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Attn: Planning and Development



CARINYA CHRISTIAN SCHOOL
25 Boronia Drive, Calala
Lot 100 DP1224236 (consolidated Lot 242 DP 855467 and Lot 22 DP 1085063)

STATEMENT OF ENVIRONMENTAL EFFECTS MODIFICATION TO DEVELOPMENT CONSENT

Prepared by Carinya Christian School
Revision A
March 2024

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1 Summary

This Statement of Environmental Effects has been prepared by Carinya Christian School Tamworth to accompany an application to Tamworth Regional Council for the purpose of a Modification to Development Consent previously granted over land located at 25 Boronia Drive, Calala, described as Lot 100 DP1224236 (consolidated from Lot 242 DP 855467 and Lot 22 DP 1085063).

The proposal is for a Modification to the previous development consent, made under Section 92 of the Environmental Planning and Assessment Act 1979, issued the 5th February 1996 in relation to Development Application No. 84/95.

The proposal seeks to increase the maximum student enrolment at Carinya Christian School Tamworth from 780 students to 1050 students. This maximum student enrolment was conditioned as part of the above mentioned development consent.

The proposal is supported by the attached traffic report prepared by Kelley Covey Group Pty Ltd dated February 2024 (See Appendix A). This report supports the proposal via an assessment of local traffic impacts and subsequently by recommended actions to mitigate and minimised any impacts identified.

It is considered that the proposal will not significantly impact on adjoining properties and is appropriate for the existing use on site in accordance with the relevant zoning.

The proposal is also supported by planning due diligence advice received from EPM Projects Pty Ltd which highlighted that the proposal was consistent with the Tamworth Blueprint 100 strategic document and the Council Local Strategic Planning Statement (LSPS).

The information contained in this report demonstrates compliance with the relevant planning criteria and the proposals suitability for the site.

On the basis of the above, it is considered sufficient planning grounds exist to warrant the proposed modification and the Application is recommended for Consent.

2 Application Details

SITE DETAILS	
Site Address	25 Boronia Drive Calala NSW 2340
RPD	Lot 100 DP1224236 (consolidated Lot 242 DP 855467 and Lot 22 DP 1085063)
Site Area	Approximately 155,000 m ²
Current Land Use	Educational Establishment
Local Government	Tamworth Regional Council
Local Environmental Plan	Tamworth Regional Local Environmental Plan 2010 (TLEP)
Development Control Plan	The Tamworth Development Control Plan 2010 (DCP)
Land Zoning	Part R1 General Residential Part RU4 Primary Production Small Lots (refer to figure 1 below)
Planning Controls	There are no specific controls applicable under the TLEP regarding the Height of Buildings, Floor Space Ratios, Heritage Conservation, Biodiversity Value, Conservation Areas, or Environmental Heritage. The site is identified as Bush Fire prone land and as Flood prone land

APPLICATION DETAILS	
Approval Sought	Modification to Development Application
Description	Modification to increase the maximum student enrolment number from 780 students to 1050 students.
Applicant	Carinya Christian Education Ltd 25 Boronia Drive Calala NSW 2340 Contact Person: Andrew Brechin Phone: 0428902044 Email: brechina@carinya.nsw.edu.au
File Reference	84/95

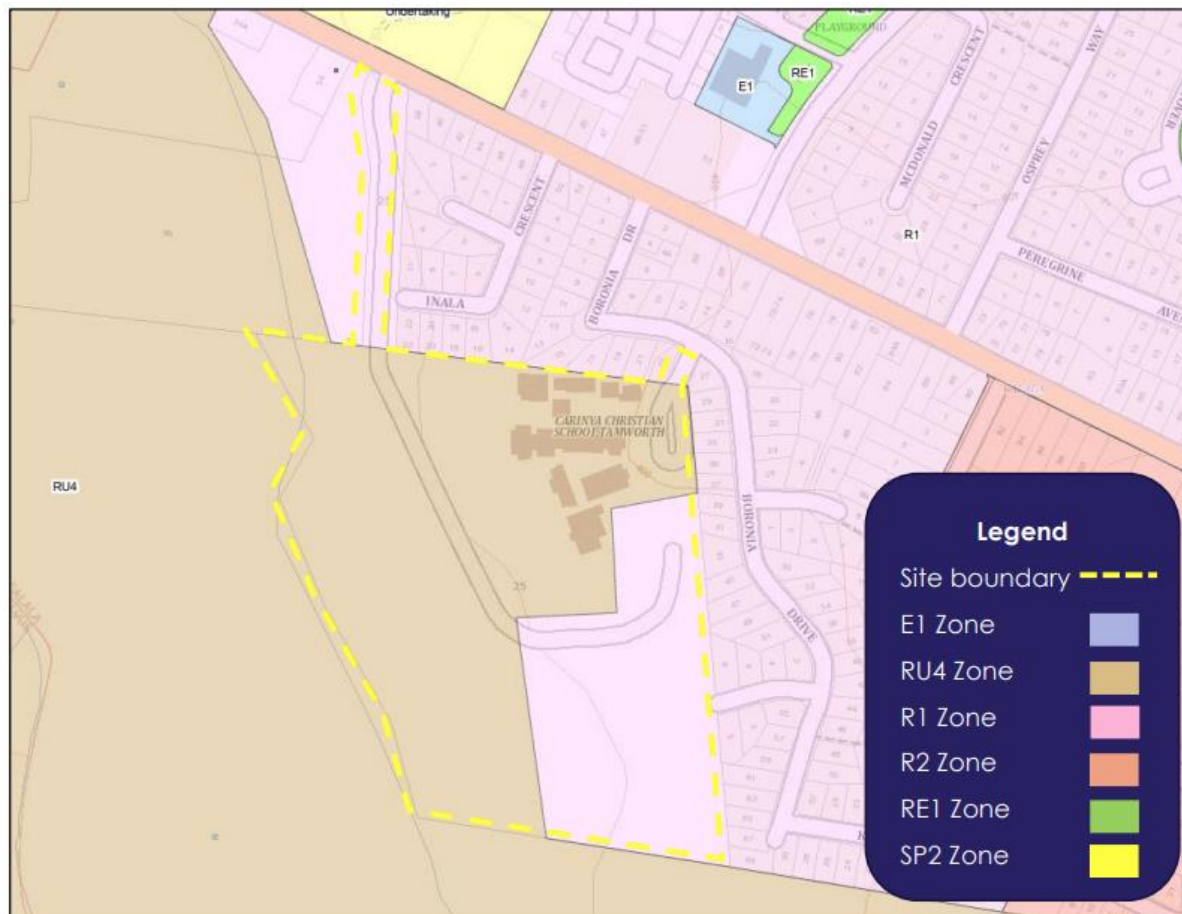


Figure 1: TLEP 2010 Land Use Zoning Map showing the R1 and RU4 zones (Source: ePlanning Spatial Viewer)

3 Site Analysis

SITE DESCRIPTION	
Site Improvements	With the assistance of Tamworth Regional Council, Carinya Christian School was located on the site in 1985. The site is largely free of vegetation, except for a small area of vegetation in the southern half of the site. Site improvements and infrastructure are largely confined to the north-eastern corner of the site including administration buildings, general and specialist learning areas, a library, car parking and playing fields (refer to figure 2 below).
Shape of Site	The site is an irregularly shaped allotment, it has a long vehicular access handle from Calala Lane.
Street Frontage	The site has the following street frontages: <ul style="list-style-type: none"> • Approx 31.5 m to Calala Lane • Approx 18.5 m to Boronia Drive • Approx 12.5 m to Heron Road
Surround Land Use	<p>North: Low Density Residential uses, rural/agricultural land further beyond. Water treatment plant located to the north-west opposite the Calala Lane site entry.</p> <p>East: Low Density Residential uses.</p> <p>South: Rural/agricultural land.</p> <p>West: Rural/agricultural land (including a watercourse).</p>
Site Context	The subject site is located in the suburb of Tamworth, which is north of Sydney. Tamworth contains a variety of low density residential, community and commercial uses. Carinya Christian School has been an integral part of the Tamworth community for 40 years, contributing to the local educational landscape.



Figure 2: Aerial Photograph of subject site (Source: Nearmap – mark ups by EPM)

4 Proposal Description

The proposal seeks to increase the maximum student enrolment at Carinya Christian School Tamworth from 780 students (as conditioned in DA 84/95 determination dated 05/02/1996) to 1050 students.

This increase aims to accommodate the growing demand for education in the Tamworth community.

The reasoning for this is based on the projected student numbers increasing to 1032 students by 2032. The extension of the maximum enrolment numbers will allow the school to engage in strategic planning to accommodate this growth over the next 8 years.

Due to the present maximum enrolment of 780 students, two educational streams exist from Kindergarten to Year 6, and three education streams exist from Year 7 to Year 12. A maximum total student population of 1050 students will enable the creation of three educational streams for each year group from Kindergarten through to Year 12.

Many year groups are now full and wait lists are in place, with an average of 14 enrolment enquiries being received each week for places at Carinya Christian School Tamworth. This high level of enquiry is a clear indication that community demand beyond the current maximum enrolment exists and that places should be made available.

Whilst three educational streams could be offered in a small number of Primary grades within the current enrolment limitation, this would create a disconnect between year groups as in some year groups there could be three streams but the following year the school could only accommodate two streams.

Being able to offer three educational streams for all grades from Kindergarten to Year 12 will support the continuity of educational services to the Tamworth community.

At this stage, Carinya Christian School Tamworth is not proposing to extend to a four stream model, as a result there is no requirement to increase the maximum student enrolment past 1050 students.

5 Environmental Planning and Assessment ACT 1979

Under the Environmental Planning and Assessment Act 1979 (EP&A Act), modifications to existing consents may be made.

Section 4.55 of the EP&A Act outlines the requirements for Modification of Consents – Generally and includes requirements of modifications involving minimal environmental impact as follows.

- (1A) Modifications involving minimal environmental impact** *A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if —*
- (a) it is satisfied that the proposed modification is of minimal environmental impact, and*
 - (b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and*
 - (c) it has notified the application in accordance with—*
 - (i) the regulations, if the regulations so require, or*
 - (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
 - (d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

The relevant authority in this instance is the Tamworth Regional Council. This Statement of Environmental Effects has been prepared in accordance with the relevant provisions under the EP&A Act confirming the proposal is of minimal environmental impact.

We confirm that the application –

- Is of minimal environmental impact; and
- Is substantially the same development as previously approved.

6 Regulatory Framework

Carinya Christian School is committed to adhering to all relevant local, state, and national regulations and standards governing educational institutions, land use, and environmental impact assessments.

The proposal is solely concerned with increasing the Enrolment Capacity of Carinya Christian School Tamworth whilst retaining the form and style of all the existing and approved buildings. Consequently the proposal does not impact or effect any of the existing infrastructure or the Masterplan. Further, the proposal does not necessarily require any of the existing infrastructure to be added to or expanded upon.

As the proposal will impact movements to and from the site, particular reference is to be made to the Traffic Impact Assessment prepared by Kelley Covey Group Pty Ltd dated February 2024 (See Appendix A).

With this in mind we have listed the relevant planning instruments and development control plans that would have otherwise effected Carinya Christian School in the case of a proposal requiring actual change to our existing site and the management of it.

SEPP	Response
State Environmental Planning Policy (Building Sustainability Index BASIX) 2004	Not Applicable This proposal is for changes to the maximum student enrolment and will not impact on building sustainability ratings.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Not Applicable This proposal is not for exempt or complying development.
State Environmental Planning Policy (Housing) 2021	Not Applicable This proposal does not involve housing.
State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development	Not Applicable This proposal does not involve residential apartments.
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Not Applicable This proposal is for changes to the maximum student enrolment and will not impact on biodiversity or conservation values.
State Environmental Planning Policy (Industry and Employment) 2021	Not Applicable The site is not located in the Western Sydney Employment Area and the proposal does not involve advertising or signage.
State Environmental Planning Policy (Planning Systems) 2021	Not Applicable

	The proposal does not involve state or regionally significant development.
State Environmental Planning Policy (Primary Production) 2021	Not Applicable The proposal does not involve primary production or rural development.
State Environmental Planning Policy (Resilience and Hazards) 2021	Not Applicable The proposal does not involve coastal management, hazardous or offensive development or remediation of land.
State Environmental Planning Policy (Resources and Energy) 2021	Not Applicable The proposal does not involve mining, petroleum production and extractive industries.
State Environmental Planning Policy (Transport and Infrastructure) 2021	Not Applicable Development for the purpose of a school is permitted with consent within the RU4 zone and R1 zone in accordance with State Environmental Planning Policy (Transport and Infrastructure) 2021 (the T&I SEPP). The T&I SEPP provides for numerous development typologies associated with a school. However, as the proposal does not include any development this is not applicable.
State Environmental Planning Policy (Precincts—Central River City) 2021	Not Applicable The proposal does not relate to any site of economic, environmental or social significance to the State.
State Environmental Planning Policy (Precincts—Eastern Harbour City) 2021	Not Applicable The proposal does not relate to any site of economic, environmental or social significance to the State.
State Environmental Planning Policy (Precincts—Regional) 2021	Not Applicable The proposal does not relate to any site of economic, environmental or social significance to the State.
State Environmental Planning Policy (Precincts—Western Parkland City) 2021	Not Applicable The proposal does not relate to any site of economic, environmental or social significance to the State.

LEP	Response
Tamworth Regional Local Environmental Plan 2010	Refer to section of this report.

DCP	Response
Tamworth Regional Development Control Plan 2010	Refer to section of this report.

Applicable DRAFT instruments	Response
Draft Environmental Planning Policies and Development Control Plans	The proposed Tamworth Flood Risk Management Plan documents were on public exhibition between 4 April - 19 May 2023, and recommends strategies for the mitigation of future flooding in Tamworth. Refer to Flood Planning under section 7 below for a response.

7 Tamworth Regional Local Environmental Plan 2010 (LEP)

7.1 Land Use Definition

The current land use is defined as a Educational Establishment under the definitions of the Tamworth Regional Local Environmental Plan 2010 as follows:

“educational establishment means a building or place used for education (including teaching), being—

(a) a school ...

where school means a government school or non-government school within the meaning of the Education Act 1990.”

7.2 Modification

The proposal involves a modification under 4.55 of the EP&A Act to the maximum number of student enrolments associated with the current land use onsite, being an Educational Establishment.

7.3 Site Zoning

Under the Tamworth Regional Local Environmental Plan 2010, the subject site is located within the R1 General Residential and RU4 Primary Production Small Lots zones.

The objectives of the R1 General Residential zone are listed as follows:

- To provide for the housing needs of the community.
- To provide for a variety of housing types and densities.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

The objectives of the RU4 Primary Production Small Lots zone are listed as follows:

- To enable sustainable primary industry and other compatible land uses.
- To encourage and promote diversity and employment opportunities in relation to primary industry enterprises, particularly those that require smaller lots or that are more intensive in nature.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.

The proposal complies with the objectives of the General Residential (R1) and Primary Production Small Lots (RU4) zones. The proposed increase to the student enrolments will not alter the existing land use operating onsite which will continue to provide educational services to the community.

The proposed changes to the maximum number of enrolled students are considered appropriate given the existing nature of the site and the additional capacity it will provide to meet the day to day needs of local residents.

7.4 Development Standards and Provisions

7.4.1 Minimum Lot Size:

The LEP's Minimum Lot Size planning control is not identified as affecting the subject site. The proposal does not involve subdivision nor any changes to the existing lot size.

7.4.2 Conservation Area:

The site is not identified in the LEP as being located in a conservation area.

7.4.3 Height of Building:

The LEP's Height of Building planning control is not identified as affecting the subject site. The proposal does not involve any changes to the height of the existing building.

7.4.4 Floor Space Ratio:

The LEP's Floor Space Ratio planning control is not identified as affecting the subject site. The proposal does not involve any change to the existing floor space ratio onsite.

7.4.5 Land Reservation Acquisition:

The subject site is not identified on the LEP's Land Reservation Acquisition map.

7.4.6 Heritage:

The subject site is not identified on the LEP's Heritage map.

7.4.7 Flood Planning:

The north-west corner of the site is identified in the LEP as being subject to flooding, constituting a flood planning area (FPA). Development within a FPA must satisfy the controls in clause 5.21 of the LEP. Any future development on the site will be subject to a site-specific flood impact assessment to demonstrate the site and development would be capable of withstanding up to a probable maximum flood (PMF) event without flood waters impacting adjoining land. Whilst Flood Planning must be considered as part of any future development, this proposal does not include development on the site and as such Flood Planning provisions do not need to be addressed as part of this proposal.

7.4.8 Additional Permitted Uses:

The site is not subject to additional permissible uses under Schedule 1 of the LEP.

7.4.9 Obstacle Height Limitation:

The LEP's Obstacle Height Limitation planning control identifies that the site is within the 0 – 45 metre range. The proposal is for changes to the maximum student numbers only and will not have any impact on the flight path of the Tamworth Airport.

7.4.10 Foreshore Building Line:

The subject site is not identified on the LEP's Land Foreshore Building Line map.

8 Tamworth Regional Council Development Control Plan 2010

The Tamworth Regional Development Control Plan 2010 (DCP) applies to all land in the Tamworth Local Government Area. The environmental controls relating to all developments are listed in the DCP as Other Types of Development Controls. In response to these controls identified under the DCP we address the following:

8.1 Parking

No changes to the on site parking is included in this proposal. Reference is however made to the Traffic Impact Assessment (Appendix A) produced by Kelley Covey Group, in which On Site Parking is addressed. Paragraph 5 (five), under Section 5.4 Car Parking Demand Generation of Development, located on Page 14 details that “Existing parking provisions are considered sufficient to meet the current student population as well as the anticipated future student population growth” as per this proposal.

8.2 Landscaping

There is no change to the existing landscaping provided on this site. The existing landscape is to remain and will not be adversely impacted by this proposal.

8.3 Outdoor Lighting

The school will not need to implement any additional outdoor lighting as the proposal is to increase the maximum possible student enrolment only.

8.4 Outdoor Advertising / Signage

Outdoor advertising and signage does not form part of this proposal.

8.5 Bushfire Prone Land

The land is identified as “bushfire prone land” (either whole or part) on the Bushfire Prone Land Map, certified by the NSW Rural Fire Service on 28 July 2022.

The site contains vegetation category 3 which refers to grasslands, semi-arid woodlands and the like. Under the Rural Fires Act 1997 (RF Act), educational establishment developments are a ‘special fire protection purpose’, meaning any development on the site via a planning pathway other than exempt development, will require a ‘bush fire safety authority’ (BSA) from the NSW RFS. As this proposal is not detailing any development on the site and is seeking to increase the maximum numbers of students only, a BSA is not required to support this proposal. This will however be required if any further development is proposed for the site.

8.6 Utilities and Services

The school will continue to utilise the existing services and utilities. It is expected that these will have the capacity meet the needs arising from this proposal.

8.7 Stormwater

The proposal will not require any additional works or adjustments to the existing stormwater management on the site. No additional structures or hard surfaces form part of this proposal.

8.8 Energy

There are no additional electrical loads or infrastructure items that are part of this proposal.

9 Environmental Controls

The EP&A Act sets out the matters a consent authority must consider when assessing a development application. These include, matters relating to the likely impacts of the development on both the natural and built environments, any social and economic impacts in the locality and whether the site is suitable for the proposed works. These matters form the key planning issues for assessment and are addressed below:

9.1 Natural Environment

The proposal involves changes for the maximum student enrolment only and will not involve the loss of any significant vegetation. The proposal will not involve any element of filling or excavation and will not impact the surrounding natural environment as the site has previously been developed.

9.2 Traffic and Access

A Traffic Impact Assessment (Appendix A) was prepared by Kelley Covey Group for the express purpose of ascertaining any effects resulting from this proposal to increase student enrolments and any recommendations resultant of their investigation. Specific note should be taken with regard to Section 6 Recommendations for Improved Traffic Flow, found on Page 14.

The report indicates that the impact of the proposed increase in enrolment will have 'varied impact on traffic flow and network efficiency' up to and including the projected fulfillment date of 2032. It is indicated by the report that the impact on Calala Lane would be 'relatively minor'.

However, the report does highlight two movements that would benefit from further controls as we approach the traffic volumes anticipated by this proposal. The report confirms the 'passive controls' already implemented by Carinya Christian School which discourages exiting the site from the Calala Lane (Western) access and making a right turn onto Calala Lane from the internal School road, Raywood Drive. The School has found this to be highly valuable step in promoting the safety of the parents, staff and students that already enter and exit via this access.

The second traffic movements referenced by the report concerns vehicles travelling East on Calala Lane who are seeking to turn right into the School's Calala Lane (Western) entrance. The report details the benefits of erecting a physical barrier on Calala Lane that would prevent vehicles performing either of the two traffic movements identified within the report.

Whilst the School is not in a position to effect the installation of the physical barrier on Calala Lane, Carinya Christian School supports the findings and recommendations detailed within the Traffic Impact Assessment.

9.3 Amenity

The subject site is located within the R1 General Residential and RU4 Primary Production Small Lots zones and the proposal is consistent with the outcomes of this zone and the existing use on site. The proposal will not have any adverse impacts on the amenity of the area given the recommendations of the Traffic Impact Assessment, the serviceability of the local road network will be maintained without adversely impacting the subject site's surrounds.

9.4 Site Suitability

The proposal is considered to be suitable for the site given the existing use. The site has previously been developed as an Educational Establishment and the proposal will provide for additional capacity to service the surrounding residents with no significant impact on surrounding land uses.

9.5 Flood Liability

Refer to 7.4.7 Flood Planning above for detail. This proposal details an increase in the student enrolment numbers only and does not include any development subject to Flood Planning requirements.

9.6 Construction Impacts

There are no construction works as part of this proposal and therefore no impacts to be addressed.

9.7 Noise

The amenity of adjoining residential properties was subject to consideration under previous development consents, including Development Application 107/2003. In accordance with prior conditions of consent the school is committed to maintaining and further developing landscaping zones to separate student playgrounds, classrooms, and access roads from adjoining residential properties. Trees and shrubs included in landscaping plans are selected to buffer noise generating activities.

9.8 Soil and Erosion Control

There are to be no components of this proposal that will involve construction. There will not be any management required within the school grounds or with regard to the adjoining properties.

9.9 Waste Management

There is no proposed changes to the existing onsite arrangements in relation to this proposal.

10 Strategic Planning Context

Tamworth Blueprint 100 is a strategic document which seeks to provide a coordinated approach to growth in the Tamworth LGA. It encompasses Council Local Strategic Planning Statement (Part 2) and will also include a growth management strategy (Part 3, yet to be drafted). The plan ties together all of Council's strategic documents.

An increase in the student population at Carinya Christian School Tamworth aligns with providing educational facilities for Tamworth's growing population. Specifically, the capacity to accommodate additional students up to 2032 will support the planned development of the Outlook Estate located directly opposite Carinya's western entrance and the development of the Arcadia Estate which is located 3.5km South West of Carinya.

Further, an increase in the student population also supports growth in the education sector, which the LSPS identified as a sector which creates opportunity for innovation and growth and assists in creating a prosperous region.

Increasing the population of the school is also generally consistent with the New England North West Regional Plan 2041 (the Regional Plan). The plan acknowledges that Tamworth will continue to provide a wide range of education services within the region. The proposal aligns with Tamworth being a major contributor to education service provision in the region.

11 Conclusion and Recommendation

The application is made over land located at 25 Boronia Drive, Calala, formally described as Lot 100 DP1224236 (consolidated Lot 242 DP 855467 and Lot 22 DP 1085063).

The application seeks to modify a previous development consent, issued the 5th February 1996 in relation to Development Application No. 84/95.

The purpose of this modification is to increase the maximum student enrolment at Carinya Christian School Tamworth.

The proposal has been assessed against the relevant provisions within the Tamworth Local Environmental Plan 2010, the Tamworth Regional Development Control Plan 2010 – Amendment No. 16 and the relevant New South Wales State Government provisions.

The proposal is consistent with the land zoning and existing use of the site and supports the function of the existing use on site and surrounding land uses.

The proposal considers the relevant environmental factors and incorporates appropriate measures to limit any environmental impacts.

On the basis of the above, it is considered sufficient planning grounds exist to warrant the proposed modification as it is anticipated to have minimal adverse environmental effects once appropriate mitigation measures are in place.

We recommend the approval of the increase in maximum student numbers to accommodate the educational needs of the growing community.

Sincerely,


Facilities and Projects Manager
Carinya Christian School


Business Manager
Carinya Christian School

12 Appendices

A - Traffic Impact Assessment prepared by Kelley Covey Group Pty Ltd