JRPP No.	2013HCC011
DA No.	13-1109
Proposed Development	Educational Establishment
Location	Proposed Lot 7271 in an approved subdivision of Lot 727 DP1152174, Settlers Boulevard, Chisholm
Applicant	QOH Architects
Author	Cindy Dickson - Maitland City Council

Assessment Report and Recommendation

Executive Summary

Development consent is sought for an educational establishment at Settlers Boulevard, Chisholm. The subject land is zoned R1 General under the Maitland Local Environmental Plan 2011. The site is partly bushfire prone and as such the application has been lodged as integrated development requiring the issue of 'general terms of approval from the NSW Rural Fire Service. Educational establishments are permissible forms of development in the R1 General Residential zone with Council consent and are consistent with the objectives of the zone.

The site is situated off Settlers Boulevard, Chisholm. A separate development application is being assessed concurrently by Council for a staged road construction (extension of Heritage Drive and Grasshawk Drive off Settlers Boulevard) that will provide access to the proposed development. A development application has also been approved on 23 May 2013 for the creation of the school lot, being proposed lot 7271 of 7.42 hectares in area.

The site is currently vacant, with improved pasture as ground cover and a few isolated trees. It was formerly used for agriculture, including grazing and poultry farming. New residential subdivision is located to the west of the site (Waterford County Subdivision) including a riparian corridor, recreational area and residential lots (including an exhibition village).

The proposal involves the erection of an educational establishment (Chisholm Catholic Primary School) to the southern portion of the site. The facility is designed to provide for a 2 stream primary school, having an estimated capacity of 420 students. The development will be constructed in two stages, with the second stage subject to student demand and funding.

The application was publicly exhibited for a period of 14 days from 20 May 2013 to 3 June 2013. During this time no submissions were received.

The application is submitted to the Hunter and Central Coast Joint Regional Planning Panel for determination as the capital investment value of the proposal is over the \$5 million threshold for educational establishments, therefore triggering the regional development provisions set out in Schedule 4A(6b) of the Environmental Planning and Assessment Act 1979.

The development has been assessed under Section 79C of the Environmental Planning and Assessment Act 1979 and is considered satisfactory. Accordingly, it is recommended that the application be approved subject to conditions of consent.

OFFICER'S RECOMMENDATION

THAT DA 13-1109 for an educational establishment on proposed Lot 7271 in an approved subdivision of Lot 727, DP1152174, Settlers Boulevard, Chisholm, be approved subject to the conditions of consent set out in the attached schedule.

INTRODUCTION

This report provides a detailed overview of the development proposal involving the construction of an 'educational establishment' (Chisholm Catholic Primary School) on proposed Lot 7271 in an approved subdivision of Lot 727, DP1152174, Settlers Boulevard, Chisholm and provides a comprehensive planning assessment of the development against the major heads consideration under Section 79C of the *Environmental Planning and Assessment Act 1979*. The development application is reported to the Hunter and Central Coast Joint Regional Planning Panel on the basis that the estimated value of the project (\$9.19 million) exceeds the \$5 million threshold for educational establishment developments under Schedule 4A(6b) of the *Environmental Planning and Assessment Act 1979*.

BACKGROUND / SITE DESCRIPTION

The subject land is zoned partly R1 General Residential under the Maitland Local Environmental Plan 2011. The proposal is located within the area of the site zoned R1 General Residential. The site is partly bushfire prone and as such the application has been lodged as integrated development requiring the issue of 'general terms of approval from the NSW Rural Fire Service

A separate development application has been approved by Council for a staged road construction (extension of Heritage Drive and Grasshawk Drive off Settlers Boulevard) that will provide access to the proposed development. A development application has also been approved on 23 May 2013 for the creation of the school lot, being proposed Lot 7271 of 7.42 hectares in area. The proposed educational establishment is to be located within the southern portion of this approved allotment adjacent to Grasshawk Drive. The approved subdivision plan and roadworks extension plan are provided at **Attachment 5**.

The site is currently vacant, with improved pasture as ground cover and a few isolated trees. It was formerly used for agriculture, including grazing and poultry farming. All structures relating to the previous land use have been removed. New residential subdivision is located to the west of the site (Waterford County Subdivision) including a riparian corridor, recreational area and residential lots (including an exhibition village). An aerial map and zoning/locality map have been included as **Attachment 1** to this report.

The Catholic Diocese of Maitland-Newcastle currently has capacity for 1,470 primary and 2,100 secondary students within the Maitland LGA. The Catholic Diocese of Maitland-Newcastle has recognised that there is demand for additional primary school facilities within the eastern sector of the Maitland LGA. The site has an overall fall of approximately 8 metres. The majority of the site falls to the south west of the proposed lot. The southern western boundary of the site is in the vicinity of the riparian corridor which runs from the south to the north through the development. A small area of the eastern part of the site falls to the east, however, this area is generally beyond the building footprint of the proposed educational establishment.

PROPOSAL

The proposal involves the construction of an educational establishment (Chisholm Catholic Primary School) in the southern portion of proposed Lot 7271. The facility is designed to provide for a 2 stream primary school, having an estimated capacity of 420 students. The development will be constructed in two stages, with the second stage subject to student demand and funding. Staffing numbers will be 17 full time equivalent staff in stage 1b and 27 full time equivalent staff in stage 2. Classes are provided from Kindergarten through to Year 6. The official start and finish times of the school are 9.00am to 3.00pm. The proposed development incorporates the following:

Stage 1a "Early Works"

- Bulk earthworks, swales and batters , temporary site access
- Most stormwater drainage, detention basin construction, site stormwater installation
- Levelling of the carpark and temporary gravel finish for contractors use during construction
- Perimeter landscaping, large trees, grass seed stabilisation over site
- The intention would be to start this as soon as possible, potentially in September/October, and funding is not dependent on the grant money

Stage 1b: "Stage 1 Building Works"

- This would include the buildings as listed under "Stage 1" in the DA
- The bulk of the landscaping and detailed site works
- Internal road works and road finishes
- External road works as required in the DA
- This would start on site as soon as documentation and funding are available, potentially in January if funding arrives, alternatively in March when funding arrives. This will take a fair while longer to document than the Stage 1a, thus would require its own CC so Stage 1a can start on site sooner

Stage 2: "Stage 2 Building Works"

- Construction of the remaining Educational Establishment buildings, incorporating:
 - Administration building;
 - General purpose learning areas; and
 - Additional sporting facilities
- Construction of an additional 9 car parking spaces within the existing car park.
- Anticipated timing for Stage 2 works would be 3 to 5 years.

The development has an overall single storey built form within a generous landscaped setting. The gross floor area of the proposal is 2,333m² (stages 1 and 2) and the building has a maximum height of 9.4 metres. The main access point to the site will be from Heritage Drive. Secondary access to the site is provided from Grasshawk Drive.

Application plans showing the development proposal in more detail are provided as **Attachment 2** to this report.

PLANNING ASSESSMENT

The proposal has been assessed under the relevant matters for consideration detailed in Section 79C(1) of the Environmental Planning and Assessment Act, 1979 as follows:

Section 79C(1)(a)(i) provisions of any environmental planning instrument

Local Environmental Plan

Zoning

The subject land is zoned a combination of R1 General Residential under the Maitland Local Environmental Plan (LEP) 2011. The proposed development is defined under the LEP as an 'educational establishment' (school) and is permissible with consent in the R1 General Residential zone. The proposal is considered to be consistent with the zone objectives, 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.

Regional Environmental Plan

There are no regional environmental plans that are relevant to this proposal.

State Environmental Planning Policies

State Environmental Planning Policy (State and Regional Development) 2011

This policy sets out the functions of regional panels in determining applications for regional development. Part 4 of the policy specifically applies to regional development and outlines the functions of Council's and regional panels with respect to the receipt, assessment and determination of development applications. The provisions of the policy have been considered in the processing of the subject application.

State Environmental Planning Policy 'Infrastructure (2007)'

The development is subject to the provisions of SEPP Infrastructure 2007 as it is classified under Clause 104 of the SEPP as a 'traffic generating development' due to

its definition of an educational establishment that has more than 50 students. The provisions of the SEPP require the application to be referred to the Roads & Maritime Services (RMS) for comment. The RMS has reviewed the application and have no objections to the proposal subject to the inclusion of a number of requirements. The referral from RMS is discussed in further detail in Section 79C(1)(d) of this report.

Clause 28 of the SEPP states that the development may be carried out with consent from Council. Clause 32 of the SEPP states that Council (the consent authority) must take into consideration all relevant standards in the following State government publications:

(a) School Facilities Standards—Landscape Standard— Version 22 (March 2002),
(b) School Facilities Standards—Design Standard— (Version 1/09/2006),
(c) School Facilities Standards—Specification Standard—(Version 01/11/2008).

Statements have been provided by the applicant in the submitted documentation that the proposal meets the requirements of the schools facilities standards. These standards have been taken into consideration and the proposal does not vary from any of the requirements stipulated in the policies, therefore the proposal is in accordance with the SEPP.

State Environmental Planning Policy 64 – Advertising & Signage

Signage has been incorporated into the design, including entry signs and a school icon. The signage component of the proposal satisfies the aims and objectives of SEPP64 in respect of compatibility with the desired amenity and visual character of the area, effective communication in the location and appropriateness in terms of design, scale and form for the streetscape setting.

All other provisions outlined in SEPP64 including positioning of the signage are considered acceptable.

State Environmental Planning Policy 55 - Remediation of Land

There is sufficient evidence (in the form of improved pasture, previous land clearing, aerial photos, dams, evidence of previous poultry sheds etc) to suggest the land has been utilised in the past for agricultural purposes. It is acknowledged a number of poultry sheds were located upon the subject land and within close proximity to the subject site. The previous agricultural use of the land is considered to be possible source of contamination under SEPP 55.

A Preliminary Site Contamination Report prepared by GHD, a Remedial Action Plan (RAP) prepared by Environ (4 March 2008) and Addendum to the Environ RAP (30 April, 2008) have been prepared for the development of the subject site and Waterford County Subdivison. The RAP concludes the following:

"The results of all site investigations have identified minor contamination at the site as summarised below;

- Asbestos identified in isolated areas where AC was noted at the surface;
- Burial Pits It is possible that further pits may be encountered during site works and a further site inspection should be undertaken following clearing of the site;
- Total petroleum hydrocarbons (TPH) an isolated surface stained area was identified in the vicinity of a former turkey shed.

The minor contamination within the site is beyond the proposed school site. Furthermore, as part of the civil construction works on the site, all building waste has been excavated and disposed of at a licenced disposal facility. This was the recommended conclusion stipulated by Environ within their RAP. The remedial actions required by the RAP have been undertaken and no further site remediation is required prior to the commencement of the proposed development. Douglas Partners have also completed a Preliminary Geotechnical Investigation of the site indicating that it is suitable for the proposed development.

Section 79C(1)(a)(ii) any draft environmental planning instrument that is or has been placed on public exhibition

There is no exhibited draft environmental planning instrument relevant to the application.

Section 79C(1)(a)(iii) any development control plan

The following sections of the Maitland Development Control Plan are relevant to the proposal:

Part A – Administration

A.4 – Community Participation

The application was notified for a period of 14 days from 20 May 2013 to 3 June 2013. Council received no submissions in response to the application during this time.

Part B – Environmental Guidelines

B.6 – Waste Not – Site Waste Minimisation and Management.

This DCP chapter acknowledges that waste management and minimisation at both the building construction stage and for ongoing operations is a major issue for the building industry and seeks to encourage resource efficiency. It also seeks to assist in planning for sustainable waste management through this process.

Waste will be generated as part of the operations for the site and this will be managed through the provision of skip bins on the site, which will be collected by a private contractor. A waste management plan was submitted with the proposal that included measures to recycle and store waste in an environmentally acceptable manner during the construction and operational phases.

Part C – Design Guidelines

C.1 – Accessible Living

The DCP is designed to increase awareness and provide guidelines for access and mobility. The design demonstrates an ability to comply with accessibility criteria for car parking, footpaths and entry into the buildings. Conditions have been recommended to ensure compliance with the relevant standards for access and mobility (included within the Building Code of Australia), which will be provided at the Construction Certificate stage.

C.6 – Outdoor Advertising

Signage has been incorporated into the design, including entry signs and a school icon. The signage is appropriate in scale and form and is not detrimental to the existing and anticipated future amenity and character of the area.

C.11 – Vehicular Access & Parking

The proposed use is defined as an educational establishment under the plan and as such, requires the provision of car parking spaces at a rate of 1 space for every employee or staff member. With a total of 27 full time staff members, a minimum of 27 car parking spaces are required for the site. A total of 27 car parking spaces, including 1 accessible parking bay have been provided, therefore the proposed development meets the requirements of the chapter. There will be 18 spaces within Stage 1, which will adequately cater for the 17 full time staff members who will work at the school in this stage. An additional overflow parking area to cater for special events is allocated adjacent to the constructed car park. The plan acknowledges that parking requirements for each school site may vary and that in general a detailed traffic and parking study should be submitted with the application.

A Traffic Impact Assessment was prepared by TPK & Associates Pty Ltd for the proposal that concluded that the development will not have an adverse impact on the road network as planned within the estate, with an acceptable level of parking and compatibility with the future road configuration.

The accessible car parking space has been split from the main car parking area to ensure that the path to the main entry of the school was of a satisfactory grade. There is ample width (allowing for vehicle passing) and site distance within the driveway area to ensure vehicles parked within the disability space can safely reverse and exit.

The DCP section also requires provision to be made for drop off / pick up of students. In this regard, an internal driveway is proposed for vehicles entering the main car parking area on the site off Heritage Drive. This also includes a designated pick up/ drop off zone in front of the main building entry. All vehicles can enter and exit the site in a forward direction. A separate area has also been designated off Grasshawk Drive for bus zones. Conditions of consent have been incorporated to ensure that this area is appropriately sign posted and that the pedestrian crossing is located to allow safe crossing for pedestrians.

The car parking areas are softened by landscaping, which will provide shade for vehicles, as well as visual relief to break up the hard-surface of the car park from Heritage Drive.

Some minor amendments to the geometry of the car parking area will be required through consent condition to ensure compliance with Councils Development Control Plan 2011- Chapter: Car Parking.

All other provisions outlined in this section of the DCP have been adequately addressed including line marking and visibility. Impacts associated with the surrounding road network are addressed in Section 79C(1)(b) of this report.

Part F – Urban Release Areas

F.7 – Thornton North

The site is located at Heritage Drive, Chisholm and is located within the Stage 1 release area under the Thornton North Urban Release Area Plan. The proposed site is generally consistent with the objectives and 'proposed school site' identified in the adopted precinct plan.

Maitland Section 94A Levy Contributions Plan 2006

The Maitland Section 94A Levy Contributions Plan requires the imposition of a Section 94A contribution, which has been incorporated into the schedule of conditions.

Section 79C(1)(a)(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph)

Division 5 of Part 9 of the *Environmental Planning & Assessment Regulation 2000* applies to the proposal. The proposal fulfils the fire safety and structural adequacy requirements of the regulations and is therefore considered appropriate. In accordance with the requirements of the regulation, a condition of consent is included requiring the submission of an annual fire safety statement from the applicant.

Section 79C(1)(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

The proposed development will have no significant impact on the natural or built environment. The development is to occur on an allotment that is proposed under the area plan for the purposes of an educational establishment. Given the implementation of conditions of consent, the proposal is considered suitable with respect to flora/fauna, traffic & access, Indigenous heritage, social/economic impact, safety & security, building design, utilities, geotechnical/contamination, landscaping, noise and privacy, stormwater management and erosion & sediment control. The development will establish an appropriate streetscape through the application of good architecture, building height, scale and massing and landscaping treatments. The development also integrates well with surrounding road and pedestrian cycle way networks.

Flora & Fauna

The broader Thornton North release area contains significant vegetation including patches of scattered trees, Swamp Oak Alluvial Forest, Lower Hunter Spotted Gum Ironbark and Hunter Lowland Redgum Moist Forest. However, the area of the proposed school is largely devoid of native tree cover due to past clearing on the site. Therefore, only minimal vegetation requires removal to accommodate the development.

A 'seven-part' test under Section 5A of the EPA Act, 1979 was undertaken by Ecotone Ecological Consultants to determine the impact of the original subdivision development on any threatened flora and fauna species and any Endangered Ecological Communities. The investigations acknowledge that the subject land has been extensively cleared and used for intensive agriculture (poultry farming) for many years and as such the site has little ecological value. An additional 7 part test specifically incorporating the area of the school site was undertaken in May 2012. The report concluded that the floristic diversity within the subject site was found to be extremely low, due to the extent of past broad scale clearing. No threatened flora species were detected within the study area and none are likely to be adversely affected by the proposal. Fauna species diversity was found to be low within the subject site. Six threatened micro-bat species could potentially use the limited available foraging habitat. The application of the 7 part test to these species has revealed that it is unlikely to be a significant effect on any of them. The flora and fauna assessment concluded that the development of the Wateford County subdivision will have an insignificant effect on threatened species and their habitats.

Traffic and Access

TPK & Associates Pty Ltd prepared a Traffic Assessment for the proposed development to establish impacts on the future road network. The assessment was undertaken with consideration to the future estate plan for Waterford County, including traffic generation, identification of key intersections and their control with the remainder of the intersections seen to be suitable for typical Give Way control. The estate's road network will be developed in stages. Grasshawk Drive and Heritage Drive will be extended to service the school development. Following this, the ultimate surrounding road network will be constructed as part of the wider Waterford County urban release area.

Given the RTA Guide to Traffic Generating Developments does not provide trip rates for educational facilities, trip generation was calculated based on a similar educational establishment in Lake Munmorah. It was determined that the typical peak demand (at full development) will not exceed 80 trips (one direction) for student traffic (bus and private vehicles). Staff traffic will be spread before the am student peak and follow the pm student peak.

The site is proposed to have access off Heritage Drive in the form of a cross junction with Ellerman Avenue. Internally, the road alignment will provide a two-way link to/from the off street car park and Heritage Drive. An internal one way drop off/pick up loop road is also proposed connecting the vehicle entry drive and the car park. Upon entering the site the left side of the access has been widened to form a drop off/pick up lane. A condition of consent has been incorporated to ensure a pedestrian crossing is provided on Heritage Drive to provide a safe crossing facility for students walking to and from school.

Grasshawk Drive along the site frontage will be used as a public transport drop off for buses. This area has been identified due to its location opposite the future commercial centre. Conditions of consent have been incorporated to ensure the bus zones and crossing in this location are located to ensure safe pedestrian movement. This will involve the location of bus zones and stops to the east of the pedestrian crossing (not the west). The site incorporates bike racks with accessible locations adjacent to points of entry.

The existing road network has also been evaluated and it is acknowledged that Whitewater Street currently has a number of display homes and land sales offices mixed with residential dwellings. Currently this route facilitates the needs of construction traffic as an interim demand that will reduce as the estate expands. The subject development will be provided with an additional separate construction access and the only increase on demand for Whitewater Street will be parental and bus traffic.

The traffic assessment concluded the future surrounding road network will have sufficient capacity to accommodate the expected peak hour trips generated by the proposal and that it would have negligible impact on the road network. The development is a land use expected within the estate and the road network will be progressively developed to maximise the road function of all routes and maintain environmental traffic capacity.

Aboriginal Archaeology

An Aboriginal Heritage Assessment was prepared by South East Archaeology Pty Ltd in March 2004. No artefacts were identified within the survey areas that incorporated the envelope of the school site. A further 'Aboriginal Heritage Assessment' of that area of the site located between Raymond Terrace Road and bounded by Timberlane Estate to the west and treeline to the north (Lot 1, DP 1020387) was prepared by South East Archaeology Pty Ltd in December 2004. Again, no artefacts were identified within the proposed school site. The report concluded that there are no Aboriginal heritage constraints to the development of this area. An Aboriginal Heritage Impact Permit (No. 1121345) was previously issued by the Office of Environment & Heritage (formerly Department of Environment & Climate Change) on 7 October 2008 for the Waterford County development. All salvage works associated with the permit have been completed. A condition has been incorporated on the consent to ensure if any Aboriginal artefacts are discovered whilst the works are being undertaken on the site, that the National Parks and Wildlife Service are contacted to issue any additional permit required.

Social and Economic impact

The development will make a positive economic and social contribution to the community by offering additional employment opportunities during the construction phase and education facilities to future students in the area in the medium to long term.

Safety and Security

The perimeter of the school will be secured with fencing for safety. A 2100mm high palisade type fence will be provided at suitable locations (including boundaries) as indicated on the DA drawings (provided as **Attachment 2** to this report). Additional internal transparent aluminium fencing will be provided. Crime prevention through environmental design (CPTED) principles have been incorporated into the design. The site planning and layout of the proposed development is such that the buildings surround a shared central ampitheatre and playground which enables casual observation of students, staff and visitors as they move through the school.

Building Design

The development consists of a series of single storey buildings appropriately separated and articulated, so as to integrate with the type and scale of existing and future residential buildings, as well as the future commercial development to the south of the site across Grasshawk Drive. The buildings generally comprise slab on ground construction, with a combination of steel and light weight framing, brick veneer construction, and a material palette consisting of masonry, metal roofing, metal wall sheeting, composite panel cladding and glazed aluminium framed and glass louvered windows. The design has been based on the site topography and functional requirements of the school. The combination of roof forms, elevations, features, materials and colours allow natural light and articulation of the building.

Utilities

The site will be serviced by town water, sewer, electricity, gas and telecommunications. These services must be connected to the site as a condition of consent on the approved development application creating the school lot (proposed lot 7271 approved under DA 13-579 on 23 May 2013). A condition has also been incorporated on the subject proposal to ensure the subdivision certificate for the DA 13-579 is signed off prior to issue of an Occupation Certificate for the school. A Section 50 Compliance Certificate will be required from Hunter Water Corporation prior to issue of a Construction Certificate.

Landscaping

The landscaping treatments proposed are considered to be appropriate and compliment the design of the buildings. A landscape plan was prepared by O'Hanlon Design. Landscaping around the perimeter of the new development (including native trees and screening shrubs) will be provided which will provide complimentary visual screening of the school. The car park will be bounded by native trees and screening shrubs to soften the impact of the development when viewed from Heritage Drive. Planting will also be undertaken in the area of the stormwater detention basin to the corner of Heritage and Grasshawk Drives, which will provide a softened impact to the school buildings within the site.

The landscaping also aims to provide outdoor open spaces accessible to children. This includes a playground and sports courts. Fencing shall be of open palisade style to maintain openness and enable casual surveillance of the play areas. Other elements also include an environmental learning area, orchard and vegetable gardens and kindergarten playground. Overall, the landscape strategy is considered satisfactory.

<u>Noise</u>

The noise generated by the existing school is likely to be similar to that generated by other schools within residential areas. Potential noise sources during the operational phase will include children/staff in outdoor areas, traffic and the school bell. The buildings on the site are separated from adjoining residential development by a minimum of 30 metres (from the proposed buildings to the rear boundaries of the future residential lots to the east). The proposed hours of operation for the school of between 9.00am and 3.00pm are considered reasonable in terms of minimising noise impact on the surrounding area.

The construction works also have the potential to create adverse impacts. Construction noise levels will vary throughout individual days and throughout the length of the overall works. The proposed construction hours of 7.00am to 6.00pm Monday to Friday and 7.00am to 5.00pm on Saturdays are considered reasonable in terms of minimising noise impact on the surrounding area. Noise associated with construction works shall be short term in nature. Any exceedances are considered to have a negligible impact on the surrounding area given that they will be for a limited duration and that they must be weighted against the long term social benefit of the project. Furthermore, the school site is located in a part of the release area that is relatively isolated from the part of the estate that has been developed and now occupied for residential purposes. This existing residential development is more than 200 metres from the site. In order to minimise the potential impacts and maintain the amenity of the surrounding areas, conditions have been incorporated to limit the hours of operation whilst the works are being undertaken.

A condition of consent has been recommended to ensure that noise is kept within acceptable limits in accordance with the provisions of the *Protection of the Environment and Operations Act 1997.* In this regard, it is considered that there will be no significant noise impacts to surrounding residential properties.

Privacy

Although there are no surrounding buildings immediately adjacent to the site at this point in time, the layout of the proposed school building in relation to its future surrounds is such that visual privacy to and from neighbouring properties will be maintained. The school buildings are generally oriented to open to a central landscaped area. The land adjoining neighbours incorporates sports courts with satisfactory setbacks of over 6.1 metres. Fencing will ensure privacy between the two uses once the residential lots are developed.

Stormwater Management

A Stormwater Management Plan was prepared by MPC Consulting Engineers for the development. The site falls gently to the north-west towards Heritage Drive. On-site detention has been provided in accordance with Council's Manual of Engineering Standards. Runoff from the roofs and hardstand areas will be diverted by storage tanks and pipes to the drainage infrastructure proposed in Heritage Drive as part of the subdivision works. To ensure the proposed residential lots located along the eastern boundary do not convey water onto the site an overflow swale will contain

and direct the flows to the road network. The stormwater system will collect runoff for events up to the 100 year ARI for subsequent storage, treatment and disposal. The proposed stormwater measures will suitably mitigate and manage stormwater impacts both within and external to the site.

Erosion and Sediment Control

Erosion and sediment controls will be implemented during the construction phase in accordance with Council's Manual of Engineering Standards.

Section 79C(1)(c) the suitability of the site for the development

The proposal is for a new educational establishment (Chisholm Catholic Public School). It is to be located on a site identified for this purpose under the Maitland Development Control Plan 2011: Thornton North Area Plan. The surrounding locality comprises a new residential release precinct development to the south and west (Waterford County), incorporating detached housing and public reserves. The use of the site as a school has been established through the DCP and Area Plan process and the proposed development is not expected to create any significant additional demand on the provision of public amenities or services. The site will be well serviced by public transport, with a future commercial centre being located to the direct south of the school across Grasshawk Drive. Studies have demonstrated there will be no significant impacts to flora and fauna communities or on the surrounding traffic network. In this regard, the proposal can be readily accomodated into the locality without significant adverse impacts and is suitable for the site.

Section 79C(1)(d) any submissions made in accordance with this act or the regulations

The proposal was advertised and notified for a period of 14 days from 20 May 2013 to 3 June 2013 in accordance with the Environmental Planning and Assessment Act 1979, the Environmental Planning and Assessment Regulations 2000 and the Community Participation section of the Maitland Development Control Plan. During this period, no submissions were received.

Submissions from Public Authorities

Roads & Maritime Services

The development was referred to the Roads & Maritime Services (RMS) under the provisions of State Environmental Planning Policy Infrastructure 2007. The RMS's primary interests are in the road network, traffic and broader transport issues. The RMS responded on 25 June 2013 and advised that they have no objections to the proposed development provided that a number of issues were addressed by Council in the assessment of the proposal. The issues related to road safety, pedestrian crossings, bus zones, signage, vehicular access and traffic management. The applicant provided a response to the matters raised. These issues and other local traffic matters, including provision of adequate access to public transport and opportunities for pedestrians and cyclists are considered in Section 79C(1)(b) of this report.

Rural Fire Services

The development was submitted as integrated development in accordance with Section 91 of the Environmental Planning and Assessment Act 1979 and was

therefore referred to the NSW Rural Fire Service (RFS) seeking approval under Section 100B of the Rural Fires Act 1997. The RFS responded on 25 June 2013 and advised they have no objections to the proposed development subject to compliance with General Terms of Approval. The General Terms of Approval have been incorporated into the schedule of conditions.

Section 79C(1)(e) the public interest

The proposed development is consistent with the intended use of the site and is suitably located. It has been designed to a high standard and its impacts appropriately managed. The development will improve the provision of educational facilities for children within a rapidly growing area and is therefore considered appropriate in terms of the broad public interest.

CONCLUSION

The proposal will have a positive social and economic impact for the community and provides improved educational facilities for a growing residential population. The application complies with the requirements of the relevant State Environmental Planning Policies and the relevant chapters of the Maitland Development Control Plan. An assessment of the application has been carried out under Section 79C(1) of the *Environmental Planning and Assessment Act, 1979* as amended. The proposed development is considered satisfactory in terms of the relevant matters for consideration under the Act and the development application is recommended for approval.

Signed (Assessing Officer)	Cindy Dickson Senior Town Planner	Date:
Reviewed (Supervising Officer)	Stephen Punch Principal Planner	Date:
Reviewed (Supervising Officer)	David Simm Manager Development and Envi	Date:
Authorised for submission to JRF	PP Bernie Mortomore Group Manager Planning, Environment	Date: & Lifestyle

Schedule of Conditions DA 13-1109

Educational Establishment (Chisholm Catholic Primary School)

Reason for Conditions

The following condition(s) have been applied to the development, subject of this consent, to ensure that the development meets the requirements of the NSW Environmental Planning and Assessment Act 1979, the NSW Environmental Planning and Assessment Regulation 2000, and the various policies and development controls of Maitland City Council and other government agencies relevant to the development being undertaken.

APPROVED PLANS AND DOCUMENTATION

1. The development shall be carried out in accordance with the stamped approved plans and documentation as detailed in the following schedule and any amendments arising through conditions to this consent or as shown in red colour on the plans:

Plan Ref.	Sheet	Rev ⁿ	Revision	Prepared by:
N°	N°	N°	Date	(consultant)
Job No. 128ON	DA000, DA100, DA200, DA201, DA202, DA203, DA230, DA231, DA232, DA233, DA300, DA301, DA302, DA303, DA304, DA305, DA306, DA307, DA350, DA351, DA910, DA930 & DA931	1	2.4.13	QOH Architects Pty Ltd
Job No. 128ON	DA001, DA101, DA102, DA204, DA205 & DA911	2	2.5.13	QOH Architects Pty Ltd
Job No. 908	DA800 & DA805	2	2.5.13	O'Hanlon Design – Landscape Architects
Job No. 908	DA801, DA802, DA803 & DA804	1	2.4.13	O'Hanlon Design – Landscape Architects

CONTRIBUTIONS & FEES

 Pursuant to Section 80A(1) of the Environmental Planning and Assessment Act 1979, and the Maitland S94A Levy Contributions Plan 2006, a contribution of \$91,905 shall be paid to the Council. The above amount may be adjusted at the time of the actual payment, in accordance with the provisions of the Maitland City Council S94A Levy Contributions Plan 2006.

Payment of the above amount shall apply to Development Applications as follows:

- Building work only - prior to issue of the Construction Certificate.

- Subdivision and building work prior to the issue of the Construction Certificate, or Subdivision Certificate, whichever occurs first.
- Where no construction certificate is required prior to issue of an Occupation Certificate.

The above "contribution" condition has been applied to ensure that: i) Where the proposed development results in an increased demand for public amenities and services, payment towards the cost of providing these facilities/services is made in accordance with Council's adopted contributions plan prepared in accordance with the provisions of section 94A of the Environmental Planning and Assessment Act, 1979. ii) Council's administration expenses are met with respect to the processing of the application.

CERTIFICATES

- 3. Prior to the commencement of works an application for a **Construction Certificate** shall be submitted to, and be approved by, the Accredited Certifier.
- 4. Prior to the issue of an Occupation Certificate for Stage 1a, Stage 1b and Stage 2 all conditions of development consent applicable to each respective stage shall be complied with.
- Prior to occupation of the buildings contained in Stages 1b and 2 an Occupation Certificate as applicable to the relevant stage shall be issued by the Principal Certifying Authority.
- 6. Prior to issue of the Construction Certificate for Stage 1b, a certificate of compliance under Section 50 of the Hunter Water Act 1991 for the total development (Stages 1b and 2), shall be submitted to the Accredited Certifier.

COMPLIANCE

7. **Prior to issue of an Occupation Certificate for Stage 1b and Stage 2**, the subdivision certificate for DA 13-579 shall be issued.

LANDSCAPING

8. All landscaped areas of the development shall be maintained in accordance with the approved landscape plan. The landscaped areas shall be kept free of parked vehicles, stored goods, waste material, and the like.

AMENITY

9. The use and occupation of the premises including all plant and equipment installed therein, shall not give rise to any offensive noise as defined under the Protection of the Environment Operations Act, 1997.

ARCHAEOLOGY

10. Prior to or during construction, upon identification of any potential archaeological deposit likely to contain Aboriginal artefacts, works within that vicinity shall cease. Application shall be made to the National Parks and Wildlife Service (NPWS) by a suitably qualified Archaeologist, for an excavation permit for Aboriginal relics. A copy of such a permit, shall be submitted to Council.

CARPARKING

- **10**. Car parking for the development shall be provided with a minimum allocation for the development of 27 spaces. The car park design shall be modified as follows to achieve compliance with the Maitland Development Control Plan 2011 as follows:
 - Parking bay width 2.6m
 - Parking bay length 5.5m
 - Aisle width 6.7m
- **11**. All on-site driveways, parking areas and vehicle turning areas shall be constructed with a bitumen sealed granular pavement, segmental pavers, or as reinforced concrete.
- **12**. All parking bays shall be delineated with line-marking and/or signposting.

VEHICLE ACCESS

- **13. Prior to issue of the Occupation Certificate for Stage 1b** the driveway layout and profile, from the road pavement to the vehicle parking area shall be constructed as "heavy duty", in accordance with an engineer's design or Council's standard drawings SD007, SD008, SD009, SD010 & SD012 in the *Manual of Engineering Standards* (also with reference to Council's information document *"Footway Crossings Driveways"*). The driveway layout shall be constructed in accordance with the approved plans as amended in red.
- 14. Prior to commencement of construction of the driveway crossing on the public footway verge, the works shall have been approved by Council. An application form, "Application To Construct Private Works On Footway" shall be submitted to Council, together with the appropriate fee.

- **15**. Adequate sight distances shall be provided at the proposed vehicular accesses for vehicles entering and exiting the site in accordance with the Austroads *Guide to Road Design* (with RTA supplements) and relevant Australian Standards.
- **16**. Damage to existing footway and/or kerb and gutter along the frontage of the property, arising from construction activity on the site, shall be reinstated in accordance with Council's standards.
- **17**. The one-way internal access road and pick-up/set down bay for students shall be sign posted and pavement marked in accordance with the relevant Australian Standards.
- **18**. A STOP sign shall be installed at the exit of the main vehicular egress onto Heritage Dr.
- **20.** Prior to issue of an Occupation Certificate, the road construction works under DA 13-1373 (Stages 2A and 2B) shall be complete and approved by Council and the Subdivision Certificate issued.

ROAD SAFETY

- **191**. A pedestrian crossing or children's crossing shall be provided on Heritage Dr to provide a safe crossing facility for students. Street lighting shall be provided in accordance with the relevant Australian Standards. A 1.5 metre wide concrete pedestrian path shall be provided on the western side of Heritage Drive from the path in Grasshawk Drive to the pedestrian crossing.
- **202**. A pedestrian crossing or children's crossing shall be provided on Grasshawk Dr to provide a safe crossing facility for students. The crossing shall be located to the west of the school bus lane and public bus lanes. Street lighting shall be provided in accordance with the relevant Australian Standards.
- **23**. The Stage 2 'drop-off' zone internal to the site shall be constructed in conjunction with Stage 1 of the development.
- 24. School zone signs, end school zone signs, patches and Dragon's Teeth shall be provided on all roads surrounding the school and side streets leading into these roads in accordance with RMS requirements.
- **215**. Waste collection and delivery vehicle access to the site shall be restricted to outside of school drop-off/pick-up times.
- **226**. All works listed in Road Safety conditions shall be completed at full cost to the developer to the satisfaction of RMS and Council.

STORMWATER DRAINAGE

- **237.** Prior to occupation of the development, a stormwater drainage system providing:
 - i) On-Site Detention (OSD) of stormwater, and
 - ii) an emergency overland flow path for major storm events,
 - iii) entrapment of gross pollutants, nutrients and hydrocarbons generated from the contributing ground-surface catchment areas,
 - iv) conveyance where necessary, of stormwater through the site from upstream catchments, (including roads and adjoining properties),
 - v) detailed pavement finished surface levels, to ensure stormwater runoff catchment and its direction into the detention system,

shall be constructed in accordance with a design prepared by a suitably qualified person and Council's Manual of Engineering Standards.

The design shall be based on the stamped *concept* plan number **13-305 C01 to C07 Issue 1** dated **4.4.13**.

EROSION CONTROLS

248. The property shall be protected against soil erosion, such that sediment is not carried from the construction site by the action of stormwater, wind or "vehicle tracking".

BUILDING CONSTRUCTION

- **259**. All building work shall be carried out in accordance with the provisions of the Building Code of Australia.
- **30**. All excavations and backfilling shall be executed safely, in accordance with appropriate professional standards and shall be properly guarded and protected to prevent the works from being dangerous to life or property.
- **31**. The applicant shall submit to Council, "Notice of Commencement" at least two days prior to the commencement of construction works.
- **32**. Unless otherwise approved by Council in writing; all building work associated with this approval shall be carried out between 7.00am and 6.00pm Monday to Fridays and 7.00am to 5.00pm on Saturdays with no work permitted on Sundays or Public Holidays that may cause offensive noise.

SERVICES & EQUIPMENT

33. Upon completion of the building BUT prior to its occupation, a Final Fire Safety Certificate with respect to each critical and essential fire safety measure installed in the building shall be submitted to Council. Such certificates shall be

prepared in accordance with Division 4 of Part 9 of the Environmental Planning and Assessment Regulation, 2000.

- **34**. At least once in each twelve month period, fire safety statements in respect of each required essential fire safety measure installed within the building shall be submitted to Council. Such certificates are to state that:
 - a) The service has been inspected and tested by a person (chosen by the owner of the building) who is competent to carry out such inspection and test; and
 - b) That the service was or was not (as at the date on which it was inspected and tested) found to be capable of operating to a standard not less than that specified in the fire safety schedule for the building).

Such statements shall be prepared in accordance with Division 5 of Part 9 of the Environmental Planning and Assessment Regulation, 2000.

- **35**. A copy of the fire safety schedule and fire safety certificate shall be prominently displayed in the building in accordance with Division 4 of Part 9 of the Environmental Planning and Assessment Regulation 2000.
- **266.** A copy of the fire safety schedule and fire safety certificate shall be forwarded to the Commissioner of New South Wales Fire Brigades, in accordance with Division 4 of Part 9 of the Environmental Planning and Assessment Regulation, 2000.

ACCESS & EGRESS

37 Access for disabled persons must be provided in accordance with DP1, DP2, and DP8 of the Building Code of Australia. Compliance with Part D3 of the Building Code of Australia satisfies this requirement. All elements are to meet the requirements of Australian Standard AS1428.1 "Design for Access & Mobility".

SITE CONSIDERATIONS

- **38**. All excavated and/or filled areas are to be retained or battered and suitably drained so as to prevent any subsidence of the area and constructed so as to deny any flow of water into or around the building or neighbouring buildings or onto neighbouring land.
- **39**. All building refuse on this building site shall be stored in such a manner so as not to cause a nuisance to adjoining properties.
- 40. If the work:
 - i) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or

ii) involves the enclosure of a public place

a hoarding or fence must be erected between the work site and the public place.

If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place. Any such hoarding, fence or awning is to be removed when the work has been completed.

- **41**. A sign must be erected in a prominent position on the work:
 - (i) stating that unauthorised entry to work site is prohibited, and
 - (ii) showing the name of the person in charge of the work site and a telephone number at which that person may be contacted during work hours.

Any such sign is to be removed when the work has been completed.

This condition does not apply to:

- (i) building work carried out inside an existing building, or
- (ii) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.
- **42**. Approved toilet facilities are to be provided, at or in the vicinity of the work site at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. The provision of toilet facilities in accordance with this Clause must be completed before any other work is commenced.
- **43**. The site is to be cleared of all building refuse and spoil immediately after completion of the building/structure.
- 44. No building materials, refuse or spoil is to be deposited on or be allowed to remain on Council's footpath.
- **45**. Suitable and adequate measures are to be applied to restrict public access to the site and building works, materials and equipment.

RURAL FIRE SERVICE – GENERAL TERMS OF APPROVAL

Asset Protection Zones

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

46. At the commencement of building works and in perpetuity, the entire property shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bushfire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

Water and Utilities

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bushfire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

47. Water, electricity and gas are to comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.

Access

The intent of measures for internal roads is to provide safe operational access for emergency services personnel in suppressing a bush fire, while residents are accessing or egressing an area. To achieve this, the following conditions shall apply:

48. Internal roads shall comply with section 4.2.7 of PBP 2006.

Evacuation and Emergency Management

The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments. To achieve this, the following conditions shall apply:

49. An Emergency/Evacuation Plan shall be prepared consistent with the NSW Rural Fire Service document 'Guidelines for the Preparation of Emergency/Evacuation Plan'.

Design and Construction

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

50. New construction for the proposed buildings for Stage 1b Wing C – GPLA's 9-12 and Stage 2 Wing C – GPLA's 13-16 shall comply with Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' section 5 (BAL 12.5) and section A3.7 of Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.

Landscaping

51. Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

ADVICES

- A You are advised that in regard to potential soil erosion from the construction site, such pollution of the environment is an offence under the **Protection of the Environment & Operations** (POEO) Act and may incur infringement fines.
- **B** You (or the owner) are advised to notify Council in writing, of any existing **damage to the street infrastructure** (including landscaping) along the frontage of the property, prior to commencement of construction. The absence of such notification signifies that no damage exists. Where necessary repairs are carried out by Council, the owner of the property shall be held liable for the cost of those repairs.
- C You are advised that there are design matters in relation to the **drainage** *concept* **plan** that warrant further attention prior to commencement of works (refer to approved plan amended in red).
- **D** You are advised that, **prior to pouring of internal concrete driveways and kerbs**, which act as surface depression storage for the stormwater detention, (and/or surfaces which divert runoff to those storage areas), levels should be confirmed, by survey, on formwork and control marks.
- E You are advised that further **consent for a driveway** across the footway verge must be obtained. *Inspections* of works (eg formwork & reinforcement MUST be carried out by Council. (See Council's "Application *To Construct Private Works On Footway*"). You should contact Council (ph. 49 34 9700), giving at least 24 hours notice for inspections.
- **F** You are advised that the issue of this development consent does not amount to a release, variation or modification by Council of any **covenant or easement** applicable to this property and that Council will not be held responsible when action on this consent results in any loss or damage by way of breach of matters relating to title of the property.
- **G** You are advised that compliance with the requirements of the **Disability Discrimination Act**, (DDA) applies to works on this site. It should be noted that compliance with the Building Code of Australia does not necessarily meet the requirements of the DDA.
- H Prior to any expansion of the school to cater for years 7 to 12 a Traffic Impact Study shall be undertaken to identify likely traffic impacts and subsequent road upgrade improvements. The study shall be prepared in accordance with the RTA *Guide to Traffic Generating Developments 2002* and is to include, but not limited to, the following;

- Identify all relevant vehicular traffic routed and intersections,
- Current traffic counts for all of the above traffic routed and intersections,
- The anticipated additional vehicular traffic generated from the proposed development,
- The distribution on the road network of the trips generated by the proposed development. The predicted traffic flows are to be shown diagrammatically to a level of detail sufficient for easy interpretation,
- Consideration of the traffic impacts on existing and proposed intersections and the capacity of the local and classified road network to safely and efficiently cater for the additional vehicular traffic generated by the proposed development. The study shall also give consideration to the cumulative traffic impacts of other proposed and approved developments in the area,
- Identify any necessary road network infrastructure upgrades that are required to maintain existing levels of service on both the local and classified road network. Preliminary concept drawings shall be submitted with the development application for any identified road infrastructure upgrades. Any upgrades will be required to the satisfaction of RMS and Council.



ATTACHMENT 1: AERIAL MAP AND ZONING PLAN





ATTACHMENT 2: DEVELOPMENT PLANS





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ATTACHMENT 3: RMS CORRESPONDENCE

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Roads & Maritime Services

25 June 2013

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General Manager Maitland City Council PO Box 220 MAITLAND NSW 2320

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Attention: Ms Cindy Dickson

RAYMOND TERRACE ROAD (MR104): PROPOSED EDUCATIONAL ESTABLISHMENT, LOT 727 DP 1152174, SETTLERS BOULEVARD, CHISHOLM (DA-13-1109)

Dear Ms Dickson

I refer to Council's letter dated 16 May 2013 (your reference DA-13-1109) regarding the subject development application forwarded to Roads and Maritime Services (RMS) for consideration. I apologise for the delay in response.

RMS Responsibilities and Obligations

RMS' primary interests are in the road network, traffic and broader transport issues. In particular, the efficiency and safety of the classified road network, the security of property assets and the integration of land use and transport.

In accordance with the *Roads Act 1993*, RMS has powers in relation to road works, traffic control facilities, connections to roads and other works on the classified road network. Raymond Terrace Road (MR104) is a classified (State) road. RMS concurrence is required for connections to the road with council consent, under Section 138 of the Act. Council is the roads authority for this road and all other public roads in the area. Should road works be required on the classified (State) road, RMS would exercise the functions of roads authority under Sections 64 and 71 of the Act.

Additionally, in accordance with *State Environmental Planning Policy Infrastructure 2007* (ISEPP) Clause 104, RMS is given the opportunity to review and provide comment on the subject development application as it meets the requirements under Schedule 3, Column 2.

In this instance, the development is not 'integrated development', as Council is both the consent authority for the development and the approval authority for Settlers Boulevard (refer to Section 91(3) of the *Environmental Planning and Assessment Act, 1979*). Consequently, RMS cannot accept the payment of a fee for the assessment of this development application. As a result, the \$320 fee previously forwarded for this development is duly returned to Council for refund to the developer.

Roads & Maritime Services

 59 Darby Street, Newcastle NSW 2300 | Locked Bag 2030 Newcastle NSW 2300 DX7813 Newcastle

 T 02 4324 0688 | F 02 4324 0342 | E Ashish.Tamhane@rms.nsw.gov.au

 www.rmservices.nsw.gov.au

RMS Response and Requirements

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RMS has reviewed the information provided, including the Traffic Impact Assessment prepared by TPK & Associates dated May 2013. RMS has no objections to the proposed development provided the following matters are addressed and included in Council's conditions of development consent:

 A pedestrian crossing or children's crossing shall be provided on Heritage Drive to provide a safe crossing facility for students walking to and from school. Street lighting shall be provided in accordance with the relevant Australian Standards.

Comment: The proposed development will be located in a substantial residential area in the future. The warrant for a children's crossing would be met post-school development.

 A pedestrian crossing or children's crossing shall be provided on Grasshawk Drive to provide a safe crossing facility for students walking to and from school. Street lighting shall be provided in accordance with the relevant Australian Standards.

Comment: The future commercial centre south of Grasshawk Drive will generate a significant number of trips across Grasshawk Drive in the future. Many of these trips will be made by school students who are vulnerable road users.

 The eastbound bus zones / stops for both regular bus services and school bus services on Grasshawk Drive shall be located east of the pedestrian crossing, not west of the pedestrian crossing.

Comment: The bus zones / stops shall be located east of the pedestrian crossing so that pedestrians will be seen by motorists when they enter the crossing.

- The developer shall install school zone signs, end school zone signs, patches and Dragon's Teeth on all roads around the school and side streets leading into these roads to RMS requirements.
- The proposed vehicular accesses shall be located to provide adequate sight distance for vehicles entering and exiting the site in accordance with the Austroads Guide to Road Design (with RTA supplements) and relevant Australian Standards.

Prior to the development of Stage 2 the developer shall undertake a Traffic Impact Study to identify likely traffic impacts and subsequent road upgrade requirements. The study shall be prepared in accordance with the RTA *Guide to Traffic Generating Developments 2002* and is to include, but not be limited to, the following:

- Identify all relevant vehicular traffic routes and intersections for access to / from the subject area.
- o Current traffic counts for all of the above traffic routes and intersections.
- o The anticipated additional vehicular traffic generated from the proposed development.
- The distribution on the road network of the trips generated by the proposed development. It is requested that the predicted traffic flows are shown diagrammatically to a level of detail sufficient for easy interpretation.
- Consideration of the traffic impacts on existing and proposed intersections and the capacity of the local and classified road network to safely and efficiently cater for the additional vehicular traffic generated by the proposed development. The study shall also give

consideration to the cumulative traffic impacts of other proposed and approved developments in the area.

- Identify any necessary road network infrastructure upgrades that are required to maintain existing levels of service on both the local and classified road network. In this regard, preliminary concept drawings shall be submitted with the development application for any identified road infrastructure upgrades. However, it should be noted that any upgrades will need to be to the satisfaction of RMS and Council.
- All works shall be undertaken at full cost to the developer to the satisfaction of RMS and Council.

Advice to Council

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All matters relating to internal arrangements on-site such as car parking, traffic / pedestrian management, manoeuvring of service vehicles and provision for people with disabilities are matters for Council to determine. Nonetheless, RMS provides the following advice:

 The Statement of Environmental Effects (p.12) advises that there will be 27 teachers following Stage 2 development of the site. On the plan there are only 26 car parking spaces plus 1 (one) disabled space. This leaves a deficiency in parking as there will be other staff at the school. There should be 27 spaces plus spaces for staff members other than teachers and a disabled space available for use. Stage 1 of the development is also deficient in parking spaces.

- Providing only for one-way movement on the circulating roadway east of the proposed staff car park would reduce potential vehicular conflicts.
- Rear-to-kerb staff parking would help improve visibility for staff exiting parking spaces and thereby reduce the potential for collisions with other motorists and pedestrians.
- A pedestrian crossing should be provided on the circulating roadway east of the proposed staff car park in order to provide a safe crossing facility for pedestrians.
- The overflow car park west of the drop off zone is likely to be used by parents for parking as
 they wait to pick up their children. The easy access via roll kerb has the potential to result in
 pedestrian / vehicular conflict on all three sides. In order to improve safety this area should be
 fenced with a formal entry/exit and pedestrian crossing provided for pedestrians across the
 road to the east to enable them to access the footpath and main school entry safety.
- The overflow car park south of the Stage 2 car park should be provided with footpath connections to the main school entry and footpath along Heritage Drive.
- The vehicular entry/exit to the school being located opposite the future Ellerman Avenue may
 result in significant queuing during school drop off/pick up times due to the high number of
 turning movements. Consideration should be given to restricting turning movements to left
 in/left out only and providing for turning facilities on Heritage Drive. The need for future
 upgrading of this intersection should be considered with regard to future school site
 development and surrounding residential development.
- A 'Stop' sign should be erected on the exit of the main vehicular egress onto Heritage Drive to improve pedestrian safety by helping ensure that motorists look for pedestrians crossing Heritage Drive.
- The collection of waste should be regulated to occur outside of school drop off/pick up times. The current design requires a waste service vehicle to reverse into the bin location increasing the potential for conflict with circulating vehicles and pedestrians in the car park. Alternatively,

a modification to the design that separates the collection of waste from other vehicular movements is desirable.

 Consideration should be given to requiring that delivery vehicles arrive and depart outside of school drop off/pick up times to ensure maximum capacity is available in the drop off zone during these times. Alternatively, a modification to the design that separates the loading zone from other vehicular movements is desirable.

Comment: Delivery vehicles often arrive prior to school commencing, not only between school start and finish times.

 The location of the disabled space requires that vehicles either reverse into or out of the space. Consideration should be given to a parking design that does not require a vehicle to reverse into or out of the spot into circulating traffic.

 Consideration should be given to sight lines within the car park to ensure visibility is adequate for manoeuvring vehicles. The type and location of vegetation should be considered.

Safe provision should be made for cyclists to access the school grounds.

On Council's determination of this matter, it would be appreciated if a copy of the Notice of Determination was forwarded to RMS for record and / or action purposes.

Please contact me on (02) 4924 0688 if you require further advice.

Yours sincerely

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Ash Tamhane A/Manager Land Use Hunter Region

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ATTACHMENT 4: RFS CORRESPONDENCE

All communications to be addressed to:

Headquarters 15 Carter Street Lidcombe NSW 2141

Telephone: 1300 NSW RFS e-mail: csc@rfs.nsw.gov.au

The General Manager Maitland City Council PO Box 220 MAITLAND NSW 2320 Headquarters Locked Bag 17 Granville NSW 2142

Facsimile: 8741 5433



Your Ref: DA-13-1109 Our Ref: D13/1068 DA13052287544 KV

ATTENTION: Cindy Dickson

25 June 2013

Dear Sir/Madam

Integrated Development for 727//1152174 Settlers Boulevard Chisholm

I refer to your letter dated 16 May 2013 seeking general terms of approval for the above Integrated Development in accordance with Section 91 of the 'Environmental Planning and Assessment Act 1979'.

This response is to be deemed a bush fire safety authority as required under section 100B of the 'Rural Fires Act 1997' and is issued subject to the following numbered conditions:

Asset Protection Zones

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

 At the commencement of building works and in perpetuity, the entire property shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

Water and Utilities

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

2. Water, electricity and gas are to comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.

ID:87544/81133/5

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Access

The intent of measures for internal roads is to provide safe operational access for emergency services personnel in suppressing a bush fire, while residents are accessing or egressing an area. To achieve this, the following conditions shall apply:

3. Internal roads shall comply with section 4.2.7 of PBP 2006.

Evacuation and Emergency Management

The intent of measures is to provide suitable emergency and evacuation (and relocation) arrangements for occupants of special fire protection purpose developments. To achieve this, the following conditions shall apply:

 An Emergency /Evacuation Plan shall be prepared consistent with the NSW Rural Fire Service document 'Guidelines for the Preparation of Emergency/Evacuation plan'.

Design and Construction

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

 New construction for the proposed buildings for Stage 1 Wing C - GPLA's 9-12 and Stage 2 Wing C - GPLA's 13-16 shall comply with Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' section 5 (BAL 12.5) and section A3.7 of Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.

Landscaping

6. Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

For any queries regarding this correspondence please contact Kalpana Varghese on 1300 NSWRFS.

Yours sincerely

Mork Harpins

Mark Hawkins A/Team Leader, Development Assessment and Planning

The RFS has made getting information easier. For general information on 'Planning for Bush Fire Protection, 2006', visit the RFS web page at <u>www.rfs.nsw.gov.au</u> and search under 'Planning for Bush Fire Protection, 2006'.

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