storage solutions in place.

Principle 6: Flexible and Adaptable

The design of LSPS adopts a long-term, sustainable approach, ensuring adaptability to evolving needs while prioritising environmental performance and community integration. Guided by comprehensive master planning, the design maximises the potential of the eastern parcel of the site, retaining the western parcel for future expansion. Flexible and modular learning spaces, aligned with standardised hub layouts and the School Infrastructure NSW (SINSW) Pattern Book template, support contemporary teaching methods and future reconfiguration. The building integrates robust materials, natural ventilation, and thermal insulation to minimise environmental impact and enhance comfort, while its raised footprint improves flood resilience and provides shaded open spaces. Multi-use facilities, such as the Hall and Library, are designed for joint school and community use, with welcoming landscapes, public artwork, and inclusive gathering spaces strengthening ties with the local community. This approach ensures adaptability for future growth and aligns with environmental and social sustainability goals.

Principle 7: Visual Appeal

The proposed design harmoniously integrates built form and natural elements to create a visually appealing, functional, and community-focused environment. Retaining significant boundary trees and landscaped zones, the design prioritises balance and resilience, with a raised, U-shaped building featuring an undercroft for shaded play areas. Key elements like the Hall, positioned as a landmark at Kyogle and Wilson Streets, enhance streetscape presence and community identity, while recessed stairwells and strategic setbacks minimise bulk and overshadowing. The layout

maximises outdoor spaces, supports accessibility, and reflects the school's civic significance, fostering engagement and a strong connection with the neighbourhood.

Design Considerations – Design Guide for Schools

The Architectural Design Quality Report by EJE provides consideration of the design considerations in the Design Guide. In summary, the proposal is contextually responsive (in terms of physical context, neighbourhood character, Aboriginal Cultural heritage, streetscape and design quality) to the surrounding environment, employs sustainable and durable features in both design and future operations, is accessible and inclusive, promotes good internal and external amenity, is resilient and flexible to support the needs of the school and promotes a good quality design aesthetic.

2.2.1.3 School Design Review Panel Response

Two State Design Review Panel (SDRP) meetings were attended in relation to the activity. EJE and Terras have considered all feedback and where feasible, incorporated changes into the proposal. Refer to **Part D** of **Appendix 7** for a detailed response to each matter raised by the SDRP.

2.2.1.4 Design Response to Country

The design documentation accompanying this REF provides detail regarding First Nations engagement throughout the design development process.

Workshops, and a walk on Country, have enabled Widjabul Wia-bal representatives to inform key aspects of the design and how it connects with Country. The main strategies developed in the workshops fall into 5 key areas:

1. Gathering on Bundjalung Country
2. Planting for the Bundjalung Seasons
3. Telling Bundjalung Stories
4. Learning about Bundjalung Country and Culture
5. Celebrating Bundjalung Language

Key components in the architectural and landscape design that have been informed by the above are summarised below:

- Making the hall a place that is accessible, welcoming and easy for the broader community to use – through design, easy access and wayfinding, and the arrangement allows this space to be opened to the COLA area to provide additional space during ceremonies and assemblies.
- Places for Elders to come in and teach art, cooking dance and tell stories – the undercroft spaces and yarning circle have been designed with flexibility to enable these activities to encourage engagement between the school and Elders.
- Welcome signage with the use of Bundjalung language (to be determined in consultation with the AECG).
- Gathering zone on Kyogle Street between the main entrance and after-hours entrance.
- A yarning circle is included on the ground floor in close proximity to the hall and to the community gathering space.
- Planting of Hoop Pines and opportunities for imagery to be included across the school to reference the significance of the pine.

- Designated four seasons garden close to the central courtyard and a “bush medicine zone” – which can be further developed in consultation with the RAPs.
- Inclusion of 6 artwork panels within the entry gathering space to be designed in collaboration with the 6 primary family groups within Widjabul Wia-bal.
- Plant species selection is predominately Australian natives and endemic species to connect to the local character and reflect Country.

2.2.1.5 Sustainability and Climate Change

The proposed measures in the Ecologically Sustainable Development (ESD) report reflect a comprehensive approach to environmental responsibility, addressing key principles and aligning with regulatory standards. The key sustainability measures incorporated into the design include:

Precautionary Principle:

- Implementation of a certified Environmental Management System (EMS) during construction to systematically manage environmental risks and prevent degradation.

Inter-Generational Equity:

- Energy efficiency with a 10% improvement over NCC 2022 standards.
- Full electrification to enable future net-zero emissions.
- Integration of solar PV panels for renewable energy generation.
- High WELS-rated fixtures for water conservation.
- Diversion of 90% of construction and operational waste from landfills, supporting circular economy principles.

Biodiversity and Ecological Integrity:

- Landscaping with native plants and trees, targeting 28% canopy cover for habitat creation and nature connection.
- Efficient resource use and reduced environmental impact to indirectly preserve ecological systems.

Valuation, Pricing, and Incentive Mechanisms:

- Integration of environmental considerations into asset valuation through recycling, pollution control, and Green Star certification compliance.
- Elevated building design to enhance flood resilience and ensure long-term functionality.

Passive Design Strategies:

- High-performance glazing, thermal insulation, solar shading, and natural ventilation to reduce energy demand.
- Use of renewable energy systems, efficient appliances, and rainwater harvesting to lower resource consumption.
- Selection of low-VOC materials and responsible sourcing practices.

Waste Management:

- Recycling and landfill diversion as primary focus areas for operational and construction waste management.

Climate Adaptation and Net-Zero Alignment:

- Elevated design for enhanced flood resilience.
- Provisions for future renewable energy and battery storage integration to reduce fossil fuel dependence.

2.2.1.6 Landscaping

Landscape plans have been prepared by Terras Landscape Architects (**Appendix 8**). The planting strategy draws from the local ecology and cultural significance of the site, incorporating endemic species to create a sense of place unique to the area. Wetland trees like Paperbark and swathes of native grasses are proposed to emphasise the site's relationship with water, reinforcing natural movement patterns. The integration of bush tucker plants not only highlights the agricultural heritage of Lismore but also fosters opportunities for cultural learning and community engagement.

Canopy cover will be enhanced through the retention of existing trees wherever feasible and the strategic planting of shade trees. The design achieves an adequate canopy cover of 28% over the site to provide shade and reduce the heat island effect. Large feature trees, particularly around the preschool and outdoor play areas, will provide natural shade, offering a welcoming and calming environment.

49 trees will require removal due to their location within the development footprint or having major conflict with the proposed activity particularly within their protection zones. The landscape scheme includes adequate offset planting, including 47 new trees within the school site. 10 new trees will be planted along the eastern boundary of the site to screen and soften the interface between the school building and the adjacent residential dwellings. The remaining new trees will be planted around the boundaries of the site and within the playground area of the school.

The proposed landscape design offers a vibrant and multifunctional environment that promotes active play, exploration, and community connection while embracing cultural and ecological significance. Active play areas are shaded by canopies and equipped with structures like swings and climbing equipment to encourage physical development and creative exploration. Open turfed play spaces provide opportunities for collaborative games and sports, supporting social interaction and healthy competition.

Cultural and sensory experiences are seamlessly integrated, with a Bush Tucker Walk introducing native plantings and educational plaques, a Yarning Circle surrounded by cultural plantings, and features like Edugrafix wall art and storytelling zones to deepen ties to Bundjalung heritage. Nature and sensory play elements such as obstacle courses, sandpits, and musical equipment create opportunities for tactile learning and engagement.

The design incorporates sustainable strategies such as vegetation buffers for microclimate regulation and boundary screening to reduce heat island effects. Gathering spaces, including a community art installation area and a main assembly area with patterned concrete and timber seating, foster connections among users. By prioritising inclusivity, environmental stewardship, and cultural respect, the landscape design creates a meaningful and dynamic space for play, learning, and community engagement. An extract of the site wide landscape plan is below.

Figure 8: Extract of landscape plan (Source: Terras Landscape Architects)

2.2.1.7 Access and Parking

The proposed site access strategy aims to improve pedestrian, bicycle, and vehicular movement through a combination of onsite upgrades and existing offsite infrastructure. Pedestrian access will be provided via entry points on Phyllis Street, Wilson Street, and Kyogle Street, with a bus zone and pedestrian gate on Phyllis Street to facilitate student entry. Bicycle access is supported by 19 U-bar racks, accommodating up to 38 bicycles, positioned near the gates on Wilson and Phyllis Streets.

Onsite vehicle access includes a new off-street car park accessible via the southern driveway on Kyogle Street, providing parking for school staff, parents, and one accessible space. Additionally, a formalised kiss-and-drop zone on Kyogle Street allows for efficient student drop-off and pick-up.

Transport-related improvements include enhanced bike parking, additional off-street parking, and a designated kiss-and-drop area. The site will feature 26 off-street parking spaces—seven more than the current school site—to support both school and childcare facility operations. The school remains well-served by public transport, ensuring accessibility for students and staff.

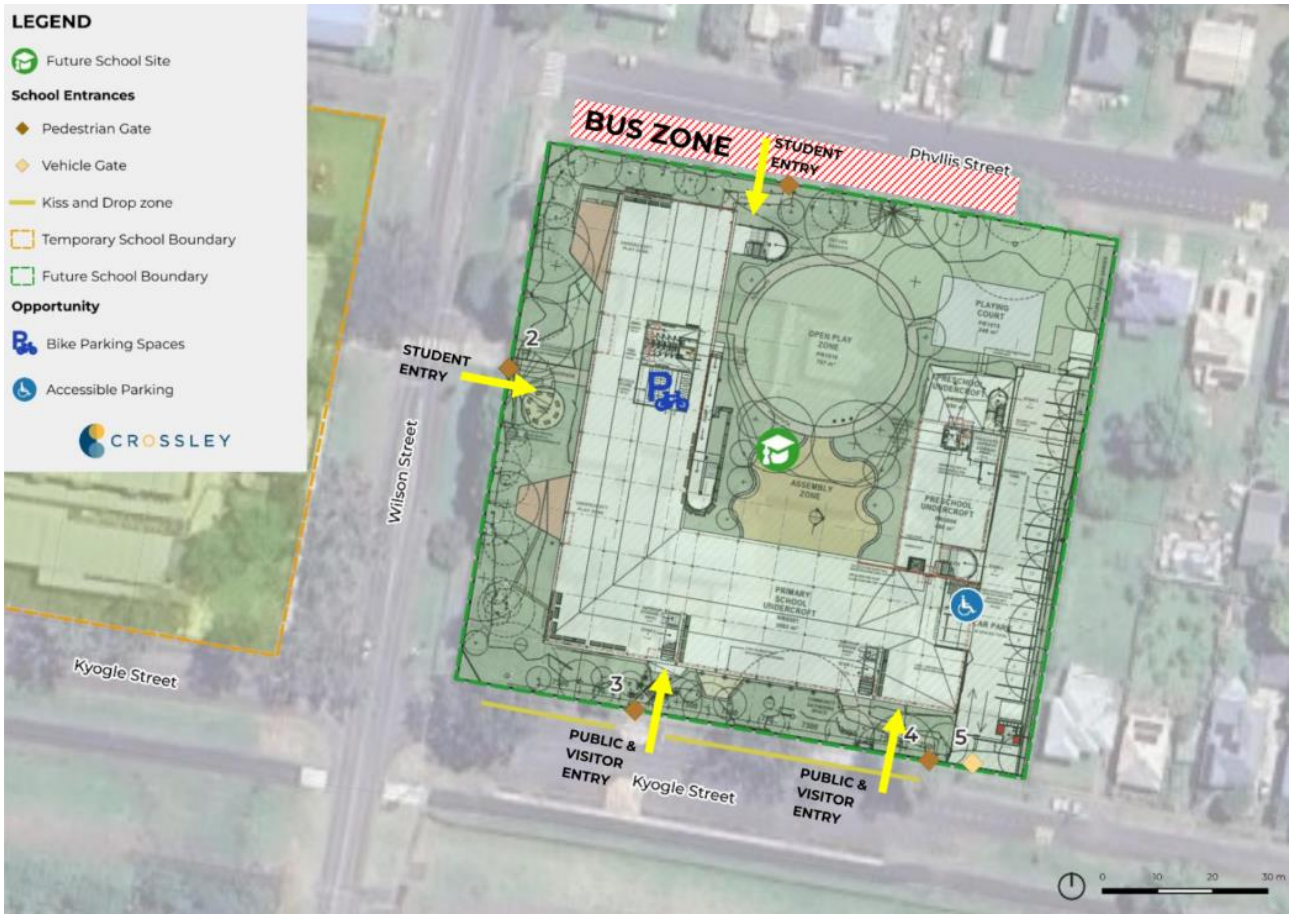


Figure 9: Proposed site entry points (Source: CrossleyTP)

2.2.2 Construction

2.2.2.1 Construction activities

Construction activities include site establishment works and ground works.

The equipment likely to be employed includes:

- Mobile crane,
- Power hand tools,
- Semi rigid vehicle,
- Excavator,
- Hand held jack hammer,
- Dump truck,
- Concrete saw, and
- Power hand tools.

Site establishment works include the provision of site amenities within the boundaries of the LSPS and include:

- An onsite office,
- Workers toilets,
- First aid kit(s),

- Lunch room,
- Secured storage, and
- Toilets.

Construction hours will be as follows:

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

Construction is anticipated to be completed by late-2026.

2.2.2.2 Demolition

The demolition of the existing buildings will be undertaken as exempt development under Subdivision 13 – Demolition in Part 2 of the Exempt & Complying Development Codes SEPP 2008 and does not form part of this activity. Tree removal will form part of the subject activity/approval.

Nevertheless, for transparency and to enable a holistic understanding of the full scope of the rebuild, the complete demolition plan is shown in **Figure 10**.

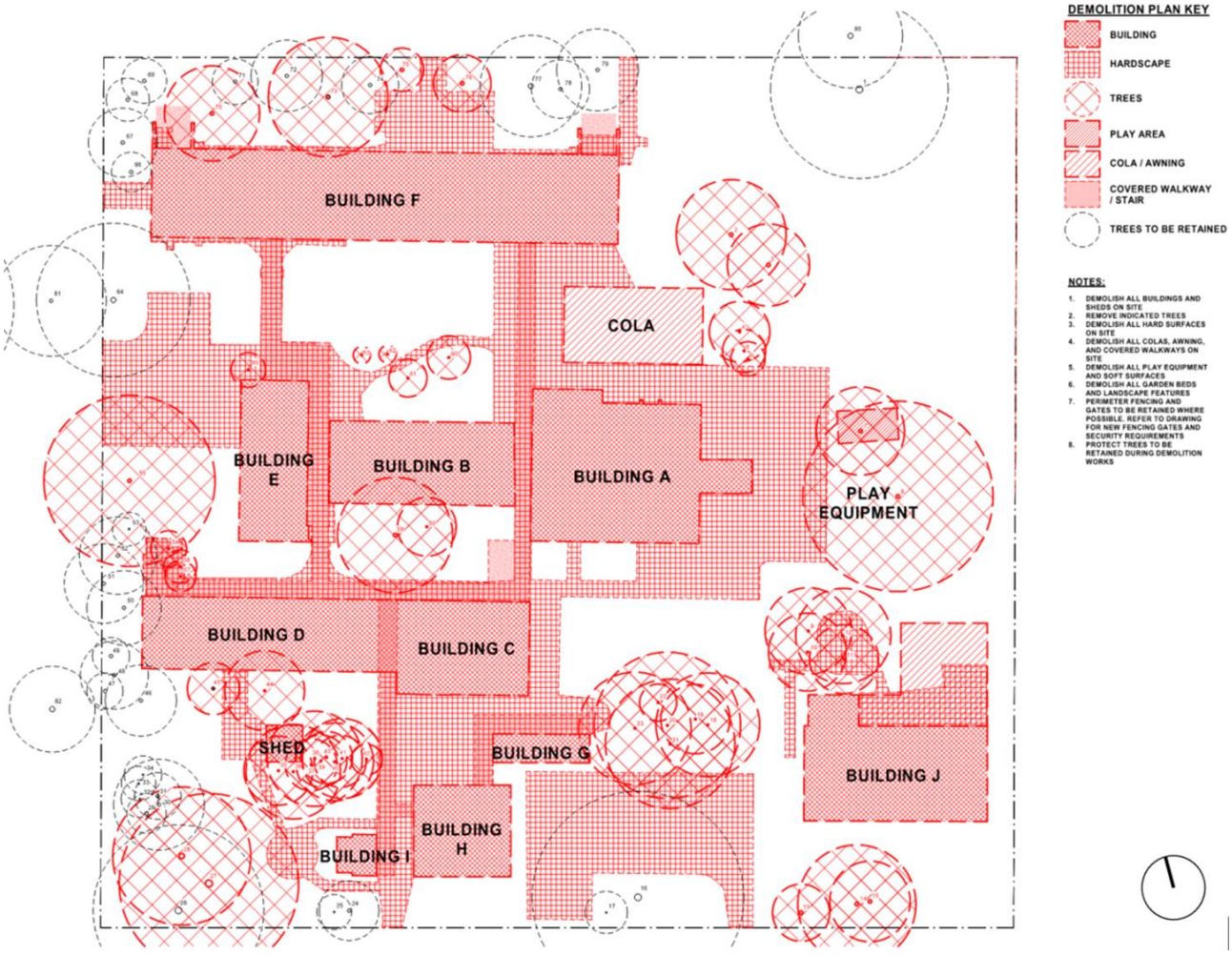


Figure 10: Site demolition plan (Source: EJE Architecture)

2.2.2.3 Earthworks

The activity involves bulk earthworks, comprising fill and excavation and other site preparation works on the eastern parcel. Excavation for the activity is generally not anticipated to extend below depths of 0.5m, however, locally deeper excavations may be required for footings or services. The cut and fill volumes are shown in **Figure 11**.

Figure 11: Earthworks cut and fill volumes plan (Source: TTW)

2.2.2.4 Remediation

A DSI was undertaken by JK Environments (**Appendix 13**), which identified contamination requiring remediation. Soil analyses detected lead, carcinogenic PAHs, and ACM in fill exceeding health-based screening criteria, with one sample also showing hydrocarbons above ecological limits. Asbestos fines/fibrous asbestos were detected in one location, but below health-based thresholds. Zinc in groundwater also exceeded ecological criteria.

The DSI concludes that remediation of the site will be required, particularly the identified bonded ACM in site soils. Further investigation beneath buildings and structures is necessary, as well as increased sampling density for asbestos in soil if needed to refine the remediation strategy. A RAP has been prepared for the activity. The proposed remediation strategies for the contaminated fill include a combination of excavation and off-site disposal of contaminated fill/soil to a suitably

licensed landfill, and in-situ capping of fill and long-term management of the capped areas via an Environmental Management Plan (EMP).

A site validation report is to be prepared on completion of remediation activities and submitted to the determining authority to demonstrate that the site is suitable for the proposed activity following completion of remediation/validation. An EMP will also be prepared to manage the contaminated fill capped on site as part of the remediation. The EMP will provide a passive management approach and is not expected to impose onerous constraints on the day-to-day site use under the proposed activity.

2.2.2.5 Tree and Vegetation Removal

The activity will involve the removal of 49 trees and the retention (and protection) of 33 trees, as illustrated in Figure 12.

Figure 12Of the 49 trees proposed for removal, 3 are classified as having a ‘high’ retention value,19 as ‘medium’ retention value, and the remaining trees are classified with a ‘low’ retention value.

An Arboricultural Impact Assessment (AIA) (**Appendix 18**) has been prepared for the activity, which provides protection measures for trees proposed to be retained.

Figure 12: Tree locations for retention and removal (Source: GHD)

As noted earlier, the landscape design provides opportunities to increase canopy cover in open spaces to offset removal of part of the existing tree canopy. **Figure 13** provides a comparison of the existing and proposed canopy coverage on the site.

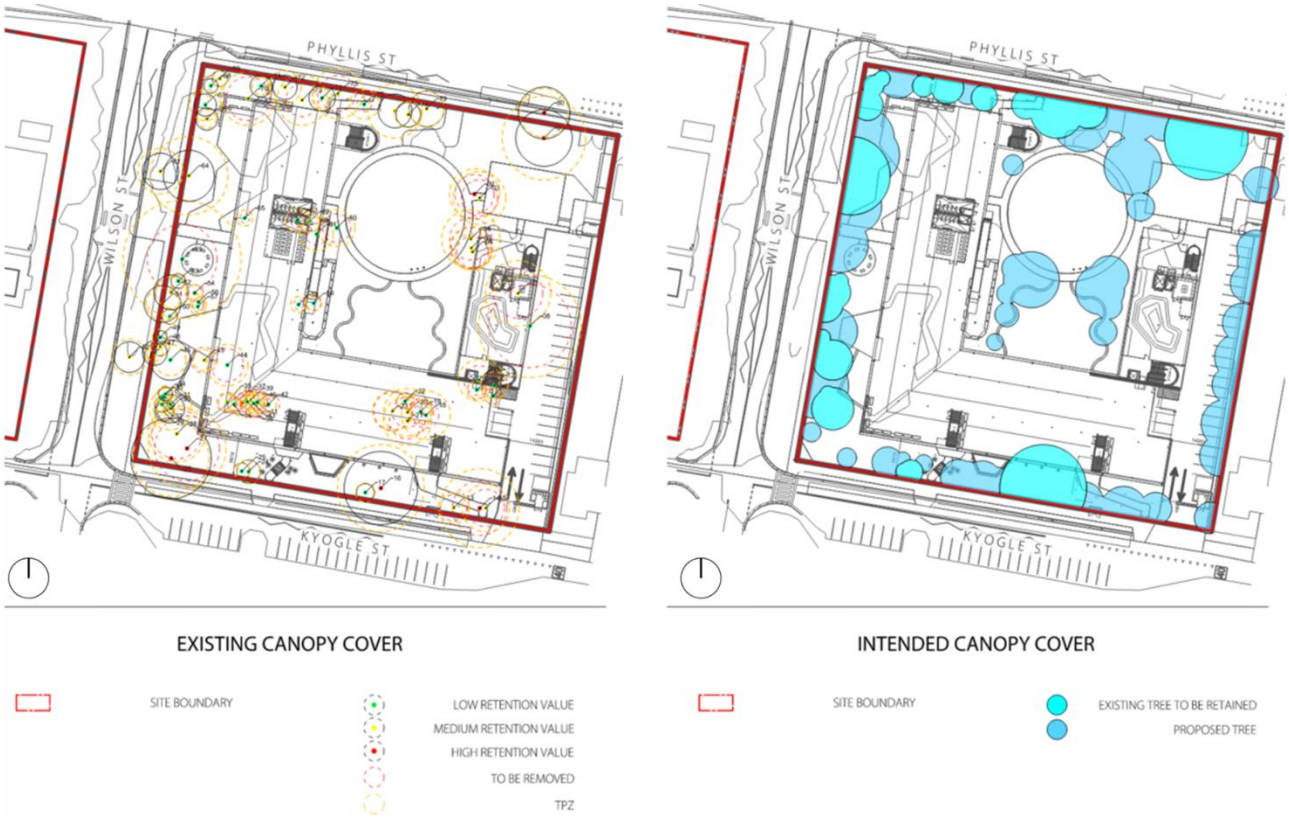


Figure 13: Existing and proposed canopy cover (Source: Terras Landscape Architects)

Details on proposed landscaping and off-set planting can be found in **Section 2.2.1.6**.

2.2.3 Utilities and Services

The proposed building services requirements for the activity are summarised in **Table 3**:

Table 3: Utilities and Services Provision

Building Services	Proposed Arrangement
Electrical	The existing pole substation on the eastern side of Wilson Street will need to be upgraded to provide increased capacity to the new building. This will require the existing pole to be replaced with one capable of supporting a new 500kVA transformer. Essential Energy has confirmed there is sufficient capacity on the HV network to accommodate this increase in load. A new Main Switch Board (MSB) will be designed and sized appropriately to meet the site's power requirements. Located within a dedicated Main Switch Room (MSR) elevated above the 2022 flood level, the MSB will supply Electrical Distribution Boards (EDBs) across the school for general power, lighting, and base building services, including mechanical, hydraulic, and fire services. Services will be distributed via cable trays, conduits, and pits throughout the site, with detailed routing to be determined during further design development.
Telecommunications	The school will utilise the existing communications infrastructure, with pit and pipe systems designed to the service provider's standards. These systems will terminate in the school's Main Comms Room, with additional design refinements to follow.

Building Services	Proposed Arrangement
Water and Sewer	The existing water connection will be decommissioned, and a new Ø65mm connection to a Ø100mm water main located in Kyogle Street will be utilised as the proposed connection. Fire hydrant services, requiring a flow rate of 20L/s, will necessitate extending a 100mm branch main from the Kyogle Street water main. These designs will be refined during detailed design stages. Due to flood damage, a portion of the existing main will be abandoned, and a new connection to an existing manhole will be established within the site boundary. No upgrade to the sewer infrastructure is required beyond these works, as the proposed activity will maintain the same population and fixture load as the original LSPS operations.

2.2.3.1 Waste management

Construction Waste Management

Waste generated during construction will include general construction debris (e.g., concrete, gyprock, timber, bricks), hazardous materials, garden waste, spoil, and waste from vehicle maintenance and staff activities.

All construction waste will be managed according to regulatory guidelines, including segregation on-site to prevent cross-contamination. Where feasible, materials such as concrete, metals, and asphalt will be recycled. Hazardous waste, including asbestos and PCB material, will be removed by licensed contractors and transported to appropriate facilities. Excess spoil will be reused on-site where practicable, and vegetation cleared during landscaping will be mulched for reuse or sent to a licensed facility.

Waste generated by construction and demolition staff will be segregated into labelled receptacles for regular off-site collection by authorized contractors. The proposed waste storage areas during construction are located in the southern and northern portions of the site, with adequate space for vehicle manoeuvring and material handling. Construction waste collection will be managed by private contractors.

The indicative location for the waste storage area during construction is shown in **Figure 14**.

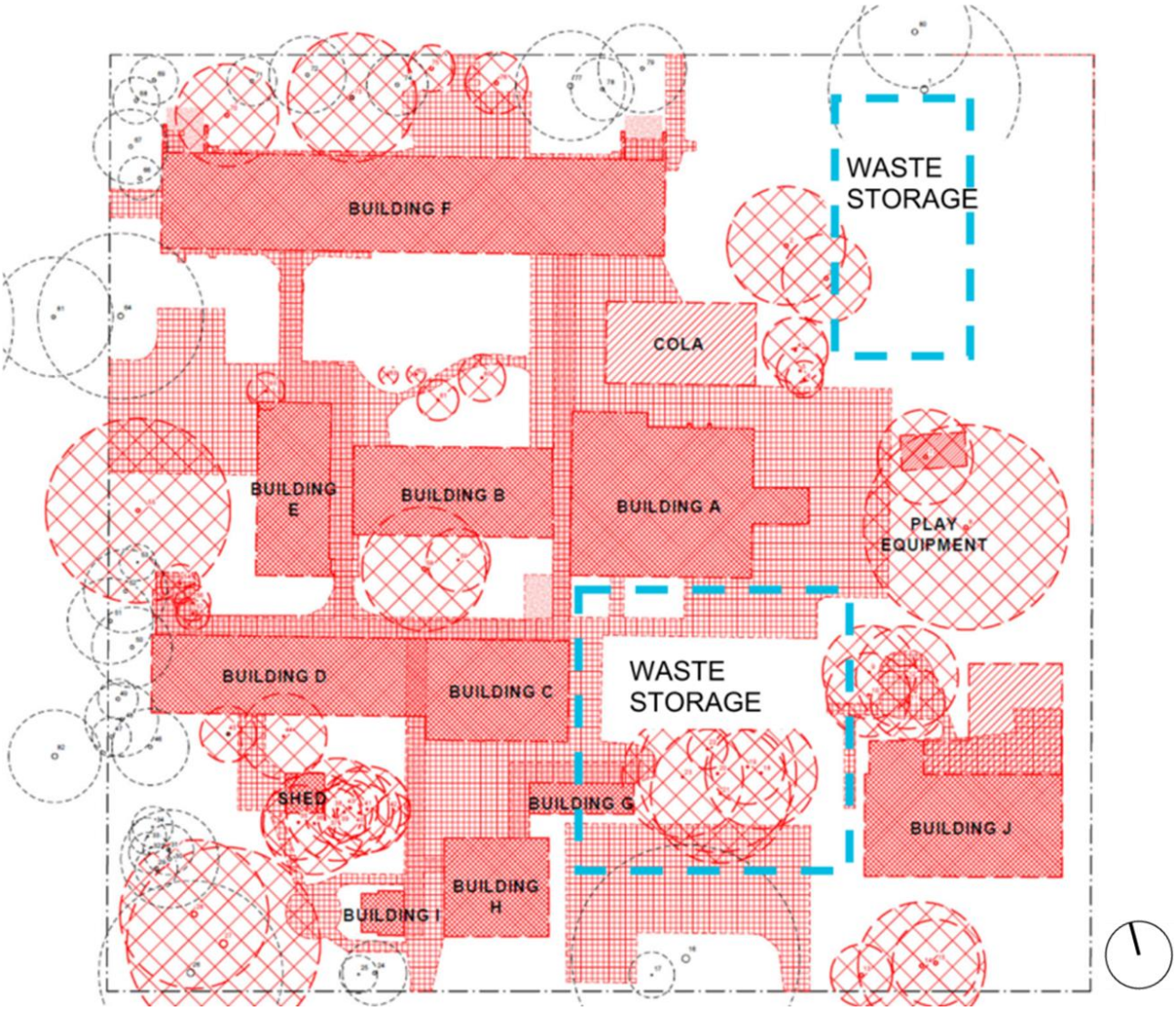


Figure 14: Indicative waste storage area, outlined in blue (Source: GHD)

Operational Waste Management

During operation, waste will be generated from school activities, including general waste, recyclables, garden waste, sanitary waste, and electronic waste. The projected waste generation aligns with current levels, given that the school's maximum capacity will remain unchanged.

General waste and recyclables will be managed through a system of labelled bins placed strategically across the school premises, including learning spaces, common areas, and outdoor zones. Waste will be collected daily by cleaning contractors, transported to a dedicated 16 m² waste/bin room, and stored for scheduled collection. Richmond Waste Lismore, the preferred private contractor, will manage weekly collections for general waste and fortnightly collections for recyclables.

Sanitary and clinical waste, including sharps, will be collected as required by licensed contractors, ensuring compliance with health and safety standards. Electronic waste will be collected periodically by a specialised contractor. Garden waste will initially be removed by maintenance personnel or composted on-site, with changes expected to align with the anticipated NSW Food Organics and Garden Organics (FOGO) mandate by 2029.

The waste/bin room has been designed to support operational needs, with features including ventilation, a sealed floor, and temporary storage for bulky or infrequently collected waste. Collection vehicles will access the bin enclosures in a forward direction from the new driveway on

Kyogle Street, minimising disruption to the site and surrounding area. The waste collection zone/bin room is shown in **Figure 15**.

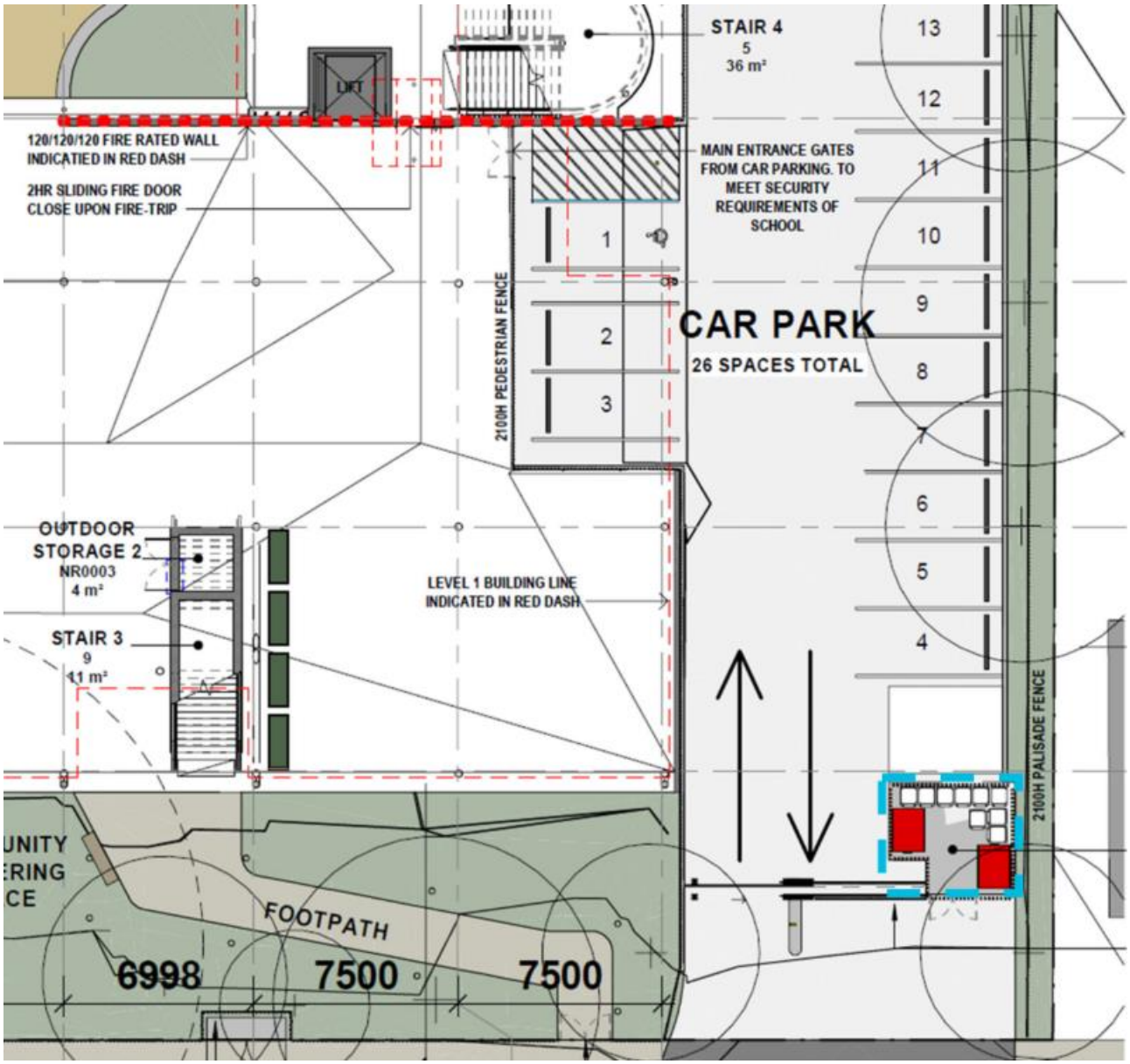


Figure 15: Location of waste / bin room (EJE Architecture)

Both construction and operational waste management will be handled by private waste contractors to ensure effective, compliant, and sustainable practices throughout the lifecycle of the project.

2.2.4 Staging

The proposal to rebuild LSPS will not be staged. Students will continue to learn out of the temporary school facilities located on the western parcel of LSPS until such time that the new buildings and facilities have been constructed on the eastern parcel.

2.2.5 Operation

The rebuild of LSPS is expected to service:

- 28 FTE school staff

- 230 student enrolments

The proposed onsite pre-school within the school site is expected to service:

- 2 pre-school staff
- 20 pre-school students

These numbers align with the pre-2022 flood capacity of the existing school. The proposed activity will replace the flood-damaged school, restoring it to its original capacity.

2.3 Related Activities

There are no other projects occurring concurrently at the site under other planning pathways.

3. Proposal Need and Alternatives

3.1 Proposal Need

LSPS and Ngulliboo Jarjums Preschool suffered extensive damage during the 2022 floods, with flood water entering the school and damaging most buildings as well as the school grounds. The school is currently operating out of temporary accommodation on the sports field on the western side of Wilson Street, adjacent to the main school site.

The NSW Government has committed to rebuilding LSPS and the preschool. An investigation into the viability of the site has confirmed SINSW's intention to rebuild the school back at its original location. The new school will be designed to be flood resilient, and to the latest EFSG and the department standards.

3.2 Alternatives Considered

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 4**.

Table 4: Assessment of Options and Alternatives

Option	Discussion	Preferred Option
Option 1: The Proposed Activity (preferred)	The NSW Government and DoE has committed to rebuilding flood impacted schools in the Northern Rivers region, ensuring government "builds back better" with more flood resilient schools for local students and local communities. Part of this commitment is to rebuild LSPS and LSPS Preschool - Ngulliboo Jarjums after it was extensively damaged during floods in early 2022. The new school buildings have been designed to respond to the flood constraints of the site and surrounding area. The design and flood emergency management response have been determined following extensive agency engagement with LCC, DPHI, the NSW SES and the community.	Option 1 is preferred as new educational facilities will meet the long-term educational and social needs of preschool and primary school students in South Lismore.
Option 2: Alternative Sites	An extensive due diligence process was undertaken by SINSW, on behalf of the department, to determine the most suitable site, and any other alternatives, for the rebuild of LSPS. 2 other sites, being the "Showground site" in North Lismore and the "Allura South" site were considered in the due diligence process.	Option 2 is not preferred. All other sites identified within an appropriate proximity (having regard to the catchment for LSPS) were similarly constrained with regard to flooding and included additional issues or constraints (such as vegetation, bushfire) that did not satisfy the site selection brief.
Option 3: Alternative Designs for Preferred / Subject Site	Alternative designs were considered for the site during the Master planning process. This included consideration of buildings at varying finished floor levels (corresponding with different flood levels).	Option 3 is not preferred because the overall flood emergency strategy for the site does not require the buildings to be set at (or above) the probable maximum flood (PMF) level. This was confirmed in consultation with Council and

Option	Discussion	Preferred Option
		other key government agencies.
Option 4: Do Nothing	The existing school is currently operating on the site out of temporary learning facilities on the western parcel/campus. The temporary school was necessary to ensure continuity of education for students in the catchment following the flood event in 2022.	Option 4 is not preferred as it would result in the failure of the department to provide contemporary, fit-for-purpose early learning and primary education services within the nominated catchment, which is not an option. Students at LSPS would continue operating out of temporary facilities of the western parcel, which is not considered to be a suitable outcome for the learning needs and amenity of the community.

4. Statutory and Strategic Framework

4.1 Land Use Permissibility

The site is zoned R2 Low Density Residential pursuant to the LLEP 2012. *Centre-based childcare facilities* (the preschool) are permitted with consent; however, *educational establishments* (the school) are prohibited under the LLEP 2012.

Nevertheless, Section 3.36 of the Transport & Infrastructure SEPP (TI SEPP) states that development for the purpose of a school may be carried out with development consent on land in a prescribed zone. A prescribed zone is defined in Section 3.34 of the TI SEPP and includes the R2 zone. Therefore, both the preschool and the school are permissible uses.

As part of the broader scope of works associated with the rebuild, the department will be undertaking minor ancillary public domain improvements. These works will be undertaken on land similarly zoned R2 Low Density Residential. They are ancillary to the school, and therefore permissible.

4.2 Planning Approval Pathway

Section 68 of the RA Act states that the Minister may, by order (a Ministerial authorisation), authorise the undertaking of development without the need for any consent or approval under the EP&A Act. An authorisation may only be given in certain circumstances as set out in Section 68(3) or (4). The relevant circumstances for this project are:

- The authorisation may be given in relation to a reconstruction area Section 68(3)(b)(ii), and
- The chief executive officer may advise, and the Minister may be satisfied that:
    - the authorisation is necessary for the safety and welfare of the public because of the disaster (2022 floods) that resulted in the declaration of the reconstruction area. LSPS is currently operating out of temporary facilities that are not fit for purpose and not flood resilient. The proposed rebuild will ensure the school community is provided with contemporary facilities that are flood resilient – Section 68(3)(c)(i)(B).
    - the development is in a part of the State that has been directly affected by the disaster – Section 68(3)(c)(ii).
- The Ministerial authorisation may be given pursuant to Section 68(4) because:
    - Exceptional circumstances exist – which pursuant to the RA Regulation 2023 includes a circumstance where a disaster has occurred that has resulted in significant and widespread harm to life or damage to property or the environment. This is relevant to the 2022 flood events in the Northern Rivers, which includes the site, and is therefore deemed to be an exceptional circumstance.
    - Immediate action is required to restore flood resilient and fit for purpose school facilities to ensure the safety and welfare of the school community.
    - No other mechanism available under the RA Act would be appropriate in the circumstances.

Section 69 of the RA Act states that the Ministerial authorisation has effect despite any EPI or other Act, and such an authorisation is taken to be an approval for carrying out an activity that would otherwise require environmental assessment under Part 5, Division 5.1 of the EP&A Act.

As noted earlier, if not for Section 68 of the RA Act, the project would otherwise be classified as an activity and subject to assessment under Part 5 of the EP&A Act. This is because the works are classified as *development permitted without consent* pursuant to the TI SEPP, as identified in **Table 5**.

Table 5: Description of Proposed Activities under the TI SEPP

Description of Works	Division and Section within TI SEPP
Bulk earthworks, comprising fill and excavation and other site preparation works including tree removal and landscaping on the eastern parcel.	3.37(5) - *Construction works* are permissible in connection with the purpose of construction, operation and maintenance of permanent classrooms, preschool, administration building and etc. Construction works are defined in Section 3.3(3) and include clearing of vegetation (including tree removal) and landscaping, relocation or removal of infrastructure and temporary construction yards and lay down areas.
Construction of a new building on the eastern parcel for LSPS including: • A one storey building (with undercroft areas below) fronting Kyogle Street containing a GLS hub, hall, library, support hub, administration, and pre-school.) • Undercroft outdoor learning areas as well as amenities and storage located on ground level. • On-grade carpark Fencing and internal lighting Sports court Pursuant to Section 3.37(2), the proposed building, with a height of 10.65m (one elevated storey), complies with the permissible height limit of up to 4 storeys under this section.	The new building could either be categorised as a *"replacement…of damaged buildings or structures"* pursuant to Section 3.37(1)(c), or the following: 3.37(1)(a)(i) – library and administration 3.37(1)(iii) – permanent classrooms/GLS hub and support hub 3.37(1)(vii) - preschool 3.37(1)(viii) – hall 3.37(1)(viii) – undercroft outdoor learning areas 3.37(1)(a)(vi) – carpark 3.37(1)(d) – fencing and lighting With respect to the proposed open sports court, given it is not intended to be finished with artificial turf (rather, a concrete finish), it is not subject to the provisions of 3.37(1)(ix). Rather, it may be subject to the provisions of 3.37(1)(c) as it will comprise a replacement of the existing, damaged sports court.
Operation of the school, including waste collection and the like.	3.37(1)(f) – as the land is in a prescribed zone, construction, operation and maintenance of the building associated with the operation of LSPS is development permitted without consent.
Public domain improvements including: Improvements to the existing vehicle crossing from Kyogle Street. New drop-off and pick up zones on Kyogle Street. Improved bus transport arrangements on Phyllis Street. Pavement adjustments on Kyogle Street to accommodate turning movements for waste vehicle. Removal of the existing non-compliant accessible parking bay on Kyogle Street, with accessible parking relocated internally on the school site. Targeted fencing modification on the northern footpath of Kyogle Street. Fencing panels adjacent to the easternmost bay be removed to enable safe and direct access to the footpath for alighting students, while the remainder of the fencing is to remain in place.	Chapter 2, Section 2.113(1)(a)(vi) - Improvements to the existing vehicle crossing. Chapter 2, Section 2.113(1)(a)(iii) and Section 2.113(1)(a)(xi) - New drop-off and pick up zones on Kyogle Street. Chapter 2, Section 2.113(1)(a)(xi)) - Improved bus transport arrangements on Phyllis Street.
Upgrades to the existing pole substation on the eastern side of Wilson Road to provide increased capacity.	Chapter 2. 2.44(1) - development for the purpose of an electricity transmission or distribution network

Public domain improvements to the existing crossing on Kyogle Street, new drop off and pick up zones on Kyogle Street and improved bus transport arrangements on Phyllis Street would typically be classified as exempt development per Chapter 2, Section 2.113 of the TI SEPP.

Activities permissible without consent would ordinarily require environmental impact assessment in accordance with Division 5.1 of the EP&A Act and would be assessed and determined by a public authority, referred to as the determining authority. The department would have been the proponent and determining authority for the proposed works. As noted, the RA will be the approval authority under the RA Act. This report has been prepared as a "REF-style" document to provide the RA with a full and proper evaluation of the impacts of the rebuild of LSPS.

Existing Development Consents

A request for all development consents applying to the site was submitted to LCC under the *Government Information (Public Access) Act 2009* (GIPA Act) and the development consent(s) listed in **Table 6** were identified.

Table 6: Development consents applying to the site

Development Application #	Description	Date Determined
DA99/437	One (1) Advertising Sign being 2.4 metres x 1.2 metres.	20/08/1999
DA2003/771	Construction of a twenty (20) child Pre-school Facility with associated parking on the eastern parcel of LSPS.	13/02/2004
DA2005/22	Erection of an open canopy for use as a covered learning area on the eastern parcel of LSPS.	04/03/2005
CDC 2010.0003.1	Construction of a new double homebase, special programs rooms, storage, a toilet block and a COLA, across both the eastern and western parcels of LSPS.	08/02/2010

A copy of relevant development consents (including the Complying Development Certificates) is at **Appendix 4**.

Pre-conditions to Part 5, Division 5.1 Planning Approval Pathway

Under the TI SEPP, there are several requirements which must be complied with in order for development to be undertaken as development without consent. As noted, a number of times in this REF, these requirements do not strictly apply to the proposal given they are not pre-conditions to the RA's determination of the project under Section 68 of the RA Act. Notwithstanding, they are addressed below, to inform the RA as to the suitability of the proposal.

Table 7: Compliance with pre-conditions to the 'development without consent pathway'

Section of TI SEPP	Comment Section	Complies (or capable of complying)
3.8 Consultation with councils – development with impacts on council-related infrastructure or services	This section applies to a Part 5 activity where there is likely to be a substantial impact on stormwater management, traffic capacity of the road system, the sewerage system, water supply system, more than inconsequential excavation in a road reserve or installation of a temporary structure on a public place. While the proposal will not trigger any of these threshold requirements for consultation under Section 3.8, consultation has been undertaken with Council and Council will have the opportunity to respond to the public exhibition	N/A

Section of TI SEPP	Comment Section	Complies (or capable of complying)
	of the REF and accompanying documents.	
3.9 Consultation with councils—development with impacts on local heritage	The site is not listed as a heritage item or falls within a heritage conservation area. Further, a Historical Archaeological Assessment has been prepared which concludes that the activity will not impact on any known historical archaeological relics. Based on the above, consultation with Council regarding impacts on local heritage is not required. Irrespective, as above, consultation has been undertaken with Council and Council will have the opportunity to respond to the public exhibition of the REF and accompanying documents.	N/A
3.10 Notification of councils and State Emergency Service—development on flood liable land	The site is located on flood liable land. Notification of Council and the SES would ordinarily be required under this section of the TI SEPP. Consultation has been undertaken with Council and the SES and both agencies will have the opportunity to respond to the public exhibition of the REF and accompanying documents.	Yes
3.11 Consideration of Planning for Bush Fire Protection	Not applicable – the site is not bushfire prone.	N/A
3.12 Consultation with public authorities other than councils	The activity will not involve: • Development adjacent to land reserve under the *National Parks and Wildlife Act 1974* (NPW Act). • Development on land immediately adjacent on a rail corridor that would have an affect on rail safety (noting the rail corridor south of the site is dis-used and not intended to be reinstated). • Development that would increase the amount of artificial light in the night sky. • Development on land within a mine subsidence district. The activity will however involve access to a road and a school capacity of more than 50 students, as well as a new vehicular access point to the school from a public road. Therefore, notification of TfNSW would ordinarily be required under this section of the TI SEPP. TfNSW will have the opportunity to comment on the exhibition of the REF.	Yes
3.37 Existing or approved government schools—development permitted without consent		

Section of TI SEPP		Comment Section	Complies (or capable of complying)
(1)	Within the boundaries of an existing or approved school	The activity is on land within the boundaries of an existing school, being part of the broader LSPS campus.	Yes
(4)	Contravention of any existing condition of the development consent currently operating (other than a complying development certificate) that applies to any part of the school, relating to hours of operation, noise, vehicular movement, traffic generation, loading, waste management or landscaping.	Refer to the discussion following this table for detail regarding the existing conditions of consent for the site and compliance with Section 3.37(4).	Yes
(5A)	A public authority, or a person acting on behalf of a public authority, must not carry out development under this section unless the authority or person has considered the following— (a) the design quality of the development, evaluated in accordance with the design quality principles set out in Schedule 8, (b) the design principles set out in the design guide.	The response to these design principles are summarise in **Section 2.2.1.2** of this REF and the accompanying Architectural Design Quality Report at **Appendix 7**.	Yes
3.38 Notification of carrying out of certain development under Section 3.37		As the proposal involves development to which Section 3.37(1)(a) applies, written notice of the intention to carry out the development to Council and occupiers of adjoining land for 21 days would ordinarily be required for a Part 5 activity. The broader community and Council have been consulted as part of the development of the proposal and will have an opportunity to comment on the REF and accompanying documents when placed on public exhibition.	Yes

Compliance with Section 3.37(4) of the TI SEPP

As noted in the table above, the abovementioned clause does not permit the carrying out of development under Section 3.37(1) *"in contravention of any existing condition of the development consent currently operating"* on the site. This excludes any complying development certificate and only relates to conditions regarding hours of operation, noise, vehicular movement, traffic generation, loading, waste management or landscaping.

As noted in Section 2.5 of this REF, there are 3 existing consents that apply to the site:

1. DA 99/437 – for 1 advertising sign.
2. DA 2005/22 – for an open canopy to be used as a covered learning area. The COLA can be seen in **Figure 16**, which is taken (on google maps Streetview) from Phyllis Street looking south (circled in red).

Figure 16: View of the site from Phyllis Street, COLA circled in red (Source: Google Streetview)

DA 2003/771 for a 20-place pre-school facility. The preschool and a new on-grade carpark with 12 spaces (and driveway from Kyogle Street) was approved to be constructed in the south-eastern part of the site. It appears that these buildings/structures have been constructed, but we note that the preschool is no longer operational, along with all other buildings on the eastern parcel of the LSPS site, due to flood damage.

With regard to DA 99/437 (sign), there are no conditions of consent that are relevant to the matters captured by the scope of Section 3.37(4) of the TI SEPP that would require any further review.

With regard to DA 2005/22 (COLA), there are only 3 conditions of consent that relate to the approved plan (condition 1), the requirement for the roof to be non-reflective (condition 2) and for any outdoor lighting to be compliant with the relevant Australian standard (condition 3). None of these conditions are captured by the scope of Section 3.37(4) of the TI SEPP.

With regard to DA 2003/771, there are 29 conditions of consent. Refer below for a response to each as relevant to Section 3.37(4):

- Conditions 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 25, 26, 27, 28 and 29 generally relate to design, services (utilities), flood, carparking, drainage and construction related matters, being those that fall outside of the scope of Section 3.37(4) of the TI SEPP. No further review is required.
- Condition 23 relates to vehicular access and merely stipulates that access from the road to the development is to be in accordance with Council's design and construction requirements. This is matter that would have applied to the driveway that was constructed as part of the consent and therefore, has no further work to do. No further review is required.
- Condition 24 stipulates that all vehicles entering the site including loading must enter and leave in a forward direction. If this condition was deemed to be relevant, the proposed activity has been designed to ensure all vehicles can enter and leave in a forward direction. There would be no contravention of this condition. No further review is required.
- Condition 1 requires the development to be constructed in accordance with the conditions of consent and *substantially in accordance* with the stamped approved plans. The approved plans identify a preschool and an associated carpark, including the access from Kyogle Street. Based on the information available, it appears that the development was constructed in accordance

with the consent, including this condition. The question remains whether the proposed activity, which will seek to change the arrangement of buildings and parking in this part of the site, and provide parking for more than 12 cars, will result in a contravention of this condition. The only part of Section 3.37(4) that would be a relevant consideration relates to *vehicle movements*, or *traffic generation*. The approved plans do not show any specific details regarding vehicle movements or traffic generation but indicate an arrangement whereby up to 12 vehicles could access and "move" on this part of the site. Following close review and discussions with the SINSW Statutory Planning team, it is considered that there will be no contravention of this condition of consent or non-compliance with Clause 3.37(4) for the following reasons:

- The intent of this clause is to ensure that a new activity approved under Section 3.37 does not cause any conflict with existing operations that have been subject to a prior assessment and decision by a planning authority under Part 4 of the EP&A Act. In this circumstance, the eastern parcel, including the pre-school, is not currently operational. SINSW has confirmed that preschool operations have been moved to the western parcel of LSPS (following the 2022 flood event), which was established through a separate approval pathway/process (and not under DA 2003/771). Therefore, while DA 2003/771 is a valid consent, it is not considered to be *currently operating* (as per the wording in Section 3.37(4)) at the site. We understand operations of the preschool on the eastern parcel ceased immediately following the 2022 flood event.

- Further to the above, the existing buildings and structures will be demolished as part of the rebuild under an exempt development pathway, including those approved (and then constructed) under DA 2003/771. In essence, there is no intent to re-establish operations under any part of that consent (even if this were possible, if the flood damage had not been so extensive). When the new building (the activity) is *carried out* (as per the wording in Section 3.37(4)), the preschool and existing carpark (and the access to it) will no longer be present on the site and therefore, there will be no conflict with the existing consent, or any matters or conditions related to it.

For the reasons set out above, it is considered that there will not be any contravention of any DA that exists in relation to the site or any non-compliance with Clause 3.37(4) of the TI SEPP. Again, we reiterate that this is not a pre-condition of an approval under Section 68 of the RA Act, but nonetheless, the RA can be satisfied that if this project were to have been determined under Part 5, Division 5.1 of the EP&A Act, this clause would have been complied with.

Refer to **Appendix 4** for a copy of the consents and approved plans.

4.3 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 8**. We refer to the Ecological Statement in **Appendix 29** for further detail regarding an ecological assessment of the conditions of the site.

Table 8: EPBC Act Checklist

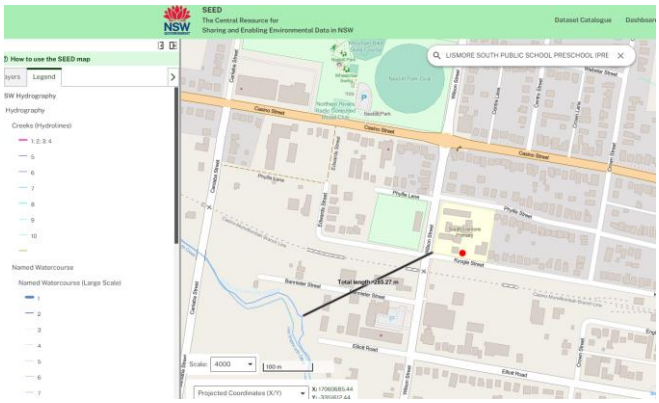
Consideration	Yes/No
Will the activity have, or likely to have, a significant impact on a declared World Heritage Property?	No

Consideration	Yes/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

4.4 Other Approvals and Legislation

Table 9 identifies any additional approvals that may be required for the proposed activity.

Table 9: Consideration of other approvals and legislation

Legislation	Relevant?	Approval Required?	Applicability
State Legislation			
NPW Act	Yes	No	The proposal is accompanied by an Aboriginal Cultural Heritage Assessment at **Appendix 25,** which concludes that the site holds a low-level archaeological potential for Aboriginal objects in the form of artefact concentrations and/or isolated artefacts, and that works may proceed with caution
Water Management Act 2000	No	No	The proposal is not located within 40 metres of a watercourse or coastline. It is more than 280 metres from the nearest waterway which is Hollingsworth Creek.  **Figure 17: Hydroline mapping (Source: SEED)**
Biodiversity Conservation Act 2016	No	No	The activity will not affect threatened flora or fauna or a critical habitat. Refer to the Ecological Statement at **Appendix 29** for further detail.
Contaminated Lands Management	Yes	No	The DSI at **Appendix 13** concludes that remediation of the site will be required, focusing on addressing risks associated with bonded ACM in the soil. A RAP has

Legislation	Relevant?	Approval Required?	Applicability
Act 1997			been prepared (**Appendix 14**) which will be implemented. Notwithstanding this, the site is not declared to be significantly contaminated, and such a declaration is not necessary based on the findings of the DSI.
Roads Act 1993	Yes	No	Off-site public domain/transport improvements are part of the scope of the rebuild. Typically, such works would require a Section 138 Roads Act approval. However, Schedule 2, Part 2, Division1, Clause 5 states that Section 138 does not require a public authority (i.e., the department) to obtain a roads authority's consent to exercise the public authority's functions in, on, or over an unclassified road.
Local Government Act 1993	Yes	Yes	Sewer Connection: Utilise the existing Sewer Pit onsite. Indicative location as referenced within Figure 11 of the Building Services Report. Water Connection: A new Ø65mm connection to the LCC water main on Kyogle Street will be required.
EP&A Regulation (Section 171 and 171A)	Yes	No	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 Part 5 of the EP&A Act. While the activity will be approved under the RA Act, to inform the RA as to the merits of the proposal, these factors are considered in detail at Section 6. Section 171A of the EP&A Regulation does not apply as the site is not in one of the stipulated regulated catchments.
State Environmental Planning Policies			
State Environmental Planning Policy (Planning Systems) 2021	Yes	No	It is noted under Section 2.6 of the Planning SEPP, that a development does not automatically require consent under Part 4 of the Act solely because it is declared State Significant Development (SSD) under this section. Where an environmental planning instrument permits the development without consent, it may instead be assessed as an activity under Part 5 of the Act. Although the estimated development cost exceeds $50 million, the activity does not qualify as SSD because it can be carried out as development without consent under the provisions of the TI SEPP.
State Environmental Planning Policy (Biodiversity and Conservation) 2021	No	No	The SEPP does not apply to the site as it is not mapped as Biodiversity Value land, within a Coastal Use Area, or near Coastal Wetlands or Littoral Rainforests. It is not identified in Council's Koala habitat mapping, Wildlife Corridors, or Key Habitats. The site's vegetation does not represent any TEC, and no threatened flora species were detected or are likely to occur due to historical clearing. The absence of vegetation corridors and distance from suitable habitat make it unlikely for Koalas to use the site for foraging.

Legislation	Relevant?	Approval Required?	Applicability
State Environmental Planning Policy (Sustainable Buildings) 2022	Yes	No	Section 3.1(1)(a) of the Sustainable Buildings SEPP 2022 applies to the erection of a new building, if the development has an estimated development cost of $5 million or more. Section 3.2 of the SEPP specifies sustainability outcomes for non-residential development that the consent authority must consider in deciding whether to grant development consent. Whilst the activity does not require development consent under Part 4 of the EP&A Act, an ESD Report and Net Zero Statement has been prepared by LCI Consultants (**Appendix 21**) to demonstrate how sustainability has been integrated into the design and operations of the activity. In doing so, LCI has considered the provisions outlined in Section 3.2 of this SEPP.
State Environmental Planning Policy (Resilience and Hazards) 2021	Yes	No	The DSI concludes that remediation of the site will be required, focusing on addressing risks associated with bonded ACM in the soil. A RAP has been prepared for the site (**Appendix 14**), which sets out the scope and approach to remediation works for the site. Ordinarily, remediation would require consent under Section 4.8 of the Hazards SEPP, as Council's contaminated land policy specifies that contaminated soil cannot be capped without Council's approval. However, as the project will be determined by Ministerial authorisation under Section 68 of the NSW RA Act, this provision prevails, and consent for remediation is not required.
State Environmental Planning Policy (Transport and Infrastructure) 2021	Yes	No	In accordance with Section 3.58 of the TI SEPP, the proposed activity would be considered as traffic-generating development and if development consent was required (via a DA), then the application would need to be referred to Transport for NSW (TfNSW) for comment. The activity does not require development consent. However, as noted earlier in this REF, TfNSW will have the opportunity to comment on the proposal when the REF and supporting documentation is publicly exhibited by the RA.
State Environmental Planning Policy (Industry and Employment) 2021	No	No	Chapter 3 Advertising Signage of the SEPP (Industry and Employment) does not apply to the proposed activity. Chapter 3 applies to regulating signage under Part 4 of the EP&A Act. As the proposed activity is assessed under Part 5, this is not relevant.
LLEP 2012			
Land Use Table - Zoning	Yes	N/A	The site is zoned R2 Low Density Residential. "Educational establishments" are prohibited under the LLEP 2012. Nevertheless, Section 3.37 of the TI SEPP states that development for the purpose of a school may be carried out without development consent on land in a prescribed zone. A prescribed zone is defined in Section 3.34 and

Legislation	Relevant?	Approval Required?	Applicability
			includes R2 zone.
Cl. 4.3 Height of Buildings	Yes	N/A	The maximum height of building control that applies to the site under the LLEP 2012 is 9m. The proposed building is 10.55m. Section 3.37(2) of the TI SEPP prescribes a maximum height of buildings for the site of 4 storeys. The TI SEPP prevails in this regard over the LLEP 2012 provision. The proposed new building is single storey (with an undercroft level/storey), thereby complying with the maximum height for the site. The elevated design of the building is driven by the requirement of Council to ensure the finished floor levels are above the 2022 flood level (+ freeboard). Despite exceeding the LLEP 2012 height provision, the building will be contextually appropriate having regard to the assessment in this REF, the elevated nature of buildings in the surrounding area due to flood risk and the minimal impact of the elevated building on the surroundings (privacy, visual impact, overshadowing).
Cl. 4.4 Floor Space Ratio	No	N/A	No floor space ratio applies to the site.
Cl. 5.10 Heritage	No	N/A	The site is not listed as a heritage item and is not located in a heritage conservation area. Further, An HAA has been prepared (**Appendix 26**) which concludes that the activity will not impact on any known historical archaeological relics.
Cl. 5.21 Flood Planning	Yes	N/A	The site is within the flood planning area. Rebuilding of school infrastructure on the site necessitates raising the habitable floor levels of the new buildings in order to meet the required Flood Planning Level, which was confirmed with LCC to be a finished floor level (FFL) of the 2022 flood level + a minimum freeboard of 500mm. This will ensure that the development incorporates measures to minimise the risk to life and safe evacuation in the event of a flood. With specific reference to Clause 5.21 of the LLEP, we note as follows: • The Flood Impact and Risk Assessment (FIRA) confirms that rebuilding the school on the site is compatible with the flood function and behaviour on the land, subject to a range of measures and mitigations and implementation of a Flood Emergency Response Plan (FERP). • A flood impact assessment has been carried out in the FIRA to ensure the proposed activity would not result in either an unacceptable flood level increase onsite or worsening of the flood conditions over the neighbouring properties in the 1% Annual Exceedance Probability (AEP) and PMF events. The flood impact assessment confirms that changes to flood levels over the neighbouring properties are less than 10mm – the northern road reserve and a very small portion of a property located north of the site. The impact is assessed as minimal. • The activity will not adversely affect the safe

Legislation	Relevant?	Approval Required?	Applicability
			occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes. The capacity of the school will not be increased and the FERP is consistent with the local evacuation sub-plan of Council. • The design incorporates a range of measure to manage risk to life in the event of a flood. The FERP will ensure this risk is managed even further, to ensure safety is a key priority for all members of the school community. • Subject to adopting the mitigation measures in **Appendix 1**, there will be no adverse effect on the environment as a result of the development, including any riparian vegetation, stability of riverbanks or watercourses (of which there are none on the site). • Climate change has been considered in the design, with the FFL of the building above this modelled scenario. In essence, all matters that are considerations under Clause 5.21 have been addressed. The design and proposed emergency response meet the objectives of this clause. Refer to **Section 6.4** of this REF for further discussion on flooding and **Appendix 10** for a copy of the FIRA, **Appendix 11** for a copy of the FERP.
Cl. 5.22 Special Flood Considerations	No	N/A	The site is not identified by Council (by prior email correspondence) as being located between the flood planning area and PMF area.
Cl. 6.2 Earthworks	Yes	N/A	Minor earthworks (cut and fill) are required to facilitate the construction of the activity. Those works will not adversely impact on the site or surrounds, subject to adopting the relevant mitigation measures in **Appendix 1**.
Cl. 6.4 Drinking Water Catchment	Yes	N/A	This REF is accompanied by a civil package incorporating plans and a Civil Engineering Report at **Appendix 9** detailing erosion and sediment control measures to mitigate the impacts of potential surface/stormwater runoff within the drinking water catchment.
Cl. 6.5 Airspace Operations	Yes	No	As outlined in **Section 6.10.2** of this REF, while the site is located within the OLS area for Lismore Airport, the height of the building will not penetrate the maximum height stipulated by the OLS. Therefore, no further assessment or referral to the relevant aviation authority is required.

4.5 Lismore Development Control Plan 2012

Table 10 lists relevant development controls that is applicable to the proposed activity.

Table 10: Relevant Development Controls

LDCP Provision	Comment
Chapter 7 – Off Street	A TAIA (**Appendix 23**) has been prepared by Crossley Transport

LDCP Provision	Comment
Carparking	Planning. The car park includes 26 spaces, which aligns with the demand generated by the development. While the DCP specifies a requirement of 41 spaces, this provision accounts for parking allocated to students. However, in accordance with LSPS school operations policy, parents are not permitted to access the site for parking, rendering this aspect of the DCP provision inapplicable. All 26 spaces will be allocated to staff, exceeding the DCP requirement of 16 spaces for staff parking.
Chapter 8 – Flood Prone Lands	A FIRA (**Appendix 10**) has been prepared by TTW. The Council's flood mapping identifies the site as within the Flood Fringe Area, where development does not significantly impact flood behaviour. As a commercial project in this zone, redevelopment must comply with requirements in section 8.6.2 of the DCP. In summary, the recommended Flood Planning Level (FPL) is the 1% AEP flood level (12.65m AHD) plus a 500mm freeboard, totalling 13.15m AHD. This FPL is 1.3m below the February 2022 flood level (14.45m AHD) and aligns with the 0.2% AEP flood level (13.16m AHD). The required minimum freeboard is 500mm above the 2022 flood level. The proposed finished floor level of 15.25m provides an actual freeboard of 800mm, offering further resilience to future flood events. The structural adequacy of the building structure has been confirmed by TTW (structural) to be adequate to withstanding the forces of a PMF flood event. This exceeds the LDCP requirement which only requires the structures to withstand the force of flood impacts up to the 0.2% AEP event.
Chapter 13 – Crime Prevention through Environmental Design (CPTED)	The Architectural Design Quality Report (**Appendix 7**) addresses the CPTED principles. A summary of the response is provided below. **Natural Surveillance** The design ensures visibility to deter crime by minimising blind corners and using visually permeable elements like palisade fencing and battened balustrades. Entrances will be clearly marked with distinctive features for wayfinding, and sightlines in the car park are unobstructed to enhance safety. **Territorial Reinforcement** Ownership is clearly defined through fencing, signage, and landscaping. Entrances and play areas create a welcoming sense of place, while communal spaces support diverse activities, fostering a positive school identity. **Space/Activity Management** Regular maintenance by the department and secure fencing prevent unauthorised access and reduce vulnerability to vandalism. **Access Control** Fences, gates, landscaping, and signage clearly define boundaries and guide users. Recognisable features, like battened stairwells, enhance navigation and security.
Chapter 15 – Waste Minimisation	The REF is accompanied by a Waste Management Plan (**Appendix 22**) which provides an approach to waste minimisation consistent with Council's requirements.

4.6 Draft Revised Flood Prone Lands DCP

The draft Revised Flood Prone Lands DCP, dated 2023, outlines updated Council requirements for building on flood-prone land in the Lismore Local Government Area (LGA). It introduces revised Flood Risk Precinct zones and updated guidance on recommended FPL, now incorporating the potential impacts of climate change.

Under the draft DCP, the site is classified within the High Flood Risk Precinct and the South Lismore Development Restricted Area, as shown in **Figure 18**. Land in the High Flood Risk Precinct is characterised by significant flood depths, posing a substantial risk to life and property. This includes areas subject to H6 hazard in a 0.2% AEP event or H5 hazard in the 1% or 5% AEP events.

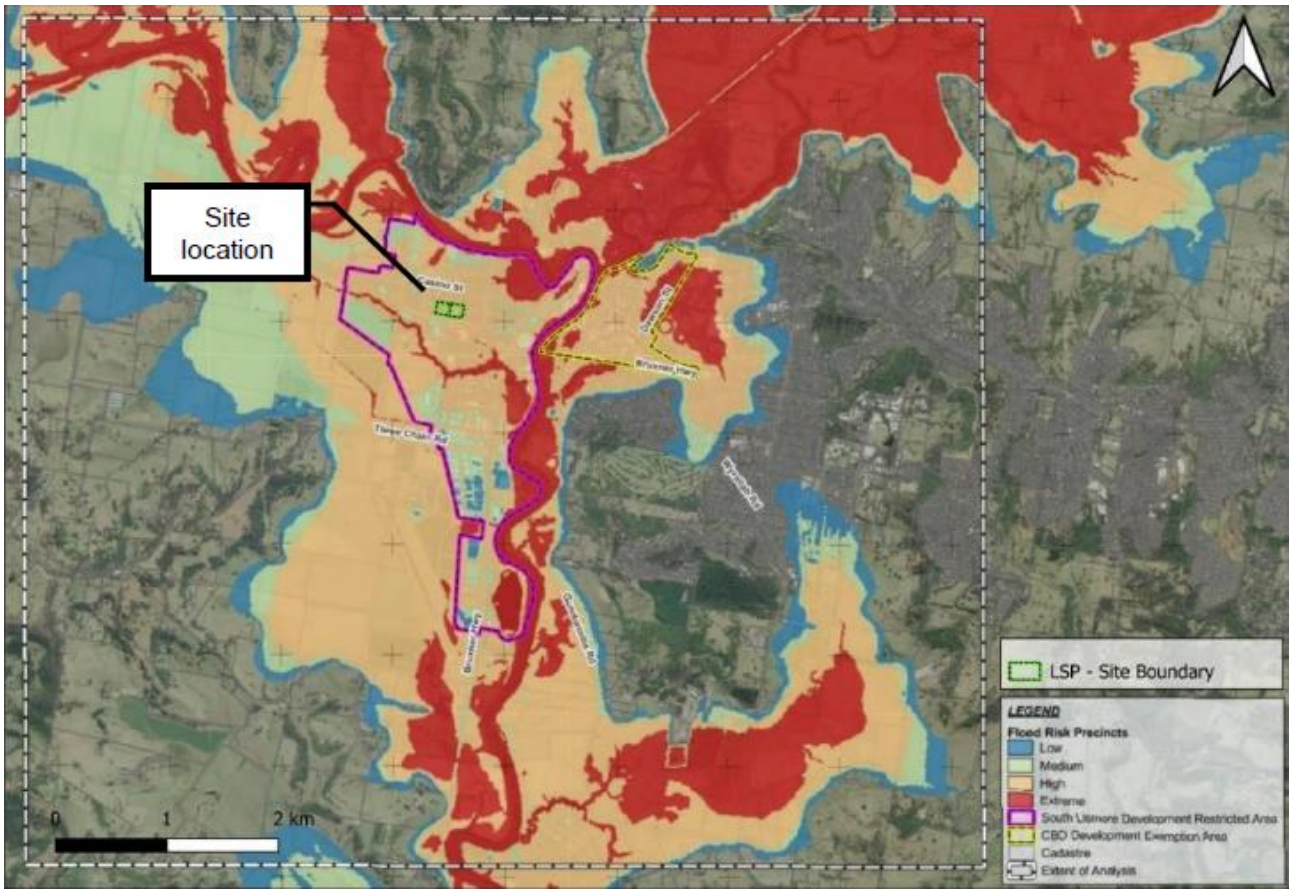


Figure 18: LSPS site in relation to Lismore Flood Risk Precincts (Source: TTW)

Additionally, the draft DCP reclassifies educational establishments as commercial developments. The relevant planning controls for commercial development within the High-Risk Precinct and the South Lismore Development Restricted Area are detailed in **Table 11**.

Table 11: Development controls for a commercial development within both the High Risk and South Lismore Restricted Development Precinct

Development Control	Response
Floor Level - Non-habitable levels as close to FPL as practical. Where below the FPL, more than 25% of floor space must be above the FPL.	The draft DCP recommends the FPL as the 1% AEP flood level plus a climate change factor and freeboard. The climate change factor is based on RCP 8.5, which predicts a 19.7% increase in rainfall intensity by 2090. For the LSPS site, the climate afflux is 0.5-0.6m. The FPL for the site, considering post-development flood modelling, is calculated as 12.65m AHD plus the 0.6m

Development Control	Response
	climate change factor and 0.5m freeboard, totalling 13.75m AHD. This is 0.6m higher than the FPL in the 2012 DCP but still 0.7m lower than the February 2022 record flood level. The FPL, defined as the 2022 flood level plus a minimum of 500mm, was agreed upon in principle with SES, LCC, and DPHI in late 2023/early 2024 and has been adopted for the project.
Fill - Fill required up to the 1:100 flood level. Bulk fill to within 300mm of finished surfaced level is to be sourced from on-site. No filling permissible in land identified as floodway.	The cut and fill calculations indicate a net fill for the activity (1,181m^3). It is noted that the site in not located in a floodway.
Flood Affectation - FIRA required by a suitably qualified professional to certify the development will not increase flood affectation elsewhere. Such a report to be satisfactory to Council.	The flood impact assessment provided in **Section 5.4** of the FIRA (**Appendix 10**) shows negligible to minor increase in flood affectation in surrounding properties.
Building Materials and Design All structures to have flood resilient materials below or at the FPL. Services such as air conditioning units, electrical switchboards, storage hot water units and water tanks to be placed above the FPL. Fencing must be permeable to allow the passage of flood flows (minimum 90% void space) or be collapsible under flood flow. Any enclosure below the flood planning level must have openings to allow automatic entry and exit of floodwater.	These controls have been noted and coordinated between TTW and the project architects, EJE. A drawing with the flood-resilient requirements is provided in the site plan found in **Appendix D** of the TAIA. These requirements will be included during the detailed design phase. A mitigation measure has been included to this effect.
Structural Soundness - Report required that includes certification by a suitably qualified professional that any structure can withstand the forces of floodwater, debris & buoyancy up to & including the 0.2%AEP (and PMF if on-site refuge is required). Such a report, to be provided at Construction Certificate stage, to be satisfactory to Council.	As noted earlier, the structural adequacy of the building has been confirmed to be designed to withstand the force of a PMF flood event. Refer to the Structural Engineering Schematic Design Report at **Appendix 30**.
Emergency Response A site-specific evacuation plan prepared by a suitably qualified consultant must be submitted with any DA. Development must have a road evacuation route to land above PMF.	A FERP has been prepared for the activity. Refer to **Section 6.4** of this REF and **Appendix 11** for further detail.
Management - A business flood safe plan is to be provided addressing how safety and property damage (including fitouts and goods storage) is addressed, considering the full range of floods.	A Business Flood Safe Plan has been prepared for the activity to address this consideration. Refer to **Appendix 12** for further detail.

4.7 Strategic Plans

Table 12 considers strategic plans that are relevant to the proposed activity.

Table 12: Consideration of applicable Strategic Plans

Strategic Plan	Assessment
North Coast Region Plan	The North Coast Regional Plan 2041 (Regional Plan) sets a 20-year strategic land use planning framework for the region, aiming to protect and enhance the region's assets and plan for a sustainable future. The Regional Plan anticipates a significant amount of growth across the regional cities of Coffs Harbour, Port Macquarie and Tweed, requiring the coordinated and sustainable delivery of housing, services and infrastructure to support their communities. The Regional Plan envisions the North Coast as, "healthy and thriving communities, supported by a vibrant and dynamic economy that builds on the region's strengths and natural environment." Three goals and 20 objectives are outlined to guide the delivery of the vision. Of particular relevance to this proposal is: Objective 5: Manage and improve resilience to shocks and stresses, natural hazards and climate change The project's focus on flood-resistant buildings with suitable structural strength is in line with the goal of enhancing resilience to natural hazards. By embracing the concept of "building back better," the project seeks to construct more resilient communities that learn from previous disasters and leverage reliable data for informed decision-making during recovery phases. Rather than reconstructing buildings in their original forms, the project aims to assess acceptable risk thresholds and mitigate existing vulnerabilities in the impacted area. It promotes the construction of infrastructure to elevated standards or relocation when appropriate to mitigate the potential impacts of future hazards.
Inspire Lismore 2040 (Local Strategic Planning Statement)	Local Strategic Planning Statements are instrumental tools in New South Wales for guiding local strategic planning efforts. They inform local statutory plans and development controls while translating regional and district plans into actionable measures. These statements act as unifying documents, summarising planning priorities from various levels of strategic work. In practice, Local Strategic Planning Statements shape the evolution of LEP and DCP over time, reflecting and adapting to the specific needs and priorities of the local community. The Local Strategic Planning Statement creates a land use vision for the future of the Lismore LGA, guiding planning decisions and growth management. The LSPS outlines 5 themes to support sustainable development in the community: Theme 1 Liveable Places Theme 2 Productive Economy Theme 3 Connected Communities Theme 4 Sustainable Environment Theme 5 Climate Resilience The project is closely aligned with several themes. The decision to rebuild on the existing school site was driven in part by community feedback, highlighting a strong connection between the community and the central school location. This decision reflects Theme 3, emphasising the importance of maintaining and honouring community ties and identities. The project adopts an ESD approach, integrating principles outlined in the Sustainable Buildings SEPP. This includes strategies aimed at reducing emissions and achieving net-zero targets, demonstrating a commitment to environmental sustainability and responsible resource management as per Theme 4. Furthermore, the project's focus on constructing flood-resilient buildings directly addresses the challenges posed by climate change, aligning with Theme 5. By prioritising resilience to natural hazards such as flooding, the project contributes to broader climate change response efforts and ensures that infrastructure is

Strategic Plan	Assessment
	designed to withstand and adapt to future environmental changes. Lastly, from a social perspective, the project aims to deliver contemporary facilities for the student population, supporting the regeneration of the Lismore community. This aspect underscores the project's commitment to enhancing social impact by providing modern amenities that contribute positively to the educational experience and overall well-being of the community.
Lismore Growth and Realignment Strategy 2022	The Lismore Growth and Realignment Strategy identifies land that is potentially suitable for future housing, commercial and industrial purposes by ensuring future growth areas are consistent with the planning priorities identified in the Local Strategic Planning Statement and meet the economic, social and environmental expectations of the community. It does this by ensuring growth areas are planned and located in areas that have minimal constraints and can be adequately serviced by necessary and appropriate infrastructure. The project aligns with the intent of the *Lismore Growth and Realignment Strategy* (GARS) by adhering to stringent flood risk considerations in its planning and development. Its primary focus on constructing flood-resistant buildings with robust structural integrity contributes to enhancing resilience against natural hazards and rather than replicating structures as they were, the project prioritises evaluating acceptable risk thresholds and actively works to mitigate existing vulnerabilities within the impacted area.
Imagine Lismore – Community Strategic Plan 2022-2032	Community Strategy Plan sets the community's vision and aspirations for a minimum of ten years. Developed through robust community engagement, it functions as a forward-looking roadmap, with the council holding a custodial role in its refinement. Guided by social justice principles, it aligns with the State Plan and other pertinent strategies. Addressing fundamental questions, the plan outlines priorities, aspirations, and implementation strategies over the next three decades. Regular updates every four years ensure adaptability to changing circumstances and evolving community aspirations, adhering to government requirements. The *Lismore Community Strategic Plan* (LCSP) sets the over-arching 10-year plan for the LGA, identifying the main priorities and strategies for achieving the community's desired future. The LCSP identifies 5 themes to guide sustainable development in Lismore: 1. An inclusive and healthy community 2. A prosperous and vibrant city 3. Our natural environment 4. Our built environment 5. Leadership and participation The project aligns with key themes crucial for sustainable development. It promotes inclusivity and supports community well-being by incorporating feedback and providing modern facilities, particularly for students. Additionally, its focus on flood-resilient buildings and sustainable practices contributes to creating a prosperous urban environment, attracting investment and fostering economic growth. The project reduces emissions, enhances resilience to natural hazards, and minimises its ecological footprint, thereby supporting a healthier natural environment. Prioritising resilient infrastructure and sustainable building practices ensures that structures can withstand environmental challenges, ultimately contributing to a more resilient and environmentally friendly built environment. Furthermore, the project's engagement with stakeholders, feedback integration, and commitment to sustainability demonstrate leadership and active participation in driving positive change and responsible development practices.

4.8 Other Considerations

As the proposal includes a preschool, there are relevant additional planning considerations including:

- The Childcare Planning Guideline (DPHI) – September 2012
- The National Quality Framework for Early Childhood Education and Care Facilities

EJE has prepared a response to the guideline and completed the National Quality Framework Assessment Checklist. Refer to **Section 12** and **Appendix 6** of their Architectural Design Quality Report at **Appendix 7**.

5. Consultation

5.1 Early Stakeholder Engagement

Table 13 provides a summary of early stakeholder (non-statutory) consultation undertaken to inform project development and preparation of the REF.

Table 13: Summary of Early Stakeholder Engagement

Stakeholder	Dates of Engagement	Key Matters Raised	Project Response
Aboriginal stakeholders	28/08/2024	Introductory meeting with Widjabul Wia-bal Gurrumbil Aboriginal Corporation (WWGAC) where SINSW presented on the proposed development.	Following this meeting, a letter was issued on 30 August 2024 to WWGAC providing notification of the project.
Aboriginal stakeholders	09/09/2024	During the field survey participants discussed local Aboriginal heritage values, places and sites with the community representatives. This provided an understanding of the local perspective for Aboriginal habitation and subsistence patterns; as well as understanding of some local intangible values and connection with the cultural landscape.	The results of the field survey are presented in Section 4.1 of the ACHAR.
LCC	23/10/2023	Draft LCC flood DCP not yet adopted. LCC do not foresee any issues if the proposed design levels are above the 0.2% AEP. Project to consider draft DCP flood requirements in planning decisions.	Draft LCC DCP considered in flood reporting and planning.
LCC	26/02/2024	> Undertake additional flood impact assessment modelling and develop FERP > Undertake risk assessments for the site	> Additional flood reporting completed. > Risk assessments completed including cross-government risk workshops.
LCC	18/06/2024	> In principal support for the development.	Ongoing liaison.
LCC	28/05/2024	Project supported in principle. Offered advice to consider NSW RA property buy backs when completing the conflicting land-use assessment.	Assessment technical reports development to consider adjoining land uses. Noting alternate planning pathway being adopted.

Stakeholder	Dates of Engagement	Key Matters Raised	Project Response
TfNSW	02/05/2024	> Prepare TAIA in accordance with TfNSW requirements letter.	TAIA prepared in accordance with TfNSW requirements.
TfNSW	18/06/2024	> In principal support for the development. > Noted consideration should be given to fences on bus zone street boundary. > Student safety during construction to be considered	> Secondary Traffic Working Group (TWG) to present School Transport Plan & Traffic Impact Assessments and close out TWG 01 actions being coordinated by SINSW Transport Team.
DPHI	20/12/2023	DCP/LEP referred to for requirements on minimum habitable floor height. Concurrence with SES recommended.	DCP/LEP adhered to, and SES concurrence obtained.
DPHI	30/05/2024	General requirements, key issues and documentation as per issued SEARs.	Alternate planning pathway being adopted. Consideration given to SEARs requirements.
DCCEEW (BCS Group)	07/05/2024	> Biodiversity Development Assessment Report (BDAR) required under a SSD pathway > Project specific SEARs provided	BDAR Waiver approved following receipt of SEARs referral advice. Alternate planning pathway being adopted. Consideration given to SEARs requirements.
NSW Reconstruction Authority (NSW RA)	20/12/2023	DCP/LEP referred to for requirements on minimum habitable floor height. Concurrence with SES recommended.	DCP/LEP adhered to, and SES concurrence obtained.
SES	23/10/2023	SES not a consent authority. School to be closed prior to flooding and before local roads closed. Refuge on site is last resort and not recommended.	Flood reporting completed as part of planning submission process.
SES	26/02/2024	> Undertake additional flood impact assessment modelling and develop FERP > Undertake risk assessments for the site	> Additional flood reporting completed > Risk assessments completed
SES	06/05/2024	Recommend consideration of flooding issues is undertaken in accordance with requirements of NSW Governments Floor Prone Land Policy and supporting guidelines. Recommend FIRA Report, close school prior to start of	Reverse brief developed in line with SES requirements to ensure flood reporting satisfies requirements.

Stakeholder	Dates of Engagement	Key Matters Raised	Project Response
		school day if risk of flooding exists, seek advice from DCCEEW regarding impacts of fill and develop FERP.	
Fire Rescue NSW	30/04/2024	Fire and Rescue NSW (FRNSW) will review and provide comment at planning exhibition stage, if required.	Ongoing liaison as required part of the planning submission.
Heritage NSW	01/05/2024	Environmental Impact Statement (EIS) should include further assessment of potential for Aboriginal objects to be present within the project area. EIS should include evidence of consultation with Aboriginal parties to inform the assessment of potential impacts of the project on cultural values and objects.	ACHAR completed.
Heritage NSW	15/04/2024	> Modified ACHA consultation process outlined including details of the process regarding notification to WWGAC and process for consulting on and preparing the ACHAR.	ACHAR consultation process followed.
Government Architect NSW	24/04/2024	Refer SDRP01 advice letter dated 07/05/2024 and subsequent response table.	Refer SDRP01 response table in **Appendix 7**.
Government Architect NSW	27/11/2024	Refer SDRP01 advice letter dated 11/12/2024 and subsequent response table.	Refer SDRP02 response table in **Appendix 7**.
Essential Energy	Ongoing	Requirements to be included in Level 3 electrical design.	Services consultant managing requirements and coordinating design certification.
Community	April 2022 April 2022 May 2022 September 2022 October 2022 October 2022 December 2022 April 2023 August 2023 October 2023 November	Refer below for details	

Stakeholder	Dates of Engagement	Key Matters Raised	Project Response
	2023 December 2023 March 2024 March 2024 June 2024 July 2024 August 2024 September 2024 October 2024		

With regard to community engagement, a range of sessions and other forms of communication were undertaken, as summarised below:

- A standalone website project page was established in August 2023. The website provides a platform for the school and community to keep up to date on the project and provides access to all communication materials published. A Frequently Asked Questions (FAQs) sheet is also available on the website.
- Project updates are periodically released to keep the school and community informed through each stage of the process. These updates are distributed via the school's communication channels including email, Facebook, Skoolbag and published on the project website. There have been 13 updates released to the community since 2022.
- Two information sessions in June 2022 to share the extent of damage to the school and the next steps in the rebuilding process, as well as answer questions from staff and parents and seek their feedback.
- Three targeted consultation workshops in November 2023 to engage with staff, students and parents on key matters for rebuilding LSPS. A report on the consultation outcomes has been shared with the community to close the feedback loop.
- A community information session in March 2024, to share proposed masterplan and timelines for rebuilding the school.
- A community information session in August 2024, to share the proposed concept design and facilitate community consultation required for the Social Impact Assessment.
- Two works notifications have been distributed to the school and neighbouring residents, to inform them of any upcoming works that may cause disruption to the school or community.
- The department will continue to engage with key stakeholders in a timely manner as the project progresses and subsequent milestones are achieved.

Key community stakeholder groups include:

- South Lismore residents within the suburb catchment.
- School community group including parents and carers of current and future students at the primary school and preschool.
- Surrounding neighbours (many of which are part of the school community group)
- Widjabul Wiabul Gurrumbil Aboriginal Corporation (WWGAC)

In addition to the above, project working group consultation has been ongoing since inception of the project. Feedback from consultation with project working groups and community stakeholders has significantly shaped the scope of the project. Key project working groups include:

- The Project Reference Group (PRG) is a key governance group that provides feedback on critical design elements and the overall project direction. The PRG is comprised of the Director

Educational Leadership, the Principal, Deputy Principal, teacher representatives, a parent representative, project team members and the project architect.

- The Project Control Group (PCG) oversees the planning and delivery of a project. The group ensures project objectives, communications, stakeholder engagement, key deliverables, program, budget, scope and risk are considered. The PCG is comprised of the Director of Operational Readiness, Director Educational Leadership, the Principal, Deputy Principal, ICT, project team members and the project architect.
- The Technical Stakeholder Group (TSG) is comprised of technical specialists within SINSW in the areas of design, heritage, EFSG, disability access and standards, sustainability, IT services, safety and school transport. The TSG ensures the project design meets education facility standards and operational needs.
- The Expert Review Group (ERG) is comprised of a panel of experts who advise across all SINSW projects regarding design, buildability and, compliance to ensure the teaching and learning needs of every student are met.
- The Design Advisory Group is comprised of a group of experts who advise on EFSG compliance of the project.

5.2 Public Exhibition

A Part 5 activity would ordinarily require consultation in the form of statutory notification prior to determination of the activity. This would typically include:

- sending notices to adjoining neighbours, owners and occupiers inviting comments within 21 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
- making the REF publicly available on the Planning Portal throughout the consultation period.

We understand the department will facilitate the community consultation and statutory agency notifications on behalf of the RA. If any responses are received during the exhibition period, they can be considered and responded to prior to determination by the RA.

6. Environmental Impact Assessment

6.1 Traffic, Access and Parking

6.1.1 Assessment

This section outlines the finding of the TAIA prepared by CrossleyTP which provides an assessment of the relevant traffic and parking impacts of the activity and the transport strategy to be adopted during the construction and (ongoing) operation of LSPS.

Existing Road Network and Transport

In terms of the surrounding road network, the site is bounded by local roads, comprising Phyllis Street to the north, Kyogle Street to the south and Wilson Street to the west. Casino Street located further north of the site (but not immediately adjacent) is classified as a Regional road and the Bruxner Highway further southwest of the site is classified as a State road.

Unrestricted 90-degree parking (existing) is currently available on Kyogle Street opposite the site, with an additional small car park on the site offering 26 spaces also accessible from Kyogle Street. Along the school's north side, a bus zone is provided on Phyllis Street, and no-stopping zones are in place on both sides of Wilson Street near the school boundary and along parts of Kyogle Street. A disability parking space is located on the north side of Kyogle Street.

During school drop-off and pick-up times, we understand parents primarily utilise the unrestricted 90-degree parking spaces and other available unrestricted parking areas on Kyogle Street.

The crash history analysis, based on data from Transport for NSW (2019–2023), identified four crashes around the school, with one occurring during the afternoon peak hour. Most incidents involved pedestrian-vehicle collisions, including one minor injury where a pedestrian entered the traffic lane. Figure 19 details crash locations, severity, and contributing road user movements (RUM codes).

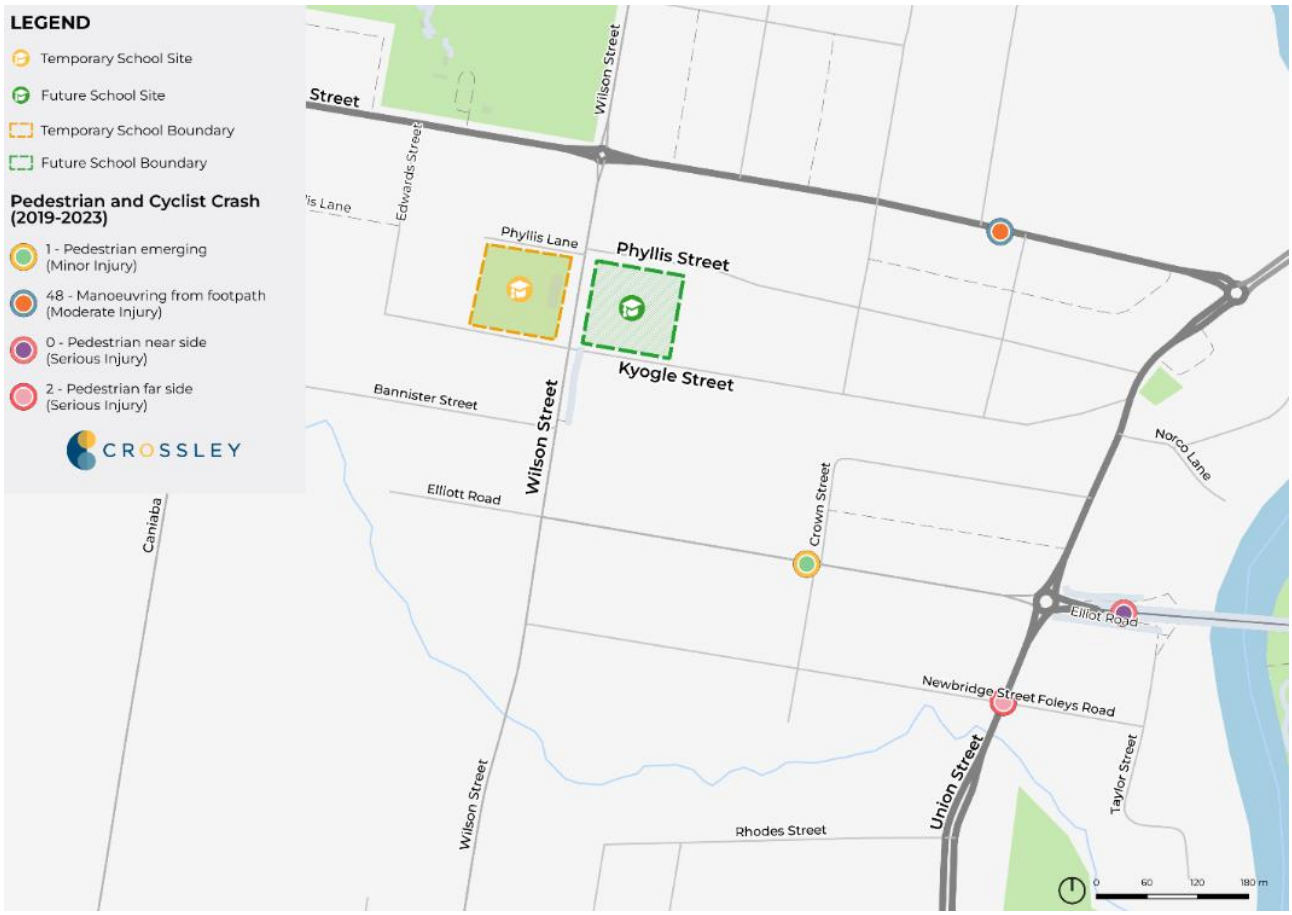


Figure 19: Crashes near the school (Source: CrossleyTP)

Traffic volume data was collected in August 2024 at two key intersections—Wilson Street/Casino Street (roundabout) and Wilson Street/Elliot Road (priority-controlled)—during peak school hours (AM: 7:30–9:30 AM, PM: 2:00–4:00 PM). Peak periods varied slightly between intersections but generally fell between 7:45–9:00 AM and 3:00–4:00 PM.

Traffic modelling using Signalised Intersection Design and Research Aid (SIDRA) Intersection Software assessed intersection performance, showing both intersections operate at Level of Service A, indicating minimal delays and sufficient capacity to accommodate additional traffic if required. Detailed traffic modelling results are provided in **Appendix C** of the TAIA.

Existing Travel Behaviour

A recent hands-up survey conducted at LSPS indicates that a significant portion of students rely on cars for their commute, with 57% traveling as passengers, followed by 26% using public transport. Walking and cycling are less common, accounting for 12% and 5% of trips, respectively. The survey also showed minimal variation in travel modes between morning and afternoon commutes, suggesting consistent patterns for trips to and from school. Additionally, a staff questionnaire revealed that all staff commute by car, highlighting a strong reliance on private vehicles among the school community.

Active Transport

Active transport options around the school are limited due to gaps in infrastructure. While footpaths are available on parts of Casino Street, Wilson Street, and Kyogle Street, large sections near the school lack proper pedestrian pathways, limiting safe and continuous access for students and the wider community. Shared paths along Wilson and Kyogle Streets connect to pedestrian gates at the school, but the network is fragmented, and large block sizes further reduce walkability.

Pedestrian crossings, including refuges and zebra crossings, provide safer access at key intersections, but their placement does not fully address the lack of connectivity.

Cycling infrastructure also has limitations, with shared paths on Wilson, Casino, and Kyogle Streets offering some off-road options for students. However, these paths do not extend beyond 600m from the school, making it difficult for cyclists traveling from greater distances to find protected routes. Two key gaps in the network exist near Leycester Creek and between Kyogle Street and Ballina Street Bridge, further reducing accessibility for cycling.

Existing Public Transport

The school's public transport network consists of bus services, with stops located on Phyllis Street and within 400m on Wilson Street and Casino Street. Approximately 70% of students live within a 5-minute walk of a bus stop serviced by routes that directly access the school. While public transport currently accounts for 26% of student trips, the proximity of these stops highlights the potential for increased uptake if more students and families choose this mode of travel.

In summary, while private vehicles dominate current travel patterns, the availability of public transport and some active transport infrastructure presents opportunities for a shift towards more sustainable travel modes, particularly if gaps in connectivity are addressed.

Transport Impacts

A review of background growth and planned developments indicates minimal impact on traffic, with an estimated increase of only five additional vehicles entering the road network. However, if LSPS operates at full capacity, it could generate up to 144 additional AM peak and 153 additional PM peak vehicle trips. Despite this, traffic modelling shows only minor increases in delays (0.2–0.7 seconds) at key intersections, with all remaining at Level of Service A. The overall traffic distribution is expected to remain largely unchanged due to the close proximity of the new school site to the existing temporary site, though turning movements at Wilson Street will shift as access points relocate from the eastern to the western side of the school.

Parking and Kiss-and-Drop

The proposed development includes 26 off-street parking spaces, including one accessible space, which is below the Lismore DCP requirement of 41 spaces. The DCP requirement covers parking for teachers and parents/visitors (based on the number of students). However, practical demand is expected to align with the proposed provision, as primary school parents are not permitted to use the car park, and it is designated exclusively for staff and pre-school drop-off/pick-up. All 26 spaces are reserved for staff, exceeding the minimum requirement for staff parking.

To facilitate drop-off and pick-up for primary school caregivers, two on-street parking areas are provided along Kyogle Street, near the school frontage. These include an eight-bay kiss-and-drop zone and 24 angled parking spaces. Together, these facilities adequately support student drop-off and pick-up needs, as well as any additional staff parking requirements. Additionally, the department, in collaboration with the school, is proactively promoting sustainable travel methods to the school via a school travel plan. Such schemes include encouraging walking, cycling and car-pooling to reduce car dependency.

A formalised kiss-and-drop zone is proposed along the northern side of Kyogle Street, providing approximately 63m of dedicated space to accommodate up to eight cars at a time. This is designed to facilitate a smooth flow of drop-offs and pick-ups, reducing congestion. The zone is supplemented by 24 existing 90-degree parking spaces on the southern side of Kyogle Street, which will further support pick-up and drop-off activities and meet the broader demand for the proposed rebuild.

Active Transport

The Kyogle Street car park entry has been evaluated against AS2890 standards, confirming safe vehicle access and exit. Swept path analysis for a front-load waste collection vehicle shows adequate space for a car to pass safely while collection is underway. A road safety audit is recommended during the detailed design phase.

Sustainable Transport Measures

A School Travel Plan (STP) has been developed for LSPS and can be found at **Appendix 23**. The STP will have the effect of promoting active travel to school. School target mode splits as set out in the TAIA and STP been developed to help monitor progress towards increasing active travel participation to school. These targets are derived from the maximum number of students who are able to get to school via alternative transport modes to driving. The reach mode targets have been determined by assessing the number of students within the respective transport catchments based on the parameters set out in the TAIA. Moderate mode share targets are based on the average mode share split between the existing and reach mode share splits.

The findings of the STP are as follows:

Existing Travel Patterns

A hands-up travel survey conducted at LSPS on 27 November 2023 provided insights into existing travel behaviours. The results indicate that:

- 56% of students arrive by car, and 58% leave by car in the afternoon.
- 18% walk or cycle to school, with 15% walking or cycling home.
- 26-27% of students use school or public buses for travel.

These findings highlight a reliance on car travel, although the number of students already walking or cycling suggests a demand for improved active travel support.

Walking and Public Transport Catchment Analysis

A walking catchment analysis assessed student proximity to the school:

- 27% of students live within a 10-minute walk (800m) from school.
- Students outside this range but within 2300m (1.6km straight-line distance) may benefit from cycling options.

Similarly, a public transport catchment analysis showed:

- 40% of students live within 400m of a bus stop with school bus services.
- 15% of students live beyond walking and bus access and are expected to travel by car.

Based on these findings, the STP establishes mode share targets to help guide efforts towards reducing car dependency. The reach mode share targets, which represent the maximum feasible uptake of sustainable transport options, assume that all students within a 10-minute walk to school (27%) could realistically walk, while 5% of students living beyond the walkable range but within 2300m could switch to cycling. For public transport, it is estimated that 40% of students could utilise available bus services. However, due to the geographic distribution of students and the commuting patterns of their caregivers, it is expected that at least 28% of students will continue to rely on private vehicles, with 15% living too far to walk or catch a bus and another 13% being driven as part of their caregivers' onward journey to work. The moderate mode share targets, which reflect a more incremental increase in sustainable transport use, acknowledge that behavioural shifts take time and will require targeted programs to support gradual adoption.

To facilitate these shifts, the STP outlines a range of measures aimed at increasing participation in active and public transport options. These include programs to address barriers to walking and cycling, such as safety concerns, infrastructure limitations, and lack of awareness about alternative travel choices. Additionally, carpooling initiatives could be introduced to encourage families to

share transport responsibilities, helping to reduce congestion around the school. The STP also recognises the potential for reducing private vehicle use among staff, as all teachers currently drive to work. Encouraging carpooling or alternative travel options for staff could further support the school's goal of fostering a culture of sustainable transport.

While these strategies provide a pathway towards achieving the mode share targets, no additional infrastructure, such as bus shelters or seating at school bus stops, is required to support the transition. Students using bus services will be waiting inside the school grounds, eliminating the need for extra public transport facilities.

Construction Traffic Management Plan

To ensure safety and minimise disruptions during construction, the following principles are recommended to be incorporated into a future Construction Traffic Management Plan (CTMP) for the activity:

- **Planning & Coordination:** Develop a detailed CTMP during the design stage and coordinate with relevant authorities to comply with regulations.
- **Communication:** Notify the public about construction schedules, road closures, and detours using multiple communication channels.
- **Impact Mitigation:** Restrict construction vehicle movements to non-peak hours, maintain access for all users, and use phased construction to reduce disruptions.
- **Traffic Control:** Use clear signage, barriers, and cones to guide traffic safely through work zones and deploy traffic controllers as needed.
- **Monitoring & Adaptation:** Continuously assess traffic conditions and adapt management strategies in response to real-time needs.
- **Incident Management:** Implement an emergency response plan for accidents or disruptions to ensure quick resolutions.
- **Environmental Considerations:** Minimise noise, dust, and other environmental impacts on nearby residents and businesses.
- **Working Hours:** Construction should adhere to NSW EPA guidelines and those identified in this REF.

Conclusion

Based on the findings of the TAIA and taking into consideration the measures set out in the STP, the proposed activity will not have a significant impact on transport internal or external to the site, subject to implementing the mitigation measures outlined below.

6.1.2 Mitigation Measures

Table 14: Mitigation Measures for Traffic, Access and Parking

Mitigation Name	Timing	Mitigation Measure	Reason for Mitigation Measure
TRA1	Operation - ongoing	The STP is to be implemented to actively encourage walking, cycling and use of public transport.	To encourage active and public transportation
TRA2	Prior to construction	A road safety audit is to be conducted during the detailed design phase of the project.	To minimise safety impacts
TRA3	Operation	The Transport Access Guide (TAG) for the school is to be updated to reflect adjustments to kiss and drop, parking, bike parking and bus services at day of opening.	To ensure clear communicatio n of updated

Mitigation Name	Timing	Mitigation Measure	Reason for Mitigation Measure
			access arrangements
TRA4	Prior to construction	A Construction Traffic Impact Assessment (CTIA) and Construction Traffic Management Plan (CTMP) are to be prepared during the detailed design to assess and manage construction-phase traffic impacts on the surrounding road network.	To minimise construction impacts

6.2 Noise and Vibration

6.2.1 Assessment

This section outlines the findings of the Noise & Vibration Assessment Report prepared by Pulse White Noise Acoustics at **Appendix 24.**

The report provides an outline of the nearest sensitive receivers external to the site, as well as potential external noise sources that may impact the acoustic amenity of the school.

The nearest sensitive receivers are:

- Residential buildings located along eastern and western property boundaries.
- Residential buildings also located along Phyllis Street, facing the northern property boundary (at approximately 20m from the property boundary in the eastern part of the campus and 6m from the property boundary in the western part).
- Industrial premises located south from the school campus (at approximately 60m from the property boundary).

Potential impacts of the school on those nearby receivers include:

- Additional traffic noise.
- Noise from mechanical plant.
- Noise from general operations of the school and preschool.
- Temporary noise and vibration during construction.

External noise sources that have the potential to impact the school are:

- The disused rail corridor located south from the school campus.
- Traffic noise intrusion from surrounding roads.
- Aircraft noise intrusion.

Unattended noise monitoring was undertaken to establish existing ambient noise level on site. The measurements were undertaken at the following locations within the eastern zone of the school campus (refer to **Figure 20**):

- **Logger Location 1**: This is representative of residences located along Phyllis Street, and those positioned along the eastern site boundary.

  This logger location was selected to obtain measurements of existing ambient noise levels which are representative of residences along Phyllis Street.

- **Logger Location 2**: This is representative of residences located along Kyogle Street.

  This logger location was selected for following reasons:

- To obtain measurements of existing ambient noise levels which are representative of residences along Phyllis Street
- To obtain façade incident noise levels which are likely to impact the building envelope construction.

Figure 20: Location of the loggers (Source: Pulse White Noise Acoustics)

The unattended loggers recorded noise levels at 15-minute intervals between Friday 23 August and Sunday 8 September 2024. Attended noise measurements were conducted for 15-minute periods at logger locations, during the start of the unattended noise survey. Measured noise levels from attended measurements were found to concur with those simultaneously obtained as part of unattended noise survey. The report has been prepared based on consideration of a range of standards, guidelines, and documents, as set out in Section 3 of the report.

Operational Noise – Building Services

No additional acoustic treatment is required for AC outdoor units if specific conditions are met:

- Noise levels must not exceed those listed in Table 18 of the Noise & Vibration Assessment Report.
- Units should be located as shown in **Figure 21** (from mechanical drawings LPS-PEDA-ZZ-RF-DR-M-1001 and 1002, Rev P1).
- Mechanical plant design and equipment selection must ensure overall external noise complies with criteria outlined in Section 3.1 of the Noise & Vibration Assessment Report.
- A detailed mechanical noise assessment must be completed during later design stages.

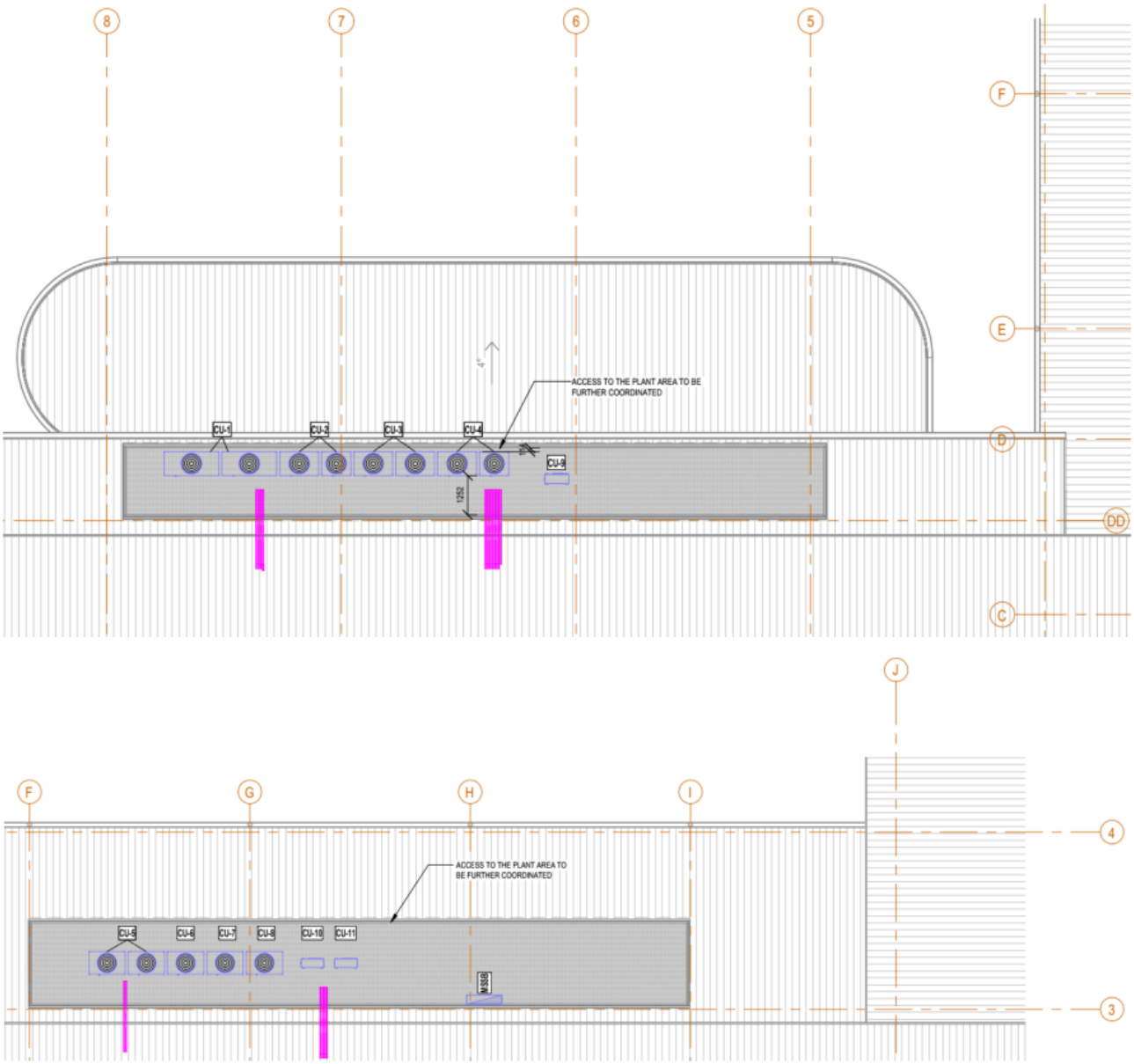


Figure 21: Location of AC outdoor units (Source: Pulse White Noise Acoustics)

Operational Noise – Playgrounds and Multi-purpose Hall

Playgrounds

An assessment of outdoor noise emissions from playgrounds during lunch and recess periods was conducted, assuming (on a conservative basis) all 250 students utilise designated outdoor play areas. This layout ensures compliance with the minimum required area of 5-10 m² per student. It was also assumed that outdoor playgrounds would not be used between 6:30 am and 7:00 am to prevent sleep disturbance for nearby residents. For further details around the assumptions used for the noise modelling refer to Section 5.3 of the Noise & Vibration Assessment Report.

Predicted noise levels during periods of full outdoor use indicate that these levels are likely to intermittently exceed the target noise limits under worst-case scenarios. However, the noise generated during these times is comparable to what might be expected in public parks and large open community spaces. Since NSW lacks specific acoustic criteria for school playground operations, the noise targets were established based on the most relevant guidelines.

The school should adopt management practices to minimise impacts on nearby residential areas. These include supervising playground use to avoid excessive yelling or screaming, restricting

outdoor play to daytime school hours, and adhering to public address (PA) system usage protocols outlined under Operational Noise – Outdoor PA System. All mitigation measures should be incorporated into the School's Operational Management Plan (OMP). Based on these considerations, the outdoor play areas are acoustically acceptable and justified.

Multi-purpose Hall

The multi-purpose school hall is proposed for regular use during school hours and Outside School Hours Care (OSHC) operations. The acoustic assessment considered a worst-case scenario where the hall operates at full capacity with the PA system in use, producing internal sound levels up to 87 dB LAeq (15 minutes).

When the hall doors remain open, predicted noise levels exceed the daytime noise emission target, requiring additional mitigation measures. However, when the hall doors are closed, compliance with the noise targets is achievable, provided that further mitigation strategies are implemented.

To meet the noise criteria, the PA system should include a noise limiter to cap internal sound levels at 87 dB LAeq (15 minutes). Hall doors should remain closed during events, particularly those held in the evening or night-time, and should have a minimum sound insulation performance of Rw 20 with non-perforated finishes. Additionally, the building envelope for the hall should be designed to avoid additional flanking paths that could allow noise breakout.

These measures will ensure compliance with noise emission targets and mitigate any potential adverse noise impacts on nearby residential receivers.

Operational Noise – Outdoor PA System

The design and location of the PA and bell system have not been finalised at this stage. However, the system will be necessary for the school's operations, and its design must ensure compliance with acoustic standards. Specifically, noise emissions from the outdoor PA system should not exceed the intrusiveness criteria at the nearest impacted residences.

The following will need to be considered during detailed design and operation of the school:

- The outdoor PA system should only operate between 9:00am and 3:00pm.
- Low-powered horn-type speakers should be located and orientated to provide a good coverage of the school areas whilst being directly away from residences and sensitive receivers. System coverage shall be reviewed during the design phases.
- Speakers should be mounted with a downward angle and as close to the floor as possible. Speakers should be mounted below the height of school buildings and include directional speakers to mitigation noise spill to neighbouring receivers.
- Once appropriate noise levels from the speakers are obtained within school premises and at nearest affected receivers, the system gain should be limited so that staff cannot increase the noise levels.
- A compliance survey should be undertaken to measures the operational noise levels of the PA system.

Operational Noise – Carpark

The activity includes 25 standard parking spaces and 1 accessible parking space, with access from Kyogle Street. If the carpark operates at full capacity, it is expected to generate 26 vehicle movements within a 1.5-hour period, coinciding with the school's arrival and departure times. The carpark will also accommodate waste collection.

Under these conditions, noise emissions from the carpark are predicted to reach 49 dB LAeq,15min at the nearest residence on 67 Kyogle Street. This noise level slightly exceeds the

daytime project-specific noise level for residences along Kyogle Street, established at 47 dB LAeq,15min, by a margin of 2 dB.

The exceedance is considered marginal and subjectively imperceptible. As such, no additional acoustic mitigation measures are recommended for the carpark. The predicted noise levels are deemed acceptable within the context of the project which is a rebuild of school facilities on an existing school site.

Operational Noise – Waste Collection

The operational times and frequency of use for the loading dock have not yet been determined. A detailed acoustic assessment will be required once this information becomes available to evaluate the potential noise impacts accurately.

In the interim, it is recommended that commercial waste collection be restricted to between 7:00 am and 10:00 pm. This operational measure aims to minimise noise impacts on nearby residences and ensure compliance with acceptable noise levels during sensitive periods.

Operational Noise – Traffic Noise

Kiss and drop off locations are positioned along eastbound kerb of Kyogle Street, adjacent to gates 3 and 4. These zones will allow for up to 8 cars at a time, and assuming a stay of up to 2 minutes.

Based on these assumptions, the predicted road traffic noise levels at the nearest impacted residences have been calculated. These predicted levels are summarised in **Table 15**. As such, the impact from road traffic noise generated by traffic operations associated with the school are expected to be negligible.

Table 15: Noise emissions from vehicular activities on local roads

Receiver	Predicted Noise Levels (dB LAeq, 1 hour)	Noise Emission Criteria (dB LAeq, 1 hour)	Assessment Outcomes
67 Kyogle Street	48	Day: 55	Compliance

Construction Noise and Vibration

Detailed information regarding the construction program was unavailable at the time of preparing this REF. However, given the scale and scope of the project, a CNVMP will be required.

The CNVMP should include the following components: On-site noise monitoring is recommended to assess existing ambient noise levels, which will influence the establishment of noise management levels (NMLs) and the necessary management procedures. Additionally, a detailed construction program should be provided, outlining the schedule of construction activities, construction equipment lists, the location of equipment, and the duration of activities and proposed construction hours. Noise levels should be predicted in accordance with the procedures outlined in Section 4 of the Noise & Vibration Assessment Report and based on the findings, management and operational procedures should be established to address noise and vibration mitigation as well as any complaints.

For vibration-generating equipment, safe working distances should be determined to ensure compliance with human comfort criteria and to minimise impact on buildings. These distances should be confirmed during the detailed design phase through vibration validation tests with the actual equipment intended for use. Heritage structures and vibration-sensitive premises, such as those containing scientific or medical equipment, must be identified, and safe working distances should be established for these locations. Other vibration-sensitive structures, including tunnels, gas pipelines, and water retention basins, should also be identified, and specific vibration goals should be established on a case-by-case basis by an acoustic consultant engaged by the contractor.

In addition, a construction traffic study should be conducted to assess noise levels generated by light and heavy vehicle movements related to construction activities.

Conclusion

Subject to implementing the various mitigation measures outlined above and below, the proposal will not result in any adverse or significant acoustic impact in terms of impact on the surrounding environment, or adverse noise intrusion into the school and associated impact on amenity.

6.2.2 Mitigation Measures

Table 16: Mitigation Measures for Noise and Vibration

Mitigation Number	Timing	Mitigation Measure	Reason for Mitigation Measure
NV1	Prior to construction	<u>External noise emissions from mechanical services</u> Mechanical plant is to be designed to achieve compliance with external noise level criteria discussed in Section 3.1 of the Noise & Vibration Assessment Report by PWNA. Conceptual recommendations are presented in Section 5.1 of the Report for consideration during detailed design stages.	To minimise noise impacts on surrounding properties.
NV2	Prior to construction	<u>Internal noise levels</u> Mechanical plant is to be designed to achieve compliance with internal noise level criteria discussed in Section 3.4 of the Noise & Vibration Assessment Report by PWNA. Additionally, all mechanical plant is to be resiliently vibration mounted to achieve compliance with vibration criteria as per Section 3.7 of the same report.	To ensure a comfortable indoor environment.
NV3	Operation	<u>Noise emissions from outdoor playgrounds</u> An OMP for the school is to be prepared prior to operations which includes measures to manage noise emissions from outdoor activities at the school. This should include the noise recommendations of **Section 5.3** of the Noise and Vibration Assessment Report by PWNA. This includes (but is not limited to) restriction on use of outdoor playgrounds between 6:30am to 7:00am.	To limit noise impacts on nearby residences.
NV4	Prior to construction and during operation	<u>External noise emissions from multi-purpose hall</u> The Outdoor PA system for the school should be designed so internal noise levels do not exceed 87 dB LAeq (15 minutes). Hall doors should be maintained closed for school events, especially if these events are conducted during the evening and night-time periods.	To prevent excessive noise levels.
NV5	Prior to construction and during operation	<u>Noise emissions from outdoor PA system</u> The Outdoor PA system should be designed so noise emissions do not exceed the intrusiveness criteria at nearest impacted residences as set out in **Section 5.5** of the Noise and Vibration	To minimise noise impacts on nearby residences.

Mitigation Number	Timing	Mitigation Measure	Reason for Mitigation Measure
		Assessment Report by PWNA. Also, refer to Section 5.5 for conceptual treatments to be considered during detailed design. Outdoor PA system should only operate between 9:00am and 3:00pm.	
NV6	Operation	Noise emissions from waste collection services Waste collection is to only be conducted between 7:00 am and 10:00 pm.	To avoid disturbances during sensitive hours.
NV7	Operation	Outside of school hours care Students and carers are to be located indoors between 6:30 am and 7:00 am.	To minimise early morning outdoor noise.

6.3 Contamination and Hazardous Materials

6.3.1 Assessment

This section outlines the findings of the DSI report prepared by JK Environments (**Appendix 13**) and the HBM Assessment prepared by GHD (**Appendix 17**) to demonstrate the suitability of the site with respect to contamination.

Soil sampling across 12 boreholes, 13 test pits, and 10 surface samples, along with groundwater sampling from one monitoring well, revealed fill materials with depths ranging from 0.2m to 0.8m below ground level, underlain by clayey and sandy alluvial soils. The fill included various materials such as silty clay, sand, and gravel, along with fragments of plastic, metal, glass, and organic matter. ACM was identified in four fill profiles, while fibre cement fragments (FCF) found at the surface were not ACM. **Figure 22** shows the sample locations and Site Assessment Criteria (SAC) exceedance.

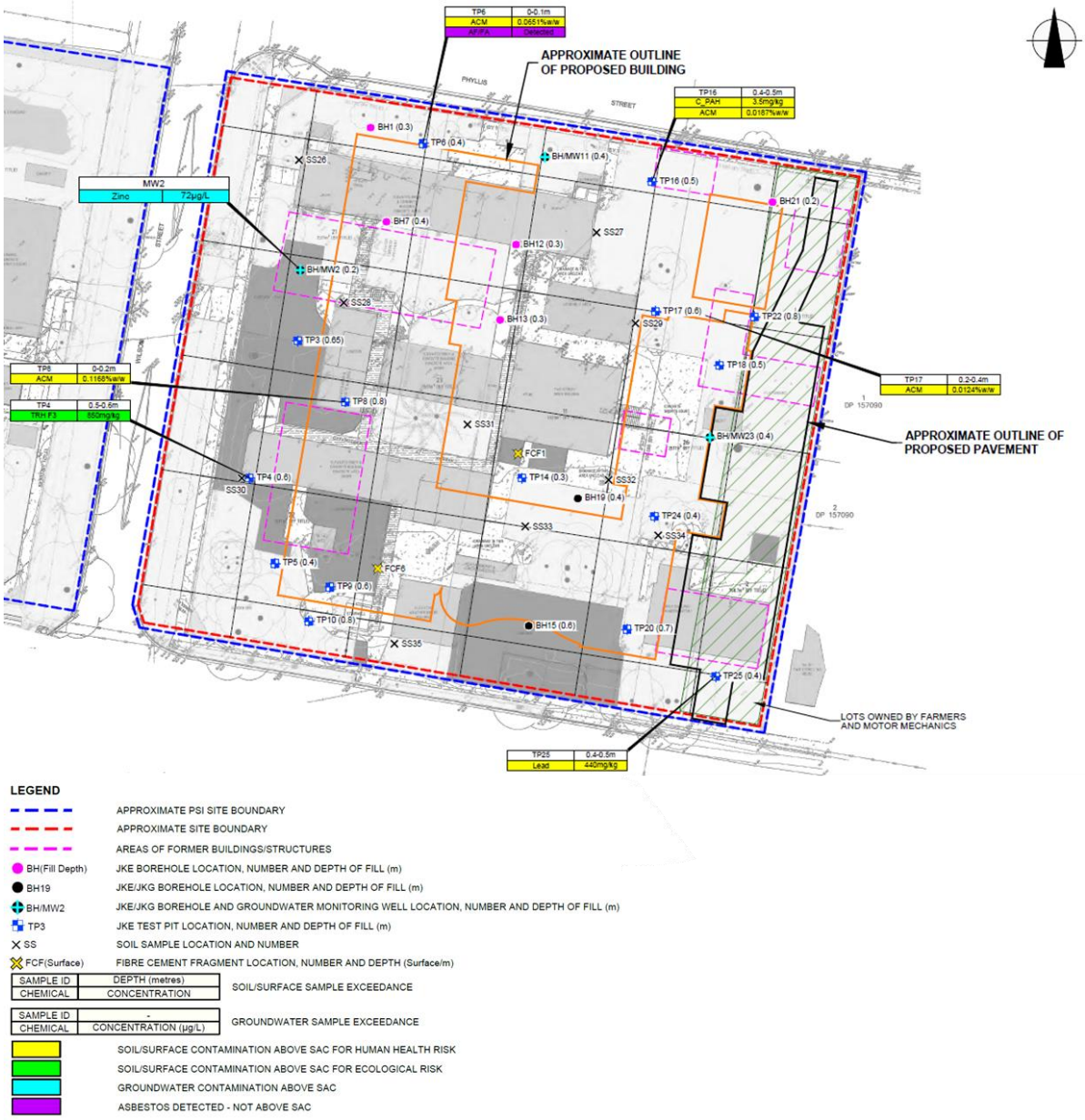


Figure 22: SAC exceedance plan (Source: JK Environments)

Analyses of soil and groundwater samples detected lead, carcinogenic PAHs, and bonded ACM above health-based SAC levels, with total recoverable hydrocarbons (TRH F3) exceeding ecological SAC in one fill sample. Asbestos fines were detected in one location, though below health-based SAC, and zinc was found above ecological SAC in groundwater.

A RAP has been prepared for the activity. The proposed remediation strategies for the contaminated fill include a combination of excavation and off-site disposal of contaminated fill/soil to a suitably licensed landfill, and in-situ capping of fill and long-term management of the capped areas via an EMP.

A site validation report is to be prepared on completion of remediation activities and submitted to the determining authority to demonstrate that the site is suitable for the proposed activity following completion of remediation/validation. An EMP will also be prepared to manage the contaminated fill capped on site as part of the remediation. The EMP will provide a passive management approach and is not expected to impose onerous constraints on the day-to-day site use under the proposed activity.

Additionally, the HBM assessment identified the following hazardous materials within the buildings:

- Presence of both friable and non-friable ACM and ACD.
- Lead-based paint exceeding the 0.1% w/w lead content threshold.
- Lead-containing dust exceeding the 1 mg/m² surface dust threshold.
- SMF visually identified as thermal insulation in various building locations and heating equipment.
- Fluorescent light fittings potentially containing PCBs.
- Inaccessible or concealed areas (e.g., set ceilings, wall cavities, pipe surfaces beneath lagging, voids, plant internal areas, and areas only accessible during demolition) where ACM, ACD, SMF, lead-based paint, or lead-containing dust may be present.

Conclusion

Despite the presence of hazardous materials found within the buildings, the HBM Assessment concludes that the risks or impacts of the activity can be adequately mitigated subject to the implementation of the recommended mitigation measures. Contamination on the site can be remediated in accordance with a RAP prepared for the activity, which will ensure the site is made suitable for the intended educational use.

6.3.2 Mitigation Measures

Table 17: Mitigation Measures for Contamination and Hazardous Materials

Mitigation Number	Timing	Mitigation Measure	Reason for Mitigation Measure
CON1	Prior to construction (preparation) and during demolition (implementation)	Interim Asbestos Management Plan (AMP) As a duty of care, and to meet the requirements under Clause 429 of the WHS Regulation, an AMP (for asbestos in/on soil) is required to be prepared and implemented to manage the site until activity occurs.	Preparation of an interim AMP
CON2	Prior to construction (specifically, soil disturbance, remediation and construction)	Construction Phase AMP To meet the requirements under Clause 429 of the WHS Regulation a construction phase AMP is required for the proposed construction works.	Preparation of a Construction phase AMP.

6.4 Hydrology, Flooding and Water Quality

6.4.1 Assessment

FIRA

This section outlines the findings of the FIRA prepared by TTW (**Appendix 10**) to demonstrate the site is suitable for the rebuild of LSPS from a flooding perspective. The FIRA has been prepared based on an agreed reverse brief with DPHI and based on extensive consultation with key agencies such as Lismore City Council, SES and the RA, including risk workshops in December 2024. It has also been prepared based on critical guidance documents, including the most recent DPHI planning circular on addressing flood risk in planning decisions (March 2024). TTW has also prepared A FERP for the school which accompanies this REF (**Appendix 11**), as well as a Business Flood Safe Plan (**Appendix 12**).

The flood assessment for the site shows that South Lismore, where the school is located, is initially protected by the South Lismore levee, which directs floodwaters from Leycester Creek. However, if the levee is overtopped, floodwaters quickly spread across the area.

In the 1% AEP event, flood levels at the site range from 12.60m to 12.65m AHD, with the highest flood depths occurring in the western portion of the site, where they exceed 2m around the perimeter. Flood flows are generally slow, though they exceed 1m/s in parts of Wilson Street and Kyogle Street. As a result, much of the site is classified as H4 and H5 hazard, indicating it is unsafe for both people and vehicles, with potential structural damage to buildings.

In the PMF event, flood levels rise by more than 4m compared to the 1% AEP event, reaching up to 16.79m AHD. Flood depths exceed 5m across the site, peaking at 6.5m in the southwest. While flood velocities remain below 0.5m/s in the eastern part of the site, they increase to 0.9m/s in the western part. Due to the extreme depth of floodwaters, the entire site and surrounding area are classified as H6 hazard, the highest level of risk.

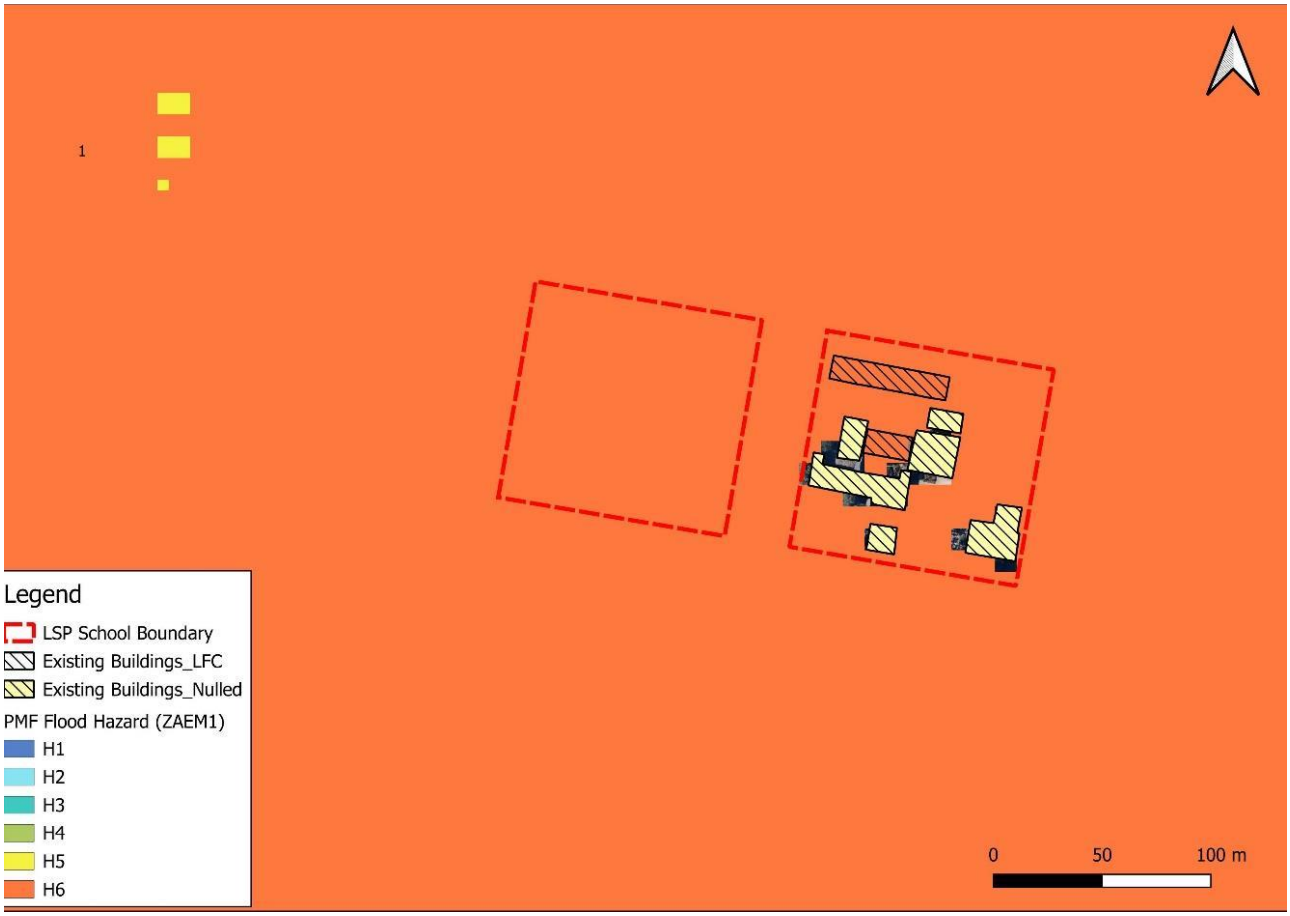


Figure 23: PMF hazard categorisation at LSPS under existing site conditions (Source: TTW)

The TTW post-development flood model was developed by removing existing buildings and incorporating the proposed elevated building structures, allowing water to flow through the undercroft areas. It also incorporates the latest site survey information at a fine spatial resolution. The post-development flood model shows minimal impact on flood conditions compared to existing conditions. The updated model reveals a slight reduction in flood levels at the site's central portion during the 1% AEP event, with levels ranging from 12.60m to 12.64m AHD. In the PMF event, the flood levels increase slightly to 16.72m–16.77m AHD. The flood depths, velocities, and hazards are generally unchanged, with no significant impact on neighbouring properties, where flood level changes are under 10mm.

The February 2022 flood event exceeded typical flood levels, with a maximum flood level of approximately 14.45m AHD, nearly 2m higher than the 1% AEP flood level. The event was assessed as between the 0.2% AEP and PMF design events.

The activity has been assessed to ensure no significant flood level increases onsite or on neighbouring properties. The changes in flood levels are minimal, with no afflux greater than 10mm for the PMF event.

Climate change projections indicate increased rainfall intensities, which could significantly affect local flood conditions. A 19.7% increase in rainfall intensity by 2090 has been accounted for in the flood assessment, showing an increased flood level of 13.14–13.19m AHD in the 1% AEP event. The new building, with an FFL of 15.25m AHD, is above this climate change scenario adjusted flood level by 1.75m.

Figure 24 below provides the outcomes of flood modelling, demonstrating the site is impacted by flooding in all modelled events.

Flood Event	Flood Level at the Site (m AHD)
10% AEP	10.82 – 10.92
5% AEP	11.62 – 11.71
1% AEP	12.60 – 12.65
1% AEP + Climate Change	13.14 – 13.19
February 2022 Flood	14.42 – 14.45
0.2% AEP	13.11 – 13.16
PMF	16.72 – 16.77

Figure 24: Flood levels within the site for flood events (Source: TTW)

The required minimum freeboard is 500mm above the 2022 flood level. The proposed FFL of 15.25m provides an actual freeboard of 800mm, offering further resilience to future flood events. This is with the exception of the PMF. Councils' advice (on the basis of its Draft DCP) was that protection up to the PMF was not necessary on the basis of reclassification of an educational establishment from a sensitive and hazardous use to a commercial development. Further, building above the PMF would typically be provided if shelter-in-place is the preferred (or only) emergency response. In the circumstances of LSPS, shelter-in-place is not the identified emergency response, as will be discussed further below. Advice from Council was to design the building to the 2022 flood level + freeboard, which is the highest observed flood level (February 2022) on record. This approach and resulted design flood planning level was discussed at length with all relevant key stakeholders and deemed to be acceptable from a risk and impact approach. This FFL for the buildings has been incorporated into the design accordingly.

Flood Resilience

Given the flood risk of the site, in addition to designing the FFL of the building to the 2022 flood planning level (+ freeboard), a range of other measures have been incorporated into the design (or will be incorporated in detailed design, prior to construction) to ensure the rebuild responds to the risk profile of the site and is flood resilient. They include:

- Use of flood resistant building materials.
- Elevated placement of essential services, such as air conditioning units and electrical switchboards.
- Permeable or collapsible fencing and enclosures to allow ease of floodwater entry and exit.

- The building structure has been designed to withstand the force of the floodwaters of the PMF. This has been confirmed in the Structural Engineering Schematic Design Report in **Appendix 30**.

All of these measures, combined with the FERP (see below), are key components to the risk-based approach to managing flood risk on the site. This is further supplemented by the Business Flood Safe Plan prepared by TTW for the school.

Flood Emergency Response

In response to the general approach by the department for flood affected sites, but also, the outcomes of the risk workshops for the project, the FERP has been prepared based on cross-agency input and pre-emptive actions and collaborative planning.

The Lismore South Public School FERP ensures the safety of students, staff, and the school community during flood events. The plan aligns with local flood management strategies and supports the school's Flood Recovery Rebuild, enhancing preparedness for future flood risks.

Key outcomes include:

- **Risk Awareness & Preparedness:** LSPS, located in a high flood-risk area, faces potential flood depths of up to 2.4m and hazard levels reaching H5 during a 1% AEP event. The school prioritises early evacuation before roads become impassable, typically around one hour after the South Lismore Levee overtops. Shelter-in-place is strongly discouraged and only considered when evacuation is no longer feasible due to blocked routes, unsafe road conditions or insufficient time. The intent is to evacuate ahead of time or proactively cease operations when flooding is predicted to impact the site or access routes.
- **Clear Evacuation Protocols:** If flood warnings are issued, the school will close and transition to online learning if needed. Evacuation routes lead to Southern Cross University, with coordinated transport for students. The department is in regular discussions with the SES to agree appropriate evacuation triggers.
- **Communication & Notification Systems:** Alerts from BoM, NSW SES and Lismore City Council will inform decision-making, with notifications sent to parents, staff, and community groups. In addition, the department attends weekly state level weather briefings presented by the SES which provide an outlook for the week. Where required, these are facilitated more often, down to a daily basis as required. The department will then liaise with the NSW SES Zones for the regional level of detail if required.
- **Ongoing Mitigation & Training:** The school will conduct biannual evacuation drills, maintain emergency kits, install flood markers, and review the FERP annually to ensure alignment with updated flood management strategies.

Through proactive planning, regular training, and collaboration with emergency services, the FERP will enhance LSPS's resilience and ensure a structured, well-communicated response to flood risks.

The FERP is further supplemented by the Business Flood Safe Plan. The Business Flood Safe Plan is designed to safeguard students, staff, and critical infrastructure while ensuring operational continuity during and after flood events. The plan incorporates comprehensive safety measures, property protection strategies, and response protocols to address various flood scenarios, from minor incidents to major disasters.

A key focus is the protection of critical infrastructure, including electrical systems, goods storage, and essential business operations. Preventive measures such as elevating infrastructure, waterproofing storage areas, and implementing flood-resistant designs help minimise damage. Additionally, the plan establishes evacuation procedures, emergency communication strategies,

and business continuity measures to ensure the safety of all individuals on-site and a swift resumption of school activities with minimal disruption.

To further mitigate the impact of frequent floods, the plan recommends flexible scheduling and hybrid learning strategies. This includes rescheduling classes based on weather forecasts and transitioning to online learning during temporary school closures. By ensuring staff and students are prepared for remote learning, the school can maintain educational productivity despite flood-related disruptions.

The plan is designed to be proactive and adaptable, undergoing regular reviews, updates, and staff training to reflect evolving risks and operational needs. Through these measures, the school can effectively manage flood risks, protect assets, and maintain a safe learning environment for students and staff.

Conclusion

Based on the robust risk-based approach to assessing flood impacts and an emergency management response for the site, subject to adopting the mitigation measures outlined below, the site is considered suitable for the rebuild of LSPS and the activity will not have a significant impact on the environment with respect to flooding. The architectural and structural design will provide for a flood resilient built form on the site and the FERP will ensure flood risk to staff and students during flood events is adequately managed. As identified above, the FERP will be updated as required, to ensure it incorporates the latest relevant data and advice on evacuation triggers and processes.

6.4.2 Mitigation Measures

Table 18: Mitigation Measures for Hydrology, Flooding and Water Quality

Mitigation Number	Timing	Mitigation Measure	Reason for Mitigation Measure
FL1	During Detailed Design & Construction	Design Review Against Flood Impact Report - The design is required to be reviewed during detailed design and construction to ensure compliance with the mitigation measures outlined in the approved Flood Risk and Impact Assessment prepared by TTW. - Any significant design changes are required to be evaluated by a suitably qualified flood engineer for potential flood impacts.	- Prevents unintended flood risks. - Ensures consistency with flood assessment findings
FL2	Operation - ongoing	FERP - The department is to develop and implement a FERP to facilitate safe evacuation during severe flooding. - The school is to conduct regular training and drills to ensure preparedness.	- Mitigates risks to students and staff. - Enhances emergency response efficiency.
FL3	During detailed design, prior to construction	Flood Resilience - Flood-resistant materials must be used for structures located at or below FPL. - Essential services (e.g., air conditioning units, electrical switchboards) must be positioned above the FPL except for the hydrant booster. - In detailed design, and prior to construction, a suitably qualified structural engineer is to certify	To reduce the risk of flood damage

Mitigation Number	Timing	Mitigation Measure	Reason for Mitigation Measure
		the structure design will resist flood forces up to and including the PMF, with consideration of debris loading, Hydrostatic & hydrodynamic forces, Local scour (based upon geotechnical advice) and Buoyancy of structure (as well as any other matters outlined in the relevant Australian Standards). This is to be in accordance with the recommendations of the approved Structural Engineering Schematic Design Report prepared by TTW.	
FL4	Operation - ongoing	Regular Review & Update of FIRA - The FIRA is required to be reviewed and updated every 5 to 10 years and after significant flood events. - Updates should incorporate the latest climate data, flood modelling.	- Ensures flood mitigation strategies remain effective. - Adapts to evolving climate risks and flooding patterns.

6.5 Surface Water and Groundwater

6.5.1 Assessment

A Surface and Groundwater Impact Assessment has been prepared for the activity and can be found at **Appendix 31**. It builds on the initial geotechnical and civil investigations and provides a review of groundwater and surface water conditions and impacts that may result from the activity.

Surface Water / Stormwater

The site is generally flat (with very mild undulations), and surface water drainage across the site is expected to infiltrate the unpaved sections of the site or flow into the surrounding stormwater drains either onsite or in the surrounding roads. There are no natural surface water bodies on the site or in the immediate vicinity. There are water bodies some 500m + from the site. Erosion and sediment control measures outlined in the Civil Report at **Appendix 9** will ensure construction works will not cause any downstream impact on any surface water bodies.

Stormwater discharge, as reflected in the civil design, will be conveyed primarily to the Council's Street network on Kyogle Street, through the site, by new stormwater drainage inlet pits and pipes, as well as swales along the northern and southern boundary. Stormwater will release at the site outlets in the southwest and southeast corner as well as the northern boundary. Overland flow paths have been designed to cater for increased frequency of discharge and not have a detrimental impact on onsite or downstream locations.

Roof catchments will collect rainwater through a gutter and downpipe network, directing water into ground drainage pits and pipes.

Public domain stormwater infrastructure will generally remain unchanged, except for a new connection from the site outlet to the existing kerb inlet pit on Kyogle Street, and one pipe connection on Phyllis Street.

Based on the confirmation from Lismore Council, on-site stormwater detention (OSD) is not required for the development. As the site is flooded in a 1 in 10-year flood event, an OSD tank

below the flood level is not effective and could worsen the downstream condition by delaying the discharge to coincide with the river peak flow. Refer to Section 4.1.2 of the Civil Engineering Report prepared by TTW for further detail.

The comparison in volumes and flows of existing and proposed stormwater is provided in Table 4-1 of the Civil Engineering Report, showing that post-development flows are restricted for the design storms to pre-development levels. Flows at each specific stormwater intake point are also shown in the DRAINs model figures for the two design storms.

In terms of stormwater quality, a detailed MUSIC model has been prepared to assess the required treatment devices to achieve Council's reduction targets.

Stormwater quality targets are capable of being met through the use of a mix of stormfilter cartridges, oceanguard pit inserts and grass swales, as demonstrated by the MUSIC modelling.

Groundwater

There are 56 registered groundwater bores within a 2km radius of the site. The nearest is located 70m from the site and is registered for monitoring purposes.

There were no groundwater dependent ecosystems (GDEs) or inflow dependent ecosystems (IDEs) located on or within 500m of the site.

Groundwater samples were obtained, and the quality was analysed by JKE, which identified a concentration of zinc exceeding the freshwater ecological criteria. This means if groundwater is required to be discharged, treatment will be required.

Groundwater was also assessed as being non-aggressive towards buried concrete and non-aggressive towards buried steel. Management measures for groundwater are not required with respect to salinity.

With regard to construction activities, the activity does not include any deep excavations which will require temporary construction phase dewatering. Hence, the risk of impact on the bore located approximately 70m from the site and groundwater in general is low. In the event groundwater is intercepted, JKE has included mitigation measures that would need to be adopted to ensure dewatering is undertaken in accordance with the relevant requirements. Appropriate licences would also need to be obtained from Water NSW or NSW Dept of Natural Resources Access Regulator (NRAR). This includes the need for further testing of the groundwater due to the presence of zinc. If treatment is required, a specialist contractor will be required to design an appropriate water treatment system to facilitate disposal of groundwater during temporary construction dewatering.

Conclusion

The activity is not likely to cause any impact to groundwater at the site. If, during detailed design, it is confirmed that groundwater may be intercepted by works on the site, the mitigation measures related to further investigations, treatment of groundwater prior to discharge and obtaining the requisite approvals, will need to be implemented.

Surface water will be adequately managed through the stormwater design for the site and implementation of erosion and sediment controls to minimise any potential downstream impact during construction.

6.5.2 Mitigation Measures

Table 19: Mitigation Measures for Surface and Groundwater Management

Mitigation Name	Timing	Mitigation Measure	Reason for Mitigation Measure
SWGW1	Prior to and during construction	Further geotechnical investigations are to be undertaken during detailed design, to confirm whether the groundwater table will be intercepted. If it will be intercepted, dewatering will be required. A dewatering plan will need to be prepared in accordance with any relevant authority requirements, and the requisite approvals obtained, prior to the commencement of construction. This must include further investigation of the quality of the groundwater, to determine whether any water quality treatment measures are required to be employed during dewatering, to manage the presence of zinc.	To ensure any risk related to groundwater impact are adequately managed and to ensure all required approvals are obtained prior to the commencement of works.
SWGW2	Prior to construction	The detailed civil design is to incorporate all of the relevant stormwater management and quality measures and recommendations outlined in the civil package at **Appendix 9**. The stormwater design is to include adequate stormwater pits and pipes, swales and overland flow paths to limit the quantity of stormwater runoff.	Reduce stormwater runoff and improve stormwater quality.
SWGW3	During construction, prior to operation	Installation of 41x460mm PSorb Stormfilters, 8 x Ocean Protect Oceanguard Pit inserts and 1 swale to remove the quantity of gross pollutants, suspended solids, nitrogen and phosphorous to council water quality requirements is to be undertaken, in accordance with the civil package at **Appendix 9**.	Improve stormwater quality.

6.6 Aboriginal Heritage

6.6.1 Assessment

This section outlines the findings of the ACHAR at **Appendix 25**.

The following matters are noted regarding the existing site environment:

- A search of the Heritage NSW Aboriginal Heritage Information Management System (AHIMS) database for a 30km extent around the site identified 111 recorded Aboriginal sites and 2 Aboriginal Places.

- No previously recorded Aboriginal sites were identified within the site.
- The study area is located in a region that has been subject to some prior Aboriginal heritage assessment.
- An Aboriginal heritage due diligence assessment including a site inspection of LSPS was conducted by EMM in 2023 for the site.
- EMM concluded that the LSPS site held a low level of subsurface archaeological sensitivity and recommended that proposed school reconstruction works could proceed under an unexpected finds procedure.

The ACHAR highlights that the site holds social significance for the Widjabul Wia-bal community, both as part of their traditional lands and as a component of the broader cultural landscape of Lismore. The area has been assessed as having low archaeological potential, attributed to its undifferentiated landform and prior disturbances from historical and ongoing land use. Despite this low potential, any Aboriginal objects present on the site may possess limited scientific and research value. The assessment did not identify any historical associations or aesthetic significance within the site.

Furthermore, the ACHAR concludes that the activity would not impact the site's social, historic, scientific, or cultural values.

6.6.2 Mitigation Measures

Table 20: Mitigation Measures for Aboriginal Heritage

Mitigation Name	Timing	Mitigation Measure	Reason for Mitigation Measure
ABH1	Prior to (preparation) and during (implementation) construction	An Unexpected Finds Protocol, inclusive of a Stop Works Procedure prepared by a qualified archaeologist, must be in place for the duration of site redevelopment to manage any exposure of undocumented remains. The head contractor is responsible for ensuring compliance with this protocol during all excavation works.	Protection of archaeology.
ABH2	Prior to construction	A heritage induction and cultural awareness training is to be provided to all staff and contractors involved in the redevelopment so that workers are aware of their statutory obligations regarding Aboriginal heritage and understand the cultural significance of the study area as part of the wider Lismore landscape. The cultural awareness training should be presented by a representative of WWGAC.	Protection of archaeology.
ABH3	General measure (detailed design, during construction and prior to operation)	Aboriginal cultural heritage and values are to be included in on-site interpretation, guided by a suitably qualified Aboriginal cultural heritage consultant.	To recognise the Aboriginal cultural values of the study area and wider landscape

6.7 Non-Aboriginal Heritage

6.7.1 Assessment

This section outlines the findings of the HAA at **Appendix 26** to demonstrate the suitability of the site from a non-Aboriginal archaeological perspective. Non-Aboriginal built heritage is also addressed in this section.

The HAA identifies that the site forms part of the former Crown land granted to early settler William Wilson in the mid-19th century forming the township of Lismore. There is no historical evidence to indicate occupation of the site during Wilson's ownership phase. Land was resumed in c.1913 for construction LSPS. Expansion occurred in 1924 when land on the west was resumed.

As shown in the figures in **Appendix 26**, there are no non-Aboriginal heritage items (local or State) recorded on the site or within the vicinity of the site. The site is not listed on the National or Commonwealth Heritage lists. The HAA concludes that although there is low potential for known archaeological remains and material relating to the early 20th century development of the site, these remains are not considered to be a relic.

Based on the above, it is considered there is a very low potential for the activity to encounter and impact any non-Aboriginal archaeological items at the site. However, as a cautionary approach, and in alignment with the recommendations of the HAA, a mitigation measure has been included to incorporate an unexpected finds protocol should any items unexpectedly be encountered during works on the site.

6.7.2 Mitigation Measures

Table 21: Mitigation Measures for Non-Aboriginal Heritage and Archaeology

Mitigation Name	Timing	Mitigation Measure	Reason for Mitigation Measure
NAH1	Prior to construction	An Unexpected Finds Protocol is to be prepared by a qualified archaeologist and remain in place for the duration of site redevelopment to mitigate and manage exposure of undocumented remains that may occur on the study site.	Providing protection to undocumented or unexpected archaeological relics which may be present on the site.
NAH2	During construction	The Principal Contractor is to ensure implementation of the Unexpected Finds Protocol during all excavation and other relevant works on site.	Providing protection to undocumented or unexpected archaeological relics which may be present on the site.

6.8 Ecology

6.8.1 Assessment

Tree Removal

Tree removal has been assessed in the AIA, at **Appendix 18**. The AIA was prepared on the basis of a comprehensive review of relevant plans and reports, a review of a Preliminary Tree Assessment also prepared by GHD (not part of this REF package) and complimented with a site inspection carried out by the arborists on 8-9 July 2024.

The AIA identified 79 trees within the proposed activity area. Of these 79 trees, the following is required to accommodate the activity:

- 49 trees require removal due to their location within the building footprint or having major conflict with the proposed construction. The trees to be removed are classified with the following retention values:
    - 3 high retention value
    - 19 moderate retention value
    - 27 low retention value

The removal of three high retention value trees (Trees 02, 14, and 27) is considered necessary to facilitate essential site works and access. Trees 02 and 27 are located within areas requiring demolition and remediation of contaminated soils and cannot be retained without compromising these critical works. Tree 14 must be removed to enable vehicle access to the proposed car park from Kyogle Street.

While the loss of high-value trees is not taken lightly, the associated impacts will be offset through the implementation of the comprehensive landscape master plan (**Appendix 8**), which includes the planting of new trees and vegetation across the site. These replacement plantings will help restore canopy coverage and contribute to the long-term ecological and visual amenity of the site, ensuring the overall landscape quality is maintained and enhanced.

The overall impact of the activity on trees is low, subject to implementation of the mitigation measures in **Section 6.8.2**. Furthermore, to support long-term environmental sustainability the proposal will introduce 47 new trees, ensuring improved biodiversity and the support of native wildlife species to the site.

Biodiversity

This section outlines the findings of the Ecological Statement at **Appendix 29**.

DPHI can waive the requirement for a BDAR if it is demonstrated that SSD will not significantly impact biodiversity. Although the proposed development is not classified as SSD, prior to the recent reforms to the TI SEPP, it was classified as such. A BDAR waiver was sought from the DCCEEW, who determined on 30 July 2024 that a BDAR was not required. This decision was based on the development's scope (which remains consistent with the activity), including the demolition of existing buildings and construction of new school facilities, as detailed in the BDAR Waiver Application for LSPS.

The following summarises the key findings from the Biodiversity Summary, which is accompanied by the original BDAR Waiver for the site/project:

- The site is not mapped as Biodiversity Value (BV) land on the DCCEEW Biodiversity Values Map.
- The site is not located within a Coastal Use Area and is not near Coastal Wetlands or Littoral Rainforests.
- The site is not within areas mapped as Koala habitat by Council.
- The site is not part of a Wildlife Corridor or Key Habitat.
- The site consists mainly of cleared land with linear trees, native and exotic species, and garden areas, with no native PCT present.
- Vegetation on the site is not representative of any TEC.
- No threatened flora species were detected on the site, and historical clearing suggests no likelihood of their presence.
- The site is unlikely to be used by Koalas for foraging due to the lack of vegetation corridors and the distance to suitable habitat.

- No waterways or aquatic habitats are present on the site.
- No significant geological features, such as karsts or caves, are present on the site.
- There are no rocks present on the site.
- Removal of vegetation may have minor impacts on the foraging habitat of local threatened species like the Grey-headed Flying-fox, birds, and bats, but is not expected to have a significant impact.
- Human-made structures on the site (school buildings) are unlikely to provide habitat for threatened species.
- Non-native vegetation on the site does not provide permanent or regularly used habitat for threatened species.
- Increased noise or light from the proposal is unlikely to significantly impact threatened fauna, given the site's urban location and previous school use.
- All trees proposed for removal are within an urban area with no native understorey and are not part of a native PCT.
- Trees on the site are located within a modified landscape and resemble trees in urban settings such as car parks or street landscaping.

Conclusion

In conclusion, the proposed activity is unlikely to have a significant impact on biodiversity values due to the site's previous use as LSPS and its current status as managed land with non-native vegetation. The site does not provide suitable habitat for threatened species or ecological communities, and no hydrological or movement corridors will be impacted. As such, the proposed development, including tree removal, does not require a Species Impact Statement or BDAR and is not expected to affect national environmental significance or require further environmental assessments under the relevant legislation. Trees to be retained will need to be protected through suitable tree protection measures. Other measures recommended in the Biodiversity Summary are included as mitigation measures for the activity.

The proposed landscape scheme, which includes new trees and vegetation (including a total canopy cover of 28%), will enhance the biodiversity value of the site.

6.8.2 Mitigation Measures

Table 22: Mitigation Measures for Ecology

Mitigation Name	Timing	Mitigation Measure	Reason for Mitigation Measure
ARB1	Prior to construction	Pruning works are to be undertaken by a suitably qualified and experienced arborist complying with the Australian Standard for the Pruning of Amenity Trees, AS4373-2007. Natural Target Pruning methods should be used wherever possible when removing sections from retained trees.	Increasing viability of pruned trees if access for high clearance vehicles during demolition or construction is required.
ARB2	Prior to and during construction	Installation of tree protection fencing to exclude construction from the tree protection zone (TPZ). TPZ fencing will be installed as per Section 4.1.1 of the AIA.	Exclude construction measures impacting retained trees.
ARB3	Prior to and during	Stump and root material from a tree elected for removal that are growing in close association	Protection of retained trees

Mitigation Name	Timing	Mitigation Measure	Reason for Mitigation Measure
	construction	with a tree nominated for retention are to be cut to ground level or by other means deemed appropriate. Tree removals are to be undertaken by a suitably qualified and experienced arborist.	during tree removal and site clean-up.
ARB4	Prior to and during construction	Rumble boards or steel plates are to be used to between the stages of demolition and construction of the new carpark. Where any structural roots (those with a diameter greater than 20 mm) are encountered by excavation, these are to be pruned with clean, sharp pruning tools by a suitably qualified arborist. If temporary access into any TPZ is required for machinery during construction, then ground protection measures are required. Measures may include permeable membranes such as geotextile fabric beneath a layer of mulch or crushed rock below rumble boards.	Protect retained trees by preventing soil compaction and root damage.
ARB5	During construction	Any unavoidable excavation within the demarked TPZ will be undertaken by hydro excavation. Any exposed roots >20 mm in diameter will be assessed by the appointed consulting arborist to determine if they require pruning.	Protect roots within TPZ by preventing root damage during unavoidable excavation.
ARB6	Prior to operation	Immediately after the completion of construction work and 18 months after, the consulting arborist will carry out an assessment of all trees retained and/or affected by the works.	The assessment will document condition of retained trees and on-going remedial care required to ensure viable retention of trees affected.
ECO1	Prior to and during construction	Tree protection zones are to be established around trees to be retained prior to works commencing on site and maintained for the extent of establishment works on the site.	To minimise potential impacts to retained trees.
ECO2	Prior to construction	The extent of vegetation clearing is to be clearly delineated on site prior to works commencing.	To minimise potential impacts to retained trees.
ECO3	During construction	Pre-clearing surveys are to be undertaken if any hollow-bearing trees are to be removed each morning by an ecologist or spotter-catcher.	To ensure nesting or roosting fauna are not present within vegetation to be removed.
ECO4	During construction	If species such as Koalas are encountered, works must be paused and managed consistent with the recommendation of the Biodiversity	To minimise potential impacts to Koalas (if

Mitigation Name	Timing	Mitigation Measure	Reason for Mitigation Measure
		Summary prepared by GeoLink.	present).
ECO5	During construction	All work is to be undertaken in accordance with the Saving Our Species Hygiene guidelines (DPHIE, 2020) where relevant.	To minimise potential impacts to amphibians.
ECO6	Prior to and during construction	Erosion and sediment control measures are to be implemented (in accordance with the Landcom/ Department of Housing *Managing Urban Stormwater; Soils and Construction Guidelines*) and maintained to prevent sediment moving off-site and sediment laden water entering any water course.	To minimise potential impacts to waterways.
ECO7	During construction	Appropriate 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).	To minimise spread of weeds.
ECO8	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 and/or Fire Ant are to be reported to the Biosecurity Hotline, the DPI website, or via the Local Lands Services office.	To minimise the potential movement of Yellow Crazy Ants.

6.9 Waste Generation

6.9.1 Assessment

This section outlines the findings of the Waste Management Plan (WMP) (**Appendix 22**) to demonstrate how waste will be managed, reused, recycled and disposed of and how the school will be serviced from a waste perspective.

Construction Waste Management

As set out in the WMP, the following measures are set out to manage construction waste for the activity:

- Dedicated waste storage areas will be established to facilitate proper handling. During the demolition phase, a storage area will be set up in the southern portion of the site, allowing for vehicle access via Kyogle Street. For the construction phase, an additional storage area in the northern portion of the site, near Phyllis Street, will be used. These locations will be finalised during detailed design, with careful consideration of neighbouring properties.
- Waste planning will focus on minimising waste generation and promoting efficient material use. Measures include protecting materials from weather to maintain their usability, using reusable and returnable containers, and accurately ordering materials to minimise surplus.
- Separate bins or stockpiles will be provided for different waste types, and all bins will be clearly labelled. Workers will be trained on waste management policies during site inductions and toolbox talks.

- Waste tracking and record-keeping will document quantities, classifications, and destinations, ensuring compliance with regulations. Only licensed facilities capable of handling the specific waste types will be used for disposal.
- A comprehensive waste management register will be maintained throughout the project. This will include details such as waste types, quantities, classifications, handling methods (reuse, recycling, or disposal), contractor contact information, vehicle registration, and transport tracking.

Operation Waste Management

Operational waste management is a key consideration in the EFSG (version 2.0). The measures set out in the operational waste management for the activity are summarised below.

Storage & Waste Types

A 21m² waste enclosure at the southern boundary (Kyogle Street) will store waste, featuring lockable gate access, ventilation, sealed flooring, and screened fencing. The storage area is flexible to accommodate various bin sizes and temporary bulky waste storage. Signage and color-coded labels (per AS 4123) will be placed on bins and in key areas (waste enclosure, canteen, kitchens, recycling stations).

Waste streams include:

- General waste & recyclables – Small bins placed throughout learning spaces, common areas, and outdoor play zones; waste is bagged (except recyclables) and transported to the enclosure.
- Food & garden organics – Initially handled by maintenance contractors, with future separation aligning with the NSW Government FOGO mandate (2029).
- Sanitary & clinical waste – Sanitary bins serviced by licensed contractors; sharps disposed of in secure, compliant containers.
- Electronic waste – Collected by a licensed e-waste contractor annually or as needed.

Collection, Transport & Compliance

Waste collection will occur between 7:00 am - 10:00 pm to minimize noise impacts, with Richmond Waste Lismore as the preferred contractor. Collection trucks will access the site via Kyogle Street, with pavement works ensuring safe entry and exit. A swept path assessment confirms adequate manoeuvring space.

To ensure compliance and efficiency:

- The cleaning contractor will manage bin maintenance, litter control, and waste transport to the enclosure.
- The waste contractor will collect and transport waste off-site, conduct audits, and submit waste volume reports.
- Ongoing monitoring will optimize collection schedules and update bin configurations, particularly in preparation for the FOGO mandate in 2029.

Conclusion

The proposed arrangements for construction and operational waste management, as summarised above, are adequate, so as to not cause any adverse impact in terms of waste management on the site.

6.9.2 Mitigation Measures

Table 23: Mitigation Measures for Waste Management

Name	Timing	Mitigation Measure	Reason for Mitigation Measure
WST1	All stages	Waste generated during all stages of the proposed activity (construction and operation) is to be managed in accordance with the waste management hierarchy. Waste avoidance, minimisation and recycling will be prioritised above disposal.	Prioritisation of waste minimisation and recovery over disposal
WST2	Operation	Waste storage, processing, and reuse is to comply with the POEO Act and the Waste Regulation during all stages of the proposed activity (construction and operation).	Compliance with relevant legislation for storage and segregation of waste on site
WST3	All stages	During all stages of the proposed activity (construction and operation), waste is only to be exported to a site licensed by the EPA for the storage, treatment, processing, reprocessing or disposal of the subject waste, or to any other place that can lawfully accept such waste.	Compliance with relevant legislation for transfer of waste off site
WST4	All stages	During all stages of the proposed activity (construction and operation), all waste that is removed from site is to be classified in accordance with the EPA's *Waste Classification Guidelines* (NSW EPA, 2014), with appropriate records and disposal dockets retained for audit purposes.	Compliance with relevant legislation for waste classification and reporting
WST5	Prior to construction (specifically, demolition)	Prior to commencing demolition, an updated Waste Management Plan is to be prepared and implemented in consultation with the department and the EPA. This plan will detail: • The anticipated quantity and type of the waste to be generated and their intended fate; • Details of how waste will be segregated, handled, stored, managed and then collected and transported for treatment and/or disposal; • Any testing or monitoring procedures; • How materials segregation will be achieved, particularly the segregation of hazardous demolition waste, resource recovery materials and waste generated from the construction and demolition staff; and • The capability of the waste management facilities in Councils LGAs to accept the volumes of waste • Waste tracking and reporting requirements	Implementation of waste management measures
WST6	Operation	Should the anticipated NSW Government FOGO mandate come into effect for educational institutions/establishments, changes to waste	Alignment of waste management

Name	Timing	Mitigation Measure	Reason for Mitigation Measure
		management are to be investigated and implemented to meet the mandated obligations and responsibilities.	in line with future FOGO mandate

6.10 Social Impact

6.10.1 Assessment

This section outlines the findings of the SIA (**Appendix 27**) to evaluate the social impacts of the activity, and any residual measures required to mitigate those social impacts.

The SIA concludes the activity will have several very high positive impacts, including those related to:

- the continuity of social connections and cohesion
- rebuilding of LSPS on the existing school site
- the provision of more contemporary learning facilities and associated educational benefits
- health and wellbeing benefits of reducing the potential of flooding and its negative impacts
- Additional construction activity is likely to have benefits for the community which is still impacted by the flood events of 2022.

Overall, the Assessment for the activity identified that the benefits resulting from the proposal are significant for students, teachers, parents, carers, and likely to extend throughout the Lismore community. For these reasons, the assessment supports the activity.

There are various mitigation measures that will be required, which are captured in the technical reports for the proposal, including the traffic and noise impact assessments.

Additional measures identified through the SIA that require mitigation include:

- Reducing the impact of stormwater flooding to increase accessibility and enable safer access to the school.
- Improve the integration of First Nations design ideas developed through engagement with local Aboriginal people, as documented in architectural and landscape documentation accompanying the REF.

Table 24 provides consideration of social impacts.

Table 24: Social Impact

Type of Impact	Describe the impacts on the community and how they might be experienced, either positively or negatively	Mitigation Measures
Impacts on access – will there be an improvement to the quality of provision and a response to emerging and changing needs?	Negative impacts associated with drainage issues directly impact the entirety of the school surrounds and School Community. Drainage also impacts neighbours along Phylis Street and Kyogle Street.	The proposed works will mitigate this issue by including new site drainage for the entire site with an increase in capacity, a consistent fall by gravity to the downstream connection point, and gross pollutant traps within surface inlet pits to prevent blockage of pipework by pollutants that may flow into surface grates.

Type of Impact	Describe the impacts on the community and how they might be experienced, either positively or negatively	Mitigation Measures
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?	No impacts recorded.	None required.
Impacts on sense of place - will there be effects on community cohesion or how people feel connected to the place and its character?	Positive impacts - related to the South Lismore Primary School rebuild will reestablish the role it previously had in supporting local connections, but also the contribution its history and role plays in the area's character.	None required.
	Negative impacts - The concept landscape plan identifies opportunities for the integration of Connecting with Country initiatives, however it falls short of meeting the aspirations and ideas expressed through the Connecting with Country workshop and documented in the Architectural Design Quality Report (**Appendix 7**).	Continue to engage with Widjabul Wia-bal Gurrumbil Aboriginal Corporation RNTBC on the concept landscape plan with a view to integrating additional design ideas.
Impacts on the way people get around – will there be changes associated with traffic or parking in the area?	Negative impacts – impacts to traffic during construction and operation of the school. Lack of on-street parking was also a concern.	The TAIA concluded that there will be no impact on the surrounding road network. With the implementation of mitigation measures identified in the TAIA and STP, the residual impacts of traffic and parking have been assessed as Low.
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?	Positive impacts related to access to new buildings - likely to result in better education outcomes for Lismore South students, which will have benefits for people throughout their lives, but also can have benefits for the community.	None required.

6.10.2 Mitigation Measures

Table 25: Mitigation Measures for Social Impact

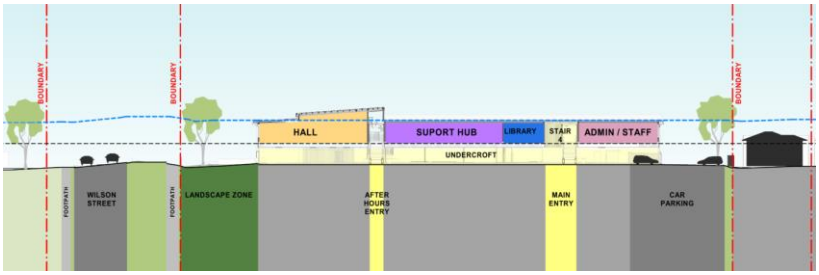
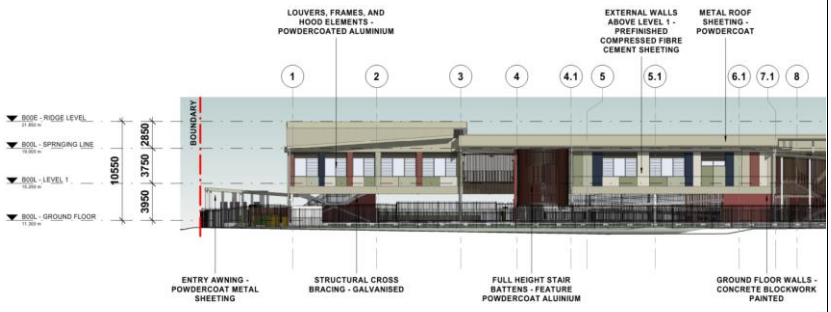
Name	Timing	Mitigation Measure	Reason for Mitigation Measure
SOC1	Prior to construction	The design team is to continue to engage with Widjabul Wia-bal Gurrumbil Aboriginal Corporation RNTBC throughout detailed design on the landscape design with a view to ensuring *Country* is embedded in the project.	To ensure the landscape design meets the aspirations and ideas

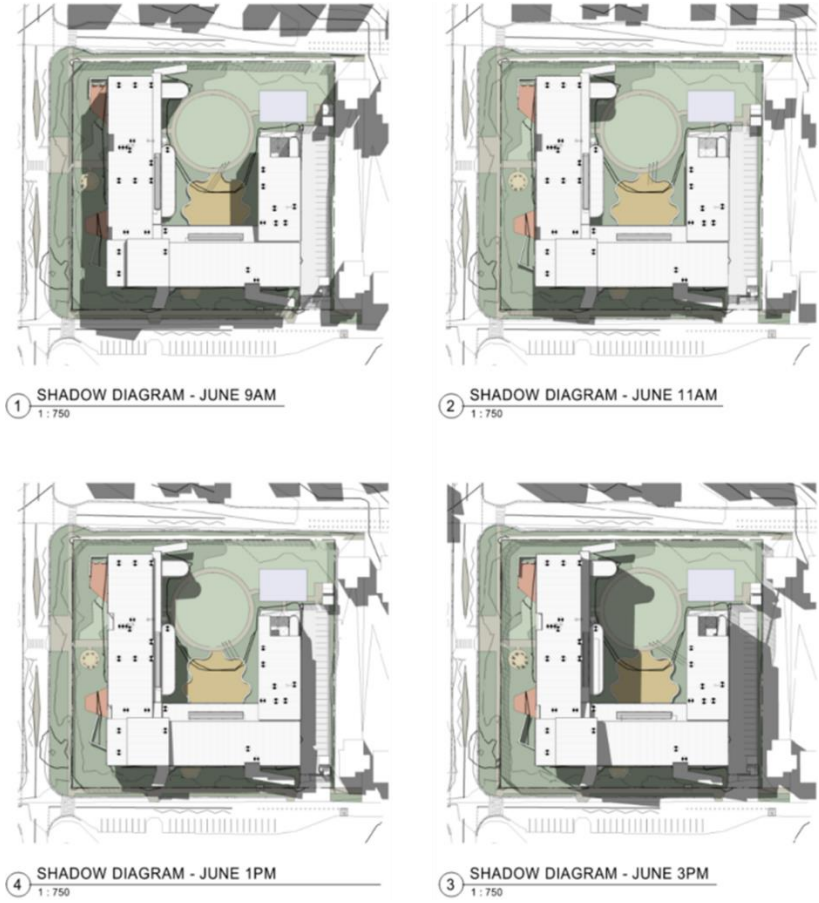
Name	Timing	Mitigation Measure	Reason for Mitigation Measure
			expressed through the Connecting with Country design process.

6.11 Other Considerations

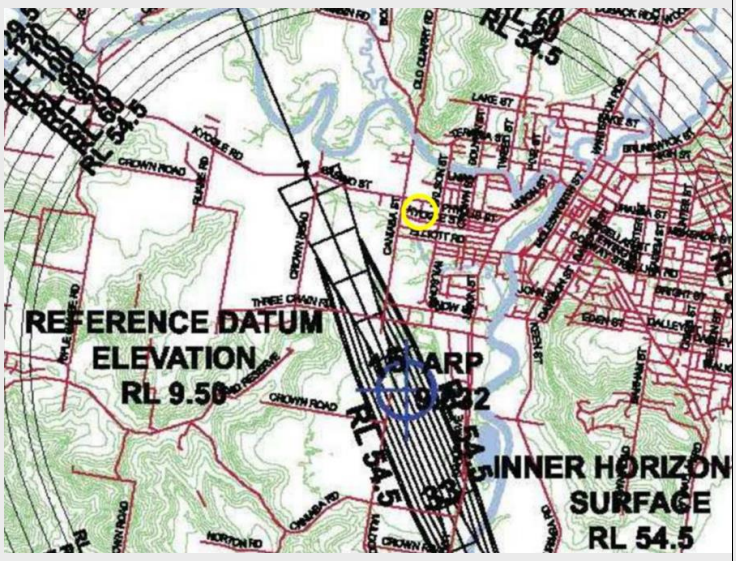
Table 26: Assessment of other environmental issues

Issue	Consideration	Mitigation Measure
Visual Amenity / Impact	The design of the building has been carefully considered to minimise its visual impact within the local context, particularly in relation to its surroundings and the potential effects of flooding. The building has been raised above the 2022 flood level but remains a single-story structure at this height. This approach aligns with the local residential buildings, which are also raised, noting that any future development in the area will need to meet similar floor level requirements, maintaining visual consistency. The building is set back from the boundaries by 14.5 metres along Wilson Street, 6.5 metres along Phyllis Street, and 9.6 metres along Kyogle Street, allowing for the retention of existing boundary trees. Additional planting has been incorporated along the boundaries, particularly on the eastern side (**Figure 25**), to enhance privacy and reduce visual impact, especially along this sensitive interface.  **Figure 25: Render of proposed planting along the eastern boundary (Source: EJE Architecture)** To further mitigate the visual bulk of the building, the roof line has been redesigned to a mixed profile (some pitched areas and other flat areas), to minimise the perceived height and bulk. A section included in **Figure 26** illustrates the gradual transition in height between the new building and the residential dwellings to the east of the site. The figure following demonstrates the high level of articulation to the eastern façade and varying profile of the roof line for visual interest and to mitigate mass and bulk. Additionally, key	N/A – no mitigation measures are required to address visual amenity.

Issue	Consideration	Mitigation Measure
	setbacks and variations in the building's form break up its mass and create visual interest, contributing to a more aesthetically appealing facade that respects the surrounding environment.  **Figure 26: E-W section through the southern end of the building (Source: EJE Architecture)**  **Figure 27 Part of the eastern elevation of the building (southern end) (Source: EJE Architecture)**	
Privacy	The design of the new LSPS carefully considers both visual amenity and privacy. The learning spaces are oriented to provide views over landscaped grounds, with the existing tree-lined perimeter acting as a visual screen to prevent overlooking of neighbouring properties. The Preschool, facing north, offers views of the primary school grounds and trees along Phyllis Street, while other learning spaces overlook the internal landscaped grounds. Those facing Wilson Street have views of a 10m deep landscaped buffer and perimeter trees. This orientation minimises the impact on the surrounding area by maintaining privacy and preventing overlooking, particularly along the eastern boundary, which adjoins a residential area. To further enhance privacy, extensive tree planting is proposed along this boundary, providing both visual and acoustic buffers. The external covered walkways linking the learning areas face the internal courtyard, enhancing the outlook while maintaining privacy. The undercroft space, open on all sides, frames views of both the existing and proposed landscape elements. These design elements ensure that the school's learning spaces offer an enriched outlook while respecting the privacy of neighbouring properties.	N/A – no mitigation measures are required as there will be no privacy impacts.
Overshadowing	The design of the building has been carefully planned to minimise overshadowing on neighbouring properties, particularly the residential buildings to the east. The building has been set back 14.2m from the eastern boundary to reduce any potential shadowing impact. During the Winter Solstice, the proposal ensures that sunlight is available from sunrise until 2:30 PM, providing approximately 8	N/A – no mitigation measures are required as there will be no adverse

Issue	Consideration	Mitigation Measure
	hours of daylight. In the Summer Solstice, sunlight is available from sunrise until 5:00 PM, equating to approximately 11 hours of daylight. This level of sunlight ensures that neighbouring residential properties are not significantly overshadowed. **Figure 28** illustrates the shadow diagrams for the activity. Additionally, the overshadowing effect provides some protection from intense western sunlight, particularly during the summer months, without interfering with the minimum daylight requirements for the adjacent residential buildings. This design approach ensures that solar access is maintained for both the new school and neighbouring properties.  **Figure 28: Mid-winter Shadow diagrams (Source: EJE Architecture)**	overshadowing.
Soils and Geology	This section summarises the findings of the Geotechnical Investigation prepared by JK Geotechnics (**Appendix 16**) and the Salinity and Acid Sulfate Soil Assessment and SMP prepared by JK Environments (**Appendix 15**). The site presents several geotechnical challenges due to the presence of deep, highly reactive alluvial clay. These factors must be addressed to ensure the stability and longevity of the structures. The primary geotechnical considerations include: • **Land Disturbance and Earthworks:** The site will require some earthworks, although major cut and fill are not anticipated. The existing alluvial clays are highly reactive, which will influence foundation design and the treatment of subgrade materials. A working platform will be necessary for	Refer to mitigation measures GEO1 – GEO5 and SAL1- SAL2 in **Table 27** and **Appendix 1**.

Issue	Consideration	Mitigation Measure
	construction access, and some form of subgrade treatment will be required to improve the quality of the soil for the pavements and floor slabs. As part of site preparation, all grass, topsoil, root-affected soils, and contaminated fill will need to be stripped and disposed of, with non-reactive fill used to mitigate shrink-swell movements. • **Site Classification and Foundation Design:** The soil conditions are classified as Class 'H2' according to AS2870-2011 due to the reactive nature of the alluvial clays. However, given the potential for adverse moisture conditions, the recommendation is to design foundations for a Class 'E' site to accommodate shrink-swell movements. Footings must be designed to address the effects of flooding and fluctuating groundwater levels, which could impact the performance of buried structures. Piled footings or a stiffened raft foundation system may be necessary for the main building, depending on the final design. • **Flooding and Groundwater Considerations:** The site is located within a floodplain and subject to potential groundwater fluctuations. Groundwater levels are expected to rise above surface levels following heavy rainfall or flooding events, which could lead to uplift pressures on buried structures. The design must account for these factors to prevent structural failure due to hydrostatic pressures. • **Erosion Control:** Given the highly reactive nature of the clay, effective sediment and erosion control measures will be necessary during construction to manage runoff and prevent further soil erosion. A Sediment and Erosion Control Plan will be required to minimise the impact of earthworks on the surrounding environment. • **Acid Sulfate Soils:** The site has a low potential for Acid Sulfate Soils (ASS) disturbance. The site is not located within an ASS risk area as per the Lismore LEP 2012, and geological data indicates the presence of Quaternary alluvial floodplain deposits. The site elevation, ranging from 10.5m to 10.8m AHD, is above the typical depth for ASS materials, which are usually found below 5m AHD. As a result, no further ASS investigation or Acid Sulfate Soils Management Plan (ASSMP) is required. • **Salinity Considerations:** The site's salinity conditions indicate that the soils are predominantly non-saline to slightly saline, with low salinity levels across the area. The soils are classified as non-sodic to mildly sodic, and they are generally non-aggressive to mildly aggressive towards buried concrete and steel. Groundwater is also non-aggressive to these materials. Given these findings, a SMP is required to manage salinity-related issues during construction and the long-term operation of the site. A SMP has been prepared for the activity as part of the Salinity and Acid Sulfate Soil Assessment which accompanies this REF at **Appendix 15**.	
Wind	The design acknowledges the potential impact of uncomfortable winds, particularly in the undercroft areas, and has implemented several strategies to mitigate these effects: • **Site Analysis:** A comprehensive site analysis was conducted to identify the predominant wind patterns during both summer and winter. It was determined that winter	N/A – no mitigation measures are required.

Issue	Consideration	Mitigation Measure
	winds generally come from the southwest, while summer winds come from both the southwest and northwest. These wind patterns have been considered to benefit the design, especially given the humid conditions of the region. • **Boundary Planting:** Strategic planting has been incorporated around the boundaries of the site, creating natural wind barriers that reduce the impact of strong winds on the building and its occupants. • **Internal Planting:** Internal planting has also been utilised to mitigate wind impact and improve comfort within the site. • **Open Northeastern Exposure:** The site has been deliberately kept more open to the northeast to allow the cooling summer breeze to enter, helping to naturally ventilate and cool the areas where students, teachers, and visitors will spend time. These measures have been designed to enhance comfort and ensure the building remains conducive to its use throughout the year while respecting the local wind conditions.	
Aviation	There are 2 key considerations relevant to the site with respect to aviation and the operations of Lismore Airport as discussed below. • **Obstacle Limitation Surface:** The site is subject to the OLS for Lismore Airport. Refer to **Figure 29** showing the general vicinity of the site in yellow, which sits within the RL 54.5m AHD OLS. Any development above a height of RL 54.5m AHD will require referral to (and may require approval from) the aviation authority. The proposed building will have a maximum (ridge) height of RL 21.55m AHD which will sit well under the maximum OLS height of RL 54.5m AHD. Regardless of the above, an approval for crane operations will be required during construction of the activity which will be captured in the general mitigation measures in **Appendix 1**.  **Figure 29: Extract of Obstacle Limitations Surface Map, site vicinity circled in yellow (Source: LDCP)** • **Aircraft Noise:** The site is exposed to less than an Australian Noise Exposure Forecast (ANEF) 20 noise contour. Therefore, an aircraft noise intrusion assessment is	Refer to mitigation measure OLS1 in Table 27 and **Appendix 1**.

Issue	Consideration	Mitigation Measure
	not required. According to standard AS 2021:2015 "Acoustics - Aircraft noise intrusion - Building siting and construction", the location of a school site is acceptable if it is in an area exposed to less than ANEF 20, and conditionally acceptable if it is within ANEF 20 and 25. Refer to the Noise and Vibration Assessment Report prepared by PWNA at **Appendix 24** for further detail.	
Services	The approach outlined in the Building Services Infrastructure Report (**Appendix 28**) has been informed by consultation with each of the service/utility providers, therefore it reflects an achievable outcome for the site. No impacts are envisaged, as initial engagement with the relevant utility providers has occurred, and there appears to be adequate connections that can be made and capacity for the activity. The recommendations outlined in the Building Services Infrastructure Report are included as mitigation measures in **Appendix 1**.	Refer to mitigation measures SER1 – SER2 in **Table 27** and **Appendix 1**.
Ecologically Sustainable Development	The proposed measures in the ESD report and the Net Zero Statement prepared by LCI (**Appendix 21**) reflect a comprehensive approach to environmental responsibility, addressing key principles and aligning with regulatory standards. The project will achieve the following sustainability targets: • Green Star minimum rating of 4 stars in accordance with the Green Building Council of Australia 'Best Practice' performance measures. • Exceedance with the Deemed-to-Satisfy (DTS) requirements of the National Construction Code (NCC)2022 Section J; targeting a 10% reduction in energy consumption in comparison to a minimum NCC 2022 DTS compliant building. • Designed to minimise the use of fossil fuels upon occupation as part of the goal of achieving net zero emissions in NSW by 2050. The sustainability strategy includes holistic design and operational initiatives, to encourage best practice design towards energy, water, and waste reduction as well as providing improved indoor environmental quality and a positive impact on nature and the community. The new LSPS has been designed to minimise the use of fossil fuels upon occupation. The extent and nature of potential impacts are low and will not have significant impact on the environment. Any potential impacts can be appropriately mitigated and managed. The recommendations in the report were broad and generic in nature and did not relate to any identified impacts. As such, they do not constitute technical mitigation measures and have therefore not been included in **Appendix 1**..	N/A – no mitigation measures are required.
Accessibility and BCA	There are additional reports that have been prepared for the activity, including to address Building Code of Australia (BCA) compliance and accessibility requirements (refer **Appendix 19** and **20** respectively). Both reports identify that the activity is capable of complying with the relevant requirements and standards subject to detailed design, and where appropriate, performance solutions. Compliance with the recommendations in the reports has been included in the mitigation measures at **Appendix 1**, to be addressed in detailed design, prior to construction.	Refer to mitigation measure G3 in **Appendix 1**.
Archaeology	Excavation activities for the construction of new buildings, services	Refer to

Issue	Consideration	Mitigation Measure
	and grading works will disturb or remove archaeological features and material should they exist on the east side of the study site. An assessment of archaeological potential and heritage significance has concluded that although there is low potential for known archaeological remains and material relating to the early 20th century development of the school site, these remains are not considered a relic under the Heritage Act 1977. The expected archaeological remains are not considered to be locally or State significant and thus redevelopment of the site can occur without further archaeological involvement. It is recommended that an Unexpected Finds Protocol is prepared for the proposed development to mitigate and manage exposure of undocumented remains that may exist on the study site. Refer to **Appendix 26** for the Baseline Historical Archaeological Assessment.	mitigation measures ABH1 in **Table 20** and **Appendix 1**.

6.11.1 Mitigation Measures

Table 27: Mitigation Measures for Other Considerations outlined in Section 6.14

Mitigation Number/Name	Aspect/Section	Mitigation Measure
GEO1	During construction	Shallow foundations and screw pile foundations are to be used, where feasible, as techniques to reduce noise and vibration impact on surrounding areas.
GEO1	Prior to construction	Further site investigations and laboratory testing is required to characterise the stiffness, consolidation characteristics and depth of the alluvial clays on the site. Additional investigation should also be completed following demolition to confirm site conditions in those areas currently inaccessible to the drilling rigs.
GEO2	Prior to construction	Detailed settlement analysis for the foundation system is required to further assess the potential and magnitude of any consolidation settlement that will occur as a result of the additional stresses placed on the lower normally consolidated clay layer (Unit 3).
GEO3	Prior to and during construction	Proof-rolling inspections and further advice on subgrade treatment such as bridging layers and/or lime stabilisation is to be undertaken and obtained to inform detailed design.
GEO4	Prior to and during construction	Further geotechnical investigations are also required with regard to the following, to inform detailed design and construction: • Lime-demand and lime-stabilised California Bearing Ratio (CBR) testing, if such an approach is preferred for pavement construction. • In-situ density testing of all materials placed as engineered fill to confirm that it complies with the earthworks specification. • Design of working platforms for the specific piling rigs proposed. Inspection of footing excavations and piling.
GEO5	Prior to and during construction	The design recommendations by JK Geotechnics in the Geotechnical Investigation accompanying the REF are to be implemented in detailed design, prior to construction. Those recommendations are only to be disregarded if further, more detailed geotechnical investigations (as outlined in GEO1 to GEO 4 inclusive) identify different recommendations for implementation.

Mitigation Number/Name	Aspect/Section	Mitigation Measure
SAL1	Prior to construction	Prior to the commencement of any construction work, a SMP is to be prepared for the activity.
SAL2	During construction	The SMP must be implemented for the activity during construction.
OLS1	Prior to construction	If cranes or other construction measures or machinery are required to be used during construction which involve intrusion into the prescribed airspace for Lismore Airport, the appropriate controlled activity approval is to be obtained through the relevant approval (aviation) authority prior to works commencing on site.
SER1	Prior to construction	All relevant requisite approvals are to be obtained during the Level 3 detailed design process. Any conditions of those approvals will need to be implemented.
SER2	Prior to construction	The plumbing contractor is to coordinate the necessary actions for new utility connections. The contractor is to manage the application and approval process with the appropriate authority for both sewer and water connections.

6.12 Cumulative Impact

6.12.1 Assessment

Gyde has undertaken a detailed review of Council's DA tracker, the DPHI major projects register, and the Sydney and Regional Planning Panels register. Gyde has also contacted Council to determine if there are any relevant projects in the vicinity of the site (such as Part 5 approvals) that would be a relevant consideration in undertaking a cumulative impact assessment for the activity. We note the following:

- No major projects were identified within the proximity of the site. The DAs in the vicinity of the site include generally smaller scale developments, such as construction of dwellings and alterations and additions to existing dwellings.
- Council identified the only larger scale DAs within the broader Lismore area are more than 2km from the site. This includes the large-scale residential subdivision DAs in North Lismore (DA5.2020.462.1 and DA5.2021.221.1) and some other developments such as warehouses and a church. These are not in close proximity to the site.

In addition to the above, there is not likely to be any major transformation planned within 500m of the site. There are no known planning proposals that will seek to uplift the density of development of the site and surrounds.

Despite the above, CrossleyTP has undertaken a review of planned developments in the broader area (as outlined in Section 4.3 of the TAIA) and considered the potential cumulative traffic impact on the road network. CrossleyTP confirms:

- The proposed activity does not alter the approved student enrolment capacity. Given the proximity of the new school site to the temporary school site (opposite Wilson Street), overall traffic distribution patterns are expected to remain largely unchanged. However, turning movements at Wilson Street will shift, with access to Phyllis Lane and Kyogle Street moving from the eastern side to the western side.

- The future performance of key intersections Wilson Street & Casino Street and Wilson Street & Elliott Road with the additional traffic from a fully operational LSPS will not be adversely impacted, nor will the surrounding road network.

6.12.2 Mitigation Measures

No mitigation measures are required as there will be no cumulative impact resulting from the activity.

6.13 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 28** and where mitigation measures have been proposed in response to the factor, these have been identified.

Table 28: Environmental Factors considered

Environmental Factor	Consideration	Mitigation Measure Reference
Any environmental impact on a community?	Short term impacts may arise during the demolition and construction process including traffic, noise, access and dust. However, suitable mitigation measures have been included to ensure potential impacts are minimised during the demolition and construction process. Environmental impacts have been assessed as part of this REF and subject to the implementation of the proposed mitigation measures, the activity will not result in unacceptable environmental impacts. The proposed activity has been designed in accordance with the recommendations of the consultant team and with consideration of the feedback provided by Council and State government agencies regarding flood resilience of the design and operations. Long-term, the proposed activity will have a beneficial impact for the community by replacing existing flood damaged educational infrastructure with modern and fit-for-purpose school facilities that have been designed to be resilient to impacts from flood and climate change.	Refer to the transport mitigation measures set out in **Table 14;** TRA1-TRA4. Refer to the noise and vibration mitigation measures set out in **Table 16**; NV1-NV7. A CEMP will be required as identified in mitigation measures G9.
Any transformation of a locality?	The proposed activity includes the construction of a new elevated school building. There will be short term impacts during construction which are subject to suitable mitigation measures. The proposed activity will not significantly change the locality, but the revitalised school will have a positive impact by replacing flood damaged critical infrastructure, and through improved community resilience to the impacts of flooding.	There are no mitigation measures as no visual impact is expected. Ecology mitigation measures are set out in **Table 22**.
Any environmental impact on the ecosystems of the locality?	The proposed activity will not result in significant impacts on the ecosystems 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 and vegetation removal.	Ecology mitigation measures are set out in **Table 22**.
Any reduction of the aesthetic, recreational, scientific or other environmental quality or value of a locality?	There will be a short-term impact on the aesthetic qualities of the site during the construction work. Mitigation measures have been identified to address construction noise, vibration and traffic impacts. In addition, measures are in place to mitigate environmental impacts of the school's operations. Accordingly, the proposed activity will not reduce aesthetic, recreational, scientific or other qualities of the locality.	Refer to the transport mitigation measures set out in **Table 14;** TRA1-TRA4. Refer to the noise and vibration mitigation measures set out in **Table 16**; NV1-NV7. Refer to the stormwater management mitigation measures set out in

Environmental Factor	Consideration	Mitigation Measure Reference
		Table 19; SWGW1-SWGW3. Refer to the waste mitigation measures set out in **Table 23**; WST1-WST6. A CEMP will be required as identified in mitigation measure G9.
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?	There will be no impact on non-Aboriginal heritage items noting the site does not comprise any and is not in proximity to any other such items. The site is also not within any conservation areas. With regard to Aboriginal cultural heritage, the ACHAR highlights that the site holds social significance for the Widjabul Wia-bal community, both as part of their traditional lands and as a component of the broader cultural landscape of Lismore. The area has been assessed as having low archaeological potential, attributed to its undifferentiated landform and prior disturbances from historical and ongoing land use. Despite this low potential, any Aboriginal objects present on the site may possess limited scientific and research value. The assessment did not identify any historical associations or aesthetic significance within the site. Furthermore, the ACHAR concludes that the activity would not impact the site's social, historic, scientific, or cultural values. With regard to Aboriginal archaeology, excavation activities for the construction of new buildings, services and grading works will disturb or remove archaeological features and material should they exist on the east side of the study site. An assessment of archaeological potential and heritage significance has concluded that although there is low potential for known archaeological remains and material relating to the early 20th century development of the school site, these remains are not considered a relic under the Heritage Act 1977. The expected archaeological remains are not considered to be locally or State significant and thus redevelopment of the site can occur without further archaeological involvement. With regard to the design, as detailed in this REF and accompanying landscape and architectural documentation, the proposed building and landscape has been designed to *connect with Country*. Further opportunities have been identified to enable *Country* to be incorporated into the design, in consultation with the local Aboriginal community, with respect to educational opportunities, the development of signage and selection of	Refer to the mitigation measures set out in Table 21; NAH1-NAH2 and **Table 20**; ABH1-ABH3.

Environmental Factor	Consideration	Mitigation Measure Reference
	landscaping for the site.	
Any impact on the habitat of protected animals, within the meaning of the *Biodiversity Conservation Act 2016*?	The works do not impact on the habitat of any protected animals, within the meaning of the Biodiversity Conservation Act 2016. Mitigation measures have been identified in the Biodiversity Summary to mitigate any indirect impacts.	Ecology mitigation measures are set out in **Table 22**.
Any endangering of any species of animal, plant or other form of life, whether living on land, in water or in the air?	The proposed activity will not result in the endangering of any species of animal, plant or other form of life. Mitigation measures have been identified in the Biodiversity Summary to mitigate any indirect impacts.	Ecology mitigation measures are set out in **Table 22**.
Any long-term effects on the environment?	The proposed activity has been designed to ensure there will be no unacceptable long-term impacts on the environment. The works will restore public educational facilities to the community that have been operating since 1915, which has positive social and economic benefits.	Refer to the mitigation measures set out in **Table 25**; SOC1.
Any degradation of the quality of the environment?	Appropriate mitigation measures have been recommended to ensure that the activity will not reduce the quality of the natural environment, including ecology, landscape, stormwater management, noise and waste management.	Ecology mitigation measures are set out in **Table 22**. Refer to the stormwater management mitigation measures set out in **Table 19**; SWGW1-SWGW3. Refer to the waste mitigation measures set out in **Table 23**; WST1-WST6. Refer to the noise and vibration mitigation measures set out in **Table 16**; NV1-NV7.
Any risk to the safety of the environment?	The proposed activity has been designed in accordance with the environmental constraints of the site, with particular focus on mitigating flood risks. The flood design and management response for the activity has been developed having regard to the risk profile of the site and surrounds (including access roads) and following feedback from the RA, SES and Council. The structural adequacy of the building has been confirmed by TTW (structural) to be in accordance with requirements to ensure the structure will not dislodge	Refer to the flooding mitigation measures set out in **Table 19**; FL1-FL4.

Environmental Factor	Consideration	Mitigation Measure Reference
	during a PMF event. Refer to **Appendix 30**.	
Any reduction in the range of beneficial uses of the environment?	The proposed activity will not result in a reduction in the range of beneficial uses of the environment.	N/A
Any pollution of the environment?	The activity will not result in pollution of the environment. Stormwater and sewage management has been considered in the assessment of potential polluting impacts of the activity and appropriate mitigation measures have been provided to protect the environment.	Refer to the stormwater management mitigation measures set out in **Table 19**; SWGW1-SWGW3.
Any environmental problems associated with the disposal of waste?	Construction and operational waste management plans have been prepared which set out all management practices required to reduce, minimise or avoid adverse impacts arising from the disposal of waste. In addition, a Hazmat Report has set out waste management procedures for the removal of hazardous materials. All outcomes and recommendations of these reports have been captured in the mitigation measures for the activity.	Refer to the waste mitigation measures set out in **Table 23**; WST1-WST6.
Any increased demands on resources (natural or otherwise) that are, or are likely to become, in short supply?	The activity is unlikely to result in increased demands on resources that are, or are likely to become, in short supply. Measures to reduce the consumption of materials, energy and water over the lifetime of the building have been incorporated into the building's design and so will be implemented through the terms of the activity, once approved.	N/A
Any cumulative environmental effects with other existing or likely future activities?	As set out in **Section 6.12** of this REF, there will be no cumulative environmental effects of the activity with any other existing or likely future activities.	N/A
Any impact on coastal processes and coastal hazards, including those under projected climate change conditions?	The site is not in a coastal location. Therefore, further consideration of this factor is not required.	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 consistent with the aims, objectives, planning priorities of the relevant strategic plans, as set out in **Section 4.7** of this REF.	N/A
Any other relevant environmental factors?	There are no further environmental factors that need to be considered in the assessment of the activity.	N/A

7. Justification and Conclusion

This REF relates to the proposed flood recovery rebuild at LSPS, which will be determined via a Ministerial Authorisation under Section 68 of the RA 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 and importantly, direct feedback from the community that preference is for the school to return permanent operations from the current site;
- 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.

With respect to the key constraint relevant to the site, being flooding, a robust risk-based assessment has been undertaken to inform the FIRA and FERP. This assessment has also been informed by cross-agency risk workshops, experiences and outcomes on other Northern Rivers Flood Recovery projects and input from key stakeholders. The strategy responds to the risk profile of the site and provides for a conservative response for flood management. Critically, structural adequacy of the buildings has been confirmed by the project structural engineers (TTW), up to the PMF. This (along with the broader architectural design of the activity) will ensure the on-site flood risk is managed, as well as the potential off-site flood impact.

As evidenced in this REF, 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, on an individual or cumulative basis.

On this basis, it is recommended that the RA seek a Ministerial Authorisation for the proposed activity, subject to the implementation of mitigation measures identified within this REF at **Appendix 1**.