

**JOINT REGIONAL PLANNING PANEL  
(Hunter Central Coast)**

<b>JRPP No</b>	<b>2013HCC017</b>
<b>DA Number</b>	<b>DA/713/2013</b>
<b>Local Government Area</b>	<b>Wyong Local Government Area</b>
<b>Proposed Development</b>	<b>Alterations and additions to the existing educational establishment</b>
<b>Street Address</b>	<b>126 Sparks Road, Warnervale, Lot 1 DP.1047484</b>
<b>Date lodged:</b>	<b>17 September 2013</b>
<b>Applicant:</b>	<b>Coastplan Consulting</b>
<b>Owner:</b>	<b>Trustees Church Property Diocese of Newcastle</b>
<b>Estimated Value</b>	<b>\$5.3 million</b>
<b>Site Area</b>	<b>131,100m<sup>2</sup></b>
<b>Report By</b>	<b>Salli Pendergast</b>
<b>Recommendation</b>	<b>Approval</b>

**Proposed Alterations and additions to existing educational establishment at Warnervale**

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**SUMMARY**

A development application has been received for alterations and additions to the existing educational establishment known as Lakes Anglican Grammar School located at No 126 Sparks Road, Warnervale. The application has been assessed having regard to the matters for consideration detailed in section 79C of the Environmental Planning and Assessment Act (EP&A Act) and other statutory requirements with the issues requiring attention and consideration addressed in the report.

<b>Applicant</b>	Coastplan Consulting
<b>Owner</b>	Trustees Church Property Diocese of Newcastle
<b>Application No</b>	DA/713/ 2013
<b>Description of Land</b>	126 Sparks Road, Warnervale Lot 1 DP.1047484
<b>Proposed Development</b>	Alterations and additions to existing educational establishment (Stage 8)
<b>Site Area</b>	125,000m <sup>2</sup>
<b>Zoning</b>	5(a) Special uses – Educational Establishment
<b>Existing Use</b>	Primary and secondary school (Lakes Anglican Grammar)
<b>Estimated Value</b>	\$5.3 million
<b>Employment Generation</b>	Additional 4 staff

**RECOMMENDATION**

- 1 That the Joint Regional Planning Panel grant consent to DA/713/2013 at No 126 Sparks Road, Warnervale for alterations and additions to existing educational establishment subject to the conditions provided in Attachment 1.***

**PRECIS**

- The development application seeks approval for alterations and additions to the existing Catholic primary and secondary schools operating on the site.
- The works include construction of a new two storey building containing classrooms and workshops, a new quadrangle, internal refurbishment of existing buildings within the senior school and installation of a portable classroom within the primary school. Also proposed is the construction of a new internal ring road, new parking, two bio-retention basins, landscaping works and associated earthworks in the senior school.

- The proposal is permissible under both WLEP 1991 and WLEP 2013 and there are no variations being sought to Council's relevant plans or policies.
- The proposal is referred to the Joint Regional Planning Panel for determination as the development relates to private infrastructure and community facilities (being an educational establishment) with a capital investment value that exceeds \$5 million.
- The application is for integrated development and NSW Rural Fire Service (RFS) have issued a bushfire safety authority for the development.
- NSW Roads and Maritime Services (RMS) have provided comments and conditions regarding the proposal.
- There were no submissions resulting from the notification of the proposal.

## **INTRODUCTION**

### **The Site**

The site adjoins Sparks Road to the north, however, there is no vehicular access to the site via this frontage. The Link Road extends along the length of the eastern boundary and existing formalised vehicular access to the school is from this frontage. The site is an irregular shape with a narrow internal road extending between the primary and secondary schools. At the centre of the site and along the western side boundary and beyond is sensitive remnant vegetation. There are a number of significant stands of the rare Parramatta Red Gum (*eucalyptus parramentensis*) in this middle section of the site.

Surrounding land located to the east of the site (beyond the Link Road) consists of existing low density residential development. Land to the south is Council owned land and contains the Porters Creek Wetland.

The site is designated as bushfire prone land under Council's Bushfire Prone Land Map.

The site contains a number of registered easements for services, sewage, electricity and access. There is also a conservation agreement on the title for the vegetation (zoned E2) midway of the site.



Above: Location of school site (blue) and the surrounding areas

## The Proposed Development

The site is currently used for the operation of a private primary and secondary school, known as Lakes Anglican Grammar School. The development application has been lodged for alterations and additions to the existing school including:

- Construction of a new two storey classroom building known as Building F which would comprise:
  - 6 classrooms, a staff room and amenities on the ground (upper) level
  - 2 workshops, a textiles room, a research centre, and storerooms on the lower ground level.
- A new quadrangle (adjacent to Building F).
- Internal refurbishment of existing buildings within the campus, specifically involving:
  - the school office area (including reception, sick bay, staff room, 3 offices, store room and interview room) within Building B,
  - science rooms (including a staffroom and instrument room) within Building A, and
  - an art room (room A2 within Building C).
- The installation of a modular building (portable classroom) within the primary school.
- Construction of a new internal ring road, and associated earthworks (in the senior school) including drop area and 15 new parking spaces alongside the access road
- Demolition of part of existing car park and construction of a reconfigured car park with an 2 extra spaces.
- Construction of two bio-retention basins (nutrient control ponds).
- Landscaping works.

The proposal will result in an increase in student numbers from 950 (approved under DA/1526/2010) to 1078. This total number of students comprises 544 students in the junior school and to 534 students in the senior school and an increase in the number of staff by 4 to a total of 99.

The materials for construction of the new building F include concrete block walls, fibre cement wall cladding and colorbond roofing.



There are 18 remaining trees that have to be removed for the proposed development, otherwise the area for the works has already been largely cleared of vegetation through earlier consents (including establishing APZ's).

There have been a number of development consents issued for the development of a school on the site dating back to 2003 when an initial masterplan was endorsed for the entire development of the site as a school. This masterplan was revised in 2006 and the proposal is generally consistent with the development anticipated under the plan. The completion of the masterplan will provide for a total number of students within the senior school to 675.



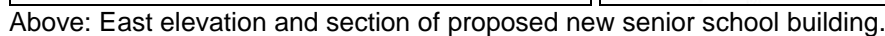
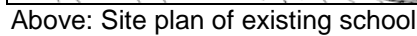
Above: Proposed location of the new building F



Above: Location of the proposed new building F and new internal link road



Above: View looking east along existing Quadrangle 2



The development application has been lodged for alterations and additions to the school. During the assessment of the proposal a number of matters were raised requiring stormwater design and water quality, student and staff numbers, inconsistencies between plans, clarification regarding existing and proposed parking and access arrangements, Asset Protection Zones and ecological impacts, and landscaping. The proposal is integrated development requiring issue of a Bush Fire Safety Authority under the Rural Fires Act 1997 and additional information was requested from the RFS. In accordance with Section 100B of the Rural Fires Act 1997, the RFS have issued a bushfire safety authority (dated 15 January 2014) for the development subject to specific conditions.

There are no variations to Council's LEP or DCP planning controls.

## HISTORY

The site contains an existing primary school (northern part) and an existing high school (southern part) that operate on the same site and in combination are known as Lakes Anglican Grammar School. Development Consent (No.723/2002) was issued 4th June 2003 for an education establishment comprising Anglican Grammar School and Place of Worship on the site. The original consent was based on a total of 325 pupils and granted a master plan approval for the entire development. The consent included Stage 1 comprising the primary school on the northern portion of the site and Stage 2 comprising the secondary school on the southern portion of the site. A revision of this masterplan was made in 2006 and the latest proposal is generally consistent with the development anticipated under the revised masterplan.

Since 2003, there have been a number of consents granted for various stages of the school within increases in student and staff numbers at each stage. Most recently on the site, a complying Development Certificate (Private) CDC/259/2013 was issued on 23 July 2013 for refurbishment of classrooms, new classrooms, and an overflow car park with 96 spaces.

## SUBMISSIONS

### **Any submission from the public.**

The application was notified in accordance with DCP 2005 Chapter 70-Notification of Development Proposals with no submissions being received.

### **Any submission from public authorities.**

#### *NSW Rural Fire Service*

The application was referred to the NSW Rural Fire Service (RFS) under the integrated development provisions of the Environmental Planning and Assessment Act 1979.

Building F will have an Asset Protection Zone (APZ) of 60 m to the north, north-west, west and south. The new modular building for the primary school is proposed to have an APZ of 50 metres to the west. The RFS originally requested a 60 metres APZ for the modular building in its currently proposed location, however, a 60 metres APZ which would have required vegetation clearing of approximately 10 metres into the adjoining property to the west. The applicant's ecologist had not surveyed or assessed this impact. However, the RFS subsequently revised their advice and reduced the APZ to 50 metres, requiring no vegetation removal (due to existing sports fields).

In accordance with Section 100B of the Rural Fires Act 1997, the RFS have issued a bushfire safety authority for the development subject to specific conditions. The conditions imposed by the RFS have been included with the consent.

#### *NSW Roads and Maritime Services*

In accordance with the provisions of State Environmental Planning Policy (Infrastructure) 2007, the application was referred to the NSW Roads and Maritime Services (RMS) for comment. No objection was raised subject to conditions. The conditions imposed by the NSW RMS are included under the recommended conditions of consent.

## Internal Consultation

The application was internally referred to the following officers for review. There were no objections received subject to the imposition of conditions on the consent for the proposal.

- Council's Development Engineer  
Concerns were raised in relation to stormwater management and modelling, particularly in respect of water quality outcomes given the high sensitivity of the downstream forest and wetlands habitats. Conditions of consent have been recommended to address stormwater drainage design requirements particularly including water quality impacts, modelling and on site reuse (15kl tank), vehicle access and parking, utility/servicing of the development, site requirements and traffic management.
- Council's Development Ecologist  
Concerns were raised in relation to the originally proposed APZ and the resulting additional clearing of native vegetation on the adjoining site. The RFS have reduced their APZ requirement to 50 metres. Conditions have been recommended to address vegetation retention and removal, stormwater management water quality, replacement planting species, landscaping and lighting.
- Council's Transportation Engineer  
Clarification was sought regarding internal traffic circulation and the potential impact on the external road. These matters have been addressed under the recommended conditions including the requirement for a detailed comprehensive internal traffic management plan by a suitable qualified traffic engineer for the senior and junior campuses of the school
- Council's Senior Health and Building Surveyor  
Conditions recommended including the requirements for a ramp or lift complying with the provisions of AS1428.1-2009 to link the ground floor level and upper floor level to building F.
- Council's Section 94 Contributions Officer  
The current DA for stage 8 (alterations & additions) proposes to increase the total number of students to 1,078. This total includes the privately certified CDC for stage 7 (alterations & additions). As the total number of students proposed under stage 8 does not surpass 1,100, there is no roads contribution applicable. However, any associated development consent should include a condition (including the standard condition regarding indexation) that if the number of total students surpasses 1,100 then a roads contribution of \$966.94 per student will be required.

## ECOLOGICALLY SUSTAINABLE PRINCIPLES

The proposal has been assessed having regard to ecologically sustainable development principles and is considered to be consistent with the principles.

The proposed development is considered to incorporate satisfactory stormwater, drainage and erosion control and the retention of vegetation where possible and is unlikely to have any significant adverse impacts on the environment and will not decrease environmental quality for future generations. The proposal does not result in the disturbance of any endangered flora or fauna habitats and is unlikely to significantly affect fluvial environments.



## **Climate Change**

The potential impacts of climate change on the proposed development have been considered by Council as part of its assessment of the application. This assessment has included consideration of such matters as potential potential for more intense and/or frequent extreme weather conditions including storm events, bushfires, drought, flood and coastal erosion; as well as how the proposed development may cope / combat / withstand these potential impacts. In this particular case, the following matters are considered to warrant further discussion, as provided below:

**Bushfire Protection:** The site is identified as bushfire prone land and was referred to the NSW RFS as the proposal is for special bushfire protection purposes. The RFS issued a bush fire safety authority for the development including conditions relating to bushfire mitigation measures to be included with any consent granted.

## **ASSESSMENT**

Having regard for the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act 1979 and other statutory requirements, Council's policies and Section 149 Certificate details, the assessment has identified the following key issues, which are discussed for Council's information.

### *Joint Regional Planning Panel*

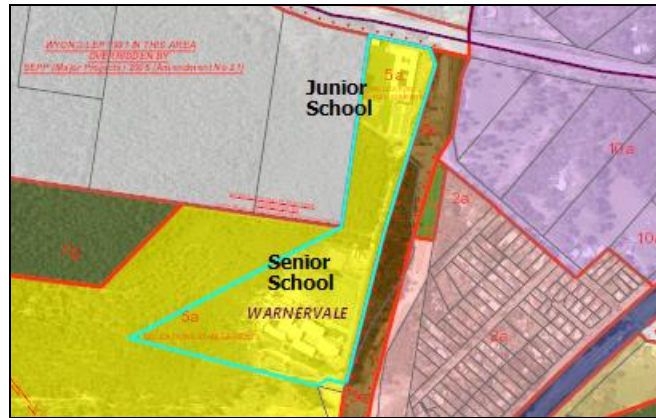
The proposal is referred to the Joint Regional Planning Panel for determination pursuant to Schedule 4A of the Environmental Planning and Assessment Act 1979, given that the development relates to private infrastructure and community facilities (being an educational establishment) and the capital investment value of the development exceeds \$5 million. The application was lodged on 17 September 2013 prior to gazettal of the WLEP 2013 on 23 December 2013.

## **THE PROVISIONS OF RELEVANT INSTRUMENTS/PLANS/ POLICIES**

### **a) Wyong Local Environmental Plan 1991**

#### ***Zoning & Permissibility***

The subject site is zoned 5(a) Special Uses – 'Educational Establishment' under the Wyong Local Environmental Plan 1991. The proposed development for alterations and additions to the existing educational establishment (a junior and senior school) is permissible within the zone and in accordance with Clause 10 of WLEP is compatible with the objectives of the zone to cater for the provision of community and public facilities and services. The proposed development is for new classrooms and facilities for the existing senior school that are ancillary to the current use of the site as an educational establishment. The new buildings do not adversely affect the current or future usefulness of the land to operate as a school.



Above: Site in blue showing LEP 1991 zoning

### ***Acid Sulphate Soils (Clause 15)***

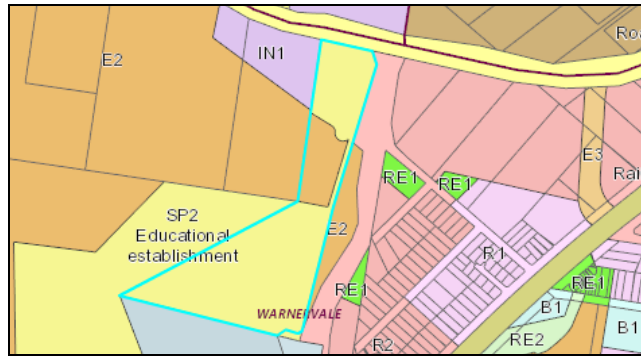
Under Wyong LEP 1991, the site is identified as Class 5 on the Acid Sulphate Soils Planning Map. In accordance with Clause 15(2) there are no works proposed as part of the development that are likely to lower the water table in any adjacent 1, 2, 3 or 4 land to any point below 1 metre Australian height Datum (AHD).

### ***Tree Management (Clause 28)***

Although the area where the works will take place is generally cleared, the application seeks approval for the removal of existing eighteen (18) trees impacted by the proposed works. All of the trees for removal are Keystone species and it is recommended that preference be given to planting Keystone species for replacement planting under the Landscape Plan. Provided adequate sedimentation and erosion control measures are employed during construction and the stormwater management plan implemented, the vegetation proposed to be removed is not deemed significant in regards to soil stability and prevention of land degradation or water quality and associated ecosystems, such as streams, estuaries and wetlands, scenic or environmental amenity or vegetation systems and natural wildlife habitats.

### **Wyong Local Environmental Plan 2013**

The site is zoned SP2 Educational establishment and E2 Environmental Conservation under Wyong LEP 2013. The application was lodged but not finally determined prior to commencement of Wyong Local Environmental Plan 2013 and in accordance with Clause 1.8A (Savings provision relating to development applications), the application is assessed as if WLEP 2013 had not commenced (ie. under the provisions of WLEP 1991). Notwithstanding this, the proposed development for additions to the existing schools (educational establishments) remains a permissible land use within the SP2 zoning of the site under Wyong LEP 2013 and the proposed works are consistent with the relevant controls and objectives for the Zone under the WLEP 2013.



Above: site outlined in blue with LEP 2013 zoning

## b) Relevant SEPPs

### State Environmental Planning Policy (Infrastructure) 2007

The proposed additions to the existing 'education establishment' are permissible by virtue of Clause 28(2) of SEPP (Infrastructure) 2007, however, there are no provisions under the SEPP for the proposed development to be carried out as either exempt development or development not requiring development consent (under Part 5 of the Act).

The development site has a frontage to Sparks Road which is identified as a classified road. Clause 101 of State Environmental Planning Policy (Infrastructure) 2007 requires that prior to granting consent to development with a frontage to a classified road, that Council be satisfied as to a number of aspects of the proposal. Under subclause (2) these aspects are identified as:

- (a) *where practicable, vehicular access to the land is provided by a road other than the classified road, and*
- (b) *the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:*
  - (i) *the design of the vehicular access to the land, or*
  - (ii) *the emission of smoke or dust from the development, or*
  - (iii) *the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
- (c) *the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

The application was referred to NSW Roads and Maritime Services for comment and no objection was raised subject to recommended conditions. However, the existing and proposed development does not include any direct vehicular access from the site onto Sparks Road. The proposed development therefore will not compromise the safe or efficient operation of Sparks Road and the proposed use is not sensitive to traffic noise or vehicle emissions.

Clause 32 of the SEPP requires that prior to determination of a development application for a school that State Government Publications relating to School Facilities Standards be taken into consideration. The development has been designed to comply with these provisions.

## **SEPP 44 – Koala Habitat Protection**

The flora and fauna assessment has undertaken a SEPP 44 assessment. One (1) Koala food tree species - Forest Red Gum (*Eucalyptus tereticornis*) as listed on Schedule 2 of SEPP 44 - Koala Habitat Protection was recorded within the subject site. This tree species comprised less than 15% of the total number of trees remaining within the cleared area of the subject site. Therefore, the subject site is not classified under SEPP 44 as Potential Koala Habitat.

A nearby record of Koalas from 2003 suggests that Koalas disperse through the adjacent connective landscapes and may also occupy nearby home ranges from an established population area. Each of the Forest Red Gum trees present within the subject site were observed for signs of Koala activity during survey including scat searches around the base and scratches on the trunks. These trees are all small maturing trees and no activity was recorded. The study area does not constitute Core Koala Habitat under SEPP 44. No further assessment is required.

### **c) Relevant DCPs**

#### **Wyong Shire Development Control Plan 2013**

The application is required to be assessed under Wyong Development Control Plan (DCP) 2005 as Wyong DCP 2013 which includes a saving provision under Clause 1.4 which states the following:

*Consistent with the provisions of Clause 1.8A of Wyong LEP 2013 if a development application has been made before the commencement of this DCP in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this DCP had not commenced.*

#### *DCP 2005 Chapter 13 – Interim Conservation Areas*

The subject site is mapped as part of a DCP Chapter 13 Interim Conservation Area and as part of a 'major' habitat fragment (fragments >100 ha in size). However, the subject site has been previously cleared and no longer provides critical resources or valuable connectivity for threatened species. Notwithstanding this, the land immediately adjoining to the north, west and south remains largely intact and highly valuable as an Interim Conservation Area.

#### *DCP 2005 Chapter 14 - Tree Management*

There are eighteen (18) trees that will require removal under the proposed works, all of which are Keystone species. The proposed tree removal is ancillary to, and necessary for, the proposed development of the land. Keystone species have been identified in DCP Chapter 14 as having critical relationships in providing food or habitat for native fauna, including threatened species. It is therefore recommended that preference be given to planting Keystone species over non-Keystone species for any tree plantings. No hollow-bearing trees are proposed for removal. The landscape plan was amended to include the replacement of trees species not known to occur on the site with those species known to occur on the site.

The Flora and Fauna Assessment and the Tree Assessment recommend strategic native vegetation screen planting to minimise indirect impacts to the hollow-bearing trees (and fauna that utilise them) recorded adjacent to the site. This has been included as a recommended condition.

### *DCP 2005 Chapter 22 - Warnervale Education Site*

The site is located within the Warnervale Educational Precinct as defined and identified under DCP Chapter 22. The Precinct is located to the north of the Porters Creek Wetland. The aim of DCP Chapter 22 is to protect and enhance the natural landscape of the area and its visual character, whilst allowing for sensitive and complementary development primarily including education facilities. The development proposed will be consistent with the DCP requirements.

### *DCP 2005 Chapter 61- Parking and Access*

Chapter 61 of the DCP identifies the following parking requirements for 'educational establishments':

School / Education Establishments	<p>1 space per 1.5 staff plus</p> <p>1 space per 100 students for visitors</p> <p>Minimum of 2 spaces for disabled students to be provided on site</p> <p>In addition, for High Schools / Education establishments, 1 space per 8 senior/adult students for student parking</p> <p>Bus standing areas, parent drop-off and set-down are to be provided subject to a Transport Management Plan based on anticipated mode split</p> <p>Adequate 'Kiss and Ride' facility is to be provided at all education establishments and is to be addressed in the TMP</p> <p>Provision of an easily accessible overflow carpark for special occasions on site (1 space per 5 students)</p> <p><i>Service Requirements:</i> 1 space per 2,000m<sup>2</sup> GFA</p>
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The proposal increases the number of students by 128. This increase is to 544 students in the junior school (increased from 494), and 534 students in the senior school (increased from 456) which totals 1078 students plus an additional 4 staff which totals 99 staff. Parking under the DCP required for this number of staff and students equates to:

- 66 spaces (1 space/1.5 staff for 99 staff)
- 11 spaces for visitors (1 space/100 students for visitors)
- 67 spaces for students in the senior school (1 space/8 senior/adult students for student parking)
- Bus standing/parent drop of areas existing for both junior and senior schools
- Overflow parking of 215.6 spaces (1 space per 5 students)
- 7 spaces (service requirements GFA13,000m<sup>2</sup>/2000m<sup>2</sup>)

Total DCP requirement: 151 spaces plus 215 overflow spaces.

Existing parking on-site totals 171 spaces and 159 overflow parking and includes:

- 65 spaces (senior school car parks)
- 10 spaces (adjacent to senior school driveway drop off)
- 9 spaces (service area near hall)
- 87 spaces (junior school)
- 60 spaces (overflow near maintenance shed)
- 96 spaces (overflow carpark in senior school under recent CDC)



New parking spaces on the site include:

- 15 spaces along new internal loop road
- Reconfigured senior carpark (from 65 to 62 spaces)

Total existing and proposed car parking for the school is 183 spaces plus a 156 space overflow car park. The DCP requires: 151 spaces plus 215 overflow spaces. The proposal includes 33 spaces in excess of the formalised parking spaces required but is 59 spaces deficient in the overflow parking required. It is noted that the requirements for the provision of overflow parking for schools was only introduced under Council's DCP Chapter 61 in Oct 2012. Prior to this, there was no such requirement and the school's operation has only included provision for this more recently. This historical deficiency is viewed as reasonable in the context of the site and would not be specifically attributable to the intensification proposed under this stage. The current proposed stage when considered independently generates parking demand in the order of 12 spaces and this is equivalent to the number new spaces to be constructed on the site.

Satisfactory bus servicing arrangements exist at both the junior and senior schools and kiss and ride facilities have also been provided at each school. Queuing arrangements formalised under earlier transport management arrangements adopted for the site are proposed to be modified under this application to allow for a reconfiguration of the queue path and direction that includes the new loop road. The internal link road between the junior and senior schools provides for the queuing of vehicles waiting to collect students from the kiss and ride areas and enables all queuing associated with this to be wholly contained within the site.

This internal link road is proposed to change from one way to two way and conditions imposed to ensure that the internal road is not used as the primary access to the senior school with vehicles travelling from the junior school to the senior school in the afternoons as a bypass to using the Link Road. The original use of the internal service road was proposed to be restricted and not for general traffic use between the schools (as per the Department of Land and Water Conservation conditions of development approval CC0202 for the internal road). The applicant's traffic report confirms this proposing that vehicles exiting the junior school will be via the junior school access. These traffic movements will need to be addressed in the internal traffic management plan required under the recommended conditions of consent.

#### *DCP 2005 Chapter 30 - Wyong Shire Wetlands Areas*

The site adjoins land affected by DCP Chapter 30 identified as wetlands (downslope of the school site). The proposal under the recommended conditions is not likely to adversely impact upon the environmental values of the surrounding natural wetland areas.

#### *DCP 2005 Chapter 67 - Engineering Requirements for Developments*

All civil works associated with the proposal will be designed and constructed to achieve compliance with DCP Chapter 67 – Engineering Requirements for Developments and relevant conditions have been recommended including those related to stormwater management and water quality. Conditions will also be recommended to address sediment and erosion control measures.

#### *DCP 2005 Chapter 69 - Controls for Site Waste Management*

In accordance with the requirements of DCP Chapter 69, a Waste Management Plan has been submitted with the application outlining the waste disposal, re-use and recycling (on and off site) for the construction and operational stages of the development.

#### **d) Relevant Regulations**

There are no matters under the regulations relevant to the proposal that require specific discussion.

### **THE LIKELY IMPACTS OF THE DEVELOPMENT**

#### **a) Built Environment**

##### ***Stormwater management and water quality to wetlands***

The study area does not lie within a mapped SEPP 14 wetland but occurs upslope of a SEPP 14 wetland. A Stormwater Management Plan has been prepared to ensure post-development flows do not exceed pre-development flows, and that water quality meets or exceeds the standards. Reuse tanks will be required and shall be connected to the proposed toilet systems – 15,000 litres for the senior school.

The proposed stormwater quality treatment train consists of:

- All roof water will be captured by a series of gutters, downpipes, and grated gully pits and directed to a Rainwater Tank prior to discharging into the detention tank. All the surface water and water running into the rain water tank and detention tank must be directed to the Bio Retention Basins located on northern and western corner prior to discharging into adjoining vegetation (which is EEC further downslope).
- All field inlets are to have Litter Baskets installed, Enviropod or similar to ensure all litter and sediment is captured and contained and not discharged into the receiving water.

MUSIC modelling of the above proposed treatment train needs to demonstrate that required targets for Total Suspended Solids, Total Phosphorus, Total Nitrogen and Gross Pollutants are to be achieved. Given the sensitive nature of downslope habitats, provision of adequate sedimentation and erosion control measures during construction and the implementation of the Stormwater Management Plan are recommended conditions of any consent to be granted.

##### ***Traffic***

The additional traffic flows generated by the development could be in the order of 80 vehicles movements through the intersection per peak hour. Analysis of the existing operation of the intersections indicate overall good operation, level of service B in both the morning and afternoon school peak hours. The additional traffic generated by the development will have minimal impact upon the intersections on Albert Warner Drive.

The school hours are between 8:45am to 3:00pm for the junior school and 8:45am – 3:12pm for the senior school. Traffic surveys were taken at the morning and afternoon peaks identifying the volume of inbound traffic in the morning period 7:30am to 9:30am is a total of 443 vehicles and outbound vehicles at that time of 361. In the PM peak the inbound traffic was 290 over a two hour period with 370 outbound vehicles. Around 80 vehicles were observed to remain on the site during the day.

There is sufficient capacity in the school buses that currently service the site to cater for the increase in student enrolments proposed. Of the current enrolments 62% use some form of public transport to travel to and from the school. The applicant's traffic report identifies that the main queue is associated with parents arriving early (between 2:00pm and 3:00pm) and waiting for the school to finish. This queue is totally cleared by 3:15 which is 15 minutes after the junior school finishing time.

Traffic impacts associated with the bus servicing arrangements and parent drop off, queuing and collection have been discussed earlier in the report. Conditions have been recommended requiring preparation of an internal traffic management plan to ensure the appropriate management of internal traffic movements throughout the school site.

A thorough assessment of the aspects of the proposed development on the built environment has been undertaken in terms of statutory and DCP compliance. As a result, the proposed development is considered to be satisfactory in terms of impacts on the built environment.

## **b) Natural Environment**

### ***Flora and Fauna***

There is one vegetation community within the study area; which is Narrabeen Dooralong Spotted Gum-Ironbark Forest (Bell 2008). No Threatened Ecological Communities were identified on site. No threatened flora species or endangered flora populations were recorded during the surveys. Due to the presence of potential habitat, although considered unlikely to occur, the flora and fauna report prepared Seven Part Tests for *Angophora inopina*, *Grevillea parviflora* subsp. *parviflora*, *Rutidosis heterogama* and *Tetratheca juncea*. Special consideration was also given to *Corunastylis* sp. Charmhaven and *Thelymitra* sp. *adorata*. It was concluded that a significant impact by the proposal on threatened flora was to be unlikely.

One (1) threatened fauna species Grey-headed Flying-fox (*Pteropus poliocephalus*) was recorded within the subject site. Three threatened fauna species were recorded to a possible level of certainty, Glossy Black-Cockatoo (*Calyptorhynchus latham*), Southern Myotis (*Myotis macropus*) and Eastern Freetail Bat (*Micronomus norfolkensis*). Council's Ecologist has recorded Glossy Black-Cockatoo previously in the adjacent habitat. Southern Myotis, Squirrel Glider (*Petaurus norfolcensis*), Koala (*Phascolarctos cinereus*) and Wallum Froglet (*Crinia tinnula*) were all identified as relevant to the area. Impacts to the Squirrel Glider were assessed within the Seven Part Test and concluded no significant impact.

The above species, as well as 14 other threatened fauna species with potential habitat, were considered with a Seven Part Test. It was concluded that a significant impact by the proposal on threatened fauna was to be unlikely.

A Green Corridor traverses the lands immediately adjoining the subject site to the west under the North Wyong Structure Plan. No vegetation removal is proposed within the corridor. Indirect impacts to flora and fauna habitats within the corridor were assessed.

Based on the field surveys, habitat assessments and mitigation measures for the proposal and provided that the recommended conditions are complied with, it is concluded that there is not likely to be a significant impact on any threatened species, populations or ecological communities as a result of the development. A Species Impact Statement or Referral to DSEWPaC is therefore not necessary

The applicant does not require separate approval for the clearing of native vegetation associated with the proposal under the *Native Vegetation Act 2003*. However, the applicant must ensure no impact occurs to the land immediately west of the Habitat Protection Zone which is subject to a Property Vegetation Plan.

All relevant issues regarding the likely impacts of the proposed development on the natural environment have been considered and determined to be reasonable.

## **THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT**

A review of Council's Land Information Mapping has identified the following constraints.

### **Bushfire**

Although the site is bushfire prone, this has been considered and appropriately managed through provision of asset protection zones, appropriate siting of buildings, and suitable design and materials selected for the buildings. The proposed development is of a scale and design that is appropriate for the context, opportunities and constraints of the site. There are therefore no significant site constraints or hazards that would render the location of the development as unsuitable.

The site is located within a designated educational precinct and the proposed use will reinforce this site identity. The current proposal will increase the number of class rooms and facilities available for the school to grow in capacity. There is not likely to be a significant impact on any threatened species, endangered populations or ecological communities as a result of the proposed development.

Subject to conditions imposed on the consent, the site is considered suitable for the proposed development.

## **ANY SUBMISSION MADE IN ACCORDANCE WITH THIS ACT OR REGULATIONS**

The submissions have been addressed previously in the report.

## **THE PUBLIC INTEREST (s79C(1)(e)):**

The development will provide additional facilities for the existing school that will create additional educational and employment opportunities and are considered beneficial to the community interest.

## OTHER MATTERS FOR CONSIDERATION

### *Landscape Policy and Guidelines*

Council's Landscape Policy and Guidelines requires the landscape design for the development to be done as a Category 3 development that requires the expertise of an approved Landscape consultant. A landscape plan accompanied the application which complies with the requirements of the Landscape Policy. A condition will be included to ensure that the landscape works are constructed and maintained in accordance with Council's Policy including the engagement of an approved landscape consultant and contractor to undertake the work.

### *Contributions*

Section 94 contributions have been previously imposed at various stages on earlier consents for the school's development in accordance with Council's Section 94 Contributions Plans. Section 94 contributions are not payable under Stage 8 as the number of students does not exceed 1100 (ie. a maximum of 1078 proposed) and payments of contributions up to 1100 has previously been levied.

Water and sewer contributions are payable for the proposal under the Water Management Act 2000 and will be included under the Section 306 Notice of Requirements for the proposal.

## CONCLUSION

The proposed additions and alterations to the existing school will increase the capacity of the school including an increase in both student and staff numbers. The site is bush fire prone land and the proposal is integrated development under the Rural Fires Act for which a Bush Fire Safety Authority has been obtained.

The site contains significant remnant vegetation midway through the site and vegetation surrounding the site to the west is subject to a Property Vegetation Plan. The proposal involves some tree removal in generally cleared existing areas on the site and the landscape plan includes replacement planting of Keystone species to compensate for this loss. There is not likely to be a significant impact on any threatened species, populations or ecological communities as a result of the development.

There are no significant or unreasonable impacts upon the surrounding natural or built environment as a consequence of the proposal. The proposal complies with the provisions of the Wyong LEP 1991 and the relevant chapters of Wyong Shire DCP 2005. The proposal is acceptable against the relevant considerations under Section 79C and is recommended for approval subject to recommended conditions.