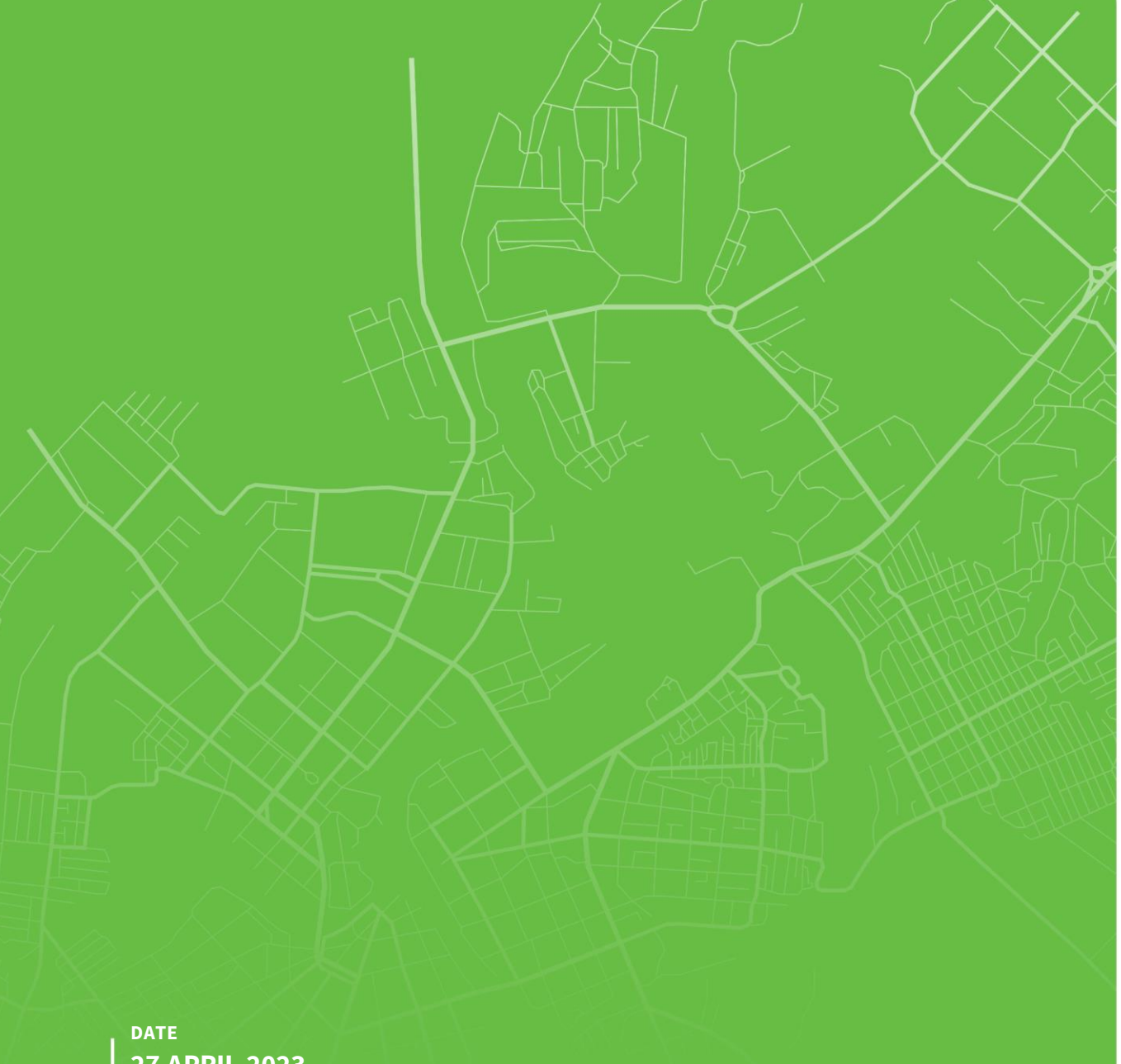

CURRAJONG
PLANNING, PROPERTY + PROJECT MANAGEMENT

DATE
27 APRIL 2023

CLIENT
LEETON SHIRE COUNCIL

PROJECT
DEVELOPMENT ASSESSMENT OF DA 101-2022 FOR PROPOSED ALTERATIONS AND ADDITIONS TO YANCO AGRICULTURAL HIGH SCHOOL, 259 EUROLEY ROAD, YANCO, NSW

DOCUMENT TITLE
SECTION 4.15 ASSESSMENT REPORT

Currajong Pty Ltd
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1. Introduction

Currajong Pty Ltd has been engaged by Leeton Shire Council to undertake an assessment of DA 101-2022 for proposed alterations and additions to Yanco Agricultural High School located on Lot 1 DP 795500, 259 Euroley Road, Yanco.

The development proposal is located entirely within Yanco Agricultural High School (YAHS) which is a long-established residential selective high school, where all students who attend the school live at the school. The school campus comprises a 280-hectare site in the Riverina-Murray region, including 180 hectares of intensive irrigation and dryland agriculture as well as 60 hectares of natural bushland bordered by the Murrumbidgee River.

The proposed alterations and additions to YAHS are required to provide new female dormitory facilities within a new building as well as refurbishment of some male dormitory facilities within the main campus located towards the centre-south of the YAHS property. Key aspects of the development proposal are summarised below:

- Site preparation works including removal of ten (10) existing trees.
- Construction of a two (2) storey boarding facility containing 84 student and two (2) staff beds.
- Refurbishment of five (5) existing dormitory buildings.
- Landscaping including the planting of 17 new trees.

The Architectural Drawings prepared by ARM Architecture generally show the extent of the proposed development, which has been estimated by Wilde and Woolard Quantity Surveyors to have a capital investment value of $20,401,180.00.

School Infrastructure NSW is the proponent for the project, which is 'regionally significant development' as defined under State Environmental Planning Policy (Planning Systems) 2021 and the Environmental Planning and Assessment Act 1979 (EP&A Act 1979).

The Development Application has been uploaded from the NSW Planning Portal, given a unique application number by Leeton Shire Council (DA 101-2022) and processed according to the various requirements relating to 'regionally significant development' that is 'integrated development' for the purposes of obtaining the general terms of approval from Heritage NSW for changes to a State Heritage Item. DA 101-2022 has been advertised and neighbour notified in accordance with the Leeton Shire Council Community Participation Plan 2019, with no submissions being received.

Having received notice from Heritage NSW on their General Terms of Approval in relation to DA 101-2022, the assessment of the application has been able to be completed and is ready for final assessment and determination by the Western Regional Planning Panel.

This assessment report aims to provide sufficient information to allow the Western Regional Planning Panel to make an informed decision on the proposal, having regard to the wide body of architectural drawings, reports and studies that have been submitted with DA 101-2022 in support of the proposal and the relevant matters for consideration under Section 4.15 of the EP&A Act 1979.

It is the findings of the assessment that the proposed development is permissible on the subject land, which is zoned SP2 Infrastructure (educational establishment) under the Leeton Local Environmental Plan 2014. There are no significant impacts associated with the development, with all identified impacts being able to be appropriately managed or mitigated to acceptable levels.

Conditional approval of DA 101-2022 is recommended in accordance with the conditions listed at the end of the report.

2. DA 101-2022 Reference Material

A number of architectural drawings, reports and studies that have been prepared and submitted with DA 101-2022 in support of the development proposal, which are uploaded onto the NSW Planning Portal and recorded on Leeton Shire Council DA File System. The main documents that have been referenced in the preparation of this assessment report are listed (with abbreviated referencing) below:

- YAHS Architecture Schematic Design Suite of Drawings, prepared by ARM Architecture, dated August 2022.
- YAHS DA Design Report, prepared by ARM Architecture, dated August 2022.
- YAHS Sustainable Development Plan, prepared by Stantec, dated 18 August 2022.
- YAHS Female Dormitory and Refurbishment of Existing Dormitories Statement of Heritage Impact, prepared by Kayandel Archaeological Services, dated February 2023.
- YAHS Baseline Historical Archaeological Assessment, prepared by EMM, dated May 2021.
- YAHS Project Fauna and Flora Assessment, prepared by Eco Logical, dated 17 August 2022.
- YAHS Project Arboricultural Impact Assessment, prepared by Eco Logical, dated 17 August 2022.
- YAHS Due Diligence Bushfire Advice, prepared by Eco Logical, dated 17 December 2020.
- YAHS Design Specification NCC 2019 and Accessibility Report, prepared by Trevor R Howse, dated 20 August 2022.
- YAHS QS Certificate, prepared by Wilde and Woollard, dated 5 September 2022.
- YAHS Flood Assessment and Flood Emergency Response Plan, prepared by Martens Consulting Engineers, dated August 2022.
- YAHS Hydraulic and Fire Services Infrastructure Report, prepared by Aurecon, dated 18 August 2022.
- YAHS Stormwater Management Report, prepared by TTW, dated 23 August 2022.
- YAHS Structural Engineering Schematic Design Report, prepared by TTW, dated 19 August 2022.
- YAHS Rapid Transport Assessment, prepared by The Transport Planning Partnership, dated 6 May 2021.
- YAHS Waste Management Plan, prepared by Martens, dated 18 August 2022.
- NSW Department of Education Educational Facilities Standards and Guidelines (latest version).
- Leeton Local Environmental Plan 2014.
- Leeton Shire Council Comprehensive Development Control Plan, dated 2022.
- Leeton Shire Council Engineering Guidelines for Subdivisions & Development Standards 2022/23.

3. DA 101-2022 Section 4.15 Assessment

The following table provides the assessment of DA 101-2022 for proposed alterations and additions to YAHS.

1. Application Details		
DA No.	DA 101-2022	
Description of proposed development	Alterations and additions to existing educational establishment, comprising: ○ Site preparation works including removal of ten (10) existing trees; ○ Construction of a two (2) storey boarding facility containing 84 student and two (2) staff beds; ○ Refurbishment of five (5) existing dormitory buildings; and ○ Landscaping including the planting of 17 new trees.	
Applicant	School Infrastructure NSW	
Landowner	School Infrastructure NSW	
Landowner consent provided	☒ Yes	☐ No
Category of development	☒ Regionally Significant Development	☐ Local Development
	☒ Integrated Development	☐ State Significant Development
	☒ Advertised Development	☐ Designated Development
BCA Class	Class 3 Building, Type C Construction	
Assessment comment	The proposal is regionally significant development as the development will be carried out by or on behalf of the Crown by School Infrastructure NSW and has a capital investment value greater than $5 million, as per Schedule 6 of State Environmental Planning Policy (Planning Systems) 2021. Accordingly, the application is to be tabled with the Western Regional Planning Panel for determination. The proposal is also Integrated Development as it will require an approval under Subdivision 1 Division 3 of the Heritage Act 1977. In this regard, the Heritage Council of NSW have issued their General Terms of Approval for the proposal, dated 16 March 2023, in accordance with Section 4.47 of the EP&A Act 1979. The proposal does not trigger the thresholds for Designated Development as it not development of a type listed in Schedule 3 of the Environmental Planning and Assessment Regulation 2021. The proposal does not trigger the threshold for State Significant Development as it has a capital investment value of less than $50 million and is not development of a type listed in Section 15 of Schedule 1 of the Planning Systems SEPP. The proposal does not trigger the Biodiversity Offsets Scheme (BOS) threshold, as it does not involve any substantial clearing of native vegetation. In accordance with Part 4 of the EP&A Act 1979 a Development Application (DA101-2022) has been lodged with Leeton Shire Council for processing of the application to a point where it can be determined by the Western Regional Planning Panel.	
2. Property Description		
Property address	259 Euroley Road, Yanco, NSW 2730	
Location	Lat: -34.634623 Long: 146.381084	
Land Title	Lot 1 DP 795500	
Parish	Yarangery	
County	Cooper	
LGA	Leeton	

Existing Use	☒ Yes	☐ No	☐ Not Applicable
Assessment comment	The land is currently used for education related purposes associated with Yanco Agricultural High School (YAHS), which is a boarding high school in Yanco. YAHS comprises a large complex of approximately 50 educational and residential buildings within the main school grounds. Buildings include typical high school facilities as well as agricultural learning facilities. There are also a wide range of facilities to support live-in boarding students such as dormitories and community shared facilities (laundry, dining room, kitchen, pool and health facilities). There are also several residences on site for live-in teaching and support staff housing. Part of the school grounds is State / local heritage listed.		
3. Pre-DA Meeting			
Date of meeting	5 May 2022 and 25 May 2022		
Assessment comment	Two meetings were held between School Infrastructure NSW and Leeton Shire Council prior to the lodgement of the development application. The purpose of these meetings was to discuss the information requirements for the preparation of the development application for the proposed alterations and additions to YAHS. Currajong Director Michael Carter was present at the meeting held at Leeton Shire Council on 5 May 2022 and provided technical assistance to Council. Section 2.2 of the SEE prepared by DFP Planning Consultants dated September 2022 provides detail on the general outcomes of these Pre-DA meetings.		
4. Council Internal Referral			
Date of internal referrals	Leeton Shire Council has provided advice to Currajong Director Michael Carter to assist with the completion of this assessment report on planning, building and engineering matters as required. Council staff have been responsible for the processing of the application.		
Assessment comment	Currajong Director Michael Carter has been engaged to undertake the assessment of DA 101-2022 following completion of application processing and receipt of Heritage NSW GTAs and any submissions from public exhibition / notification of the proposal. Michael is a qualified Town Planner with a Bachelor of Town Planning from UNSW with over 30 years regional planning experience.		
5. Integrated Development Referral			
Integrated approval body	Heritage NSW		
Legislation	Heritage Act 1977		
Assessment comment	The purpose of the Council referral notice sent to Heritage NSW was to obtain General Terms of Approval from Heritage NSW for the changes proposed to YAHS, which is listed on the State Heritage Register (SHR ID 5062084) in accordance with Division 3 of the Heritage Act 1977. The proposed works include demolition of buildings, removal of ten (10) existing trees, construction of a new two (2) storey boarding facility, refurbishment of five (5) existing dormitory buildings and new landscaping including planting of 17 new trees. Heritage NSW issued their General Terms of Approval for the proposal on dated 16 March 2023. The recommended conditions in the Heritage NSW notice have been incorporated into the recommended draft conditions at the end of the assessment report.		
6. Advertising and Neighbour Notification			
Advertising	☒ Yes	☐ No	
Neighbour notification	☒ Yes	☐ No	
Notification to other affected party	☐ Yes	☒ No	
Start date of exhibition period	11 October 2022		

End date of exhibition period	7 November 2022
Assessment comment	The advertising / notification of DA 101-2022 was undertaken in accordance with the Leeton Shire Council Community Participation Plan 2019. No submissions were received as a result of these engagement processes.

7. Additional Information

Additional information requested	☒ Yes	☐ No
Date of Request	On 24 October 2022 and 4 November 2022 Heritage NSW sent emails requesting additional information to Leeton Shire Council, which was also forwarded to School Infrastructure NSW.	
Date Received	An updated Heritage Impact Statement prepared by Kayandel Archaeological Service, dated February 2023 was provided to Leeton Shire Council and subsequently sent to Heritage NSW for assessment.	
Assessment comment	The additional information required by Heritage NSW required the applicant to provide more detailed photographs and descriptions of building changes in the Heritage Impact Statement as well as an archaeological assessment and archaeological research design. The requested information was required to be consistent with the current Heritage NSW guidelines Assessing Significance for Historical Archaeological Sites and Relics 2009 and Archaeological Assessments 1996. Upon receipt of the requested information, Heritage NSW issued their General Terms of Approval for the proposal on dated 16 March 2023.	

8. Site Inspection

Date of Site Inspection	Leeton Shire Council staff have undertaken several inspections of the site in recent months. Currajong Director Michael Carter undertook an inspection of the site on 6 December 2022.
Assessment comment	An inspection of the YAHS main campus, including the proposed development area was conducted to determine the nature of the development area and the potential for impacts. The main campus is concentrated towards the centre-south of the YAHS property. The main campus zone is characterised by a highly modified built environment with generally flat terrain and subject to extensive building and landscape modifications over 100 years. Improvements include approximately 50 buildings, structures, roads, utility services and stormwater infrastructure, playing fields and gardens. Vegetation present consists mainly introduced landscape plantings around the main campus, surrounded by improved pastures and bushland further afield. Livestock is present on paddock areas of the site, particularly sheep and cattle. The development area for the new alterations and additions is located within an open grassed zone that includes existing buildings used for student accommodation as well as soft landscaping, plantings, footpaths and trees of varying maturity, framed by two internal roads.

9. Site History

Site history?	☒ Yes	☐ No
Heritage status	YAHS is listed on the State Heritage Register (SHR ID 5062084) for its historic, associative, technical, social, research, rarity, and representative values.	
Relevant reference documents	○ SHI online, Yanco Agricultural High School. Heritage NSW, accessed 25 November 2020 https://apps.environment.nsw.gov.au/dpcheritageapp/ViewHeritageItemDetails.aspx?ID=5062084. ○ Yanco Agricultural High School Aboriginal heritage due diligence report, prepared by EMM, dated April 2021. ○ Yanco Agricultural High School Baseline historical archaeological assessment, prepared by EMM, dated May 2021. ○ Leeton, Yanco, Whitton – Historical Guide, prepared by Leeton Shire Council, 2014. ○ Statement of Heritage Impact - Proposed Construction of a Female Dormitory and Refurbishment of Existing Dormitories at Yanco Agricultural High School, 259 Euroley Road, Yanco, Leeton Shire Council LGA, NSW, prepared by Kayandel Archaeological Services, dated February 2023.	

Assessment comment	YAHS was officially opened on 20 February 1922 with 60 residential students, a headmaster, two assistant teachers, an instructor in farm mechanics, a gardener, and a general hand. The school's aim was to provide a three-year course in agriculture for boys. Over many years the school proved successful and improved / expanded its facilities to meet growing demand. By the 1940s the school comprised a main building that was utilised for dormitories for about 200 pupils, the commissariat department, a library, a classroom block containing six classrooms and a laboratory, and a number of minor buildings including one for the domestic staff quarters, one for the field staff, an assembly hall, a blacksmith and manual training block, a new dairy and piggery, and a separate residence for the Principal. Later additions included a swimming pool (1961), additional dormitory wings (1965 and 1976), hospital block, teacher housing, common room, dining room and garage (1963), demountable classrooms (1969), library (1971), and a new dining room and kitchen facility (1988). In 1991, the NSW government announced YAHC would become a co-education establishment which required a substantial building program, including the construction of the Mason Building and new music, arts, technological and applied studies classroom blocks. Mutch House was also substantially renovated during this period to provide accommodation for sixty students and to extend the medical centre. More recently, the school tennis courts have been refurbished to provide a new playing surface and lighting for tennis and netball. A new Equine and Show Stock Centre has also been developed. The proposed construction of a new female dormitory and refurbishment of existing dormitories is the latest project being designed by School Infrastructure NSW for YAHS.

10. Contributions Planning

Section 7.11 Contributions Plan	☐ Yes	☒ No	There is no Section 7.11 Contributions Plan applying in the Leeton Shire
Section 7.12 Contributions Plan	☒ Yes	☐ No	The Leeton Shire Council Section 94A Levy Plan 2016 functions as the Section 7.12 Contributions Plan operating in the Leeton Shire
Section 64 Water DSP	☒ Yes	☐ No	YAHS is connected to the Leeton Shire Council reticulated water supply network
Section 64 Sewer DSP	☐ Yes	☒ No	YAHS is not connected to the Leeton Shire Council reticulated sewerage network
Name of plan(s)	Leeton Shire Council Section 94A levy Plan 2016		
Assessment comment	The proposed development is captured by the contribution framework applied within the Leeton Shire in accordance with the Leeton Shire Council Section 94A Levy Plan 2016. In accordance with this plan, the applicant is required to pay $224,412.98 in contributions at the time of writing this report. Leeton Shire Council has advised that an appropriate condition of consent is to be applied to the assessment report. The relevance of Section 64 DSP charges related to the proposal is being investigated by Leeton Shire Council, as the relevant water supply authority. As the development does not propose connection to Council's reticulated sewerage network, the payment of Section 64 DSP charges is assessed not to apply.		

11. Section 4.15 Evaluation Matters

11.1. Section 4.15(1)(a)(i) Provision of any Environmental Planning Instrument

Local Environmental Plans

Relevant EPI	Leeton Local Environmental Plan 2014 (LLEP 2014)
Land zoning	SP2 Infrastructure (Educational Establishment)
Definition of proposal	DA 101-2022 seeks consent for alterations and additions to an existing educational establishment; being the Yanco Agricultural High School (YAHS). The proposed works generally comprises demolition of existing buildings, removal of ten (10) existing trees, site preparation works, construction of a new two (2) storey female dormitory building containing 84 student and two (2) staff beds, refurbishment of five (5) existing male dormitory buildings and site landscaping.

	Educational establishment means a building or place used for education (including teaching), being a school or a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act. The characterisation of the proposed development as an educational establishment is accurate having considered the plans and supporting documents submitted with the DA 101-2022.	
Is the development permissible in the zone?	☒ Yes	☐ No
LEP Map evaluation	An assessment of applicable maps in the LLEP 2014 is carried out below:	
	Land Application Map	Applicable, with all of the Leeton LGA shown on the Land Application Map Sheet LAP-001
	Floor Space Ratio Map	Not applicable
	Land Zoning Map	Applicable, with all of the YAHS shown as SP2 Infrastructure Educational Establishment on the Land Zoning Map Sheet LZN-015
	Height of Buildings Map	Not applicable
	Lot Size Map	Not applicable
	Land Reservation Acquisition Map	Not applicable
	Heritage Map	Applicable, with all of the YAHS shown as Heritage Item I108 on the Heritage Map Sheet HER-015
	Groundwater Vulnerability Map	Applicable, with all of the YAHS shown as groundwater vulnerable on the Groundwater Vulnerability Map Sheet GRV-015
	MIA Irrigation Area Map	Applicable, with generally all of the Leeton LGA shown as irrigation area on the MIA Irrigation Area Map Sheet MIA-001
	Flood Planning Map	Applicable, with part of the YAHS shown as flood planning area on the Flood Planning Map Sheet FLD-015
	Terrestrial Biodiversity Map	Applicable, with part of the YAHS shown as Terrestrial Biodiversity on the Terrestrial Biodiversity Map Sheet BIO-015
	Wetlands, Riparian Lands and Watercourses Map	Applicable, with part of the YAHS shown as Wetland / Watercourse on the Wetlands Riparian Lands and Watercourses Map Sheet CL1-015
Special clauses identification	An assessment of the special provision clauses in the LLEP 2014 that are considered to potential / specially apply to the proposal is carried out below:	
	1.9 Application of SEPPs	Applicable
	1.9A Suspension of covenants	Applicable
	2.3 Zone Objectives and Land-use Table	Applicable
	2.6 Subdivision	Potential to apply but not applicable
	2.7 Demolition	Applicable
	2.8 Temporary use of land	Potential to apply but not applicable
	2.9 Canal estate development	Potential to apply but not applicable
	4.1 Minimum Lot Size (MLS)	Potential to apply but not applicable
	4.1AA MLS community title	Potential to apply but not applicable
	4.1A MLS medium density residential	Potential to apply but not applicable
	4.1B MLS exceptions	Potential to apply but not applicable
	4.2A MLS Strata	Potential to apply but not applicable

	4.2D Subdivision of intensive plant agriculture	Potential to apply but not applicable
	4.3 Height	Potential to apply but not applicable
	4.4 Floor space ratio	Potential to apply but not applicable
	4.5 Calculations floor space ratio	Potential to apply but not applicable
	4.6 Exceptions to MLS rural subdivisions	Potential to apply but not applicable
	5.6 Architectural roof features	Applicable
	5.8 Conversion of fire alarms	Applicable
	5.10 Heritage conservation	Applicable
	5.12 Infrastructure development	Applicable
	5.17 Artificial waterbodies	Potential to apply but not applicable
	5.21 Flood planning	Applicable
	6.1 Earthworks	Applicable
	6.3 Terrestrial Biodiversity	Applicable
	6.4 Groundwater vulnerability	Applicable
	6.5 Riparian land and watercourses	Applicable
	6.6 Wetlands	Applicable
	6.7 Development on river frontage	Applicable
	6.8 Development on riverbed / bank	Applicable
	6.9 Airspace operations	Potential to apply but not applicable
	6.10 Aircraft noise	Potential to apply but not applicable
	6.12 Essential services	Applicable
	6.13 Location of sex services premises	Potential to apply but not applicable
Special clause assessment	A more detailed assessment of applicable special provision clauses and associated maps of the LLEP 2014 is carried out below: <u>Clause 1.9 Application of SEPPs</u> This clause allows for certain SEPPs listed in the LLEP 2014 to not apply. There are no SEPPs specifically listed in LLEP 2014. All current SEPPs apply to the proposal. An assessment of relevant SEPPs is carried out in later sections of this report. <u>Clause 1.9A Suspension of Covenants, Agreements and Instruments</u> Clause 1.9A provides that covenants, agreements and other instruments which seek to restrict the carrying out of development do not apply with the following exceptions: ○ A covenant imposed by the Council or that the Council requires to be imposed. ○ Any relevant instrument within the meaning of 13.4 of the Crown Land Management Act 2016. ○ Any conservation agreement within the meaning of the National Parks and Wildlife Act 1974. ○ Any Trust agreement within the meaning of the Nature Conservation Trust Act 2001. ○ Any property vegetation plan within the meaning of the Native Vegetation Act 2003. ○ Any biobanking agreement within the meaning of Part 7A of the Threatened Species Conservation Act 1995. ○ Any planning agreement within the meaning of Division 6 of Part 4 of the Act. The SEE prepared by DFP Planning Consultants dated September 2022 does not provide a specific assessment of the proposal against the Clause 1.9A of LLEP 2014. A survey plan prepared by CMS Surveyors provides site details, including location of existing buildings, trees, utility services and infrastructure. There	

	do not appear to be any covenants, agreements or easement that particularly apply to the proposal. Search of the title relating to Lot 1 DP 795500 does not reveal any restriction on the site that would be prohibitive to the proposed development. Similarly, the proposed development does not impact on existing easements. The proposed development is assessed to be consistent with the requirements of Clause 1.9A. Clause 2.3 Zone Objectives and Land Use Table The subject is land is zoned SP2 Infrastructure (Educational Establishment) under LLEP 2014. Clause 2.3(3) of the LLEP 2014 requires the consent authority to have regard to the objectives for development in a zone when determining a development application in respect of land within the zone. The objectives for the SP2 Infrastructure (Educational Establishment) zone are repeated in full as follows: ○ To provide for infrastructure and related uses. ○ To prevent development that is not compatible with or that may detract from the provision of infrastructure. The SEE prepared by DFP Planning Consultants dated September 2022 does not provide an assessment of the proposal against the objectives for the SP2 Infrastructure zone. An assessment of relevant matters confirms the development proposal is consistent with the zone objectives for the following reasons: ○ The proposal is for alterations and additions to an existing education establishment (YAHS) which is an infrastructure related purpose. ○ Education establishments are specifically listed on the LLEP 2014 Land Zoning Map Sheet LZN-015 relating to the subject site, and there is no doubt the proposed alterations and additions to YAHS are deemed to be a compatible land-use for this type of infrastructure. Clause 2.7 Demolition This clause requires consent for demolition. The SEE prepared by DFP Planning Consultants dated September 2022 states in Table 3 that consent is sought for demolition. Section 4.2 of the SEE provides a description of the main demolition works, which is understood to include the following: ○ Removal of ten (10) trees and other associated landscaping elements. ○ Removal of 11 demountable boarding structures. ○ Limited demolition to existing buildings D, E, G and J such as demolition of windows, walls, doors, flooring, joinery and the like. There are likely miscellaneous concrete paths, garden edging and other minor structural components that will be removed as part of the demolition phase. The DA Design Report and Architectural Plans prepared by ARM Architecture dated August 2022, Structural Engineering Schematic Design Report prepared by TTW dated 19 August 2022, Waste Management Plan prepared by Martens dated 18 August 2022 and the Statement of Heritage Impact prepared by Kayandel Archaeological Services dated February 2023 provide detail and recommendations on the proposed demolition works. It is assessed there is sufficient documentation in the application for the consent authority to make an informed decision on the scope of demolition work proposed in satisfaction of Clause 2.7. Clause 5.6 Architectural Roof Features This clause potentially applies to any development where proposed architectural roof features exceed, or causes a building to exceed, the height limits set by clause 4.3 of LLEP 2014. There are no height limits set for the YAHS site and this clause does not apply. Clause 5.8 Conversion of fire alarms This clause potentially applies to any development that has a fire alarm system that can be monitored by Fire and Rescue NSW or by a private service provider. The NCC 2019 and Accessibility Design Specification prepared by Trevor R Howse dated 20 August 2022 does not advise YAHS have a fire alarm system that is monitored by a third party, and Clause 5.8 does not apply. Clause 5.10 Heritage conservation This clause requires consent for any changes to a heritage item as defined under Clause 5.10(2) of LLEP 2014. YAHS is a local heritage listed item (I108) and also listed on the State Heritage Register (SHR ID 5062084). In compliance with Clause 5.10 a Heritage Impact Statement has been prepared by Kayandel Archaeological Services dated February 2023.

	The SEE prepared by DFP Planning Consultants dated September 2022 advises in Table 3 the proposed development is not deemed to have a negative impact on heritage values as documented in the Heritage Impact Statement prepared by Kayandel Archaeological Services and also Section 6.2.6 of the SEE. The proposal has been assessed by Heritage NSW who have provided their General Terms of Approval (GTAs) for their issuing of an approval under the Heritage Act 1977 for proposed changes to a State Heritage item. The GTAs have been receipted by Leeton Shire Council and are integrated into the recommended conditions of consent listed at the end of this report. It is assessed there is sufficient documentation in the application for the consent authority to make an informed decision on heritage impacts as per Clause 5.10. 5.12 Infrastructure development This clause potentially places no restrictions or prohibitions on the carrying out of development by or on behalf of a public authority, where the work is permitted to be carried out with or without development consent. In this case, consent is required to address demolition and heritage requirements as well as other matters, and Clause 5.12 therefore does not apply. 5.21 Flood planning YAHS is partly affected by flooding of the Murrumbidgee River, as shown on Flood Planning Map Sheet FLD-015 of the LLEP 2014. Clause 5.21 therefore applies to the development proposal. In accordance with Clause 5.21(2), development consent must not be granted to development on land within the flood planning area unless the consent authority is satisfied the development: ○ Is compatible with the flood function and behaviour on the land. ○ Will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties. ○ Will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood. ○ Incorporates appropriate measures to manage risk to life in the event of a flood. ○ Will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of riverbanks or watercourses. In deciding whether to grant development consent on land to which this clause applies, Clause 5.21(3) states the consent authority must consider the following matters: ○ The impact of the development on projected changes to flood behaviour as a result of climate change. ○ The intended design and scale of buildings resulting from the development. ○ Whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood. ○ The potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion. The SEE prepared by DFP Planning Consultants dated September 2022 advises that a Flood Assessment has been prepared by Martens Consulting Engineers, dated August 2022. A Stormwater Management Report has also been prepared by TTW dated 23 August 2022 which provides flood assessment information. The CMS Survey Plan dated 3 December 2020 provides details of existing levels at and around buildings. The key findings of this flood and stormwater assessment work are summarised below: ○ Part of YAHS is affected by the 1% AEP flood event, which generally represents the flooding of the Murrumbidgee River in June 1952 @ 10.8m. Overbank flows from the Murrumbidgee River are the primary source of flooding. ○ During the highest recorded flood event at YAHS (1% flood event), floodwaters were recorded up to RL 138.37m AHD. ○ The existing ground surface levels in and around the development site of the proposed new / upgraded boarding facilities at the YAHS site are around 138.5m AHD, approximately 200mm above the 1% AEP flood event. The location of the proposed new / upgraded dormitory facilities is outside of the 1% AEP flood extent. ○ The Martens Flood Assessment advises a 1% AEP Flood Planning Level for the YAHS site @ RL 138.67m AHD, which is 300mm above the 1% AEP flood event. The Martens Flood Assessment also uses 138.67 as the extreme event level, which is generally used as a proxy for the possible maximum flood (PMF) level.

	○ The ARM Architectural Drawings of the proposed new female dormitory show a finished ground floor level @ 139.10m AHD, which is 0.73m above the 1% AEP and extreme event flood levels. The second-floor level is considerably higher than the 1% AEP. ○ The ARM Architectural Drawings of the existing buildings to be refurbished do not show finished floor levels. The CMS Survey Plan generally indicates finished floor levels are higher than the 1% AEP. ○ The Martens Flood Assessment advises the site access road to Euroley Road is accessible in the 1% AEP flood event but is likely to be inaccessible during the PMF event. ○ The Martens Flood Assessment advises all proposed works will be constructed outside of the 1% AEP flood extent and hence will not increase offsite flood levels. ○ The Martens Flood Assessment advises the proposed development would have acceptable offsite flood impacts. The Martens Flood Assessment includes a site-specific Flood Emergency Response Plan to assist the school to operate safely in the floodplain environment. The Martens report advises that in the event of a major flood at the site, there would be several days warning, which will enable the dormitory accommodation to be fully evacuated. It is assessed there is sufficient documentation in the application for the consent authority to make an informed decision on flood impacts and behaviour in compliance with LLEP 2014 flood planning requirements. There is no evidence to suggest the proposal will be adversely affected by flooding or affect flood behaviour. The proposal incorporates appropriate measures to manage risk to life in the event of a flood. <u>Clause 6.1 Earthworks</u> Clause 6.1 of the LLEP 2014 requires consent for earthworks and consideration of whether the proposal will have a detrimental impact on the following: ○ The likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development. ○ The effect of the development on the likely future use or redevelopment of the land. ○ The quality of the fill or the soil to be excavated, or both. ○ The effect of the development on the existing and likely amenity of adjoining properties. ○ The source of any fill material and the destination of any excavated material. ○ The likelihood of disturbing relics. ○ The proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area. ○ Any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development. The SEE prepared by DFP Planning Consultants dated September 2022 advises proposed earthworks are minor in nature and will not have any notable impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land. The ARM Architectural Drawings and the Structural Engineering Schematic Design Report prepared by TTW dated 19 August 2022 show the general extent of earthworks, which supports the findings in the SEE. Having regard to the detail shown on the ARM Architectural Drawings and inspection of the site, the following assessment comments are made in relation to the requirements of Clause 6.1: ○ Minimal cut and fill is required to accommodate the levelled pads for new building works. Less than 1m of fall exists over these areas. Retaining walls are not proposed and / or assessed to be required. ○ Subject to the implementation of appropriate soil erosion and sediment controls during demolition and construction phases of the project, there is a low probability that the proposal will generate detrimental impacts on drainage patterns or adjoining properties. ○ Earthworks will be sufficiently distanced from property boundaries, watercourses and adjoining land-uses, such that the earthworks will not generate off-site impacts. ○ The likelihood of relics being disturbed is low, due to the historic use of the land which has resulted in a highly disturbed landscape. A search of the AHIMS database has not identified any Aboriginal cultural heritage sites within a close proximity of the site. ○ The proposal will not lead to adverse impacts on drinking water catchments or environmentally sensitive areas.

No underlying environmental issues associated with the land have been identified which could be exacerbated by earthworks and development processes. The proposal is assessed to comply with the provisions contained in Clause 6.1 of LLEP 2014.

Clause 6.3 Terrestrial Biodiversity

Clause 6.3(3)(a) of the LLEP 2014 requires the consent authority to consider of whether the proposal will have a detrimental impact on the following:

- The condition, ecological value and significance of the fauna and flora on the land.
- Any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna.
- Any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land.
- Any adverse impact on the habitat elements providing connectivity on the land.

Clause 6.3(3)(b) requires consideration of any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development. Clause 6.3(4) requires the consent authority must not grant consent unless it is satisfied the development is designed, sited and will be managed to avoid any significant adverse environmental impact. If that impact cannot be reasonably avoided by adopting feasible alternatives, the consent authority must be satisfied the development is designed, sited and will be managed to minimise / mitigate impacts.

The SEE prepared by DFP Planning Consultants dated September 2022 advises in Table 3 that only part of the site is identified as biodiversity on the Terrestrial Biodiversity Map (see LLEP 2014 Terrestrial Biodiversity Map Sheet BIO-015), with the mapped areas of biodiversity not being located on the footprint of proposed works. The SEE provides a more detail assessment of flora and fauna issues in Section 6.2.2, where the following is noted:

- The proposal is not likely to have a significant impact on any Matters of National Environmental Significance.
- This proposal does not trigger the Biodiversity Offsets Scheme.
- No suitable koala habitat was recorded on the study area.
- The proposal does not impact on areas mapped as 'Wetland' or 'Biodiversity' under the LEP.
- The proposal will have a negligible impact on threatened species and their habitats, with direct impacts to plant communities totalling 0.234 ha.
- Indirect impacts to threatened species and native vegetation (from sources such as noise, light, weed invasion, sedimentation, dust, accidental spills and leaks) are unlikely to be significant.

The SEE assessment findings are based on an Ecology Report prepared by Eco Logical Australia, dated 17 August 2022. This report included significance assessments under the Biodiversity Conservation Act 2016 and the Environment Protection and Biodiversity Conservation Act 1999. Based on these assessments, the Eco Logical report concluded the proposal is unlikely to have a significant effect on threatened species, populations or endangered ecological communities or their habitats.

It is assessed there is sufficient documentation in the application for the consent authority to make an informed decision on terrestrial biodiversity in satisfaction of Clause 6.3.

Clause 6.4 Groundwater Vulnerability

Clause 6.4 applies as the site of YAHS is mapped as groundwater vulnerable on the LLEP 2014 Groundwater Vulnerability Map Sheet GRV-015.

The SEE prepared by DFP Planning Consultants dated September 2022 states in Table 3 the following in relation to their assessment of Section 6.4 Groundwater Vulnerability:

> *'Part of the site is located within 40 metres of the top of the bank of land identified as "Watercourse" on the Riparian Lands and Watercourses Map but these areas are outside of the footprint of proposed works.'*

The relevance of this statement is questioned in relation to the assessment of groundwater issues. The relevant matters for consideration in Clause 6.4(3) relate to the following:

- The likelihood of groundwater contamination from the development (including from any on-site storage or disposal of solid or liquid waste and chemicals).
- Any adverse impacts the development may have on groundwater dependent ecosystems.

	○ The cumulative impact the development may have on groundwater (including impacts on nearby groundwater extraction for a potable water supply or stock water supply). ○ Any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development. The Geo-Environmental Site Investigation Report prepared by Coffey dated 18 August 2022 provides more detail on local groundwater conditions, as follows: ○ The Narrandera 1:250,000 Geological Series Sheet SI 55-10 (Pogson, 1974) indicates that the site is underlain by Quaternary flood plain deposits of black and red clayey silt, sand and gravel. ○ Search of the Bureau of Meteorology online groundwater bore database showed eight boreholes within 2km of the site, however only three of the records included standing water levels and two of the records included well construction and lithology details. The reported depth to water in the boreholes ranged from 3m below ground level (bgl) in an offsite borehole to the north, up to 25m bgl in the YAHS bore (GW415967 – which was drilled to a greater depth of 72.5m bgl and reported a high yield of 50L/S). Based on the above, regional groundwater in the sedimentary rock aquifers is expected to be moderately deep, however perched shallow aquifers may be expected in alluvial sediments adjacent to the river. ○ On site drilling of boreholes observed groundwater at a depth of approximately 5.4m bgl (approximately 133m AHD) in borehole BH02, with saturated clay observed from 5.4m bgl to the limit of the investigation (6.0m bgl). After the completion of drilling works, the borehole was left open for approximately 30 minutes, however no standing water was observed in the base of the borehole, which was considered likely due to the low permeability of the clay material observed. ○ The site was not identified as being land where development implications exist due to the presence of salinity. In providing their assessment report findings, the Coffey Geo-Environmental Site Investigation Report advises that a specific groundwater investigation was not part of their brief. Based on their limited site investigations and soil testing, Coffey advise that localised water inflow may be encountered during construction in deeper excavations or following periods of wet weather. Where the development does incorporate deep excavations or bored piles and has the potential to interact with groundwater beneath the site, the Coffey report recommends further investigations be completed to establish groundwater depth and quality such that this information can inform the development of a Construction Environmental Management Plan (CEMP). In addition to the above, the Hydraulic and Fire Services Infrastructure Report prepared by Aurecon dated 18 August 2022 provides detail of onsite water and sewerage services, with the following noted from the report: ○ The proposed development will be serviced by a reticulated water supply system that is already connected to YAHS. No water is proposed to be obtained from groundwater sources to service the new alterations and additions. ○ The site is serviced by an existing private sewer services and treatment plant located to the south-west of the school precinct. The proposed new buildings will be connected to existing sewer service mains that discharge to the existing sewer treatment plant. The demand assessment in Section 3.2 of the Aurecon report advises the existing sewage treatment plan can service up to 3,000 students and accordingly, no upgrade works to the mains have been anticipated. Having regard to the above, it is assessed that: ○ There is low to moderate risk of groundwater in the locality being intercepted as a result of the demolition and construction phases of the proposal. There is a need to undertake further groundwater investigations prior to the commencement of demolition or construction works. ○ The proposed development is not proposing to access underground water resources to service new buildings / services. Reticulated water supply is available from the Leeton Shire Council reticulated water supply network, and from water storages on the site. ○ Provided the existing private sewerage system is maintained as designed, it is assessed that potential for groundwater impacts from sewage would be low. ○ The development, once built, is unlikely to generate adverse impacts on groundwater or groundwater dependent ecosystems. ○ The development is not proposing any interactions with groundwater and is therefore unlikely to generate unacceptable impacts on groundwater resources, including impacts on nearby agricultural users of groundwater resources in the locality.

	The proposed development is assessed to be generally in compliance with the requirements of Clause 6.4 of LLEP 2014, given the depth of excavation works is unlikely to intercept groundwater, the low permeability of the clay material on the development site and proposed connection to reticulated water supply and sewerage services. Further investigations are recommended to be completed to establish groundwater depth and quality, with such detail required to be developed as part of a CEMP. <u>6.5 Riparian land and watercourses</u> Clause 6.5 applies as the YAHS site directly adjoins the Murrumbidgee River, a major watercourse shown on the LLEP 2014 Wetlands Riparian Lands and Watercourses Map Sheet CL1-015. The SEE prepared by DFP Planning Consultants dated September 2022 states in Table 3 the following: *Part of the site is located within 40 metres of the top of the bank of land identified as "Watercourse" on the Riparian Lands and Watercourses Map but these areas are outside of the footprint of proposed works.* Clause 6.5(3) requires the consent to consider whether or not the development is likely to have any adverse impact on the following: ○ The water quality and flows within the watercourse. ○ Aquatic and riparian species, habitats and ecosystems of the watercourse. ○ The stability of the bed and banks of the watercourse. ○ The free passage of fish and other aquatic organisms within or along the watercourse. ○ Any future rehabilitation of the watercourse and riparian areas. ○ Any likely increased water extraction from the watercourse. ○ Any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development. Clause 6.5(4) states consent must not be granted unless the consent authority is satisfied the development is designed, sited and will be managed to avoid any significant adverse environmental impact. If that impact cannot be reasonably avoided, the development is designed, sited and will be managed to minimise / mitigate impacts. A Stormwater Management Report has been prepared by TTW dated 23 August 2022, which investigate stormwater quality, overland flow, potential flooding, pavements, soil and erosion sediment control issues associated with the proposal. The TTW documentation also includes a Stormwater Management Plan and Sediment and Erosion Control Plan, dated 23 August 2022. The TTW Stormwater Management Report advises that all of their plans have been developed generally in accordance with Australian Rainfall and Runoff 2019, the NSW Educational Facilities Standards and Guidelines, Leeton Shire Council Comprehensive Development Control Plan 2022 and other relevant Australian Standards. The proposed development is assessed to be in compliance with the requirements of Clause 6.5 of LLEP 2014 as there is adequate consideration of potential impacts on riparian land and watercourses and mechanisms to ensure impacts during demolition and construction phases are manageable and within acceptable risk tolerances. Once construction works are completed, the potential for operational impacts on riparian land and watercourses are assessed to be low. <u>6.6 Wetlands</u> Clause 6.6 applies as the site of YAHS includes an area shown as wetlands on the LLEP 2014 Wetlands Riparian Lands and Watercourses Map Sheet CL1-015. The SEE prepared by DFP Planning Consultants dated September 2022 does not provide any specific commentary on the wetlands recorded on the YAHS site. The Eco Logical Fauna and Flora Assessment mentions wetlands in its evaluation of LLEP 2014 (see Table 1 of report) and concludes the study area is located outside mapped wetland areas. No other references to wetlands, impacts or assessment could be identified in the submitted development application documentation. The relevant matters for consideration in Clause 6.6 relate to whether or not the development is likely to have any significant adverse impact on the following: ○ The condition and significance of the existing native fauna and flora on the land. ○ The provision and quality of habitats on the land for indigenous and migratory species. ○ The surface and groundwater characteristics of the land, including water quality, natural water flows and salinity. ○ Any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.

	Clause 6.6(4) requires the consent authority to be satisfied the development is designed, sited and will be managed to avoid any significant adverse environmental impact. If that impact cannot be reasonably avoided, the development is designed, sited and will be managed to minimise / mitigate impacts. The TTW Stormwater Management Plan and Sediment and Erosion Control Plan, dated 23 August 2022 provides a good level of detail controlling the proposed demolition and construction phases. Site inspection confirms the development site is well separated from wetlands. Provided the management and mitigation measures included in the submitted plans are properly implemented, there should be no significant impacts to nearby wetlands and watercourses. Implementation of these plans as part of a wider CEMP should ensure minimal impacts on wetlands during demolition and construction phases. The proposed development is assessed to be in compliance with the requirements of Clause 6.6 of LLEP 2014 as there is adequate consideration of potential impacts on wetlands (including this report) to conclude that potential impacts during demolition and construction phases are manageable and within acceptable risk tolerances. Once construction works are completed, the potential for operational impacts on wetlands are assessed to be low. <u>6.7 Development on river frontage</u> Clause 6.7 applies as the site of YAHS is zoned SP2 Infrastructure and has frontage to the Murrumbidgee River. The SEE prepared by DFP Planning Consultants dated September 2022 does not provide any specific commentary on river frontage considerations. No other specific references to river frontage considerations, impacts or assessment findings could be identified in the submitted development application documentation. The proposed alterations and additions are located more than 100m from the high bank of the Murrumbidgee River and therefore do not directly interact with the river frontage as defined under LLEP 2014. Notwithstanding the assessed compliance with nominal setback criteria, the relevant matters for consideration in Clause 6.7(3) have been further considered to ensure the proposal would not pose a likely significant adverse impact on the following: ○ That the development will contribute to achieving the objectives for the zone in which the land is located. ○ That the appearance of the development, from both the river and adjacent river front area, will be compatible with the surrounding area. ○ That the development is not likely to cause environmental harm such as pollution or siltation of the river, or an adverse effect on surrounding uses, marine habitat, wetland areas, fauna or flora habitats, or an adverse effect on drainage patterns. ○ That the development will only cause minimal visual disturbance to the existing landscape. ○ That continuous public access, and opportunities to provide continuous public access, along the river front and to the river will not be compromised. ○ That any historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of the land on which the development is to be carried out and of surrounding land will be maintained. Assessment of the above does not conclude any significant visual, historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic impacts. Public access along the Murrumbidgee River will be maintained as existing, with the proposed new works being suitably setback from the riverbank and co-located with existing education campus buildings so as not to pose any new impacts. The proposed development is assessed to be in compliance with the requirements of Clause 6.7 of LLEP 2014 as there is adequate consideration of potential impacts on river frontage (including this report) to conclude that potential impacts during demolition and construction phases are manageable and within acceptable risk tolerances. Once construction works are completed, the potential for operational impacts on the river are assessed to be low. <u>Clause 6.12 Essential Services</u> Clause 6.12 states the consent authority must not grant consent to development unless it is satisfied that any of the services that are essential for the development are available, or that adequate arrangements have been made to make them available when required. The services identified as being essential include the supply of water, the disposal and management of sewage, the supply of electricity, stormwater drainage / conservation and suitable vehicular access. Section 6.3.4 of the SEE prepared by DFP Planning Consultants dated September 2022 includes an assessment of the proposal against the requirements of Clause 6.12. The ARM Architecture Drawings dated

	August 2022, Hydraulic and Fire Services Infrastructure Report prepared by Aurecon dated 18 August 2022 and the TTW Stormwater Management Plan dated 23 August 2022 also provide detail on services. The main findings of the essential services assessment are provided as follows: ○ Potable Water - The site is serviced by a mains water connection from Euroley Road which extends to the school's private water service. The Aurecon Hydraulic and Fire Services Infrastructure Report states that an existing 150mm water supply line running along the service road between building Q and the proposed new female dormitory is likely to provide sufficient capacity to service the proposal. It is also noted that an existing fire hydrant system is provided at the site, consisting of two (2) x 200kL effective capacity tanks, dual fire pumps, booster assembly and external fire hydrants (double pillar) throughout the site. This hydrant system also feeds sprinkler systems in buildings E and J. The hydrant booster pumps have a capacity of 25l/s @ 900kPa with an additional jockey pump with capacity 1L/s @ 950kPa for pressure maintenance. The hydrant system is also supported by a fire detection system, portable fire extinguishers and fire hose reels. The Aurecon Hydraulic and Fire Services Infrastructure Report recommends that an additional survey of the existing water systems be undertaken to obtain information on size, flowrate and existing route of the system so that the required hydraulic systems can be appropriately designed. ○ Sewerage - The site is serviced by existing private sewer mains that drain to a private sewer rising main that pumps effluent to a private treatment plant located to the south-west of the school precinct, located on YAHS grounds. The Aurecon Hydraulic and Fire Services Infrastructure Report proposes to connect new buildings to existing services and treatment system, which has been calculated to have a design capacity up to 3,000 students. Accordingly, no upgrade works to the sewerage system are required, other than plumbing connections to existing mains. The Aurecon Hydraulic and Fire Services Infrastructure Report recommends an additional survey of the existing sewer systems within the school precinct be undertaken to obtain information on size, depth and existing route of the system. ○ Electrical Infrastructure - A Schematic Design Report has been prepared by Erbas dated 6 September 2022 to consider mechanical services (heating, ventilation and air conditioning) and electrical service infrastructure available to the site and demands associated with the proposal. The electrical design for the proposal has been found to generally comply with the NSW Educational Facilities Standards and Guidelines and other relevant requirements. Electrical services systems, equipment and fittings will be designed and selected based on a life cycle cost assessment to demonstrate the most cost-effective solution. ○ Stormwater Drainage - A Stormwater Management Plan has been prepared by TTW dated 23 August 2022. The subject land generally does not drain to any formal public drainage system such as the public road network. Stormwater is generally managed onsite, with overland flows to the adjoining Murrumbidgee River in large storm events. The proposed stormwater drainage arrangements are considered satisfactory given the large amount pervious land area that is to be kept available for the management of overland flows and onsite detention. ○ Access - The ARM Architecture Drawings dated August 2022 and a Rapid Traffic Assessment prepared by TTPP dated 6 May 2021 provides the mainstay of access considerations. In general, the proposal will utilise existing accesses that link to Euroley Road, which is a local road controlled by Leeton Shire Council. Assessment of the existing road access and wider road network reveals no safety, sight distance or asset condition issues. No road upgrades have been identified by Council for consideration in this report.

State Environmental Planning Policies			
Identification of relevant SEPPS	Name of SEPP	Applicability	
	SEPP (Biodiversity and Conservation) 2021	☐ Yes – See below for details.	☒ No
	SEPP (BASIX) 2004	☐ Yes – See below for details.	☒ No
	SEPP (Exempt and Complying) 2008	☐ Yes – See below for details.	☒ No
	SEPP (Housing) 2021	☐ Yes – See below for details.	☒ No
	SEPP (Industry and Employment) 2021	☐ Yes – See below for details.	☒ No
	SEPP No 65—Design Quality of Residential Apartment Development	☐ Yes – See below for details.	☒ No

	SEPP (Planning Systems) 2021	☒ Yes – See below for details.	☒ No
	SEPP (Precincts – Regional) 2021	☐ Yes – See below for details.	☒ No
	SEPP (Primary Production) 2021	☐ Yes – See below for details.	☒ No
	SEPP (Resilience and Hazards) 2021	☒ Yes – See below for details.	☐ No
	SEPP (Resources and Energy) 2021	☐ Yes – See below for details.	☒ No
	SEPP (Sustainable Buildings) 2022	☐ Yes – See below for details.	☒ No
	SEPP (Transport and Infrastructure) 2022	☒ Yes – See below for details.	☐ No

SEPP assessment

A more detailed assessment of applicable SEPPs is carried out below:

<u>SEPP – Planning Systems 2021</u>

The Planning Systems SEPP identifies significant development and infrastructure and confer functions on Regional Planning Panels to determine development applications. The proposal is regionally significant development as the development will be carried out by or on behalf of the Crown and has a capital investment value greater than $5 million, as per Schedule 6 of State Environmental Planning Policy (Planning Systems) 2021. Accordingly, the application is to be tabled with the Western Regional Planning Panel for determination.

<u>SEPP (Resilience and Hazards) 2021</u>

Section 6.1.2 of the SEE prepared by DFP Planning Consultants dated September 2022 provides an assessment of proposal against the requirements of State Environmental Planning Policy (Resilience and Hazards) 2021 – referred to hereafter as the Hazards SEPP.

The SEE advises generally the Geo-Environmental Site Investigations Report prepared by Coffey dated 18 August 2022 was used to inform the assessment of soil conditions and contamination issues. The SEE advises in Section 6.6.6 that the Coffey report draws on findings from previous investigations undertaken by Coffey, namely a Limited Asbestos and Hazardous Materials Pre-Demolition Survey (2021) and Preliminary Site Investigation (2021), as well as other secondary sources, site investigations, borehole investigations and laboratory testing.

The Coffey Geo-Environmental Site Investigations Report draws the following conclusions and recommendations:

- The encountered subsurface conditions comprised topsoil / shallow fill material (sandy silt to silty sand) to depths of 0.1 to 0.4m bgl, underlain by alluvial silty clay (medium to high plasticity) in all boreholes across the site. Deeper boreholes (BH01 to BH03) encountered similar alluvial clay to depths of 2.8 to 4.7m, underlain by alluvial clay (medium plasticity) to the limit of the investigation (6.0m bgl). Anthropogenic materials were observed in shallow fill material in BH07 (including broken glass, plastic, aluminium and concrete overpour from a nearby footing). No hazardous materials or other visual or olfactory evidence of contamination were encountered. Low PID measurements also indicated a low potential for volatile hydrocarbon contamination across the site.
- Soil analytical results reported contaminant concentrations below the relevant NEPM health and ecological assessment criteria for residential / open space soils. Based on the findings of the investigation, not soil contamination within the site has been identified that poses potentially unacceptable risks to human or ecological receptors at the site.
- Asbestos-containing materials (ACM) was not identified in boreholes as part of this investigation. Note that confirmed ACM have been identified in various buildings onsite, which should be managed in accordance with the recommendations in the Coffey (2021a) Hazardous Materials survey report. Anecdotal evidence indicates that underground services within the site and broader YAHS grounds may have been encased with ACM. An asbestos register provided for the YAHS grounds (NSW Government Department of Education / Parsons Brinckerhoff, 2017) indicated the existing demountable buildings were previously assumed to contain asbestos, however the register does not include any laboratory testing previously undertaken to confirm the presence of asbestos-containing materials (ACM) in the demountable buildings or Mason Building onsite. Whilst such materials were not encountered during the investigation, ACM debris and or services encased by ACM be encountered during earthworks.
- Anthropogenic inclusions in fill material in BH07 (including broken glass, plastic, aluminium and concrete) and bedding sand observed on the ground surface to the west of the demountable buildings

may pose aesthetic issues for proposed developments at the site. Topsoil and fill material should be visually assessed during earthworks, with anthropogenic waste materials removed and bedding sand / fill material sufficiently covered during redevelopment works.

- Saturated clay was observed at a depth of 5.4m bgl during this investigation, however groundwater inflows into boreholes was not observed. Groundwater mobility at the site is expected to be low due to the presence of low-permeability cohesive soils observed in boreholes across the site (comprising clay / silty clay), while the nearest exposure points for groundwater receptors identified at considerable distance away from the site (>250m). Natural attenuation of groundwater contamination (if present) is expected to occur over this distance.
- While a detailed groundwater investigation was outside the scope of this investigation, field information, laboratory results and the previous PSI report (Coffey, 2021b) have not identified a significant contamination source within the soil onsite that is likely to impact groundwater quality. PID measurements indicated a low likelihood for volatile hydrocarbons being present in groundwater and low risk of hydrocarbon vapours to onsite development.
- The proposed development at the site is intended to be constructed at approximate ground level. No basement is proposed although some localised excavation is expected to house a lift shaft/pit and accommodate new services. Based on the available information, the proposed developments are not expected to intersect groundwater at the site and therefore the risks posed by direct contact with groundwater are low during ongoing site use.
- Localised water inflow may be encountered during construction in deeper excavations or following periods of wet weather. Where the development does incorporate deep excavations or bored piles and has the potential to interact with groundwater beneath the site, it is recommended that further investigations are completed to establish groundwater depth and quality such that this information can inform the development of a Construction Environmental Management Plan (CEMP).

Coffey recommends that prior to the commencement of demolition, earthworks and site redevelopment, an appropriate CEMP be prepared by the principal contractor to manage environmental risk posed to construction workers, school students and staff, and to the surrounding environment by construction works and to manage waste in accordance with appropriate NSW statutes. Coffey also recommends inclusion of an appropriate unexpected finds protocol the CEMP to provide a procedure for emergency response should visible ACM material, or other unknown contamination, be uncovered during future project works at the site.

<u>SEPP (Transport and Infrastructure) 2022</u>

Part 3.4 of the Transport and Infrastructure SEPP sets out specific development controls for schools. Section 3.36(1) of the SEPP states:

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

Pursuant to Section 3.34 of the Transport and Infrastructure SEPP, the SP2 Infrastructure zone is a prescribed zone. Therefore, the proposed development can be carried out on the site with development consent.

Section 3.35(3) of the Transport and Infrastructure SEPP requires the determining authority to take into consideration the design quality of the development against the design quality principles in Schedule 8 of the SEPP. The SEE prepared by DFP Planning Consultants dated September 2022 provides a comprehensive assessment of Schedule 8 criteria in Table 2. The Architectural Design Report prepared by ARM Architects dated August 2022 also provides information to assess building design quality. This assessment work adequately demonstrates the proposal is consistent with the design quality principles in Schedule 8 of the Transport and Infrastructure SEPP.

There are provisions contained within the Transport and Infrastructure SEPP which are triggers for the referral of Development Applications to certain authorities. The potential triggers are listed below:

- Section 2.48 of the Infrastructure SEPP requires Council to give written notice to the electricity supply authority (and consider any response received within 21 days) when a DA involves development that comprises of involves:
  - the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,
  - development carried out within or immediately adjacent to an easement for electricity purposes or substation, or within 5 metres of an exposed overhead electricity power line.

	– Development involving the installation of a swimming pool within 30m of a structure supporting an overhead transmission line, or within 5m of an overhead electricity power line. – Development involving or requiring the placement of power lines underground. Based on a review of the CMS Survey Plan and the ARM Architectural Drawings, the proposal does not trigger the requirement for written notice to be provided to Essential Energy. ○ Section 2.122 of the Transport Infrastructure SEPP requires written notice to TfNSW when a DA involves traffic generating development of a kind specified in Column 1 of Schedule 3 of the SEPP. The proposal is not listed as traffic generating development and referral to TfNSW is not a requirement under Section 2.122. ○ Section 3.58 of the Transport Infrastructure SEPP requires written notice to TfNSW where a proposal involves an enlargement of an educational establishment where the site has direct vehicular / pedestrian access to any road. The proposed alterations and additions at the YAHS are well separated from public roads and referral to TfNSW is not a requirement under Section 3.58. A Rapid Traffic Assessment prepared by TTPP dated 6 May 2021 has been submitted with DA 101-2022, which generally provides a thorough assessment of access, traffic, parking and active transport matters. Active transport links from YAHS to other urban attractions has not been covered in the traffic assessment work. It is understood that YAHS runs regular bus services into Yanco and Leeton on weekends and as required for structured sports and activities.

11.2. Section 4.15(1)(a)(ii) Provision of any proposed Environmental Planning Instrument

Draft Local Environmental Plans	
	No draft instruments have been identified which contain provisions likely to be of relevance to the determination of DA 101-2022.
Draft State Environmental Planning Policies	
	No draft instruments have been identified which contain provisions likely to be of relevance to the determination of DA 101-2022.

11.3. Section 4.15(1)(a)(iii) Provision of any Development Control Plan

Leeton Comprehensive Development Control Plan 2022

Identification of relevant DCP parts	Name of Part	Applicability	
	Part A - Introduction	☒ Yes – See below for details.	☐ No
	Part B - Design Guidelines	☒ Yes – See below for details.	☐ No
	Part C - Subdivision	☐ Yes – See below for details.	☒ No
	Part D - Residential	☐ Yes – See below for details.	☒ No
	Part E - Rural	☐ Yes – See below for details.	☒ No
	Part F - Commercial	☐ Yes – See below for details.	☒ No
	Part G - Industrial	☐ Yes – See below for details.	☒ No
	Part H - Special Precincts	☐ Yes – See below for details.	☒ No
	Part I - Heritage	☒ Yes – See below for details.	☐ No
	Part J - Parking	☒ Yes – See below for details.	☐ No
	Part K - Flooding	☒ Yes – See below for details.	☐ No
	Part L - Biodiversity	☐ Yes – See below for details.	☒ No
DCP assessment	A more detailed assessment of applicable Parts of the Leeton DCP 2022 is carried out below:		

	○ Part A – Part A of the Leeton DCP 2022 sets out the introductory information relating to the use of the Leeton DCP 2022. The proposed development is assessed to be consistent with all requirements of Part A of the DCP. ○ Part B - Part B of the Leeton DCP 2022 contains design guidelines that should be considered in the preparation of Development Applications requiring consent. DA 101-2022 includes a DA Design Report and Architectural Plans prepared by ARM Architecture dated August 2022 which address the guidelines included in Part B of the DCP. ○ Part I - A Heritage Impact Statement prepared by Kayandel Archaeological Service dated February 2023 was provided to Leeton Shire Council and subsequently sent to Heritage NSW who have granted their GTAs for the proposal in satisfaction of DCP requirements. ○ Part J - A Rapid Traffic Assessment prepared by TTPP dated 6 May 2021 has been submitted with DA 101-2022, demonstrating compliance with the parking and access standards listed in the Leeton DCP 2022. ○ Part K - A Flood Assessment has been prepared by Martens Consulting Engineers and a Stormwater Management Report has been prepared by TTW, which were submitted with DA 101-2022 to show the development site is located outside the 1% AEP flood planning level (138.37m AHD). A Flood Emergency Response Plan has been prepared to assist the school to operate safely in the floodplain environment.
11.4. Section 4.15(1)(a)(iiia) Any panning agreement that has been entered into under Section 7.4, or any draft planning agreement that a developer has offered to enter into under Section 7.4	
	No planning agreements or draft planning agreements have been prepared in relation to DA 101-2022.

11.5. Section 4.15(1)(a)(iv) The Regulations

Identification of relevant provisions	Regulation Clause	Applicability	
	Clause 61(1) – Demolition	☒ Yes – See below for details.	☐ No
	Clause 61(2) – Subdivision Orders	☐ Yes – See below for details.	☒ No
	Clause 61(3) – Dark Sky Planning Guidelines	☐ Yes – See below for details.	☒ No
	Clause 61(4) – Manor / Multi Dwellings Housing	☐ Yes – See below for details.	☒ No
	Clause 62 – Consideration of fire safety	☐ Yes – See below for details.	☒ No
	Clause 63 – Temporary Structures	☐ Yes – See below for details.	☒ No
	Clause 64 – Upgrade of buildings	☒ Yes – See below for details.	☐ No
	Clause 65 – Sydney Opera House	☐ Yes – See below for details.	☒ No
	Clause 66 – Contributions plans for Sydney	☐ Yes – See below for details.	☒ No
	Clause 67 – Modification or surrender of development or existing use right	☐ Yes – See below for details.	☒ No
	Clause 68 – Voluntary surrender of development consent	☐ Yes – See below for details.	☒ No
EP&A Regulation assessment	A more detailed assessment of applicable provisions in the EP&A Regulation 2021 is carried out below: ○ Clause 61 Demolition - The ARM Architecture Drawings, DFP Planning Consultants SEE and the Trevor R Howse NCC 2019 and Accessibility Design Specification provide detail on the extent of proposed demolition work. The assessment of the proposed demolition works has been undertaken with regard to Australian Standard 2601—2001: The Demolition of Structures and has identified no particular issues that warrant changes to DA 101-2022 (as submitted). A CEMP is to be prepared to manage demolition and construction phases of the development. ○ Clause 64 Building Upgrades - The ARM Architecture Drawings, DFP Planning Consultants SEE and the Trevor R Howse NCC 2019 and Accessibility Design Specification explain the scope of proposed building alterations. In general, it would appear existing buildings are being brought into total		

	conformity with the Building Code of Australia (BCA), either through compliance with nominal standards or deemed-to-satisfy provisions under the BCA. No particular issues have been raised by Leeton Shire Council planning and building certification staff at this stage. The issue of a Construction Certificate provides further opportunity to ensure building upgrade measures comply with the BCA.			
11.6. Section 4.15(1)(b) The Likely Impacts of the development, including environmental impacts both on both the natural and built environments, and social and economic impacts in the locality				
Site requirements assessment	Boundary clearances	☒ Complies	☐ Does not comply	
	Front Building Setback	☒ Complies	☐ Does not comply	
	Site coverage	☒ Complies	☐ Does not comply	
	All buildings and structures are adequately setback from existing boundaries and other buildings in order to comply with the Leeton DCP 2022 and the BCA. The proposal does not represent an over development of the site. The design of the proposal has adequately demonstrated provision for buildings, car parking, access, landscaping, utilities, stormwater and waste disposal.			
Easements assessment	Are there any existing easements?	☐ Yes	☒ No	
	Are any easements encroached?	☐ Yes	☒ No	
	Are easements proposed / required?	☐ Yes	☒ No	
	The CMS Survey does not show any easements on Lot 1 DP 795500. The proposal does not encroach on the existing easement locations. There is no warrant for easements.			
Consolidations	Are consolidations proposed?	☐ Yes	☒ No	
	Are consolidations required?	☐ Yes	☒ No	
	Are works clear of other services / utilities?	☒ Yes	☐ No	
	All buildings and structures are wholly contained within Lot 1 DP 795500. No consolidation of allotments is required All physical buildings are structures are assessed to be clear of private and public utility and service locations.			
Section 4.15 Assessment Considerations				
Context and setting	What is the relationship to the regional and local context in terms of:			
	The scenic qualities and features of the landscape?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	The character and amenity of the locality and streetscape?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	The scale (bulk, height, mass) form, character, density and design of development in the locality?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	The previous and existing land-uses and activities in the locality?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	What are the potential impacts on adjacent properties in terms of:			
	Relationship and compatibility of adjacent land-uses	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Sunlight access (overshadowing)	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Visual and acoustic privacy	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Views and vistas	☒ Acceptable	☐ Unacceptable	☐ Not Relevant

	YAHS is generally located in a rural area that is well screened / distanced from nearby towns, dwellings, farms and roads. The proposed development is considered compatible with the surrounding area and will have minimal impact on adjacent properties and land-uses, such as interruptions of important views and vistas, visual and acoustic privacy and the like. The size, bulk and scale of the proposed buildings are acceptable. Appropriate setbacks have been achieved to adjoining boundaries and the nature of the proposed use is unlikely to create unacceptable land-use conflict risks with neighbouring agricultural uses. Sunlight access, visual and acoustic privacy impacts on adjoining land are not likely to be significant issues. The proposed development is assessed to be acceptable in terms of context and setting considerations.			
Access, transport and traffic	Focusing on whether the development proposal provides accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and determining impacts (if any).			
	Travel demand?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Dependency on motor vehicles?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Traffic generation and the capacity of the local and arterial road network?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Conflicts within and between transport modes?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Vehicle parking spaces?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	The ARM Architecture Drawings, DFP Planning Consultants SEE and the Trevor R Howse NCC 2019 and Accessibility Design Specification provide adequate detail on access, transport and traffic issues. In general, it would appear existing buildings / works are being brought into total conformity with the Building Code. Site inspection confirms that the existing access location to Euroley Road is capable of achieving safe sight distances to approaching traffic. Internal driveways are existing, well-formed and chosen to facilitate access that does not necessitate the removal of existing vegetation. It is assessed that adequate arrangements have been made for the provision of safe access to development, for the practical movement of traffic within the development site and for the provision of on-site car parking.			
Public domain	Focusing on how development proposal interacts with the public domain.			
	Public recreational opportunities in the locality?	☐ Acceptable	☐ Unacceptable	☒ Not Relevant
	Amount, location, design, use and management of public spaces in and around the development?	☐ Acceptable	☐ Unacceptable	☒ Not Relevant
	Pedestrian linkages and access between development and public areas?	☐ Acceptable	☐ Unacceptable	☒ Not Relevant
	The development proposal is assessed to have a negligible impact on the public domain in terms of: ○ Public recreational opportunities in the locality. ○ Amount, location, design, use and management of public spaces in and around the development. ○ Pedestrian linkages and access between the development and public areas. The proposed development will not compromise the use and enjoyment of public and private recreational opportunities in the locality.			
Utilities	Focusing on the demands of the development proposal and any impacts on utility supply.			
	Utility needs of the development – water supply, sewer supply, electricity and gas?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant

	Availability and capacity of utilities?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Environmental impact?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	An assessment of the essential service requirements for the proposed development has been completed in this report as part of the evaluation of the LLEP 2014. The assessment confirms the services available to the proposal are adequate. A summary of the assessment findings is included as follows: ○ An adequate water supply is capable of being made available to the proposed development, including water supply for firefighting purposes. The Aurecon Hydraulic and Fire Services Infrastructure Report recommends that an additional survey of the existing water systems be undertaken to obtain information on size, flowrate, and existing route of the system so that the required hydraulic systems can be appropriately designed. ○ Electricity supply infrastructure is available at the site and is capable of servicing the proposed development. Final design will ensure electricity supply and installation standards are to be met. ○ YAHS is serviced by an existing private sewerage system, which has been assessed to be adequate to service existing and proposed needs. The Aurecon Hydraulic and Fire Services Infrastructure Report recommends an additional survey of the existing sewer systems within the school precinct be undertaken to obtain information on size, depth and existing route of the system. ○ Stormwater management improvements are largely established at the site. The proposed stormwater drainage arrangements are assessed to be satisfactory.			
Heritage	Focusing on how the development proposal affects the heritage significance of the property or adjacent properties.			
	The heritage significance of items, landscapes, areas, places, relics and practices?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	The historic, scientific, social, aesthetic, anthropological, cultural, spiritual, archaeological (Aboriginal, non-Aboriginal and underwater) significance?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Aboriginal, non-Aboriginal and natural heritage?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Is any heritage study, conservation planning, conservation management plan or statement of heritage impact required?	☒ Yes	☐ No	
	YAHS is a local heritage listed item (I108) and also listed on the State Heritage Register (SHR ID 5062084). A Heritage Impact Statement (HIS) has been prepared by Kayandel Archaeological Services dated February 2023 to assess the heritage impacts of the proposed development. Other heritage management documents have been prepared for the YAHS site, including: ○ SHI online, Yanco Agricultural High School. Heritage NSW, accessed 25 November 2020 https://apps.environment.nsw.gov.au/dpcheritageapp/ViewHeritageItemDetails.aspx?ID=5062084. ○ Yanco Agricultural High School Aboriginal heritage due diligence report, prepared by EMM, dated April 2021. ○ Yanco Agricultural High School Baseline historical archaeological assessment, prepared by EMM, dated May 2021. ○ Leeton, Yanco, Whitton – Historical Guide, prepared by Leeton Shire Council, 2014. A search of the Aboriginal Heritage Information Management System (AHIMS) database shows that the subject land does not contain any previously recorded items of Aboriginal cultural heritage significance. The potential for disturbance of Aboriginal cultural heritage items at the development site has been assessed as low. The CEMP will implement the unexpected finds protocol. On the basis, the proposed development is assessed to have an acceptable impact in terms of Aboriginal cultural heritage.			

	The Kayandel Archaeological Services HIS has been prepared to cover all aspects of built heritage changes associated with the proposed YAHS alterations and additions. The HIS and other submitted plans and documents have been assessed by Heritage NSW, who have granted their GTAs for the proposal to proceed with benefit of the conditions included in a future approval for the works under the Heritage Act 1977. On the basis, the proposed development is assessed to have an acceptable impact in terms of built heritage.			
Other land resources	Focusing on whether the development proposal would have an effect on conserving and using valuable land resources.			
	Productive agricultural land?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Mineral and extractive resources?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Water supply catchments?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	The current and historical use of the land has been for purposes associated with education and productive agriculture. The development of the land for education purposes is consistent with the SP2 Education Establishment zoning. The surrounding locality is rural land used for various agricultural purposes. YAHS is indirectly supportive of agricultural production in the wider locality through the education of students in best practice farming and environmental management systems and farming processes. The land has not been identified as an important resource for ongoing education. The land is not identified as being within an important water supply catchment. On this basis, the proposed development is assessed to have an acceptable impact in terms of important land resources.			
Water	Focusing on whether the development proposal would impact on the conservation of water resources and the water cycle systems.			
	The water needs of the development?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Use of water saving devices, for example, toilets, faucets, washing and irrigation equipment?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Water supply sources?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Treatment, reuse and disposal of wastewater and runoff?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Drainage, flow regimes, folding on-site, up and downstream and in the catchment floodplain?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Groundwater tables?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Tidal influences?	☐ Acceptable	☐ Unacceptable	☒ Not Relevant
	Water quality and pollution of water bodies including groundwater?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Water management plans and monitoring?	☐ Acceptable	☐ Unacceptable	☒ Not Relevant
	A detailed assessment of the water supply requirements and wastewater management on the site was undertaken as part of the evaluation of the LLEP 2014. The assessment confirms that an adequate water supply is capable of being made available to the proposed development. The existing private wastewater treatment system has also been assessed to be adequate for the proposed development. The Aurecon Hydraulic and Fire Services Infrastructure Report recommends an additional survey of the water supply and sewer systems within the school precinct to ensure they meet relevant standards and do not have a detrimental impact to the environment. On the basis that further detail design of water supply and sewage			

	management is undertaken, the proposed development is assessed to have an acceptable impact in terms of water quality issues.			
Soils	Focusing on the effects of the development on soil conservation, erosion and sedimentation.			
	Soil qualities – erodibility, permeability, expansion/contraction, fertility/productivity, salinity, acidity, contaminants?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Instability – subsidence, slip, mass movement?	☐ Acceptable	☐ Unacceptable	☒ Not Relevant
	Proposed movement, formation, use and management of soils?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Soil erosion and degradation?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Sedimentation and pollution of water bodies?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Use of highly fertile/productive soils and topsoils?	☐ Acceptable	☐ Unacceptable	☒ Not Relevant
	Remediation of contaminated soils?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Management of acid sulfate soils?	☐ Acceptable	☐ Unacceptable	☒ Not Relevant
	The development site is relatively flat and minimal cut and fill is required to accommodate the levelled pads for new buildings and additions. Less than 1m of fall exists over these areas. Retaining walls are generally not proposed and / or assessed to be required. Subject to the implementation of appropriate soil erosion and sediment controls during construction phases of the project, there is a low chance that the proposal will generate detrimental impacts on existing drainage patterns in the locality. The buildings are sufficient distanced from property boundaries and adjoining land-uses, such as that the earthworks will not generate unacceptable impacts. The site is not impacted by drinking water catchments or environmentally sensitive landscapes. DA 101-2022 has been supported by Architectural drawings and studies that seek to ensure soil impacts associated with the proposed development are manageable and within accepted standards. On this basis, the proposed development is assessed to have an acceptable impact in terms of soils.			
Air and microclimate	Focusing on whether the development proposal is going to affect air quality and microclimatic conditions.			
	Existing air quality and pollution problems?	☐ Acceptable	☐ Unacceptable	☒ Not Relevant
	The microclimate, prevailing meteorological conditions and topography?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Emissions of dust, particulates, odours, fumes, gases and pollutants?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Measures to prevent and mitigate air pollution?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	The nearest sensitive receptor (dwelling) not associated with YAHS is located over 1,000m from the proposed site of building alterations and additions. Agricultural production and bushland are the predominant land-use on immediately adjoining properties. Trafficable surfaces, including car parking spaces, primary internal roads and manoeuvring areas and public roads, are generally bitumen sealed. DA 101-2022 has been supported by Architectural drawings and studies that seek to ensure air quality impacts associated with the proposed development are manageable and within accepted standards. On this basis, the proposed development is assessed to have an acceptable impact in terms of air quality and microclimate.			

Flora and fauna	Focusing on the effects of the development proposal on biodiversity.			
	Protection and management of critical habitats: threatened species, populations, ecological communities or their habitats: and other protected species – see any recovery plans or threat abatement plans under Threatened Species Conservation Act?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Adjacent wilderness areas and national parks – see any conservation agreements and plans of management under the National Parks and Wildlife Act?	☐ Acceptable	☐ Unacceptable	☒ Not Relevant
	Wildlife corridors and remnant vegetation?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	The relationship of vegetation to soil erosion/stability and water cycle?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Weeds, feral animal activity, vermin and disease?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Disturbance to native fauna and habitats?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	The amount and location of vegetation disturbance and clearance?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	New vegetation – species selection, placement and purpose?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	A detailed Fauna and Flora Assessment has been carried out by Eco Logical which concluded no significant impacts on native vegetation or threatened species. Removal of existing planted species does not trigger entry to the NSW Biodiversity Offset Scheme. Eco Logical have recommended the development of a CEMP with relevant mitigation measures to ameliorate potential impacts to biodiversity values outside of the development area. On this basis, the proposed development is assessed to have an acceptable impact in terms of flora and fauna.			
Waste	Focusing on waste management impacts and issues.			
	Solid, liquid and gaseous wastes and litter?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	The generation, collection, storage and disposal of waste?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Recycling and composting waste?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Vermin controls and contaminants such as pathogens and bacteria?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	YAHS has an established waste management system, with most waste products being organic materials that are collected in bins for recycling or disposal to an approved waste facility. None of the waste materials generated are considered hazardous or offensive or special separation requirements. There is no proposal to connect the development to the Leeton Shire Council reticulated sewerage system. Continued use of an existing private sewage treatment system is proposed. Investigation of this system by Aurecon indicates the existing treatment system has a design capacity up to 3,000 students. Accordingly, no upgrade works to the sewerage system are required, other than plumbing connections to existing mains.			

	Development of a CEMP to deal with waste management is also recommended. On this basis, the proposed development is assessed to have an acceptable impact in terms of waste generation and management.			
Energy	Focusing on the implications of the development proposal on energy supply and the need to conserve energy and be energy efficient.			
	Energy needs of the development.	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Measures to save energy – passive design, solar lighting and heating, natural ventilation, shading elements, insulation, high thermal mass building materials, energy efficient appliances and machinery?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	The use of renewable and non-polluting energy sources?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Energy needs in producing building/structural materials?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Energy use by products and waste?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	A Schematic Design Report of electrical demand and supply service requirements has been prepared by Erbas, dated 6 September 2022 and submitted in support of the DA. It appears the proposed development will rely on existing connection to the grid electrical supply system in order to meet its energy needs. Connection to the grid supply is already provided to YAHS and would appear to cater for the proposed alterations and additions. As part of the process in obtaining a Construction Certificate for the proposed works, a Part J Report will need to be submitted demonstrating that the building designs meet the relevant energy efficient requirements of the BCA. On this basis, the proposed development is assessed to have an acceptable impact in terms of energy.			
Noise and vibration	Focusing on whether the development proposal would generate offensive noise pollution or vibration.			
	Ambient noise levels in the locality and prevailing meteorological conditions – wind speed/direction and temperature inversions?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Noise generated from the development?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Vibration from development and its effect on the surrounding area?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Noise and vibration mitigation measures and management?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	An Acoustic Assessment of the proposed development has been undertaken by Pulse White Noise Acoustic, dated 17 August 2022. The report identifies there is potential for a limited amount of noise and vibration during the demolition and construction phase and during future operations from mechanical plant, motor vehicles, students and the like. The nearest sensitive receptor (dwellings) not associated with YAHS are located over 1,000m from the proposed site of building alterations and additions. Agricultural production and bushland is the predominant land-use on immediately adjoining properties. The noise assessment concluded no impacts on nearby land-uses. Recommended building hours and acoustic treatments have been included in the report to ensure the development can be implemented in compliance with relevant standards. On this basis, the proposed development is assessed to have an acceptable impact in terms of noise and vibration.			
Natural hazards	Focusing on any natural risks to people, property or the biophysical environment.			
	Geologic / soil instability – subsidence, slip, mass movement?	☐ Acceptable	☐ Unacceptable	☒ Not Relevant

	Flooding, tidal inundation?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Bushfire Risk?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	A Due Diligence Bushfire Advice has been provided by Eco Logical dated 17 December 2022 to provide visibility of the bushfire protection requirements associated with the proposed YAHS alterations and additions. To ensure a bushfire hazard is not created within the subject land due to inappropriate vegetation maintenance or landscaping, the entire school building area and surrounding >50 m is recommended to be maintained to an Inner Protection Area (IPA) standard as per Planning for Bushfire Protection 2019. In the event of significant bushfire threat, the school premises would be evacuated. A Flood Assessment has been prepared by Martens Consulting Engineer and a Stormwater Management Report has also been prepared by TTW to analyse flood and stormwater characteristics at the site. The assessment work concludes: ○ 1% AEP flood level for the site of the proposed boarding facilities is 138.37m AHD. ○ Recommended Flood Planning Level is 138.67m AHD. ○ The "extreme event" level (used as a proxy for the Possible Maximum Flood level) for the site is 138.67m AHD. ○ Overbank flows from the Murrumbidgee River are the primary source of flooding. ○ The site access road to Euroley Road is accessible in the 1% AEP flood event but is likely to be inaccessible during the PMF event. ○ The location of the proposed boarding facilities is outside of the 1% AEP flood extent. ○ The proposed development will not impact the floodplain environment up to and including the 1% AEP event. The SEE advises a Flood Emergency Response Plan has been prepared to assist the school to operate safely in the floodplain environment. In the event of a major flood at the site, there would be several days warning, which will enable the dormitory accommodation to be fully evacuated. On the basis of the above, the natural hazards of the site are well understood and mitigation strategies in place to ensure no significant impacts / risks.			
Technological hazards	Focusing on whether there are any technological risks to people, property or the biophysical environment.			
	Industrial and technological Hazards	☐ Acceptable	☐ Unacceptable	☒ Not Relevant
	Land contamination and remediation?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Building fire risk?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	A detailed assessment of the technological hazards was undertaken as part of the evaluation of SEPP (Resilience and Hazards) 2021. A Geo-Environmental Site Investigations Report prepared by Coffey dated 18 August 2022 provides an assessment of soil conditions and contamination issues. This report was informed by previous investigations undertaken by Coffey; namely a Limited Asbestos and Hazardous Materials Pre-Demolition Survey (2021) and Preliminary Site Investigation (2021), as well as other secondary sources, site investigations, borehole investigations and laboratory testing. The Coffey report recommends that prior to the commencement of demolition, earthworks and site redevelopment, an appropriate CEMP be prepared by the principal contractor to manage environmental risk posed to construction workers, school students and staff, and to the surrounding environment, by construction works and to manage waste in accordance with appropriate NSW statutes. They also recommend inclusion of an appropriate unexpected finds protocol in the CEMP to provide a procedure for emergency response should visible ACM material, or other unknown contamination, be uncovered during future project works at the site. The ARM Architectural Drawings, TTW Structural Engineering Schematic Design Report prepared by TTW and Trevor R Howse NCC 2019 & Accessibility Design Specification show the extent of new building work. Various upgrades have been incorporated into the design plans and specifications to address fire risk and access issues. It would appear existing buildings are being brought into total conformity with the Building			

	Code of Australia (BCA), either through compliance with nominal standards or deemed-to-satisfy provisions under the BCA. No particular issues have been raised by Leeton Shire Council planning and building certification staff at this stage. The issue of a Construction Certificate provides further opportunity to ensure building upgrade measures comply with the BCA. On the basis of the above, the natural hazards of the site are well understood and mitigation strategies in place to ensure no significant impacts / risks.			
Safety, security and crime prevention through environmental design	Focusing on whether the development provides safety and security throughout.			
	Risk assessment and potential tor accident, injury and criminal activity, particularly in residential areas and commercial / shopping centres?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Measures used for safety, security and crime prevention such as situational measures and environmental design?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Natural surveillance and visibility in public areas, including active uses on adjacent ground floors and building frontages/edges, and lighting?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Maintaining the condition and use of public areas, reinforcing territoriality and reducing fear of crime?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Access controls and activity management?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Target hardening and target removal?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Section 6.2.12 of the DFP Planning Consultants SEE includes assessment of CPTED principles. The SEE advises the proposed new building and its associated site works have been designed to ensure the safety and security of its students are being maintained and improved. By considering CPTED measures within the design of the development, DFP Consultants anticipate this will minimis incidences of crime and contribute to perceptions of increased public safety. The SEE suggests proposed new buildings are sited well within the school grounds behind the existing effective line of security along Euroley Road with a clear definition between the public and private realm. The building has been designed to maximise active and passive surveillance by school staff to access points and communal spaces. External lighting, security lighting and closed-circuit television systems are proposed as detailed in the Schematic design report – mechanical and electrical prepared by Erbas. The ARM Design Report and Architectural Drawings would appear to reflect the SEE statements and CPTED principles. There are no aspects of the site or building design which raise any significant concerns in relation to safety and security. On this basis, the proposed development is assessed to have an acceptable impact in terms of safety, security and crime prevention.			
Social impact in the locality	Focusing on the social impacts, benefits and costs of the development proposal.			
	The health and safety of the community?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Social cohesion?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Community structure, character, values and beliefs?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	A sense of place and community?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant

	Community facilities and links?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	The interaction between new development and the community?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Social equity, social-economic groups and the disadvantaged?	☐ Acceptable	☐ Unacceptable	☒ Not Relevant
	Social displacement?	☐ Acceptable	☐ Unacceptable	☒ Not Relevant
	Social change management?	☐ Acceptable	☐ Unacceptable	☒ Not Relevant
	The SEE does not provide a section dealing with social impact assessment. In Section 6.4 of the SEE there is a statement that the proposed development is considered to be in the public interest as it will ensure the established use of the site as an educational establishment is enhanced and safeguarded for the long-term and will especially support the education of young rural females. Broad assessment of YAHS in the context of nearby Yanco and Leeton reveals that the high school grounds are relatively isolated from township attractors such as shops, playing fields, cinemas, libraries, Post Offices and the like. It is understood that YAHS run buses into Yanco and Leeton on a regular basis, including weekends to provide opportunities for students to access community facilities and services. Given that the YAHS is an education and boarding establishment, there is a need to improve links between YAHS and Yanco township. A shared path arrangement would appear to be the optimum community infrastructure intervention to provide active transport linkages between YAHS and nearby towns. It is not considered reasonable to apply the full extent of these off-site works to the proposed alterations and additions to YAHS.			
Economic impact in the locality	Focusing on the economic impacts, benefits and costs of development proposal.			
	Employment generation?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Economic income?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Existing and future businesses?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Property values as indicator of environmental impacts?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	There would be a strong positive impact from the investment of State government funds into the local economy through the construction of new buildings and the superior offerings that YAHS could offer students wishing to study / board at the facility. There would be benefits that flow onto other local businesses operating in the area, including building and trade services, education and cleaning services. There are no negative economic impacts as a result of the proposal in the locality.			
Site design and internal design	Focusing on any design sensitive issues / conditions and site attributes.			
	Size, shape and design of allotments, easements and roads?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	The proportion of site covered by buildings?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	The positioning of buildings?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	The size (bulk, height, mass), form, appearance and design of buildings?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant

	The amount, location, design, use and management of private and communal open space?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Landscaping?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	How would the development affect the health and safety of the occupants in terms of:			
	Lighting, ventilation and insulation?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Building fire risk – prevention and suppression?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Building materials and finishes?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	A common wall structure and design?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Access and facilities for the disabled?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Likely compliance with the Building Code of Australia?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	The ARM Design Report and Architectural Drawings, TTW Structural Engineering Schematic Design Report, Trevor R Howse NCC 2019 & Accessibility Design Specification and other reports demonstrate that the proposed alterations and additions have been well-designed. The site layout and building design is deemed acceptable having regard to existing site conditions and relevant standards. It is expected that the proposal is capable of operating on the land without generating significant detrimental impacts on the environment or adjoining land.			
Construction	Focusing on the impacts of construction activities.			
	The environmental planning issues listed above?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Site safety?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Focusing on the ways in which construction activities would be managed to minimise impacts.			
	Environmental protection measures?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Site safety measures?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Staging construction?	☐ Acceptable	☐ Unacceptable	☒ Not Relevant
	The DFP Planning Consultants SEE generally advises all construction work will be undertaken in accordance with the BCA and other relevant standards. Construction impacts are not anticipated to have an adverse impact on the locality. Works would occur during daytime hours, thus not impacting on YAHS or local amenity considerations. The site would have temporary containment fencing erected and signage to warn and exclude the public from entering the site during the construction phase. Erosion and sedimentation control measures would be developed and implemented during construction to minimise any erosion and sedimentation at the site. All disturbed areas rehabilitated as soon as practical. All waste generated during construction would be taken and disposed of at an authorised waste facility. All construction machinery would be fitted with appropriate muffling devices to limit noise generation during construction. The construction period would be for a limited period, and thus any impacts would be limited to that time frame.			

	It is assessed that the proposed development would have an acceptable impact in terms of construction processes, subject to the imposition of normal conditions to control hours of construction activity, soil erosion and sediment control and waste disposal. A CEMP is recommended to be required as a condition of consent, dealing with all management procedures, protocols and contingencies during the demolition and construction phases of the project, which provides further opportunity to fine-tune project management aspects of the development.			
Cumulative impacts	Focusing on whether any identified impacts have potential to act in unison to create larger / cumulative impacts.			
	Individual impacts so close in time that the effects of one are not dissipated before the next (time crowded effects)?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Individual impacts so close in space that the effects overlap (space crowded effects)?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Repetitive, often minor impacts eroding environmental conditions (nibbling effects)?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	Different types of disturbances interacting to produce an effect which is greater or different than the sum of the separate effects (synergistic effects)?	☒ Acceptable	☐ Unacceptable	☐ Not Relevant
	The documentation in support of DA 101-2022 provides a thorough assessment of all potential impacts and proposed mitigation strategies. It is considered there will be no significant negative impacts as a result of the proposed YAHS alterations and additions. Cumulative impact assessment is generally a measure of the following matters: ○ The alignment of the project with the strategic planning framework for the area, having regard to any relevant legislation, plans, policies or guidelines. ○ The project and other potentially relevant future projects that may be developed over the same time period as the project. ○ The key matters that could be materially affected by the cumulative impacts of these projects including important natural resources, culturally significance resources, key infrastructure and industries, sensitive land-use zones, local communities and threatened species. ○ An assessment of the likely cumulative impacts has been completed and documented as follows: The proposed development is located within a SP2 Infrastructure zone that specifically permits educational establishments. The use of the land for the purposes of the Yanco Agricultural High School is permissible in the zone with consent. The proposed development is assessed to be consistent with the relevant matters for consideration under LLEP 2014, Leeton DCP 2022 and other relevant SEPPs and standards. Environmental impact assessments have been completed for the proposed development (detailed in previous sections of this report) and no significant cumulative impacts have been identified. Overall, it is assessed that the proposal is likely to make a neutral / positive contribution to the environment. The proposal is considered compatible with the site and its surrounds and does not contribute to having a significant cumulative impact.			
11.7. Section 4.15(1)(c) The suitability of the site for the development				
The locality	Are the constraints posed by adjacent developments prohibitive?	☐ Yes	☒ No	☐ Not Relevant
	Would development lead to unmanageable transport demands and are there adequate transport facilities in the area?	☐ Yes	☒ No	☐ Not Relevant

	Will the locality contain adequate recreational opportunities and public spaces for new occupants?	☐ Yes	☒ No	☐ Not Relevant
	Are utilities and services available to the site and adequate for the development?	☒ Yes	☐ No	☐ Not Relevant
	Is the air quality and microclimate appropriate for the development?	☒ Yes	☐ No	☐ Not Relevant
	Are there hazardous land-uses or activities nearby?	☐ Yes	☒ No	☐ Not Relevant
	Are ambient noise levels suitable for the development?	☒ Yes	☐ No	☐ Not Relevant
	Is the site critical to the water cycle in the catchment?	☐ Yes	☒ No	☐ Not Relevant
	The assessment of the proposed development generally concludes that the proposed development is not overly constrained by natural hazards, site contamination or other site considerations. Potential for land-use conflict from adjacent properties is assessed to be low given the large distances between land-uses. The proposed alterations and additions are a suitable fit for existing attributes of the natural and built environment within the immediate locality.			
Site attributes	Is the site subject to natural hazards including flooding, tidal inundation, subsidence, slip, mass movement, and bushfires?	☒ Yes	☐ No	☐ Not Relevant
	Is the proposal compatible with conserving the heritage significance of the site?	☒ Yes	☐ No	☐ Not Relevant
	Are the soil characteristics on the site appropriate for development?	☒ Yes	☐ No	☐ Not Relevant
	Is development compatible with protecting any critical habitats or threatened species, populations, ecological communities and habitats on the site?	☒ Yes	☐ No	☐ Not Relevant
	Is the site prime agricultural land and will development prejudice future agricultural production?	☐ Yes	☒ No	☐ Not Relevant
	Will development prejudice the future use of the site for mineral and extractive resources?	☐ Yes	☒ No	☐ Not Relevant
	The assessment of the proposed development generally concludes that the site attributes of the land are suitable for the proposed development. Environmental impacts are within acceptable limits, subject to appropriate conditioning of the consent.			

11.8. Section 4.15(1)(d) any submissions made in accordance with the Act or the Regulations			
Neighbour notification	Was the proposal required to notified in accordance with the Leeton Community Participation Plan	☒ Yes	☐ No
	Commencement Date	11 October 2022	
	End Date	7 November 2022	

	The advertising / notification of DA 101-2022 was undertaken in accordance with the Leeton Shire Council Community Participation Plan 2019, including. No submissions were received as a result of the public consultation / exhibition process.		
Advertisement	Was the proposal required to exhibited in accordance with the Leeton Community Participation Plan	☒ Yes	☐ No
	Commencement Date	11 October 2022	
	End Date	7 November 2022	
	Notice of DA 101-2022 was placed in the Leeton Irrigator on 11 October 2022 in accordance with the Leeton Shire Council Community Participation Plan 2019. No submissions were received as a result of the public consultation / exhibition process.		
Public submissions	Did Council receive any submissions as a result of the public consultation process?	☐ Yes	☒ No
	Have the issues raised in public submissions been properly considered in the assessment process?	☐ Yes	☒ No
	Can the issues raised in public submissions be resolved through appropriate conditioning of the consent?	☐ Yes	☒ No
	Leeton Shire Council did not receive any written submissions as a result of the public consultation / exhibition process.		
Submissions from public authorities	Was the DA required to be referred to any public authorities or agencies?	☒ Yes	☐ No
	DA 101-2022 was referred to Heritage NSW as an integrated approval body. On 16 March 2023 Heritage NSW provided their GTAs to the proposal. The GTAs have been integrated into the draft conditions.		
11.9. Section 4.15(1)(e) the public interest			
Public interest considerations	Are there any Federal, State or Local Government and/or Community Interests?	☐ Yes	☒ No
	Do any policy statements from Federal or State Governments have relevance?	☐ Yes	☒ No
	Are there any relevant planning studies and strategies?	☐ Yes	☒ No
	Is there any management plan, planning guideline, or advisory document that is relevant?	☐ Yes	☒ No
	Are there any credible research findings, which are applicable to the case?	☐ Yes	☒ No
	Have there been relevant issues raised in public meetings or inquiries?	☐ Yes	☒ No
	Are there any outstanding public submissions that have not been properly assessed?	☐ Yes	☒ No
	Will the health and safety of the public be affected?	☐ Yes	☒ No
	The proposed development is permitted in the SP2 Infrastructure zone under LLEP 2014. The proposed development is generally considered to be of minor interest to the wider public due to the localised nature		

	of potential impacts. The proposal is not inconsistent with any relevant policy statements, planning studies, or guidelines that have not been directly considered in this assessment.		
12. Summary			
LEP	Does the proposal comply with LLEP 2014?	☒ Yes	☐ No
SEPPs	Does the proposal comply with relevant SEPPs?	☒ Yes	☐ No
DCPs	Does the proposal comply with the Leeton DCP 2022?	☒ Yes	☐ No
	Is a variation proposed to any of the above planning instruments?	☐ Yes	☒ No
Contributions	Are contribution payments required by Council?	☒ Yes	☐ No
Public interest	Has the assessment properly considered the public interest?	☒ Yes	☐ No
Matters for consideration	Is the proposal likely to be of acceptable environmental impact?	☒ Yes	☐ No
13. Recommendation			
Recommendation	☐ That consent be granted unconditionally.		
	☒ That consent be granted subject to the conditions in this assessment report.		
	☐ That consent be refused for the reasons specified in Section 12 of this assessment report.		
Assessment Officer	Michael Carter, BTP UNSW, Director of Currajong Pty Ltd.		
Determination	Development Application DA 101-2022 is to be determined by the Western Regional Planning Panel at a future date.		
Date of recommendation	24 April 2023		
14. Reasons for the Decision			
The reasons for recommendation	Development Application No. 101-2022 has been assessed using current procedures developed by Leeton Shire Council and other resource information. This includes: The requirements of Section 4.15(1) of the Environmental Planning and Assessment Act 1979 which states: **Section 4.15(1) Matters for consideration – general** – In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application: (a) the provisions of: (i) any environmental planning instrument, and (ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and (iii) any development control plan, and (iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and		

	(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph) (b) the likely impacts of that development, including environmental impacts on both the natural and built environments and social and economic impacts in the locality. (c) the suitability of the site for the development. (d) any submissions made in accordance with this Act or the regulations. (d) the public interest. – The requirements of Leeton Local Environmental Plan 2014. – The requirements of Leeton Shire Council Comprehensive Development Control Plan 2022.
15. Recommended Conditions of Consent (see overleaf)	

Approved Development

1. Development must be in accordance with the drawings listed in the table below:

Title/Plan no:	Sheet	Drawn by	Revision	Date
Schematic Design Cover Page	DA00-A0000	ARM Architecture	2	31.08.22
Location Plan	DA00-A0100	ARM Architecture	1	18.08.22
Staging Plan	DA00-A0101	ARM Architecture	1	18.08.22
External Materials and Finishes Palette	DA00-A0302	ARM Architecture	1	18.08.22
Existing Conditions Site Plan	DA01-A0500	ARM Architecture	1	18.08.22
Demolition Site Plan	DA01-A0700	ARM Architecture	2	31.08.22
Site Plan	DA01-A1000	ARM Architecture	1	18.08.22
Site Analysis	DA01-A1001	ARM Architecture	1	18.08.22
Solar and Shadow Analysis March	DA01-A1002	ARM Architecture	1	18.08.22
Solar and Shadow Analysis June	DA01-A1003	ARM Architecture	1	18.08.22
Solar and Shadow Analysis September	DA01-A1004	ARM Architecture	1	18.08.22
General Arrangement – Floor Plan Level Ground	DA01-A1200	ARM Architecture	2	31.08.22
General Arrangement – Floor Plan – Level 01	DA01-A1201	ARM Architecture	2	31.08.22
General Arrangement – Floor Plan – Roof	DA01-A1202	ARM Architecture	1	18.08.22
Building Elevation – South & East	DA01-A2000	ARM Architecture	1	18.08.22
Building Elevations – North & West	DA01-A2001	ARM Architecture	1	18.08.22
Building Sections A-A, B-B, C-C, D-D	DA01-A3000	ARM Architecture	2	31.08.22
Building Sections E-E, F-F, G-G	DA01-A3001	ARM Architecture	2	31.08.22
Exterior Perspective 3D views 01	DA01-A7000	ARM Architecture	2	31.08.22
Exterior Perspective 3D views 02	DA01-A7001	ARM Architecture	2	31.08.22
Building D Existing Conditions – Floor Plan – Level 01	DA02-A0511	ARM Architecture	2	31.08.22
Building E Existing Conditions – Floor Plan – Ground	DA02-A0520	ARM Architecture	2	31.08.22
Building E Existing Conditions – Floor Plan – Level 01	DA02-A0521	ARM Architecture		31.08.22
Building G Existing Conditions – Floor Plan – Ground	DA02-A0530	ARM Architecture	1	18.08.22
Building G Existing Conditions – Floor Plan – Level 01	DA02-A0531	ARM Architecture	1	18.08.22
Building J Existing Conditions – Floor Plan – Ground	DA02-A0540	ARM Architecture	1	18.08.22
Building J Existing Conditions – Floor Plan – Level 01	DA02-A0541	ARM Architecture	1	18.08.22
Building J Existing Conditions – Floor Plan – Level 02	DA02-A0542	ARM Architecture	1	18.08.22

Title/Plan no:	Sheet	Drawn by	Revision	Date
Building Q Existing Conditions – Floor Plan – Ground	DA02-A0550	ARM Architecture	1	18.08.22
Building Q Existing Conditions – Floor Plan – Level 01	DA02-A0551	ARM Architecture	1	18.08.22
Building D Demolition – Floor Plan – Level 01	DA02-A0711	ARM Architecture	2	31.08.22
Building E Demolition – Floor Plan – Ground	DA02-A0720	ARM Architecture	2	31.08.22
Building E Demolition – Floor Plan – Level 01	DA02-A0721	ARM Architecture	2	31.08.22
Building G Demolition – Floor Plan – Ground	DA02-A0730	ARM Architecture	2	31.08.22
Building G Demolition	DA02-A0731	ARM Architecture	2	31.08.22
Building J Demolition – Floor Plan – Ground	DA02-A0740	ARM Architecture	2	31.08.22
Building J Demolition – Floor Plan – Level 01	DA02-A0741	ARM Architecture	2	31.08.22
Building J Demolition – Floor Plan – Level 02	DA02-A0742	ARM Architecture	2	31.08.22
Building D General Arrangement – Floor Plan – Level 01	DA02-A1211	ARM Architecture	2	31.08.22
Building E General Arrangement – Floor Plan – Ground	DA02-A1220	ARM Architecture	2	31.08.22
Building E General Arrangement – Floor Plan – Level 01	DA02-A1221	ARM Architecture	2	31.08.22
Building G General Arrangement – Floor Plan – Ground	DA02-A1230	ARM Architecture	2	31.08.22
Building G General Arrangement – Floor Plan – Level 01	DA02-A1231	ARM Architecture	2	31.08.22
Building J General Arrangement – Floor Plan – Ground	DA01-A1240	ARM Architecture	2	31.08.22
Building J General Arrangement – Floor Plan – Level 01	DA02-A1241	ARM Architecture	2	31.08.22
Building J General Arrangement – Floor Plan – Level 02	DA02-A1242	ARM Architecture	2	31.08.22
Building Q General Arrangement – Floor Plan – Ground	DA02-A1250	ARM Architecture	2	31.08.22
Building Q General Arrangement – Floor Plan – Level 01	DA02-A1251	ARM Architecture	2	31.08.22
Title Sheet	L01	JMD Design	C	05.09.22
Landscape Plan	L02	JMD Design	C	05.09.22
Landscape Spaces	L03	JMD Design	C	05.09.22
Indicative Materials Palette	L04	JMD Design	C	05.09.22
Plant Schedule 01	L05	JMD Design	C	05.09.22

Title/Plan no:	Sheet	Drawn by	Revision	Date
Plant Schedule 02	L06	JMD Design	C	05.09.22
Plant Schedule 03	L07	JMD Design	C	05.09.22
Plant Schedule 04	L08	JMD Design	C	05.09.22
19883detail	1 of 7	CMS Surveyors	2	16.12.20
19883detail	2 of 7	CMS Surveyors	2	16.12.20
19883detail	3 of 7	CMS Surveyors	2	16.12.20
19883detail	4 of 7	CMS Surveyors	2	16.12.20
19883detail	5 of 7	CMS Surveyors	2	16.12.20
19883detail	6 of 7	CMS Surveyors	2	16.12.20
19883detail	7 of 7	CMS Surveyors	2	16.12.20

Development must also be generally in accordance with the reports listed in the table below:

Title:	Sheet	Prepared by	Revision	Date
DA Design Report	1-86	ARM Architecture	1	31.08.22
Sustainable Development Plan	1-47	Stantec	2	18.08.22
Statement of Environmental Effects	ii-46	dfp planning consultant	3	15.09.22
Yanco Agricultural High School Project Arboricultural Impact Assessment	1-32	Eco Logical Australia	2	17.08.22
Baseline historical archaeological assessment	1-122	EMM	2	14.05.21
Refurb Scope and Images	1-14	Kayandel Archaeological Services	1	16.11.22
Statement of Heritage Impact - Proposed Construction of a Female Dormitory and Refurbishment of Existing Dormitories at Yanco Agricultural High School, 259 Euroley Road, Yanco, Leeton Shire Council LGA, NSW	1-293	Kayandel Archaeological Services	2	05.02.23
School Infrastructure NSW Yanco Agricultural High School Geo-Environmental Site Investigation Report	1-24 & appendices	Coffey Services Australia Pty Ltd	2	18.08.22
Yanco Agricultural High School Project Fauna and Flora Assessment	1-42	Eco Logical Australia	2	17.08.22
Due Diligence Bushfire Advice – Yanco Agricultural High School, NSW	1-8	Eco Logical Australia	1	17.12.20
Flood Assessment and Flood Emergency Response Plan (FERP): Yanco Agricultural High School, NSW	1-41	Martens Consulting Engineers	1	18.08.22
Stormwater Management Report	1-12	TTW (NSW) Pty Ltd Consulting Engineers	1	23.08.22
Yanco Agricultural High School (YAHS) – DA Acoustic Assessment	1-64	Pulse White Noise Acoustics Pty Ltd	3	17.08.22

Rapid Transport Assessment	1-31	The Transport Planning Partnership	2	6.05.21
Yanco Agricultural High School Upgrade Project DA Traffic & Parking Assessment	1-5	The Transport Planning Partnership	1	6.09.22
Design Specification NCC 2019 & Accessibility	1-49	Trevor R Howse	2	20.8.22
Electrical Services Report	1-27	Erbas	P3	6.09.22
Hydraulic and Fire Services Infrastructure Report	1-9	Aurecon Australasia Pty Ltd	2	18.08.22
Structural Engineering Schematic Design Report	1-16	TTW (NSW) Pty Ltd Consulting Engineers	1	19.08.22
Waste Management Plan: Yanco Agricultural High School – New Building and Refurbishments to Existing Buildings	1-36	Martens & Associates Pty Ltd	1-36	18.08.22

Except as amended by the following conditions:

{Reason: To ensure that the development is undertaken in accordance with the assessed plans and documents}

Modifications

2. The following design modifications are to be submitted as part of the Section 60 application for approval by the Heritage Council of NSW (or Delegate).

   a) Drop ceilings are to be installed in those spaces where proposed works may result in impact to original ceiling fabric.

   {Reason: To minimise impacts to historical building fabric}

Details to be submitted for Approval

3. The following information is to be submitted with the s60 application for approval by the Heritage Council of NSW (or delegate):

   a) Methodology to protect the original timber flooring and original ceiling where new openings to walls, or removal of windows are proposed.

   b) Details including drawings of proposed new services including air conditioning.

   c) Details of the proposed new colour and materials scheme.

   {Reason: Limited details of the above have been provided with the application. The assessment and management of these details is considered essential in order to obtain a good heritage outcome}

Due Diligence

4. This approval does not cover the excavation of, or removal of any archaeological relics. As detailed in the 'Amended Statement of Heritage Impact, prepared by Kayandel Archaeological Services dated 5 February 2023, all impacts to potential archaeological deposits will be avoided. The Applicant must ensure that if substantial intact archaeological deposits and / or State significant relics or any other buried fabric such as works not identified in the Baseline Historical Archaeological Assessment, prepared by EMM Consulting dated May 2021 and Amended Statement of Heritage Impact, prepared by Kayandel Archaeological Services dated 5 February 2023 are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery. This approval covers works within the SHR curtilage. If archaeological relics are present outside of the SHR curtilage, a s140 permit is required before works commence. Information on s140 permit application can be found here: https://www.environment.nsw.gov.au/topics/heritage/apply-for-heritage-approvals-and-permits/historical-archaeology

   {Reason: All significant fabric within a State Heritage Register curtilage should be managed according to its significance. This is a standard condition to identify to the applicant how to proceed if historical archaeological relics, or other unexpected buried discoveries such as works are identified during the approved project}

5. Should any Aboriginal objects be uncovered by the work which is not covered by a valid Aboriginal Heritage Impact Permit, excavation or disturbance of the area is to stop immediately and Heritage NSW is to be informed in accordance with the National Parks and Wildlife Act 1974. Works affecting Aboriginal objects on the site must not continue until Heritage NSW has been informed and the appropriate approvals are in place. Aboriginal objects must be managed in accordance with the National Parks and Wildlife Act 1974.

   {Reason: This is a standard condition to identify to the applicant how to proceed if Aboriginal objects are unexpectedly identified during works}

Prior to the Commencement of Works

6. An application under section 60 of the Heritage Act 1977 must be submitted to, and approved by, the Heritage Council of NSW (or delegate), prior to work commencing.

   {Reason: To meet legislative requirements}

7. A Construction Environmental Management Plan (CEMP) dealing with all environmental aspects of the demolition and construction phases of the development shall be submitted to Leeton Shire Council prior to the commencement of any activity on the site. The CEMP is to document the management of all known environmental risk posed to construction workers, school students and staff or the surrounding environment by construction works. The CEMP is also to include detailed geotechnical investigations to establish groundwater depth and quality. The CEMP is also to include an appropriate unexpected finds protocol (Aboriginal cultural heritage, contamination or otherwise) to ensure established emergency response procedures are in place should visible finds be uncovered during future project works at the site.

   {Reason: To ensure adequate management of the construction site prior to the commencement of works}

8. A Crown Works Certificate for the building work is to be issued prior to the commencement of any building works.

   {Reason: To ensure the construction certificate is issued prior to the commencement of works}

9. A suitably qualified and experienced heritage consultant must be nominated for this project. The nominated heritage consultant must provide input into the detailed design, provide heritage information to be imparted to all tradespeople during site inductions, and oversee the works to minimise impacts to heritage values. The nominated heritage consultant must be involved in the selection of appropriate tradespersons and must be satisfied that all work has been carried out in accordance with the conditions of this consent.

   {Reason: So that appropriate heritage advice is provided to support best practice conservation and ensure works are undertaken in accordance with this approval}

10. A photographic archival recording of affected significant spaces and fabric must be prepared prior to the commencement of works, during works and at the completion of works. This recording must be in accordance with the Heritage NSW publication 'Photographic Recording of Heritage Items using Film or Digital Capture' (2006). The digital copy of the archival record must be provided to Heritage NSW, Department of Planning and Environment.

{Reason: To capture the condition and appearance of the place prior to, and during, modification of the site which impacts significant fabric}

During Works

11. All building work shall be carried out in accordance with the provisions of the Building Code of Australia.

    {Reason: Prescribed statutory condition under EP&A Act}

12. All work to, or affecting, significant fabric shall be carried out by suitably qualified tradespersons with practical experience in conservation and restoration of similar heritage structures, materials and construction methods.

    {Reason: So that the construction, conservation and repair of significant fabric follows best heritage practice}

13. Significant built and landscape elements are to be protected during site preparation and the works from potential damage. Protection systems must ensure significant fabric, including landscape elements, is not damaged or removed.

    {Reason: To ensure significant fabric including vegetation is protected during construction}

Contributions and Fees

14. In accordance with the Leeton Shire Council Section 94A levy Plan 2016, the applicant shall pay the following Section 7.12 monetary contribution only for the new build:

    a) Amount of Contribution - **$117,430.00** (1% of development cost).
    b) Timing and Method of Payment - The contribution shall be paid in the form of cash, credit or bank cheque made out to Leeton Shire Council. Evidence of payment to Leeton Shire Council shall be submitted to the Principal Certifying Authority prior to the release of the Completion Certificate.
    c) Indexing - The contributions will be adjusted in accordance with the requirements of the Leeton Section 94A Levy Plan.

    {Reason: To meet the demands for public services and facilities as a result of the development within the Leeton Shire}

Demolition

15. Should any contaminated, scheduled, hazardous or asbestos material be discovered before or during demolition works, the applicant and contractor shall ensure the Appropriate Regulatory Authority is notified and that such material is contained, encapsulated, sealed, handled or otherwise disposed of to the requirements of such Authority.

    Note: Such materials cannot be disposed of to landfill unless the facility is specifically licensed to receive that type of waste.

    {Reason: To prevent the contamination of the environment}

16. Hazardous waste transport shall be undertaken in accordance with the requirements of the EPA and any other relevant authority.

    {Reason: To minimise risk of contamination of the environment}

17. A site rubbish enclosure shall be provided on the site for the period of the proposed demolition and construction works prior to commencement of any such work.

    {Reason: To prevent environmental damage by wind-blown litter}

18. Demolition and construction work shall only be carried out within the following time:

    a) Monday to Friday: 7.00am to 6.00pm.
    b) Saturday: 7.00 am to 1.00 pm if inaudible on residential premises otherwise 8.00am to 1.00pm.
    c) Sunday and public holidays: No demolition work permitted.

    {Reason: To reduce likelihood of noise nuisance}

19. All loading and unloading of plant, machinery, plus all material(s) involved in the proposed demolition and construction activities shall be undertaken within the confines of the allotment's boundary, unless specified otherwise in a Council approved Traffic Control Plan which is being implemented under the direction of an authorised Traffic Controller.

{Reason: To minimise adverse traffic conditions}

20. Any damage to Council infrastructure in, on or under the road reserve as a result of works undertaken for the development site shall be rectified by the Developer to the satisfaction of the Council so as to ensure the integrity of public infrastructure. Any damage to Council's infrastructure which is obvious before construction is to be immediately notified to Council to avoid later conflict. A pre-construction dilapidation report shall be submitted to Council prior to the commencement of applicable works to document existing damage to public infrastructure.

    {Reason: To ensure that any damage to Council's property is at the full cost to the developer. Environmental Planning & Assessment Act 1979 Section 4.15(6)(a)}

Minimum Floor Height

21. The finished floor level of all new buildings shall be constructed to 500mm freeboard above the 1:100 Average Recurrence Interval Flood Event.

    {Reason: To ensure that the floor level is above the required floor level for the 1% AEP flood event}

On-site Sewer Management

22. Before new hydraulic systems are designed, an additional survey of the existing sewer systems within the school precinct is to be undertaken to obtain information on size, depth and existing route of the system. Should any upgrades be required, the applicant shall obtain the relevant Section 68 Approval under the Local Government Act, 1993, if required.

    {Reason: To ensure that the appropriate approvals are issued for an on-site-sewerage-management-system}

Erosion and Sediment Control

23. Erosion and sediment control measures must be undertaken and maintained in respect to any part of the land where the natural surface is disturbed or earthworks are carried out.

    {Reason: To ensure no detrimental effects are caused to Council infrastructure}

24. Materials from the site are not to tracked into the road by vehicles entering or leaving the site. At the end of each working day any dust / dirt or other sediment shall be swept off the road and contained on the site and not washed down any stormwater pit or gutter.

    {Reason: To protect and council infrastructure and to ensure all system functions remain in good working order}

Prior to the issue of a Completion Certificate

25. A Completion Certificate must be issued prior to occupation of the building.

    {Reason: Compliance with the EP&A Act}

26. The premises not being occupied until the Completion Certificate has been issued.

    {Reason: Compliance with section the EP&A Act}

Compliance

27. If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

    {Reason: To ensure that the proposed works are completed as approved}

CURRAJONG

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