



Tailored Planning Solutions Pty Ltd

Statement of Environmental Effects in relation to Proposed School

The Southern Parkway, Forster
MidCoast Christian College

March 2022

Project: 19166

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1. Introduction

1.1 Overview of Proposal

The proposal involves the use of the land for a new school and includes the construction of school buildings, access, parking services and facilities.

1.2 Scope of Report

This report has been prepared to accompany the development application and provides information as required by Schedule 1 of the *Environmental Planning and Assessment Regulation 2000*. The report addresses matters that are required to be considered by the consent authority under the provisions of Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

The Statement of Environmental Effects provides:

- A description of the site.
- A description of the proposed development.
- A review of the statutory and non-statutory planning instruments applying to the land.
- A review of the environmental impacts of the proposed development through the use of available site information and specialist reports.
- A discussion of the suitability of the site for the development.
- A discussion of how the proposal relates to the public interest.

2. Site and Surrounding Locality

2.1 Site Details

The following data is provided in relation to the site:

Title Description	Lot 1 DP 1264355
Property Address	The Southern Parkway, Forster
Site Area	1.4 hectares
Zoning – Great Lakes LEP 2014	RU2 – Rural Landscape

The subject site is located on the western side of The Southern Parkway opposite the intersection with Akala Avenue. The subject site is shown in its regional and local context in Figures 1, 2 and 3.

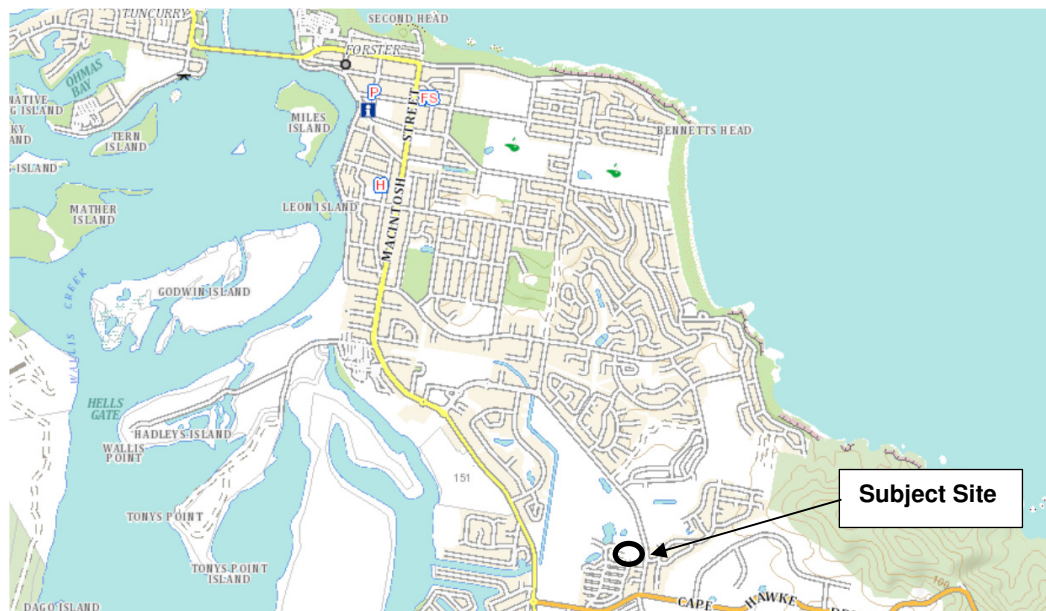


Figure 1 – Location of Site (Regional)

[Source: LPMA Six Maps]

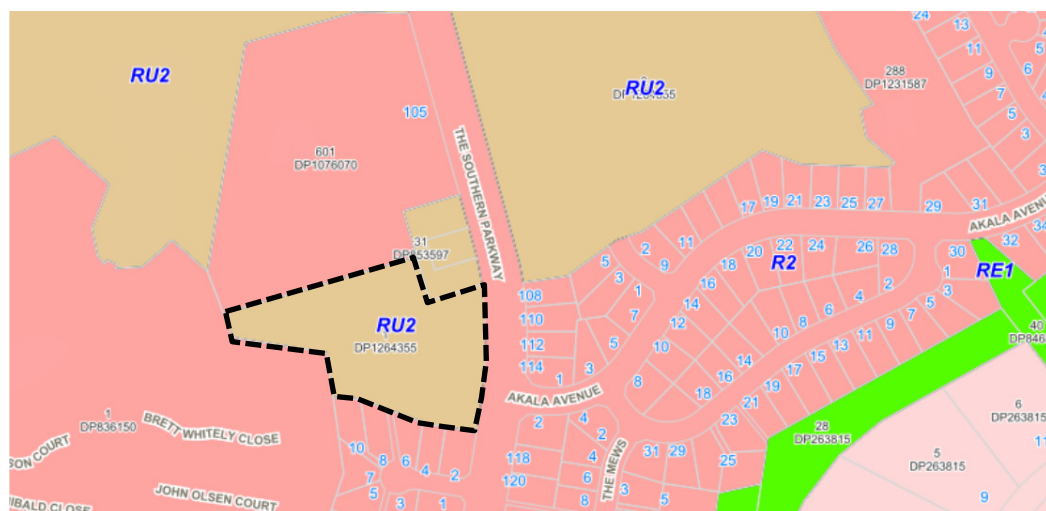


Figure 2 - Site Locality Plan (Zoning)

[Source: MCC Exponare]



Figure 3 - Site Locality Plan (Satellite)

[Source: LPMA SIX Maps]

The following photographs of the site are provided.



Subject site from Southern Parkway frontage



Looking toward southern boundary with drainage corridor and residential interface

2.2 Site Context and Surrounding Area

The subject site is located in South Forster in the MidCoast Council Local Government Area. The South Forster area is a suburban growth area with relatively new estates and release areas. The subject land is part of the South Forster Urban Growth area identified in the *South Forster Structure Plan*.

The site was recently created through a subdivision to excise the land from other disconnected lands located to the north and east of the site. The lot has a variable width easement for the drainage of stormwater along the southern edge of the site, and a 3m wide easement along the northern side of the land.

The land to the north of the site contains a seniors residential care facility, known as Barclay Gardens, providing nursing home care for elderly and disabled persons.



Adjoining Residential Care Facility at common northern boundary of site



Adjoining Residential Care Facility fronting Southern Parkway

Land to the east and south has been developed with residential subdivisions containing low density residential forms of dwellings and dual occupancy buildings.



Low Density Residential Development to the east (opposite side of Southern Parkway)



Low Density Residential Development to the south (along Southern Parkway)

Land to the west contains a large seniors housing development, known as Golden Ponds, providing residential villas as well as communal open spaces and large landscaped garden areas.



Golden Ponds Retirement Resort entry from Cape Hawke Drive



Managed park area at rear of Golden Ponds Resort (adjoining proposed school site)

2.3 Soils

The site and surrounding areas are comprised of clay soils and it is apparent that the site has been modified with filling and regrading in the past. The site is mapped as Classes 2 and 3 on the Acid Sulfate Soils Planning Maps accompanying the LEP.

2.4 Topography

The land has been levelled and modified by site preparation from subdivision and road construction in the area. A wide drain has been shaped through the southern parts of the site, connecting with the constructed drainage network connecting with Pipers Creek to the west of the site.

2.5 Vegetation

The vegetation on the land has re-established after it was cleared to facilitate subdivision and land modification works in the area. The vegetation within the site is primarily comprised of grassland areas that are regularly slashed. There are narrow bands of trees along the western boundary and within the drainage corridor that runs along the southern fringes of the site.

2.6 Traffic and Access

Access to the site is currently available from The Southern Parkway frontage of the site. There are no formal accesses currently constructed on the land. The frontage to The Southern Parkway has constructed kerb and gutter and a wide verge with good sight distance in both directions.

2.7 Hazards

2.7.1 Flooding

Parts of the subject land are identified as being within the flood planning area under the LEP maps as shown in the following extract.



Figure 4: Flood Planning Map

(Source MCC Exponare)

The various flood levels affecting the land are:

- Present Day 100 year ARI Flood Level – 2.0m AHD
- 100 year ARI Flood Level with 2060 climate change allowance – 2.4m AHD
- 100 year ARI Flood Level with 2100 climate change allowance – 2.7m AHD

The survey of the subject land shows that much of the site is above the 2.0m AHD contour. The areas proposed for school buildings, etc., are generally around the 2.5m AHD contour. The areas within the constructed drain in the southern parts of the site are down to 1.25m AHD.

2.7.2 Bushfire

The subject land is partly identified as bushfire prone, with a small area of bushfire buffer mapped over the westernmost parts of the site. The majority of the land is not mapped as bushfire prone land. The closest areas of significant bushfire prone vegetation are areas of paperbark forest located approximately 100m west of the site.

An extract of the bushfire prone land map for the area is provided in Figure 5.



Figure 5: Extract of Bushfire Prone Land Map [Source: MCC IntraMaps]

2.8 Heritage

2.8.1 European Heritage

There are no items of European heritage listed as being present on the land and the site is not located in a heritage conservation area. There are no items identified on adjoining lands.

2.8.2 Aboriginal Heritage

A Search of the Aboriginal Heritage Information Management System (AHIMS) database has been undertaken and did not reveal any Aboriginal Sites or Places on or near the subject site. The subject land has been disturbed through past activities and would be identified as 'disturbed land' under the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*.

3. The Proposed Development

The proposed development involves development of buildings on the site to be utilised to provide an educational establishment (school) for the surrounding district.

The proposed development will provide classrooms, administration offices, information centre (library), other learning spaces and outdoor recreation spaces, as well as associated vehicle access and parking areas.

3.1 Site Preparation

Preparation of the site involves the excavation of the land in the southern parts of the site to create the stormwater basins and the filling of land in the northern parts of the site where future school buildings are proposed. The area for the school will be filled to a finished surface level of 2.85m AHD and will be filled above the 1% AHD flood level of 2.7m AHD.

The fill levels vary with a maximum fill height in the order of 1m, with fill batters created around the edges to stabilise the areas.

Cut/fill will be utilised to create the driveway/parking areas along the frontage of the site to The Southern Parkway. This will involve excavation in the order of 100mm and fill in the order of 200mm.

Excavation will also be used to create the stormwater treatment basins along the southern parts of the site. The upper sediment control basin will be excavated to a depth of 0.8m and the main treatment basin will have a base level of 0.5m AHD. The excavation over the site will vary with a maximum excavation depth in the order of 2m.

The proposed cut/fill balance will require approximately 1,500m³ of fill to be imported to the site to create the proposed site levels.

3.2 Proposed Administration Centre

The proposed administration building is a two storey structure located at the school entry adjacent to the new drop off/parking area off The Southern Parkway. The ground floor of the building provides:

- Entry Foyer, Reception and Waiting Area
- 2 Interview Rooms
- Offices
- Staff Room
- Sick Bay
- Canteen
- Toilets
- Breakout to a Staff Outdoor Area

The upper level is connected via a stair and passenger lift that connects with learning areas of the information centre, support area, IT room, and well-being and seminar spaces.

3.3 Proposed Classrooms

The main student learning areas are comprised of 12 classrooms over two levels providing class space for Kindergarten to Year 8, as well as separate classrooms for STEM, Music and Art.

Each classroom includes a large learning space, storage and connection to a withdrawal space. There are bathroom areas located off the access landings that connect the rooms. The external access landings also connect with the administration building and access is facilitated by connecting stairs, as well as disabled access to all areas facilitated by the passenger lift connecting both levels.

3.4 Other Learning Spaces

As discussed, the upper level of the administration building provides other learning spaces that can be utilised by the students and staff. The main area is an information centre which is like a library, providing publications and access to information. This area includes an Education Support Unit which is a flexible space separated by an operable wall. An IT room provides access to computer and other technology resources. Quiet study spaces and desks are also provided in this area as well as a small meeting/seminar room for students/staff.

Both levels also include large undercover outdoor learning areas which can be utilised informally by students and staff.

3.5 Outdoor Recreation

The proposed plans include a covered outdoor games court (basketball court) for recreation and the grounds will provide hardstand and grassed areas that will be available for student recreation and games.

The courts will have a high roof over known as a Covered Outdoor Learning Area (COLA) which will provide shaded play areas, as well as a space for assemblies and outdoor learning activities.

3.6 Traffic and Access

Access to the site is provided via a circulating entry/exit driveway that provides access to the 14 off-street parking spaces, and a kiss-and-drop area for student drop-off/collection. An internal footpath network will be provided to connect the parking areas to the internal path network of the school.

The Southern Parkway frontage of the site will be improved with footpath and the kerb will be indented to create a school bus bay.

The northern end of the driveway/parking area provides a large bicycle parking area for the parking and storage of student and staff bicycles.

3.7 Drainage

The initial earthworks will shape the site to facilitate future drainage conveyance and treatment of the stormwater drainage from the site, as well as the drainage through the site from the upstream catchment.

The proposed works will create drainage structures, including:

- A large main stormwater treatment pond
- A smaller sediment control pond above the main stormwater treatment pond.
- Pit and pipe connections to the ponds for existing stormwater pipes that drain to the area, as well as necessary overland flow paths.
- Pit and pipe connections for stormwater generated from the future school and parking areas, as well as necessary overland flow paths, including a swale and piped system to drain the areas between the proposed school buildings and the northern boundary of the site.
- A 6m wide access corridor along the southern edge of the stormwater basins to provide an area for maintenance of the basins. The area will be accessible from the existing access off Tandara Place.

The proposed drainage system will treat stormwater flows and quality in a manner consistent with the requirements of Council as detailed in the Stormwater Management Plan submitted with the development application.

The proposal also seeks to remove the existing stormwater easement over the land and create a drainage reserve to be dedicated to Council as the majority of the system is treating stormwater from The Southern Parkway and urban catchments to the east.

3.8 Allowance for Future Development

The plans show spaces for future development which can be further detailed in the future to provide additional classroom areas and a multi-purpose hall, allowing for future growth of the school. These structures will be subject to separate consent in the future.

3.9 Construction Staging

The construction of the site will involve three key stages, being:

- Stage 1 - Site preparation involving bulk earthworks to create the building pads, driveway/parking areas and drainage basins.
- Stage 2 - construction of school buildings Block A and B providing six (6) classrooms, administration and library area, as well as the COLA and play areas.
- Stage 3 Construction of School Building Block C containing six (6) classrooms as well as an outdoor BBQ and Store building adjacent to the play areas.

Later Stages 4 and 5 will be subject to separate development applications.

4. Planning Controls and Legislation

4.1 State Environmental Planning Policy (Resilience and Hazards) 2021

The SEPP replaces the SEPP (Coastal Management) 2018. The SEPP is supported by interactive mapping for the coastal area. The maps identify that the site is identified as Coastal Environment Area and is partly in the Coastal Use Zone.

Clause 2.10 of the SEPP applies to land in the coastal environment area and provides:

2.10 Development on land within the coastal environment area

(1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:

- (a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,*
- (b) coastal environmental values and natural coastal processes,*
- (c) the water quality of the marine estate (within the meaning of the [Marine Estate Management Act 2014](#)), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,*
- (d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,*
- (e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
- (f) Aboriginal cultural heritage, practices and places,*
- (g) the use of the surf zone.*

(2) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:

- (a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subclause (1), or*
- (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
- (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.*

(3) This clause does not apply to land within the Foreshores and Waterways Area within the meaning of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.

Relative to these matters:

- The proposal involves the use of a cleared and disturbed site primarily containing exotic grassland vegetation other than some areas of isolated trees along the drainage corridor. The proposal is unlikely to adversely impact the resilience and ecological integrity of the coast.
- The proposal includes Water Sensitive Urban Design in accordance with Council's DCP to protect water quality.
- The proposal will not impact on water quality in any marine estate.

- The proposal does not have adverse impacts on native vegetation, fauna or their habitats, headlands or rock platforms.
- The proposal is located over a highly disturbed site and is unlikely to impact on cultural heritage materials.
- The proposal includes connection of sewer to the MidCoast Water reticulated system.
- Stormwater is managed in accordance with Council's controls.
- The proposal will not impact on the surf zone.

Clause 14 of the SEPP provides controls in relation to land in the coastal use area as follows:

2.11 Development on land within the coastal use area

(1) Development consent must not be granted to development on land that is within the coastal use area unless the consent authority:

(a) has considered whether the proposed development is likely to cause an adverse impact on the following:

- (i) existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
- (ii) overshadowing, wind funnelling and the loss of views from public places to foreshores,*
- (iii) the visual amenity and scenic qualities of the coast, including coastal headlands,*
- (iv) Aboriginal cultural heritage, practices and places,*
- (v) cultural and built environment heritage, and*

(b) is satisfied that:

- (i) the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or*
- (ii) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
- (iii) if that impact cannot be minimised—the development will be managed to mitigate that impact, and*

(c) has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.

(2) This clause does not apply to land within the Foreshores and Waterways Area within the meaning of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.

Relative to the above, the following is noted:

- The site is located well away from coastal foreshores and does not impact on public access to any foreshore.
- The proposal does not involve impact to views, overshadowing or wind funneling along any foreshore.
- The proposal will not impact on scenic amenity of the coast, including coastal headlands.

- The proposal is located over a highly disturbed site and is unlikely to impact on cultural heritage materials.
- The proposal does not affect any heritage items or areas.

4.2 State Environmental Planning Policy (Transport and Infrastructure) 2021

This SEPP incorporated former provisions under the SEPP (Education) 2017 providing a standard set of requirements for the development of schools and educational establishments throughout the state of NSW.

In relation to schools, clause 3.36(3) of the SEPP provides that development for the purposes of a *school* may be carried out by any person with consent in a prescribed zone. Clause 3.34 of the SEPP details the *prescribed zones* for the purpose of clause 3.36 and provides that land zoned RU2-Rural Landscape is a prescribed zone. As such, the provisions allow the development of a school on the land with consent.

Clause 3.36(6) provides that, in determining an application for a school, the consent authority is required to consider the Design Quality Principles for the proposed school contained in Schedule 8 and if the development enables the use of school facilities to be shared with the community. The design quality principles are discussed below. The proposed school only provides limited school recreation areas that are integrated with the school. These areas will not be available to the public as security measures require the school to be access-controlled. The future hall may be available for hire to the general public in the future.

Schedule 8 – Schools Design Quality Principles

Schedule 8 of the SEPP provides seven (7) design quality principles that must be addressed in the application. The matters are quite objective and do not provide specific requirements. The following table provides each principle with a brief comment in relation to the proposal:

Principle	Comment
Principle 1—context, built form and landscape	The proposed school has been designed with due regard to the established landscape and physical

Principle	Comment
	<p>qualities of the site. The highest areas of the site have been selected for school buildings to address potential flooding issues. The school buildings have been located at the northern side of the site where the large institutional residential care facility exists so as to maintain open space separation from the low density residential areas. The activity frontages of the school, however, are oriented away from the residential care facility to maintain appropriate amenity relationship between uses.</p>
Principle 2—sustainable, efficient and durable	<p>The proposed school utilises efficient design features to minimise consumption of water and energy. All classrooms and learning spaces allow for cross-flow natural ventilation and provide opportunity for natural cooling with reduced reliance on mechanical ventilation and air conditioning.</p> <p>The landscaping for the school has been designed to be of low water use and the proposal includes collection and reuse of rainwater for toilet flushing and outdoor irrigation purposes.</p>
Principle 3—accessible and inclusive	<p>The proposed design provides a welcoming entrance and utilises open access ways for wayfinding. The proposal provides equitable access throughout the complex of school buildings.</p> <p>Access for the community to use school facilities for other activities is limited due to the small size of the school and the need for security. The future hall may be available for community hire in the future.</p>
Principle 4—health and safety	<p>The school provides a healthy and safe environment. The site is not subject to any significant hazards with only low risks for bushfire</p>

Principle	Comment
	<p>and flooding that can be effectively managed at the site.</p> <p>The site will be fenced to provide access control and provide suitable security for the complex.</p> <p>This will include suitable fencing to prevent access to the drainage corridor.</p>
Principle 5—amenity	<p>The site will provide suitable amenity for the school use and is not located in proximity to polluting or offensive activities. There is a sewage pump station adjacent to the site which has been assessed in relation to potential odour issues. The assessment has determined that the location of the school with regard to this facility is appropriate.</p> <p>The school has separation from the low density residential lots and has suitable orientation adjacent to the residential care facility, and is unlikely to raise issues for amenity of adjoining land uses (in terms of noise, etc.).</p> <p>The school provides suitably connected undercover and open space areas for school recreation.</p>
Principle 6—whole of life, flexible and adaptive	<p>The school design is adaptive and flexible for future needs. The large open space classrooms provide flexibility for future changes. The proposal includes allowance for additional structures to support the school operations.</p>
Principle 7—aesthetics	<p>The proposed school design presents an aesthetically pleasing appearance and will complement the surrounding neighbourhood.</p>

As per clause 3.58 of the SEPP, the proposed school would be considered traffic-generating development and is required to be referred for comment to Transport for NSW. The traffic report submitted with the application details potential traffic impacts of the proposed school.

4.3 State Environmental Planning Policy (Planning Systems) 2021

This State Environmental Planning Policy (SEPP) includes requirements for development which are identified as state or regional development and replaces the previously approved SEPP (State and Regional Development) 2011. The SEPP identifies certain types of development which are specified to be State Significant in Schedules 1 and 2. Until recently, all new schools were captured as State Significant Development under clause 15 of Schedule 1. This was recently modified (17 December 2021) so that only schools with a capital investment value of more than \$20 million are captured as State Significant Development. The proposal has a capital investment value of less than \$20 million and is not captured as State Significant Development.

The proposal is not captured as Regionally Significant Development under Schedule 7 of the SEPP. As such, the application is lodged with Council and can be determined by MidCoast Council.

4.4 Great Lakes Local Environmental Plan 2010

As discussed, the subject land is zoned RU2 – Rural Landscape under the provisions of the Local Environmental Plan (LEP).

4.4.1 Development Control Table

Under the provisions of the LEP, the proposed development is an *educational establishment* as defined in the LEP.

educational establishment means a building or place used for education (including teaching), being—
(a) a school, or
(b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.

The use of the land for an *educational establishment* is permitted with consent in the RU2 zone as well as being permissible by virtue of SEPP (Educational Establishments and Child Care Facilities).

In addition, Council must have regard to the objectives of the zone in which a development is to be located, before it makes a determination of a development application for that development.

The objectives of the RU2 zone are:

Zone RU2 Rural Landscape

1 Objectives of zone

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To maintain the rural landscape character of the land.*
- *To provide for a range of compatible land uses, including extensive agriculture.*
- *To provide for rural tourism in association with the primary industry capability of the land which is based on the rural attributes of the land.*
- *To secure a future for agriculture in the area by minimising the fragmentation of rural land and loss of potential agricultural productivity.*

The subject site is a small isolated parcel of RU2 land amongst existing residential development. The small area of land, poor quality soils and context with surrounding areas makes the site unsuited to forms of primary production. The proposed school will alter the landscape of the site but will be compatible with the surrounding landscape character. The land use is a compatible use for this location. The proposed development of a school at this site does not conflict with the relevant RU2 zone objectives.

4.4.2 Development Standards

In addition, clauses 4.3 and 4.4 provide development standards which affect the land in terms of height of buildings and floor space ratio. The development standards are:

- Height of Buildings – 8.5m
- Floor Space Ratio – 0.4:1

The maximum height of the building is at RL 10.525 metres AHD and the lowest ground level below the highest point is RL 2.25m AHD, which means the maximum building height will be 8.375m and below the 8.5m height limit specified for the site.

The gross floor area of the proposed buildings is approximately 1518m² which is a floor space ratio in the order of 0.11:1, which is well below the maximum Floor Space Ratio specified by the LEP.

4.4.3 Miscellaneous Provisions

Clause 5.21 of the LEP provides certain considerations for the development of land in the flood planning area. As discussed, parts of the land are mapped as in the flood planning area. Much of the land is actually above the current 100 year ARI flood level but is below the free board and future climate change allowances. The flood category is considered to be a low hazard flood fringe area and is directly connected to flood free areas, including flood free evacuation routes.

Subclause (2) of clause 5.21 provides the following considerations for development on the flood planning area:

- (2) Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—*
- (a) is compatible with the flood function and behaviour on the land, and*
 - (b) will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and*
 - (c) 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, and*
 - (d) incorporates appropriate measures to manage risk to life in the event of a flood, and*
 - (e) will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.*

Relevant to these matters, the following is noted:

- The proposed school is compatible with the low hazard flood fringe affecting the site.
- The location in the flood fringe area means that development is unlikely to affect flood behaviour in other areas as described in the Wallis Lake Floodplain Risk Management Study.
- The proposed school fronts a flood free evacuation route connecting with large areas of flood free land. It should be noted that the school will provide a local school and will allow students to attend school closer to

their homes rather than travelling to more distant areas such as Taree and reduces the likelihood of isolation and loss of evacuation routes.

- The proposed school buildings have floor levels above the flood planning level and connect with flood free areas at the front of the site that provide direct access to flood free evacuation routes, providing suitable opportunity for protection of life in the rare event of a flood affecting the land.
- The proposal will not impact on riparian vegetation, erosion of riverbanks, etc.

4.4.4 Additional Local Provisions

Clause 7.1 of the LEP applies to the land, which is mapped as Classes 2 and 3 on the Acid Sulfate Soils Planning Maps for the area. The provisions of the clause provide that Acid Sulfate Soils screening and/or management plan are necessary in Class 2 areas where any land disturbance is proposed or in Class 3 areas where the works require disturbance of soils more than 1m below the surface of the land. Consistent with the requirements of the clause, Acid Sulfate Soils screening has been undertaken for the site by Regional Geotechnical Solutions and is included in the geotechnical information submitted with the application. The acid sulfate soils screening has determined that the soils at the site are considered potential Acid Sulfate Soils and the assessment includes an Acid Sulfate Soils Management Plan for works in accordance with the requirements of clause 7.1.

Clause 7.3 of the LEP deals with earthworks and is relevant to the proposed Stage 1 site preparation works. The relevant parts of the clause provide:

- (2) *Development consent is required for earthworks unless:*
 - (a) *the work is exempt development under this Plan or another applicable environmental planning instrument, or*
 - (b) *the work is ancillary to other development for which development consent has been given.*
- (3) *Before granting development consent for earthworks, the consent authority must consider the following matters:*
 - (a) *the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,*
 - (b) *the effect of the proposed development on the likely future use or redevelopment of the land,*
 - (c) *the quality of the fill or the soil to be excavated, or both,*
 - (d) *the effect of the proposed development on the existing and likely amenity of adjoining properties,*

- (e) the source of any fill material and the destination of any excavated material,*
- (f) the likelihood of disturbing relics,*
- (g) proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.*

With regard to the matters to be considered as contained in subclause (3):

- a) The proposal includes designs for the management of existing and future drainage through the site.
- b) The proposed earthworks will assist to facilitate future use of the land for a school, which is considered a suitable and desirable use for the land.
- c) Any fill brought to the site will be limited VENM or other approved material.
- d) The proposed fill will be placed in a manner consistent with the adjoining areas which have also been filled. As such, the proposed works are unlikely to impact on the amenity of adjoining properties.
- e) The fill materials are to be sourced from the sand quarry located at Sweet Pea Road, Forster.
- f) The proposal will involve filling on existing cleared areas. The proposal will only involve minor disturbance of the existing surface and is located over existing cleared/disturbed lands. An AHIMS search of the site did not reveal any Aboriginal sites or places on the land or adjoining areas.
- g) The proposed works would not impact on watercourses (noting the existing drainage reserve is a man-made drainage structure) or environmentally sensitive areas, and erosion and sediment controls would be implemented to prevent sedimentation of watercourses, etc.

Clause 7.5 of the LEP deals with Stormwater Management and provides:

- (2) Development consent must not be granted to development on any land unless the consent authority is satisfied that the development—*
 - (a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and*
 - (b) is designed to minimise the use of impervious surfaces on the land, directing run off to piped drainage systems and waterways, and*
 - (c) is designed to integrate water sensitive design measures, including stormwater, groundwater and waste water management, to minimise environmental degradation and to improve the aesthetic and recreational appeal of the development, and*
 - (d) incorporates an appropriately managed and maintained stormwater management system that will maintain or improve the quality of stormwater discharged from the land, and*
 - (e) includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and*
 - (f) avoids any significant adverse impacts of stormwater runoff on adjoining properties, native bushland, groundwater, wetlands and receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the impact.*

The application submitted includes a stormwater strategy for the site which provides for appropriate management of stormwater. In relation to the matters in the LEP, it is noted that:

- The proposal includes provision for the collection and reuse of stormwater.
- The proposal includes large areas of pervious gardens and lawn areas.
- The proposal provides for integrated stormwater management to treat both flows and stormwater quality.
- The proposed works improve the existing stormwater drainage system on the site and do not impact on native riparian vegetation or other areas.

4.5 Great Lakes Development Control Plan 2014

The following parts of the DCP are discussed in relation to this proposal:

- Chapter 4.2 – Flooding
- Chapter 10 – Car Parking and Access
- Chapter 11 – Water Sensitive Design
- Chapter 13 – Landscaping and Open Space
- Chapter 14 – Waste Management

Each relevant part is discussed below:

4.5.1 Chapter 4.2 Flooding

As discussed, parts of the land are identified as being within the flood planning area. Part 4.2 of the DCP provides controls in relation to development of flood prone areas. The DCP part has specific 'Building Controls' as follows:

Building Controls

Any building partly or wholly constructed below the 2100 flood planning level, must be certified by a structural engineer to demonstrate that the building and associated structures have been designed to withstand flood forces exerted by the 2100 1% AEP flood.

New Buildings

1. *New buildings are to be designed and located entirely outside of the 2100 flood planning area wherever possible.*
2. *New buildings are to be designed with habitable floor levels above the 2100 1% AEP flood planning level.*
3. *In circumstances where construction of a new building at the 2100 1% flood planning level is likely to have an adverse impact on the adjoining property or the visual amenity of the location, a variation may be sought. If supported by Council, the new building may be designed with habitable floor levels above the 2060 1% AEP flood planning level.*
4. *Vehicle access to new buildings is to be designed to so that ingress and egress from the site is provided above the 2100 1% AEP flood planning level.*

In regard to the controls, the following is noted:

- The development area of the lot is located in the flood planning area, however the area for the school buildings is proposed to be filled to a level above the design flood level.
- The construction of floor levels is to be at the 1% AEP 2100 flood planning level of 3.2m AHD.
- The vehicular access to and from the site is generally located above the 2100 projected 1% AEP Flood Level.

Given the building will provide refuge in a flood and the proposal can also facilitate effective evacuation, it is considered that the objective of the DCP controls is achieved so that risks to people and property from flood effects is minimised.

4.5.2 Chapter 10 – Car Parking and Access

This chapter of the DCP provides requirements for car parking for developments. In relation to schools, there are no parking rates specified. The Greater Taree DCP, however, does provide parking rates for schools as follows:

- 1 space per 2 full time staff
- 1 space per 100 students
- 1 space per 10 Year 11/12 students

Based on the proposed school, the number of parking spaces required under the DCP would be:

- Staff (20) – 10 spaces
- Students (300) – 3 spaces
- Year 11/12 students (0) – 0 spaces
- Total – 13 spaces

The proposed parking area provides 12 x 90 degree parking spaces as well as five parallel kiss-and-drop spaces. The number of spaces provided is further discussed in the Traffic Assessment submitted with the application which provides:

Whilst the DCP requirement is for 13 spaces, the provision of 12 is considered appropriate as the additional potential visitor parking space be accommodated on the adjacent public road. This shall have a minor and acceptable impact.

The proposal also includes bike parking facilities for students and staff in the form of a large weatherproof bike parking area located at the northern end of the driveway/parking area, providing a secure bike parking area. In addition, the proposed unisex bathrooms which are suitable for persons with a disability include showers which can provide end of trip facilities for students/staff if desired.

4.5.3 Chapter 11 Water Sensitive Design

The development application includes Water Sensitive Design concept and model, meeting the requirements of the DCP.

4.5.4 Chapter 13 – Landscaping and Open Space

Whilst this Chapter of the DCP states that it provides controls for all forms of development, it does not include specific provisions for schools and the controls for other forms of development are not highly relevant for schools.

The landscape outcomes for the site are considered consistent with the principles within the DCP and provide:

- Integrated landscape and open space to provide passive and recreational space for students.
- Large areas of deep soil area to provide for percolation of stormwater and limit stormwater generation from hard surfaces.
- A suitable landscaping treatment to define areas of the site.

- Adds value to the site and complements the building design to create an attractive streetscape.

4.5.5 Chapter 14 Waste Management

This part of the DCP seeks to ensure that waste management is considered in development design, so that suitable facilities are in place to enable garbage to be collected, stored and picked up within a development.

The DCP provides that the Site Waste Minimisation Template provided by Council can be completed. Given the size of the proposed development and the mixed uses on the site, this template may not be appropriate for this development. The matters dealt with in the template are, however, discussed below:

Construction Waste Generation

During construction waste generation, the following measures will be employed:

- Sand and soils generated by excavation will be taken and reused on the site for landscaping following appropriate management of potential acid sulfate issues.
- All excess materials from construction will be returned to the supplier or recycled where possible.
- Any waste materials (packaging, etc.) will be collected in skip bins at the site and taken away by a waste contractor for disposal at a licensed waste management centre.
- Any opportunity for separation of recyclable materials in construction waste will be examined and separate collection of recyclable materials at the site will be provided.

Operations Waste Collection and Management

Separated waste and recycling Mobile Garbage Bins will be provided throughout the school and will be checked and maintained by staff daily. These bins will then be taken to the kerbside for collection by the waste contractor on a weekly basis.

Any green waste generated will be collected by maintenance staff and taken to the Council's waste management centre in a ute or trailer.

5. Likely Environmental Impacts

5.1 Context and Setting

The site is located amongst existing and developing urban areas. The works would be consistent with the developing character. The proposal will facilitate a new small school that will serve the local population and fits well alongside the existing residential care facility. The proposal utilises a large site enabling suitable separation from low scale residential uses.

5.2 Ecological Impacts

As discussed, the proposed works are located over previously cleared and highly disturbed land with no native vegetation communities present. The proposed works will require the removal of some isolated trees within the existing drainage easement to facilitate the new stormwater basins, as well as the removal of some isolated landscape plantings near the site frontage to facilitate access and parking areas.

The site is not mapped on the Biodiversity Values Map prepared by the Office of Environment and Heritage and native vegetation removal would not exceed the clearing threshold for the land (5,000m²) and does not require biodiversity offsetting under the *Biodiversity Conservation Act 2016*.

5.3 Hydrological Impacts

As discussed, the land is identified at the flood fringe planning area. The proposal includes filling to create building areas above the flood planning level. The proposed works would not be expected to impact on flood behaviour. The proposed development incorporates floor levels that are above the flood planning level and provide for suitable protection of life and property from expected flood effects.

The proposal includes stormwater treatment facilities as required by Council's DCP which will also collect and treat the upstream stormwater that currently flows through the site.

5.4 Amenity Impacts

The proposed school buildings are located in the northern parts of the site with large setbacks from low density residential areas in Tandara Place. The orientation of the school buildings is to the central courtyard and there are no

large windows or open access balconies on the elevation facing the adjoining residential care facility. The proposal does not result in any significant overlooking or privacy impacts.

The location of the buildings in the northern parts of the site means that the winter shadows are all cast over open space within the school grounds as shown in the supplied shadow diagrams. The proposal will not result in any overshadowing impacts to adjoining properties.

An acoustic assessment of the proposed school has been prepared by Muller Acoustic Consulting that assessed the impacts of noise from school activities in the surrounding area. The assessment has found that the noise from plant and equipment will comply with the Project Noise Criteria and that the noise from external play areas will meet the adopted noise criteria from the *Guideline for Child Care Acoustic Assessment* based upon background noise levels.

5.5 Traffic and Access

The traffic impacts have been assessed in a Traffic Impact Assessment prepared by SECA Solutions which has been submitted with the application. The assessment has concluded that:

- The traffic generated from the proposed school is minor and will have an acceptable impact on the surrounding road network.
- The school will encourage alternative forms of access such as walking and cycling.
- Parking is suitably provided for students and visitors.
- Suitable provision is made for student drop off and collection within the site.
- A bus zone will be created on The Southern Parkway frontage to support school bus travel.
- A school zone should be created on The Southern Parkway in consultation with Council.
- A No Stopping zone could be considered in the area opposite Akala Avenue to eliminate potential delays for northbound through traffic on The Southern Parkway.

5.6 Social and Economic

The proposed school will expand the services provided by the MidCoast Christian College in the MidCoast Area. The proposal will have overall positive social and economic effects as follows:

- The proposal will provide greater education choice and places for families in the area.
- There is currently a significant number of students from the Forster Tuncurry and Pacific Palms areas that attend the existing school in Taree. The new campus will allow a more localised opportunity for these families reducing travel times, etc.
- The creation of facilities closer to the homes of families will reduce the consumption of resources and costs for transport, etc.
- The new school will create additional employment in the area by providing jobs during the construction and operation phases of the development.

6. *Suitability of the Site*

The subject land is highly suitable for the proposed development, being land that has been identified for future urban use and being an infill between existing urban uses. The site has access to all necessary services and has a frontage to a high capacity urban road to provide peak time traffic access to the school.

The subject land is identified as being within a bushfire buffer and partly within a flood planning area. The proposed development can be developed in line with the low level of hazard identified for the subject land and in a manner consistent with the controls of Council and the NSW Rural Fire Service.

7. *The Public Interest*

The proposed development will provide education facilities for families in the surrounding community. The proposed development supports growth of the community in the area and will have positive social and economic impacts that are in the public interest.

7.1 Crime Prevention through Environmental Design

The prevention of crime is a public interest issue which can be addressed within development design. The relevant matters that should be considered within a design are Surveillance, Access Control and Territorial Reinforcement.

The location of the school is not a known high crime area and the most likely forms of crime in the area relate to property crime and/or domestic and other assault. The most likely form of crime likely to affect the school is property crime, as well as some potential for assault within and around the school grounds.

Passive/Active Surveillance

The school will have a high level of active surveillance during operational periods with teachers and other staff present observing the school grounds. The surrounding residential areas and aged care facility will not generally have good outlook over the school grounds and there will be some need to increase security measures outside of operating hours to address potential crime risk. Increased access control to the school grounds is warranted and the provision of CCTV and security lighting at strategic points may also be considered.

Access Control

The control of access to certain areas of the built environment can reduce the incidence of opportunistic crime by denying potential perpetrators access to “at risk” areas. As discussed, the absence of significant passive surveillance from surrounding uses means that a high level of access control is warranted. The proposal includes high security fencing and gates that will be locked outside of school hours to limit access.

The buildings can also be locked up and should be secured outside of school hours to further minimise opportunities for access.

Territorial Reinforcement

Territorial reinforcement involves the creation of environmental indicators which imply that certain areas are not “public areas” and are only to be accessed by persons who have a legitimate reason to be there. The provision of strong territorial reinforcement effectively denies people the opportunity to create excuses for being in areas where they should not be, thereby reducing the opportunity for crime.

The boundaries between private and public spaces will be clearly defined and the large security fence and gates make clear statements about where persons are permitted to be. The formal entry points create a clear indication of areas that are “private” and are only to be accessed by persons with a valid reason for being there.

The provision of signage and advice of CCTV surveillance of the grounds is also recommended.

7.2 Equitable Access

The school provides full access throughout the buildings for staff and students. Lift access connects both levels and there are multiple accessible sanitary facilities throughout the school. The proposal provides equitable access throughout in a manner consistent with the BCA and Access to Premises Standards.

8. Conclusion

The subject site is a large urban fringe parcel known as Lot 1 DP 1264355, The Southern Parkway, Forster. The site has been identified for future urban development and sits amongst existing urban uses.

The proposed development involves construction of a new school on the land as a local campus for the Taree Christian College. The campus will provide a local area for the delivery of education services to students from the greater Forster Tuncurry area. The school provides classes from Kindergarten to Year 8, with the potential for further growth in the future.

The proposed use is a permissible land use in the RU2 – Rural Landscape Zone under the provisions of the LEP, as well as provisions in State Environmental Planning Policies. The proposed development is compliant with all the relevant development standards applying to the land.

The proposed development is generally consistent with the relevant DCP controls applying to the land.

The proposed development is over a highly disturbed site and is unlikely to have any significant impacts to the surrounding natural and built environment.

The subject land is a suitable site for the proposed development with bushfire and flood hazards in the area being minimal and able to be managed in accordance with Council and RFS standards.

The proposal provides educational services for the community to support ongoing growth and is in the public interest.