

JOINT REGIONAL PLANNING PANEL (Hunter and Central Coast)

Council Assessment Report

Panel Reference	Panel Reference No. 2017HCC025
DA Number	52629/2017
Local Government Area	Central Coast Council
Proposed Development	Educational Establishment
Street Address	LOT: 12 DP: 589255, LOT: 11 DP: 589255, LOT: 2 DP: 545060, 9 Lea Avenue WAMBERAL, 5 Lea Avenue WAMBERAL, 11 Lea Avenue WAMBERAL
Applicant	EJE Architecture
Owner	Wamberal Public School
Date of DA Lodgement	10/08/2017
Number of Submissions	Four (4)
Recommendation	Approval - subject to conditions
Regional Development Criteria - Schedule 7 of the State Environment Planning Policy (State and Regional Development) 2011	Development carried out by or on behalf of the Crown with a capital investment value over \$5m
List of all relevant 4.15(1)(a) matters	<ul style="list-style-type: none"> • <i>Environmental Planning & Assessment Act 1979 – section 4.15 (EP&A Act)</i> • <i>Roads Act 1993 (Roads Act)</i> • <i>Rural Fires Act 1997 (RF Act)</i> • <i>Water Management Act 2000 (WM Act)</i> • <i>Water Management (General) Regulation 2011 (WMG Regulation)</i> • <i>State Environmental Planning Policy No 71 – Coastal Protection (SEPP 71)</i> • <i>State Environmental Planning Policy (Coastal Management) 2018 (Coastal Management SEPP)</i> • <i>State Environmental Planning Policy (State and Regional Development) 2011 (State and Regional SEPP)</i> • <i>State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP)</i>

	<ul style="list-style-type: none"> • <i>State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017</i> (Education and Child Care SEPP) • <i>Gosford Local Environmental Plan 2014</i> (GLEP 2014) • <i>Gosford Development Control Plan 2013</i> (GDCP 2013) <ul style="list-style-type: none"> • Chapter 2.1 Character • Chapter 2.2 Scenic Quality • Chapter 6.7 Water Cycle Management • Chapter 7.1 Car Parking • Chapter 7.2 Waste Management • Chapter 7.3 Notification of Development Proposals
List all documents submitted with this report for the Panel's consideration	<p>Attachments:</p> <ul style="list-style-type: none"> • Architectural Plans and Landscape Plans, ECM Doc No. 25907396 • Draft Conditions of Consent, ECM Doc No. IR 25907397 <p>Supporting Documents:</p> <ul style="list-style-type: none"> • Traffic and Parking Assessment Report, ECM Doc No. 24839780 • Concept Stormwater Plan and Sedimentation Control Plan, ECM Doc No. 24839782 • Initial BCA Assessment, ECM Doc No. 24839816 • Tree Target Risk Assessment, ECM Doc No. 24839809 • Letter Landscaping Response, Ref No. 11506-51, ECM Doc No. 25711602 • Ecological Assessment Report, ECM Doc No. 24839817 • Bushfire Assessment Report, ECM Doc No. 24839810 • Bushfire Safety Authority, ECM Doc No. 24995212
Report prepared by	K Hanratty
Report date	06/07/2018

Summary of s. 4.15 matters

Have all recommendations in relation to relevant section 4.15 matters been summarised in the Executive Summary of the assessment report?

Yes

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarised, in the Executive Summary of the assessment report?

Yes

e.g. Clause 7 of SEPP 55 – Remediation of Land, Clause 4.6(4) of the relevant LEP

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?

Not Applicable

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (section 7.24)?

Not Applicable

Conditions

Have draft conditions been provided to the applicant for comment?

Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable comments to be considered as part of the assessment report.

Yes

CENTRAL COAST COUNCIL

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number	DA52629/2017
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Summary

An application has been received for additions to the existing Educational Establishment comprising a new Homebase building, alterations to the administration area (Block A), hall and classrooms (Block E) for Wamberal Public School. The Homebase building contains teaching and learning facilities comprising classrooms and breakout spaces. The development will remove existing demountable buildings and construct permanent facilities. The proposal allows for a 10% increase in student numbers from 726 to 805 students, and an increase from 30 to 35 teaching spaces.

The application has been submitted on behalf of the Department of Education and is a Crown Application. The application has been assessed using the heads of consideration specified under section 4.15 of the *Environmental Planning & Assessment Act 1979* (EP&A Act) and relevant Council policies.

Recommendation

- A** *That the Joint Regional Planning Panel as consent authority grant consent to Development Application No 52629/2017 for Educational Establishment on LOT: 12 DP: 589255, LOT: 11 DP: 589255, LOT: 2 DP: 545060, 9 Lea Avenue WAMBERAL, 5 Lea Avenue WAMBERAL, 11 Lea Avenue WAMBERAL subject to the conditions attached.*
- B** *That Council advise those who made written submissions of the Joint Regional Planning Panel's decision.*
- C** *That the Joint Regional Planning Panel seek the approval of the Minister for Planning and Environment to impose conditions 2.9 and 2.10 without amendments if disagreed by the Applicant.*

Precis

Delegation Level	Joint Regional Planning Panel
Reason for Delegation Level	Crown development over \$5 million
Property Lot & DP	LOT: 12 DP: 589255, LOT: 11 D P: 589255, LOT: 2 DP: 545060
Property Address	9 Lea Avenue WAMBERAL, 5 Lea Avenue WAMBERAL, 11 Lea Avenue WAMBERAL
Site Area	39,880m ²
Zoning	SP2 INFRASTRUCTURE

Proposal	Educational Establishment
Application Type	Development Application - Local
Application Lodged	10/08/2017
Applicant	EJE Architecture
Estimated Cost of Works	\$0.00

Advertised and Notified / Notified Only	Exhibition period 31/08/2017 - 21/09/2017
Submissions	Four (4)
Disclosure of Political Donations & Gifts	No
Site Inspection	16/10/2017 and 15/12/2017

Recommendation	Approval, subject to conditions
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Variations to Policies

Policy	Clause / Description	% Variance
Gosford DCP 2013	Chapter 7.1 Car Parking	5 car spaces

Site & Surrounds

Wamberal Public School is located to the south-western corner of the intersection of Tumbi Road and Lea Avenue, Wamberal. The site has an area of approximately 4 hectares (39,880m²). The site comprises three (3) lots being:

- Lot 11 DP 589255 No. 5 Lea Avenue and has an area of 1080m²
- Lot 12 DP 5892555, No. 9 Lea Avenue and has an area of 19,150m²
- Lot 2 DP 545060, No. 11 Lea Avenue and has an area of 19,650m²

Surrounding development is predominantly residential in nature. Large rural residential lots containing dwellings occur to the north, west and east of the site. Adjacent the school to the east of Tumbi Road is a child care facility at No. 586 Tumbi Road Wamberal opposite the intersection of Tumbi Road and Lea Avenue and a child care facility diagonally opposite the school at No. 604 Tumbi Road Wamberal.

Immediately to the south occur single and two storey dwelling houses on lots approximately 575m² in area on both sides of Aldinga Drive, Wamberal. The Central Coast Highway is approximately 250m southeast of the site.

The site contains a series of buildings connected to north/south external circulation paths with a central 'spine' which run across the site slope. Demountable buildings are located to the east and west of the permanent structures.

The topography falls from the west (RL 38m AHD) to the northeast corner (RL 17m AHD, an overall fall of 21m) and to the southeast corner at (RL 18.4m AHD, an overall fall of 19.6m). An oval is located near the western boundary; a dam is located in the northeast corner of the site. The site is heavily vegetated on the southern boundary and around the dam in the northeast corner and the oval to the west. The vegetation on the site is Tumby Spotted Gum Ironbark Forest which is a regionally significant vegetation community on the Central Coast.

The following aerial photograph, Figure 1, identifies the site and the surrounding locality.



Figure 1 – locality plan

Access to the site is obtained as follows:

- The main vehicular school entrance is from a driveway from Lea Avenue to a formal car park area at the front of the administration building and to an informal car parking area and waste servicing area west of the building.
- The main pedestrian school entrance is from Lea Avenue.
- The southern pedestrian access and school bus stop is from Aldinga Avenue.
- There is an additional site access from Tumby Road located towards the south-eastern corner of the site.

The following aerial photograph, Figure 2, identifies the location of the school buildings, vehicle and pedestrian access to the site.



Figure 2 – Site Plan - vehicle and pedestrian access

The site is identified as "bushfire prone land" on Council's bushfire maps. A Bushfire Assessment Report prepared by Eco Logical Australia reference 16HNG_6125, dated 28 June 2017 was submitted with the development application recommending the proposal comply with BAL-12.5. The development is an infill Special Fire Protection Purpose under section 100B of the *Rural Fires Act 1997* (RF Act) and was referred to the NSW Rural Fire Service.

The Proposal

The development will remove existing demountable buildings and construct permanent facilities for a Homebase building and includes a number of alterations and additions to existing buildings comprising the administration area (Block A), hall and classrooms (Block E).

The Homebase building contains innovative teaching and learning facilities, including classrooms and breakout spaces (maker spaces). Classroom design is redefined from traditional classrooms to include areas that promote creative and personalised learning.

The development allows for a 10% increase in student numbers from 726 to 805 students and an increase from 30 to 35 teaching spaces.

The site plan in Figure 3 shows the existing and proposed buildings. The existing demountable buildings are shown in red while the new works are shown in yellow. The Homebase building is located to the south of the existing buildings.

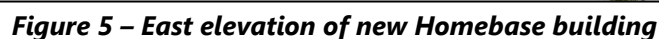


Figure 3 – Site Plan

The proposal comprises:

- Refurbishment of Block A being the northern most building on the site which includes the administration area;
- Extension of the staff area on the north western side of Block A including a terrace and garden;
- Extension of the administration area on the north-east side of Block A including:
 - a public entry (to differentiate it from the student entry);
 - an extension to the administration office space;
 - a Principal's office; and
 - extended staff room;
- Refurbishment of part of Block E comprising 2 existing Homebase classrooms for use as a support unit for special education with maker space, withdrawal area, toilets and laundry/accessible toilet;
- Annex roof to the eastern side of the Hall (Building D) to cover existing stepped area, create additional stepped seating to the open area to the east and a new accessible toilet adjacent to the hall;
- Construction of a new Homebase building of 15 Homebase classrooms to the south of the existing buildings. This building will comprise:
 - Two separate blocks with connecting walkways at both levels and external open walkways on the north and south sides and solar panels on the roof;
 - The eastern block includes two levels each of 633m² with:
 - 5 Homebase areas of 60-61m² with additional withdrawal areas of 10-12m²;
 - An open maker space with skylight centrally located, communal seating and amphitheatre seating on the western side;
 - An internal storage room on both levels; and
 - Lift access between the levels;
 - The western block, first floor level comprises an area of 611m² and includes:

- The elevations are shown in Figures 4, 5 & 6 below:



History

Council's records show that the following applications were previously lodged on this site:

- DA7987/2000 to construct covered walkways, bus shelters and associated works, approved on 12/20/2000
- DA18321/2002 for Steel framed covered outdoor learning area was approved on 9/1/2003
- DA38413/2009 being for Infrastructure Project Application No. 09/0440 EP Construction of 2 New Single Storey Homebase Classroom Buildings (1x2 classrooms and 1x4 classrooms) relocation of demountable buildings, relocation of shade structure, construction of stairs and ramps and associated works was approved 14/12/2009 – shown as Buildings I & J on the site plans
- A number of Private Tree Works Applications have been approved on the site for removal of trees

A site inspection and briefing on-site with the Joint Regional Planning Panel (JRPP) occurred on 25 January 2018. Key issues discussed included the following:

- Site planning – consider alternative locations for the proposed new building, particularly to the east of the existing school buildings in order to reduce the impact on trees and the interface with neighbours.
 - Retaining the preferred location requires further justification. It may be reasonable to consider and maintain the access through the site from the central north-south running walkway although this walkway does not appear to be a strong connection to the proposed new buildings.
 - The temporary relocation of demountable buildings should not be a determining factor in a significant redevelopment. If to be relied on, the Applicant should quantify the cost or practical constraint.
- Tree Removal and bushfire – consider extent of tree removal required for Asset Protection Zones.
- Parking – reasonable to seek some formalisation of existing spaces on site, however may not need full repaving.
- Elevated external balconies – consider alternatives or provide further justification to retain current design and provide measures to reduce privacy impact to adjoining neighbours.
- Consider the provisions of the *State Environmental Planning Policy (Education and Child Care) 2017* (Education and Child Care SEPP) and the Circular PS 17-004, issued on 20 September 2017 by the NSW Department of Planning and Environment which provides guidance to consent authorities on the application of conditions of consent to regulate the expansion of schools.

The Applicant was advised of the briefing directly by the JRPP. General discussions occurred with the Applicant during the assessment of the development application regarding the above issues. Council requested alternative locations for the proposed Homebase building to reduce the tree removal for the building footprint and consider amenity impacts on adjoining neighbours. The Applicant provided additional justification for the proposed Homebase building location and proposes additional landscaping between the building and adjoining residential properties to improve privacy impacts to residents.

s. 4.15 (1)(d) of the EP&A Act: Any Submission Made in Accordance with this Act or Regulations

Section 4.15 (1)(d) of the EP&A Act requires consideration of any submissions received during notification of the proposal.

Public Submissions

The application was notified in accordance with Chapter 7.3 of GDCP 2013 from 31 August 2017 to 21 September 2017. A total of four (4) public submissions were received.

The issues raised in the submissions are detailed below.

- *Building Setback and Location*
 - *The building setback is 6m from southern boundary to Nos. 15, 17 & 19 Aldinga Drive is not adequate for a building of this size, bulk and scale on a 4 ha site (particularly when there is ample undeveloped space available elsewhere.*
 - *There are inconsistencies with advantages and disadvantages between options for alternative locations. The negative impact in option 2 – which has been used – has not been considered on neighbouring dwellings. The convenience of option 2 (not having to temporarily relocate demountable) has prevailed, resulting in negative impacts on neighbouring dwellings. Options 1 and 3 offer more suitable boundary setbacks, building heights and minimal impact on surrounding dwellings.*

Comment:

The location of the proposed new Homebase building requires the removal of 65 trees within the building footprint and will have a minimum setback of 6m to the residential properties at its southeast corner. The setback is variable from 6m to 18m (eastern block) and 16m to 30m (western block). The proposed building will have a maximum height of 8.5m.

There are no prescribed setbacks from boundaries for school buildings in either the *Gosford Local Environmental Plan 2014* (GLEP 2014) or *Gosford Development Control Plan 2013* (GDCP 2013).

Development standards and guidelines are prescribed within the state planning policy, *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017* (Education and Child Care SEPP). The Education and Child Care SEPP requires that a consent authority take into consideration the design quality of a proposed school development when evaluated in accordance with seven design quality principles within Schedule 4 of the Education and Child Care SEPP before determining a development application. In addition, the Design Guide for Schools prepared by the NSW Government Architect provides practical guidance on how school projects can be designed to best address the design quality principles in the Education and Child Care SEPP.

The proposed setback is considered on its merits in accordance with the Education and Child Care SEPP and design quality principles which require buildings to be designed to respond to the surrounding natural environment, retain existing built form and provide a landscaping buffer in setbacks to reduce the impact of the new development on adjoining properties.

The Applicant submitted a 3D visual perspective drawing to assist with community consultation and the assessment of the development application. The image is shown in Figure 7.



Figure 7 – Residents perspective of proposed Homebase building – provided by EJE Architecture

Objection was raised by adjoining neighbours regarding the siting of the building and its impact on their amenity. Council requested the Applicant to consider alternative locations for the building to the east or west of the existing school buildings or provide further justification for the selected location to substantiate the level of tree removal and address neighbours' concerns.

The Applicant's response is to retain the proposed location of the Homebase building as shown on the site plan, refer Figure 2. The Applicant provides further justification to retain the building location including a solution to mitigate privacy impacts to adjoining neighbours:

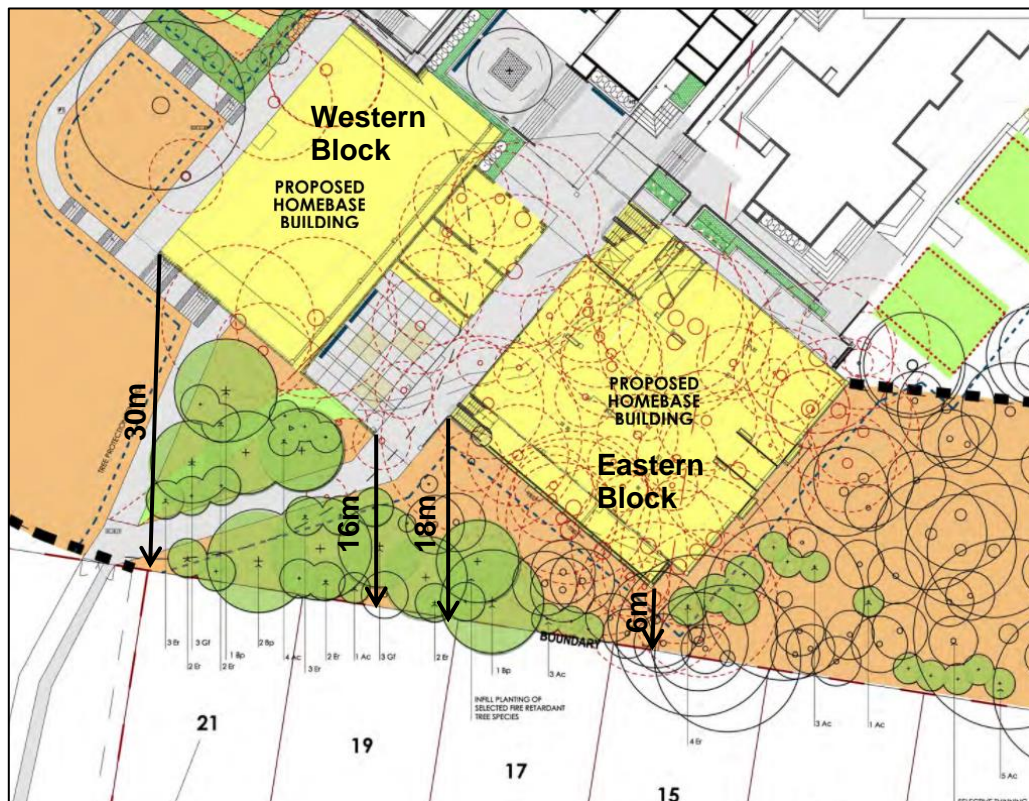
The Applicant's justification for the proposed location is as follows:

- Student and staff security and safety is improved with more active school building areas in this location, improving passive surveillance.
- The building has been designed for improved accessible site circulation
- The building location retains and improves outdoor play areas when the demountable buildings are removed at the completion of construction.

The Applicant proposes an additional in-fill landscaping buffer of screening plants between the building and the adjoining neighbours to improve privacy and amenity to adjoining neighbours. The landscaped screening buffer is identified on the amended Tree Management Plan, prepared by Terras Landscape Architects, dated 13 March 2018, as shown in the extract of the plan at Figure 8.

The selected trees comprise plant species found in the area and will provide a mid-level canopy between the proposed building and the boundary. The tree planting proposes advanced specimens (100ltr pot size). Plants are expected to be at least 4m high when planted and achieve up to 10m high at maturity. The extent of the tree removal required for the location of the Homebase building is offset by the proposed new plantings (a total of 45 trees are to be planted in accordance with the Tree Management Plan). The view to the neighbours depicted by Figure 7 will be improved by the proposed tree planting.

The building setback to the residential properties is variable from 6m to 18m (eastern block) and 16m to 30m (western block) as shown in Figure 8 below. The inclusion of the additional landscaping buffer to supplement the existing trees to be retained within this building setback area is substantial and supported as an acceptable solution to address privacy impacts and reduce the bulk and scale of the new two storey building.



**Figure 8 – Extract from Tree Management Plan –
New landscaping buffer and building setback to boundary**

The design and location of the proposed Homebase building responds to its surrounding environment as follows:

- The height of the building is generally consistent with building height development standards on the adjoining residential land.
- The principal private open space of residential properties receive greater than the minimum of 3 hours of sunlight access between 9.00am and 3.00pm at the winter solstice required for dwellings in Clause 3.1.4.4 Sunlight Access of Chapter 3.1 Dwelling Houses, Secondary Dwellings and Ancillary Development of GDCP 2013.
- The use of a variety of external finishes and colours of medium to dark tones reduce bulk and scale so that the building does not dominate the surrounding natural environment.
- The building design by screening to walkways and balconies together with the enhanced landscape buffer between the new building and adjoining residential properties assists in reducing privacy and amenity impacts to residents.

- *Visual and Acoustic Privacy – The proposed Homebase building has an adverse impact on the visual privacy of the private open space and bedrooms of the neighbouring dwellings to the south. Only partial privacy screens have been proposed along the upper level balcony of the Homebase building.*

Comment:

Visual privacy is addressed by the proposed landscaping buffer using selected trees which will provide a mid-level canopy between the proposed building and the boundary as shown in the Tree Management Plan extract in Figure 8.

The Applicant states that the balconies and external walkways, (as described on the architectural plans) provide the access to the relevant classrooms as well as use for additional learning areas. The setback to the rear of the adjoining properties is variable from 6m to 18m (eastern block) and 16m to 30m (western block), refer Figure 8. The screening on the building façade including the landscaping buffer will assist in providing privacy to the residences from the walkway access along the southern façade.

The use of the Homebase building during school hours is likely to generate noise consistent with the existing school use. The potential use of the building during night time hours and any noise generated will be infrequent and therefore not considered to adversely impact adjoining residents. The screening on the southern façade including the landscaping buffer will provide some noise abatement. However, no new play areas are proposed to the southern side of the school. The play areas will remain within the existing buildings and to the east of the hall and west on the school oval away from sensitive receptors.

- *Security Lighting – given closeness to southern boundary – request external night time lighting on the southwest and south east facades be on motion sensors and downward directional lighting to minimise the light cast onto the neighbouring properties.*

Comment:

A condition is recommended to operate and maintain external lights in accordance with the Australian Standard AS4282 – *Control of the Obtrusive Effects of Outdoor Lighting* so as not to cause a nuisance or adverse impact on the amenity of adjoining residents. The potential use of the building during night time hours is infrequent and not considered to create an adverse impact through light intrusion to adjoining residents.

- *Traffic and Parking*

Comment:

A Traffic and Parking Assessment Report prepared by Positive Traffic Pty Ltd, dated June 2017 was submitted with the development application.

The conclusions state that the intersections surrounding the development would continue to operate at levels of service to that which currently occurs and overall the traffic impacts of the proposal are considered acceptable. The Traffic and Parking Assessment Report states that there is 38 car spaces currently provided on-site (being a shortfall of 3 car spaces) and the existing unmade and informal area used as a car parking is suitable, efficient and safe for the users within the school environment. No additional car parking is proposed for the development. There is a 'Kiss and Drop' zone for on-street parking in Lea Avenue during the mornings for school drop offs at the street kerb.

Despite the conclusions of the Report, Council's Development Engineer states the current car parking arrangements on the site are unsatisfactory in terms of safety and a potential risk to the staff, parents and students for the following reasons:

- The existing bitumen car parking area has had ingress and egress modifications which are not consistent with AS 2890.1:2004 *Parking Facilities – Part 1: Off street car parking* (AS 2890), refer to Figure 8.
- The overflow car park that currently serves as a staff car parking area is not a formal car parking area in accordance with AS 2890. The car park requires construction including retaining walls to ensure grades and cross falls of manoeuvring areas don't exceed 6% grade, formation and paving with either asphaltic concrete or a concrete wearing surface, drainage, line marking and signage in accordance with AS 2890, refer to Figures 9 & 10.
- The current car parking ingress and egress is also compromised by the location of the bulk waste bin storage area which accesses directly from the Lea Avenue carriageway.

Council has advised the Applicant that car parking for staff is required to be provided with the proposed development for this site due to the location of the site and the current traffic flow and car parking pressure on the surrounding road network. A minimum of 41 car parking spaces (being the 38 car spaces that should be on-site plus the shortfall of 3 car spaces) that comply with the Australian Standard AS 2890.1:2004 *Parking Facilities* is a step forward in achieving a safer environment for all the staff, pupils and the local community. The removal of the demountable buildings will assist in providing a suitable area for car parking.

Conditions of consent are recommended for the following works:

- The reconstruction of the existing staff car parking area to accommodate a minimum of 16 vehicles.
- The construction of a staff car parking area to accommodate a minimum of 25 vehicles adjacent to the western boundary.
- The construction of a dedicated waste storage and collection area to accommodate garbage service vehicles accessing from Lea Avenue and the provision of safety barriers where required. The area must enable sufficient service vehicle manoeuvring in accordance with AS 2890.2:2002 *Parking Facilities* to ensure all egress vehicular movements are in a forward direction.

- *Tree Removal and Vegetation Loss*

Comment:

A total of 65 trees have been identified for removal in order to construct the buildings and establish the Bushfire Asset Protection Zone (APZ). This includes an estimated 17 hollow bearing trees as estimated in the Ecological Report, prepared by Peak Land Management, dated June 2017.

The level of tree removal was initially deemed unacceptable and Council required the Applicant to explore a number of options in order to reduce the amount of tree removal required. The Applicant is bound by certain design and layout requirements for education facilities and proposes a landscape screening design in the buffer zone between the proposed new building and the southern boundary. An amended Tree Management Plan prepared by Terras Landscape Architects, dated 13 March 2018 identifies the tree removal and new tree planting. New tree plantings comprise of tree species found in the area. A total of 45 trees are to be planted in accordance with the Tree Management Plan. The tree planting proposes advanced specimens (100ltr pot size). Plants are expected to be at least 4m high when planted and achieve up to 10m high at maturity. Replacement nesting boxes for wildlife are required for any habitat that is destroyed by the removal of any hollow bearing trees, refer Condition 3.12.

The extent of tree removal is substantially offset by the additional tree planting. The site is highly constrained in terms of space and many trees will be retained elsewhere within the school. The conclusion of the ecological assessment is supported and the proposal is not expected to have a significant impact upon threatened species or endangered ecological communities.

The landscaping design is an acceptable solution to support the location of the proposed buildings and improve potential amenity and privacy impacts to adjoining neighbours. The proposed development is not considered to have adverse impact on water management and run-off or on ecological attributes of the site and surrounding locality.

The large spotted gum referred to in the submission that overhangs No. 17 Aldinga Drive not identified to be removed, is a matter to be addressed directly with the property owner, Wamberal Public School.

Internal Consultation

The application was internally referred to the following officers:

Internal Referral Body	Comments
Building	Supported, subject to conditions
Engineering	Supported, subject to conditions
Engineering Traffic/Transport	Supported, without conditions

Environment	Extent of tree removal not supported. However, it is acknowledged that all options to reduce the impacts on trees have been exhausted. Accordingly a, condition of consent is proposed for nesting boxes, at the ratio of 1:1, be constructed for any hollow bearing trees that may be removed and the removal of hollow bearing trees and log habitat on the ground to be undertaken under the supervision and guidance of a suitably qualified licensed wildlife specialist (e.g. Ecologist, WIRES Officer or Arborist) refer Condition 3.12.
Food Surveillance	Supported, subject to conditions
Liquid Trade Waste	Supported, without conditions
Trees	Supported, subject to conditions
Waste Services (Garbage)	Supported, subject to conditions
Water & Sewer	Supported, subject to conditions

Public Authority Consultation

The application was referred to the following public authorities:

NSW Rural Fire Service

In accordance with section 100B of the RF Act the proposed development is an infill Special Fire Protection Purpose (SFPP) and a Bushfire Safety Authority is to be obtained before developing bushfire prone land to which a SFPP applies. While the proposed development is not integrated development being a Crown development, the development application was referred to the NSW Rural Fire Service in accordance with section 100B of the RF Act. The NSW Rural Fire Service has issued a Bushfire Safety Authority, Ref DA17082408917 RB, dated 14 September 2017, subject to conditions, and the requirements are attached to the development consent.

NSW Roads and Maritime Services

The proposal is classified as 'traffic generating development' under clause 57(1) of the Education and Childcare SEPP which commenced on 1 September 2017. These provisions were previously included in Schedule 3 of *State Environmental Planning Policy (Infrastructure) 2007* (Infrastructure SEPP). The development application was lodged when the draft Education and Child Care SEPP was on exhibition and prior to its commencement and was referred to the NSW Roads and Maritime Services (RMS) under the Infrastructure SEPP.

The RMS request Council consider a number of matters relating to limiting student numbers, providing a short stay parking area and a construction management plan be prepared. Conditions of consent are recommended to provide short stay parking/drop off area and formalised staff on-site car parking area, refer Conditions 1.4, 2.9, 2.10.

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 development will remove existing demountable buildings and construct permanent facilities. The Homebase building has been located to integrate with existing school buildings and not reduce the existing outdoor play space available for students. The new building footprint requires a total of 65 trees to be removed.

Notwithstanding this, the proposal involves new plantings of tree species comprising a total of 45 trees) found in the area and will replace habitat for wildlife if any habitat is destroyed by the removal of any hollow bearing trees. The landscaping design is an acceptable solution to retain the location of the proposed buildings and improve potential amenity and privacy impacts to adjoining neighbours. The extent of tree removal is substantially offset by the additional tree planting. The proposed development is not considered to have adverse impact on the ecological attributes of the site and surrounding locality.

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 proposed development is unlikely to significantly affect fluvial environments. Solar panels are to be provided on the roof of the new Homebase building for the provision of renewable energy to the new facilities.

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 rise in sea level; 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. The proposed development is considered satisfactory in relation to climate change

Assessment

This application has been assessed using the heads of consideration specified under section 4.15 of the EP&A Act, and relevant Council policies. The assessment has identified the following key issues, which are elaborated upon for the Joint Regional Planning Panel's (JRPP) information.

Crown Application

The proposed development is a Crown Development, as it is being undertaken by the Department of Education, a government public authority. The Crown is a self-certifying authority and therefore a Construction Certificate is not required and a Principal Certifying Authority cannot be appointed for the development.

In addition, Council cannot impose conditions unless approval is sought by the Applicant, the Department of Education. In accordance with subsection 4.33 (1)(b) of the EP&A Act, Council on 13 June 2018 and 6 July 2018 (amended condition list) sought the approval of the Applicant to impose conditions of consent in respect of the development application.

The Applicant has advised by correspondence dated 11 July 2018 of its acceptance of the conditions of consent. Requested modifications have been made where relevant with the exception of the following:

- Condition 2.9 and 2.10 – The Applicant objects to the timing of the car parking design prior to the commencement of any works.

Comment:

- The Department of Education requests any items relating to the new car park off Lea Avenue included in a separate section rather the 'Prior to the commencement of any works' to allow for the timely completion of the main upgrade works. The Applicant states the Department is required to consult with several stakeholders prior to the internal approval of the car park design and completion of the audit.
 - Council does not support this request. The design needs to be prepared and assessed prior to the commencement of works to ensure the relevant standards and specifications are satisfied.
- Condition 2.9c) – The Applicant objects to the provision of a two-way width vehicle access crossing to service the temporary builder's compound:

2.9c) The provision of a new two-way width vehicle access crossing to service the temporary builder's compound from the Tumbi Road carriageway. The works shall include adjustment to the existing retaining walls to ensure sufficient site distance in accordance with The Austroads Guide to Road Design and AS2890.2:2002 Parking Facilities.

Comment:

- The Applicant requests the width of the vehicle access to the temporary builder's compound is reduced to a single width.
- Council does not support a single width vehicle access to the temporary builder's compound. A single width access will not provide sufficient site distances and will prevent suitable ingress and egress movements and potentially cause vehicles to queue within the Tumbi Road carriageway.

If the JRPP agrees that the above conditions should be imposed without amendment or deletion, then the matter must be referred to the Minister for Planning and Environment seeking the approval of the Minister for Planning and Environment to impose the conditions as recommended by Council (**refer to Recommendation C**).

s. 4.15 (1)(a)(i) of the EP&A Act: Provisions of any environmental planning instruments/Plans/Policies

The relevant Environmental Planning Instruments are addressed below:

Draft Environmental Planning Instruments

There are no draft Environmental Planning Instruments that apply to this application.

State Environmental Planning Policies

State Environmental Planning Policy No 71 – Coastal Protection - (Repealed on 3 April 2018)

State Environmental Planning Policy No 71 - Coastal Protection (SEPP 71) was repealed on 3 April 2018 when the *State Environmental Planning Policy (Coastal Management) 2018* (Coastal Management SEPP) came into effect. The savings and transitional provisions contained within the Coastal Management SEPP state the SEPP 71 provisions continues to apply if a development application is lodged and not finally determined prior to the commencement of the Coastal Management SEPP. Development application 52629/2017 was lodged prior to, but not determined, on 3 April 2018.

SEPP 71 requires Council consider the Aims and Objectives of SEPP 71 together with the matters for consideration listed in Clause 8 when determining an application within the Coastal Zone. The Coastal Zone is an area defined on maps issued by the NSW Department of Planning and Environment and part of the subject property falls within this zone.

The relevant matters have been considered in the assessment of this application. The application is considered consistent with the stated aims and objectives.

State Environmental Planning Policy (Coastal Management) 2018

Whilst the savings and transitional provisions of *State Environmental Planning Policy (Coastal Management) 2018* (Coastal Management SEPP) apply, the proposed development has also been considered against the provisions of Coastal Management SEPP and considered satisfactory.

State Environmental Planning Policy (State and Regional Development) 2011

State Environmental Planning Policy (State and Regional Development) 2011 (State and Regional SEPP) identifies development that is State significant development, State significant infrastructure, critical State significant infrastructure or regionally significant development and confers functions on the relevant state or Joint Regional Planning Panels (JRPP) to determine development applications.

Amendments to the EP&A Act came into force on 1 March 2018 and resulted in amendments to the State and Regional SEPP. The categories of regionally significant development are identified in Schedule 7 of the State and Regional SEPP. Development carried out by or on behalf of the Crown with a capital investment value over \$5 million is considered regionally significant development. The Hunter and Central Coast JRPP is therefore the determining authority for this application.

State Environmental Planning Policy (Infrastructure) 2007

The Education and Child Care SEPP commenced on 1 September 2017 and generally includes the provisions relating to schools which were previously included in Division 3 of *State Environmental Planning Policy (Infrastructure) 2007* (Infrastructure SEPP). The development application was lodged when the draft Education and Child Care SEPP was on exhibition and prior to its commencement.

The savings and transitional provisions contained within the Education and Child Care SEPP state the policy does not apply if a development application is lodged and not finally determined prior to the commencement of the Education and Child Care SEPP. In this regard, the provisions of the Infrastructure SEPP have been considered in the assessment of the proposed development.

Division 3 of Part 3 of the Infrastructure SEPP contained provision for development without consent for educational establishments. These provisions are not relevant to the proposal as the permanent classrooms are more than one storey in height; development consent is therefore required.

Traffic and Car Parking

Educational Establishments were identified as 'traffic generating development' under Schedule 3 of the Infrastructure SEPP where more than an additional 50 students is proposed. The proposed development allows for an increase in student numbers from 726 students to 805 students and an additional 5 teaching spaces (from 30 to 35). It is noted that Clause 57 of Part 7 – General Development Controls of the Education and Child Care SEPP now contains criteria for traffic generating development for educational establishments.

The proposed development was referred to the RMS under the Infrastructure SEPP and consideration has been given to the RMS response and the potential traffic safety, road congestion and parking implications of the development.

A Traffic and Parking Assessment Report prepared by Positive Traffic Pty Ltd, dated June 2017 submitted with the development application concludes the following:

- Surveys undertaken reveal the following:
 - The dominate mode of travel to the school is by private vehicle (65%) followed by some 26% of students travelling by bus. Walking to the school represents some 7% of the total student population.
 - The bus mode of travel increases significantly in the afternoon and equals private vehicle mode of travel for students departing the school representing 45% of the student population in both cases. Walking from the school represents 9% of the total student population.

- This reflects students travelling with parents on the way to work in the morning and then required to catch a bus in the afternoon.
- Staff mode of travel by self-drive is high, being 93% of the staff population.
- There is 49 staff at the school, representing approximately 45 vehicles parked.
- The potential future total student population may generate an additional 51 vehicle trips and 20 bus trips travelling to the school. However, the overall potential traffic impacts of additional vehicle/bus trips by students is low and would not impact on the surrounding road network to a point of detriment.
- Given the extensive car parking in the immediate streets (approximately 586 spaces) the increase of 5 teacher vehicles would not impact on parking availability for the school and adjacent uses.
- The road network including Lea Avenue has sufficient spare capacity to accommodate the existing and future potential overflow vehicles generated by teachers.
- The intersections surrounding the development would continue to operate at levels of service to that which currently occurs.
- Overall the traffic impacts of the proposal are considered acceptable.

Comment:

There is existing formal car parking on the site (including an accessible parking space) fronting the administration building and an unformed car park to the west of the site. The Traffic and Parking Assessment Report assumes that 38 car parking spaces are provided on the site (an existing shortfall of 3 car spaces) and the existing unmade and informal area used as a car parking area is suitable, efficient and safe for the users within the school environment. No additional car parking is proposed for the development. There is a 'Kiss and Drop' zone for on-street parking in Lea Avenue during the mornings for school drop offs at the street kerb.

A site inspection of the car parking areas raises the following concerns:

- There is no indication that 38 parking spaces are provided and marked.
- The unformed car park is currently underutilised by staff and the car parking areas are considered dangerous and unsafe and a potential risk to the staff, parents and pupils.
- The existing bitumen car parking area has had ingress and egress modifications which are not consistent with AS 2890.1:2004 *Parking Facilities – Part 1: Off street car parking* (AS 2890), refer to Figure 9.
- The overflow car park that currently serves as a staff car parking area is not a formal car parking area in accordance with AS 2890. The car park requires construction including retaining walls to ensure grades and cross falls of manoeuvring areas don't exceed 6% grade, formation and paving with either asphaltic concrete or a concrete wearing surface, drainage, line marking and signage in accordance with AS 2890, refer to Figures 10 & 11.
- The current car parking ingress and egress is also compromised by the location of the bulk waste bin storage area which accesses directly from the Lea Avenue carriageway.



Figure 9 – Existing bitumen car park fronting the Administration building



Figure 10 – Access to overflow car park



Figure 11 – Overflow car park

The issues raised above impact on the road network. The Applicant states that the Department of Education indicate it is no longer Departmental Policy to provide staff car parking on a school site and that school sites and Departmental budgets should be utilised for their primary role of providing education and amenities to school children, not car parking and facilities for staff.

Despite the conclusions of the Traffic and Parking Assessment, Council has advised the Applicant that car parking for staff is required to be provided with the proposed development for this site due to the location of the site and the current traffic flow and car parking pressure on the surrounding road network. The removal of the demountable buildings will assist in providing suitable area for car parking. Formal car parking on-site is to accommodate a minimum of 41 car spaces (comprising the stated 38 car spaces plus the existing shortfall of 3 spaces) including a dedicated waste storage and collection area to accommodate garbage service vehicles accessing from Lea Avenue.

Conditions of consent are recommended for car parking requirements as a concept plan has not been submitted for assessment.

The RMS has requested that Council considers the following matters:

- 1. Suitability of the site for the development based on overall student capacity of the site and the ability for the school to provide acceptable transport solutions for students. The RMS has requested a condition of consent for maximum student population on the site to a maximum of 805 students.*

Comment:

The NSW Department of Planning and Environment has provided guidance to consent authorities on the application of certain conditions of consent to regulate the expansion of schools (Circular PS 17-004, issued 20 September 2017). The circular outlines principles for consent authorities to consider when imposing a condition limiting student and staff numbers at the school site which should be imposed for a valid planning reason supported by strong evidence base. It should be noted that schools can experience fluctuations in staff and student numbers for various reasons, and flexibility to accommodate additional students is required in order to deliver the best level of access to education for children.

The current number of students at the school is 726. The proposal will enable a total of 805 students to attend (an increase of 10%) and an additional 5 teaching spaces (from 30 to 35).

Flexibility is provided within the Education and Child Care SEPP for development without consent up to a 10% increase in student or staff numbers. There are current and potential subdivision developments occurring within the Wamberal Public School Catchment Area such as a 102 lot subdivision (DA49274/2016) at 995-997 The Entrance Road Forresters Beach. Fluctuations of student numbers are likely to occur and flexibility is required to accommodate additional students.

In addition, Council considers formalising the current car parking areas for staff for a minimum of 41 car spaces, a short stay car parking area for parents and a separate area for bulk waste servicing to be provided at the location of the temporary builder's compound after completion of construction works is sufficient to accommodate the proposed additions to the school and achieve a safer environment for all the staff, pupils and the local community.

On this basis it is not recommended to limit student numbers in this instance.

2. *Provision of on-site short stay parking and the associated driveway design to facilitate safe and efficient circulation of vehicles on-site.*

Comment:

The Applicant states that the Department of Education considers the inclusion of on-site short stay parking creates an unacceptable ongoing level of liability, considering the potential high frequency of traffic movements in and out of this area. It is noted that a 'kiss and drop zone' is currently in place in Lea Avenue at the school frontage.

3. *A Construction Management Plan*

Comment:

A Construction Management Plan is to be prepared in accordance with the recommended condition of consent. A temporary builder's compound is required connecting to the existing driveway access at Tumby Road. Works are required to improve site vehicular access over this driveway and make provision for a large area to store plant and materials for construction.

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education and Child Care SEPP) commenced on 1 September 2017 and includes the provisions relating to schools which were previously included in the Infrastructure SEPP. The savings and transitional provisions contained within the Education and Child Care SEPP state the policy does not apply if a development application is lodged and not finally determined prior to the commencement of the Education and Child Care SEPP. The development application was lodged prior to the commencement of this policy.

The Education and Child Care SEPP and 'Design Guide for Schools' which informs the design quality principles was in draft form when this development application was lodged. The policy contains provision for exempt development, development without consent and complying development for educational establishments. These provisions are not relevant to the proposal as the classrooms are more than one storey in height. However, the hall awning and covered walkways could be constructed without development consent. Further, trees are required to be removed, including trees over 8m in height: development consent is therefore required.

Schedule 4 of the draft Education and Child Care SEPP includes design quality principles for schools which are to be considered before determining a development application.

Schedule 4 Schools - design quality principles

The proposal has been assessed in relation to the Design Quality Principles of the draft Education and Child Care SEPP and is considered satisfactory as follows:

Design Quality Principle	Compliance
Principle 1 — context, built form and landscape	
Schools should be designed to respond to and enhance the positive qualities of their setting, landscape and heritage, including Aboriginal cultural heritage. The design and spatial organisation of buildings and the spaces between them should be informed by site conditions such as topography, orientation and climate.	<ul style="list-style-type: none">• The proposal responds to the gradient of the land and retains satisfactory setback to residential development to the south.• The proposal replaces existing demountable buildings which are to be removed.• The proposal improves cross site movement from Lea Avenue to Aldinga Drive for school children.• The height, bulk and scale and the amenity impact on adjoining residences in Aldinga Drive is reduced by provision of a landscape buffer.• A landscape plan is provided and considered satisfactory.• The proposal increases the potential school size providing improved facilities to the existing school. No change is proposed to the access to nearby bus routes servicing the school site.
Landscape should be integrated into the design of school developments to enhance on-site amenity, contribute to the streetscape and mitigate negative impacts on neighbouring sites.	
School buildings and their grounds on land that is identified in or under a local environmental plan as a scenic protection area should be designed to recognise and	

<p>protect the special visual qualities and natural environment of the area, and located and designed to minimise the development's visual impact on those qualities and that natural environment</p>	
<p>Principle 2 — sustainable, efficient and durable</p>	
<p>Good design combines positive environmental, social and economic outcomes. Schools and school buildings should be designed to minimise the consumption of energy, water and natural resources and reduce waste and encourage recycling.</p> <p>Schools should be designed to be durable, resilient and adaptable, enabling them to evolve over time to meet future requirements.</p>	<p>The proposed development provides appropriate built form to minimise energy usage as follows:</p> <ul style="list-style-type: none"> • The buildings are designed to facilitate good cross ventilation. • Good use of materials for durability and withstand salt spray. • Provides deep soil areas for planting. • Lightly framed internally allowing for future internal alterations. • Initiatives to reduce waste and energy consumption through the use of solar panels on the roof of the Homebase building.
<p>Principle 3 — accessible and inclusive</p>	
<p>School buildings and their grounds should provide good wayfinding and be welcoming, accessible and inclusive to people with differing needs and capabilities.</p> <p>Note.</p> <p>Wayfinding refers to information systems that guide people through a physical environment and enhance their understanding and experience of the space. Schools should actively seek opportunities for their facilities to be shared with the community and cater for activities outside of school hours.</p>	<p>The proposal is supported by a Building Code of Australia (BCA) assessment which identifies accessibility requirements for building works.</p> <p>The proposed development provides security and accessibility measures designed and integrated with the built form as follows:</p> <ul style="list-style-type: none"> • Additional awning at the Hall provides spaces for larger gatherings at the school, including whole school meetings. • School frontage at Lea Avenue improved by foyer and improved administration facilities. • Retention and expansion of open play area to the east of the existing buildings. • Concept design for proposed additions fostered through Project Reference Group incorporating, Department of Education representatives, the school and school Parents and Citizens committee. <p>The proposed development provides diverse, attractive and accessible spaces to learn play and socialise as follows:</p> <ul style="list-style-type: none"> • Provides accessibility for all users of the site incorporating ramps to administration and Homebase building, provision of a lift in Homebase building and accessible WCs through the additions and new works. • Maker space and Homebase layout allow for flexibility for individual and group activity, with withdrawal areas.

	<ul style="list-style-type: none"> Undercover area provided for play near canteen.
Principle 4 — health and safety	
<p>Good school development optimises health, safety and security within its boundaries and the surrounding public domain, and balances this with the need to create a welcoming and accessible environment.</p>	<p>The proposed development optimises health and safety as follows:</p> <ul style="list-style-type: none"> The Homebase building obtains light from east and west including breezes on all sides. Provides covered area, for protection from sun and rain. These areas can be used as open play areas and comprise: <ul style="list-style-type: none"> New apron, seating and stairs to eastern elevation of the hall. Covered area located under the Homebase building (western block) identified as 'Special Programs' on the architectural plans. Provides covered walkway through the school spine from Aldinga Drive to Lea Avenue. Retains existing after school access and security arrangements.
Principle 5 — amenity	
<p>Schools should provide pleasant and engaging spaces that are accessible for a wide range of educational, informal and community activities, while also considering the amenity of adjacent development and the local neighbourhood.</p> <p>Schools located near busy roads or near rail corridors should incorporate appropriate noise mitigation measures to ensure a high level of amenity for occupants.</p> <p>Schools should include appropriate, efficient, stage and age appropriate indoor and outdoor learning and play spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage and service areas.</p>	<p>The proposed development provides diversity of indoor and outdoor spaces to facilitate informal and formal uses as follows:</p> <ul style="list-style-type: none"> Maximises use of natural environment for learning and play through access to sunlight, natural ventilation, lightwells into Homebase building and visual outlook. Provision of toilet and laundry within Special Education (SPED) area. Improves open space areas by removal of demountable buildings. Provides diversity of indoor and outdoor spaces with new undercroft outdoor area under Homebase building, covered area off the Hall and three (3) informal theatre spaces in Homebase building with stepped seating. Indoor spaces have maker spaces and a flexible Homebase layout, theatre spaces, withdrawal areas and student breakout seating within these spaces.
Principle 6 — whole of life, flexible and adaptive	
<p>School design should consider future needs and take a whole-of-life-cycle approach underpinned by site wide strategic and spatial planning.</p> <p>Good design for schools should deliver high environmental performance, ease of adaptation and maximise multi-use facilities.</p>	<p>The school design provides a whole of life, flexible and adaptive approach through:</p> <ul style="list-style-type: none"> Use of lightweight internal walls to allow for future alterations. The proposal is intended to provide a long term solution to a growing population at the school. Provides a flexible design and layout for multiple uses and change of use over time in line with

	<p>projected future growth.</p> <ul style="list-style-type: none"> • Additions to the Hall have potential for additional community use.
Principle 7 — aesthetics	
<p>School buildings and their landscape setting should be aesthetically pleasing by achieving a built form that has good proportions and a balanced composition of elements. Schools should respond to positive elements from the site and surrounding neighbourhood and have a positive impact on the quality and character of a neighbourhood.</p> <p>The built form should respond to the existing or desired future context, particularly, positive elements from the site and surrounding neighbourhood, and have a positive impact on the quality and sense of identity of the neighbourhood.</p>	<p>The proposed development addresses aesthetics as follows:</p> <ul style="list-style-type: none"> • The design of the building is aesthetically pleasing through façade articulation and use of differing materials. Screen designs provide interest and some privacy to the classrooms. • Provides improvement to the Lea Avenue frontage. • Pedestrian interaction is minimal given the detachment from Aldinga Drive and the setback to the Administration building on Lea Avenue. • Provides new improved facilities including new toilets, new canteen and lift in Homebase building. • Provides improved spatial requirements through a pavilion style design to minimise bulk and scale, provides balanced facilities and wayfinding to southern side of the school. • No new fencing is proposed. • The proposal is located to the north of adjoining residential development. Potential for overlooking, visual and acoustic impacts which are addressed by landscaping.

Gosford Local Environmental Plan 2014

Zoning & Permissibility

The site is zoned SP2 Infrastructure under GLEP 2014 as shown in Figure 12. The SP2 special purpose use is for an Educational Establishment. An Educational Establishment and ancillary development ordinarily incidental or ancillary to this use is permissible in the zone with consent of Council.



Figure 12 - Zoning Map

The proposed development is defined as an *Educational Establishment* under the provisions of the GLEP 2014, as follows:

Educational establishment means a building or place used for education (including teaching), being:

- (a) a school, or
- (b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act

The objectives for the SP2 Infrastructure zone are:

- To provide for infrastructure and related uses.
- To prevent development that is not compatible with or that may detract from the provision of infrastructure.
- To ensure that development is compatible with the desired future character of the zone.

The proposed development seeks to expand an existing educational establishment and meets the objectives of the zone.

Principal Development Standards

There are no floor space ratio or height provisions that apply to the subject site. There are no heritage items in the vicinity of the site.

5.3 Development near zone boundaries

Clause 5.3 requires Council consider the amenity impacts of development near zone boundaries. The site is zoned for a special purpose for an educational establishment. The school has been located on the site for many years. The vegetation along the southern boundary provides a buffer between the school and the residences of Aldinga Drive and play areas have not been permitted by the school within this area. Recently drainage works have been undertaken by the school within the southeast portion of the site and the vegetation and ground cover in this area has been disturbed.

The proposed Homebase building location requires removal of a large number of trees within the building footprint and will have a setback of 6m to the residential properties at its southeast corner and building height of 8.5m. The Applicant was requested to review the chosen location of the Homebase building and consider design modifications or relocation of the building to the east or west of the existing school buildings to lessen the impact on trees and reduce the interface of the building with adjoining residential properties. The location of the building appeared to be chosen for expediency and less disruption to school operations during construction, rather than thoughtful design, as it allowed the existing demountable buildings to remain where currently located while construction of the proposed new building is carried out.

The Applicant's submission requests the location of the Homebase building to remain as proposed stating that the proposed location was the result of consultation between the Department of Education and school representatives with the proposed location being the best functional outcome for the school for the life of the facility. The submission also proposes a solution to improve privacy to adjoining neighbours by an enhanced landscaped screening buffer between the new building and adjoining properties.

The Applicant's justification to retain the building location is summarised as follows:

- *Student/Staff Security and Safety*
 - *The school's main bus stop on Aldinga Drive is reasonably remote from the remainder of the active school areas with a distance of over 100m from the bus stop to the nearest building with no opportunity for passive observation of this school area.*
 - *This area is predominantly vegetated and is not used by the school as active playground space due to the increased risk of branch fall in this area.*
 - *Positioning the buildings in the proposed location with more active school building areas improves passive surveillance.*
- *Accessible Site Circulation*
 - *The proposed option takes advantage of the gradient of the site with a two storey building with connections at ground level for both levels.*
 - *The basic arrangement of the existing school has a series of buildings connected to broadly north-south running external circulation paths which run across the site slope, with a large number of stair connections between these external walkways. Options to move the building either east or west of the existing school building being up or down the slope would exacerbate this challenge.*
 -

The proposed new building siting at the southern end of the existing site walkways, and incorporating a two-way lift at the junction of the split level new building arrangement, will create significant new accessible compliant connections to these existing buildings access walkways.

- *Availability of Active Play Space*
 - *The Department of Education has a policy which requires a reasonable amount of external play space per student to be provided at their school; a policy which focuses on issues of childhood obesity and decreasing opportunities for active outside play. At present, demountable buildings are placed on the Wamberal Public School on site areas which were originally playground areas .*
 - *The new building siting located within an area which is not currently available to students as outside play space will result in an increase in available play area, once the existing demountable buildings are removed at the completion of construction.*

In addition, the Applicant has advised that the NSW Department of Education policy relating to Educational Facilities Standards and Guidelines are used as reference standards for educational facility managers, planners and designers. The Design Guide DG10 Area in part, 10.03 Open Play Space Requirements, requires a minimum of 10m² per student. Where this is not achievable the proposed square metre per student of the completed project must not be less than the existing square metre per student of play area currently on the site.

The proposed landscaped screening buffer is identified on the amended Tree Management Plan, prepared by Terras Landscape Architects, dated 13 March 2018, as shown in Figure 13.

Figure 13 shows the trees to be removed outlined in red, existing trees to be retained outlined in black with the proposed landscaped screening buffer shown in green.

The proposed solutions do not lessen the substantial amount of tree removal required, however, it is acknowledged that all options to reduce the impacts have been considered. The site is highly constrained in terms of space and many trees will be retained elsewhere within the school.

The justification for the building location is accepted and supported with the proposed tree planting as a solution to mitigate privacy and amenity impacts on adjoining neighbours. The selected trees comprise plant species found in the area and will provide a mid-level canopy between the proposed building and the boundary. The tree planting proposes advanced specimens (100ltr pot size). Plants are expected to be at least 4m high when planted and achieve up to 10m high at maturity (a total of 45 trees are to be planted in accordance with the Tree Management Plan). The extent of tree removal is now substantially offset by the additional tree planting.

In accordance with state planning policy, buildings are to be designed to respond to the surrounding natural environment, retain existing built form and provide a landscaping buffer in setbacks to reduce the impact of the new development on adjoining properties.

The proposed development provides solutions to mitigate amenity impacts to adjoining residential properties and the location of the Homebase building is accepted as suitable development of the school site. The design and location of the proposed Homebase building responds to its surrounding environment and the residential interface as follows:

- The building is two storeys, with a building height of 8.5m. The southeast corner of the Homebase building (eastern block) has a setback to the southern boundary of 6m. The height of the building is consistent with building height development standards on the adjoining residential land, zoned R2 Low Density Residential under GLEP 2014.
- The shadow diagrams submitted with the development application indicate the adjoining residential properties will achieve more than the minimum solar access required for residential development. In accordance with Council's development controls for dwelling houses in Chapter 3.1 Dwelling Houses, Secondary Dwelling and Ancillary Development of GDCP 2013 principal private open space of residential properties should receive at least 3 hours of sunlight access between 9.00am and 3.00pm at the winter solstice.
- The use of a variety of external finishes and colours of medium to dark tones are considered to reduce bulk and scale so that the development does not dominate the surrounding natural environment.
- The development incorporates privacy measures by providing screening to walkways and balconies on the southern façade (which may provide some noise abatement) integrated into the building design together with the enhanced landscape buffer between the new building and adjoining residential properties.
- No new play areas are proposed to the southern side of the school. The play areas will remain within the existing buildings and to the east of the hall and on the west on the school oval.
- Lighting of the new building is addressed by a proposed condition requiring the applicant to operate and maintain external lights in accordance with the *Australian Standard AS4282 – Control of the Obtrusive Effects of Outdoor Lighting* (AS 4282) so as not to cause a nuisance or adverse impact on the amenity of adjoining residents.

7.1 Acid sulfate soils

This land has been identified as being affected by the Acid Sulfate Soils Map within GLEP 2014. The site contains Class 5 Acid Sulfate Soils. In this instance, the proposed works are not considered to impact on Acid Sulfate Soils.

s. 4.15(1)(a)(iii) of the EP&A Act: Provisions of any development control plan

Gosford Development Control Plan 2013

The relevant chapters of GDCP 2013 are addressed below:

Chapter 2.1 Character

The objectives of Chapter 2.1 Character are to protect and enhance environmental character of the development site and the surrounding area whereby the development displays improved standards of scenic, urban and civic design quality.

The site is located within the character precinct Wamberal 9: Community Centres and Schools of GDCP 2013 Chapter 2.1 Character. The character statement provides for the following desired character (summarised):

This property should continue to provide community, educational and recreation services according to needs of the surrounding residential population. The scenic and civic qualities of prominent vegetated backdrops to Gosford City's major roads and residential areas should be protected as well as enhanced by future development, infrastructure or landscape improvements, and by open space management.

Protect the habitat and scenic values of remnant bushland by retaining natural slopes and by avoiding further fragmentation of the tree canopy, particularly mature trees along any slopes or road frontages that provide scenically-prominent backdrops.

Ensure that new developments (including alterations to existing buildings and infrastructure works) do not dominate their natural or landscaped settings, or their predominantly low-rise residential surroundings. Surround buildings with landscaped settings that maintain the scenic quality of prominent bushland backdrops or existing corridors of planted trees. Ensure that the height and siting of new structures also preserve levels of privacy, sunlight and visual amenity that are enjoyed by neighbouring dwellings and their private open spaces. Complement the bushland canopy by planting all setbacks, courtyards and parking areas with shrubs and trees that are predominantly indigenous. Along front boundaries, provide for surveillance and safety by planting hedges or using fences that are low or see-through.

Minimise the scale and bulk of new buildings and avoid the appearance of uniform building heights along any street by well-articulated forms. Divide floorspace into separate pavilion structures that are surrounded by landscaped courtyards, and vary the shape and height of facades, particularly to identify major entrances.

For visually-prominent facades, incorporate extensive windows that are shaded by framed verandahs or exterior sunscreens, and display some variety of materials or finishes rather than expanses of plain masonry or metal cladding. Roofs should be gently-pitched to minimise the height of ridges, and flanked by wide eaves or verandahs that disguise the scale of exterior walls.

The proposal meets the desired character as follows:

- The design of the development provides for two pavilion style buildings with walkways which are sympathetic to the slope of the land, landscaping, heights not exceeding two levels, and an improved public entry to the school.
- The plans and concept finishes indicate articulated and varied façade treatments to all sides of the new Homebase building with feature laser cut screening to the roof level. This provides some screening to the internal classrooms and walkways on the north, south and western sides.
- Extensive tree removal is required to accommodate the new Homebase building. The additional planting proposed of selected trees to provide a landscape buffer will comprise a mid-level canopy between the proposed building and the boundary. The landscaping will provide visual privacy to the neighbours and reduce the impact of the building in the landscape.
- The proposal is generally of two storeys and setback from the public road behind existing residential development and is consistent with height, bulk and scale of existing school buildings on the site.
- The design option allows the building to link into multiple levels of the existing school significantly improving the accessibility of the school and does not reduce the existing outdoor open space available for students.
- The proposed building will have minimal impact on overshadowing of adjoining residential development to the south.

Chapter 2.2 Scenic Quality

The site is located within the Forresters Beach Wamberal Land unit within the North Coastal Geographic unit of Chapter 2.2 Scenic Quality and is of regional scenic significance. The Wamberal urban areas landform is generally open with limited vegetation resulting in moderate to high levels of visual exposure. The flat rear dune hinterland, including the Tumby Road area, comprises a mixture of residential, rural-residential and recreational land uses. The flat landform, low vegetation and stunted characteristics result in a generally low visual quality. The forested ridge line and eastern section of Matcham ridge, provides a strong western boundary and is also under pressure, due to favourable location, views etc.

The proposed development is consistent with the scale of the existing school buildings, proposes additional tree planting to reduce impact of the new development on the visual sensitivity of the surrounding rural residential and low density residential areas.

Chapter 6.6 Preservation of Trees or Vegetation

The vegetation on the site is mapped as E15ai – Tumbi Spotted Gum Ironbark Forest which is a regionally significant vegetation community listed on the central coast. The trees to be removed mainly consist of Spotted Gums including Blackbutts, White Mahogany, Turpentine, Iron Bark and Pittosporum.

Ecological Assessment

An Ecological Assessment Report dated June 2017 prepared by Peak Land Management was submitted with the proposed development. The ecological attributes on the site and surrounding area identified in the Report is summarised as follows:

- The site contains an existing native over-storey of remnant trees which provide a wildlife corridor from the vegetated hillside to the west of the site down to Wamberal Lagoon, east of the site.
- Partial clearing has occurred over the corridor including under scrubbing over the south-east corner of the site. However, canopy connectivity is retained (except across Tumbi Road) through the urbanised landscape.
- 30 hollow bearing trees were recorded over the whole site with 17 hollow bearing trees within the proposed new Homebase building footprint and 3 trees with nest boxes present in this area.
- Habitat exists over the development site for approximately 24 of the total 68 listed Bionet threatened fauna species within the 100km² local search area, being predominantly selected birds and bats.
- Direct impact of species is considered low due to the retention of larger trees including most hollow bearing habitat trees elsewhere in this locality (Wamberal Lagoon Nature Reserve, Wamberal Road Reserve to west), generally large territories for most species and limited impact from development.

The Ecological Report provides recommendations for improved biodiversity outcomes for the proposal and states there is no significant impact on any threatened species, Endangered Ecological Community, critical habitat, or endangered populations by the proposed works if recommendations are adopted.

Tree Risk Assessment

A Target Tree Risk Assessment dated 26 May 2017 and a Landscape Plan, dated 24 July 2017 prepared by Terras Landscape Architects was submitted with the proposed development. The Target Tree Risk Assessment indicated 26 trees to be removed/retained nearest the proposed buildings. Ten (10) of those trees are nominated for removal. Trees within proposed building footprints were not addressed in the report.

Additional documentation has been submitted clearly indicating the extent of trees to be removed as shown on the Tree Management Plan; prepared by Terras Landscape Architects, dated 13 March 2018, refer Figure 13. The Tree Management Plan includes additional tree planting proposed to address potential privacy impacts to residents.

The Tree Management Plan indicates that 65 trees require removal in order to construct the buildings and establish the Bushfire Asset Protection Zone (APZ). This includes 17 hollow bearing trees (as estimated in the Ecological Report, prepared by Peak Land Management, dated June 2017).

The Tree Management Plan proposes new tree planting to provide a landscape buffer between the new Homebase building and southern boundary. A total of 45 trees are to be planted in accordance with the Tree Management Plan. The tree planting proposes advanced specimens (100ltr pot size). Plants are expected to be at least 4m high when planted and achieve up to 10m high at maturity.

Comment:

The level of tree removal for the construction of the Homebase building was initially deemed unacceptable and Council required the Applicant to explore a number of options in order to reduce the amount of tree removal required which included relocation of the building, reduction in the building footprint and change the alignment of the building.

The additional documentation submitted by the Applicant does not alter the location or modification of the Homebase building or the impact on the trees, except for a few trees previously shown for removal to now be retained and vice versa. The Applicant provides further justification to retain the building location as the NSW Department of Education is bound by certain design and layout requirements for staff/student security and safety, accessibility and retaining active play spaces for education facilities. Notwithstanding this, the Applicant provides a solution to mitigate privacy impacts to adjoining neighbours which includes the planting of additional trees, a landscape screening buffer, between the building and the southern boundary.

The proposed landscaping nominates the use of medium sized native trees such as Lilly Pilly, Cheese tree, Kurrajong and Blueberry Ash. The in-fill planting of selected trees as identified will be advanced specimens and provide a mid-level canopy between the proposed building and adjoining residences to mitigate potential privacy issues. These species are suitable for the site and will provide screening of the buildings whilst not impeding reasonable solar access to southern adjoining properties.

In addition, the trees have been selected for their low flammability so as not to increase the bushfire hazard. Also proposed is maintenance of asset protection zones to address bushfire requirements. This requires some selective thinning and canopy reduction including management of the treed area to reduce fuel loads.

Council's Environment Officer does not support the amount of tree removal however states that is acknowledged that all options to reduce the impacts of the new development have been exhausted. The site is highly constrained in terms of space and many trees will be retained elsewhere within the school. The conclusion of the ecological assessment is supported and the proposal is not expected to have a significant impact upon threatened species or endangered ecological communities.

A condition of consent is recommended for new nesting boxes, at the ratio of 1:1, be constructed for any hollow bearing trees that may be removed and the removal of hollow bearing trees and log habitat on the ground to be undertaken under the supervision and guidance of a suitably qualified licensed wildlife specialist (e.g. Ecologist, WIRES Officer or Arborist) refer Condition 3.12.

Council's Tree Assessment Officer supports the species of new planting for the landscape screening buffer. Tree protection was not addressed in the documentation provided and conditions of consent are recommended for the protection of trees to be retained, refer Conditions 3.9, 3.10, 3.11.

Taking into consideration the Ecological Assessment Report, the proposed Tree Management Plan and the comments of the Environment Officer and Tree Assessment Officer the Tree Management Plan responds to the recommendations of the Ecological Assessment and Bushfire requirements for asset protection zones. The extent of tree removal is now substantially offset by the additional tree planting. The landscaping design is an acceptable solution to retain the location of the proposed buildings and improve potential amenity and privacy impacts to adjoining neighbours. The proposed development is not considered to have adverse impact on the ecological attributes of the site and surrounding locality.

Chapter 6.7 Water Cycle Management

The area of the site proposed to be developed generally grades to the northeast and southeast. The submitted plans indicate a water storage tank is proposed next to the proposed Homebase building and will connect to the existing drainage infrastructure within the site prior to discharging into the dam located within the northeast corner of the site near the Tumby Road/Lea Avenue intersection. The development has the potential to increase nutrients and pollutants from the site and nutrient/pollution controls are to be provided with the development.

The proposal is satisfactory in relation to water cycle management. No objections are raised by Council's Engineer, subject to conditions.

Chapter 7.1 Car Parking

Chapter 7.1 Car Parking of GDCP 2013 stipulates car parking associated with educational establishments to be provided at the rate of 1 space per 1 staff place and 1 space per 10 year 12 students. Chapter 7.1 Car Parking of the GDCP 2013 does not distinguish between full time or part time staff.

There is existing formal car parking on the site (including an accessible parking space) fronting the administration building and an unformed car park to the west of the site. The Applicant states that there are 38 car parking spaces on the site with an existing shortfall of 3 car spaces. The additional 5 teaching spaces proposed have the potential to generate 5 additional full time teaching positions.

A Traffic and Parking Assessment Report prepared by Positive Traffic Pty Ltd, dated July 2017, submitted with the application, assumes that the 38 car parking spaces are provided and that not all teaching spaces are used full time and may be used for short term classes. No additional car parking spaces are proposed for the development.

Despite the conclusions of the Report, the current car parking arrangements on the site are unsatisfactory in terms of safety and a potential risk to the staff, parents and pupils. Council does not require total compliance with Chapter 7.1 Car Parking of the GDCP 2013 car parking requirements for Educational Establishments. The school currently has a total of 49 staff which includes teaching spaces of full and part time staff. Council's preferred outcome for this development is that the car parking shortfall (being 5 teacher car spaces) can be supported provided that the car parking areas are upgraded with the proposed development.

Conditions of consent are recommended to provide formal car parking on-site to accommodate a minimum of 41 vehicles (being the 38 car spaces that should be on-site plus the existing shortfall of 3 car spaces). A bulk waste servicing area is to be provided within the car parking area.

Chapter 7.2 Waste Management

The proposal has been assessed in accordance with the provisions of the GDCP 2013 requirements recommending conditions of consent for the ongoing waste management storage and bulk waste servicing.

s. 4.15(1)(b) of the EP&A Act: Likely Impacts of the Development

Section 4.15 (1)(b) of the EP&A Act requires consideration of the likely impacts of the development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality. The likely impacts of the development are addressed below:

a) Built Environment

The subject site is zoned SP2 Infrastructure under GLEP 2014 and adjoins residential developments to the south comprising single dwellings.

The proposal is not considered to have an adverse impact on the amenity and privacy of adjoining neighbours.

Amenity impacts on residents has been addressed by the building design incorporating screening to balconies and walkways and a landscaping solution with additional infill landscaping proposed to provide a buffer and increase privacy to the southern neighbours. The selected trees, advanced specimens to be planted, will provide a mid-level canopy between the proposed building and the boundary. No new play areas are proposed to the southern side of the school. The play areas will remain within the existing buildings and to the east of the hall and on the west on the school oval.

A thorough assessment of the impacts of the proposed development on the built environment has been undertaken in terms of the location of the buildings and design quality principles for schools and GDCP 2013 compliance. The potential impacts are considered reasonable.

b) Natural Environment

The proposed development includes removal of a number of trees and proposes significant new landscaping including management of asset protection zones which is not considered to further impact on bushfire hazard. There will be no significant impact upon the natural environment as a result of the proposal.

c) Economic Impacts

The development will remove existing demountable buildings and construct permanent facilities, upgrade the administration areas and improve the use of seating outside the existing hall. The design of buildings will improve accessibility throughout the school. The proposed development will provide improved teaching facilities and learning spaces.

d) Social Impacts

The proposed development will enhance, improve and expand the facilities of Wamberal Public School to enable the implementation of current and future developments in technology, new and emerging teaching and learning philosophies and curriculum development. The proposal strengthens the identity of the school and provides integrated and interconnected learning spaces.

s. 4.15 (1)(c) of the EP&A Act: Suitability of the Site for the Development

The site is zoned SP2 Infrastructure under GLEP 2014. Educational establishments are permissible in the zone.

The proposed development will occur on an existing school site and removes demountable buildings by replacing them with a permanent structure and also upgrades the administration areas and hall seating. The basic arrangement of the existing school has a series of buildings connected to broadly north-south running external circulation paths, which run across the site slope, with a large number of stair connections between these external walkways. The proposed development will improve circulation throughout the school with accessible connections to the existing access walkways.

A review of Council's GIS Mapping data reveals the following potential constraints:

- Acid Sulfate Soils – The subject site is identified as containing Class 5 Acid Sulfate Soils. The site is considered low risk and the proposed works are not considered to impact on Acid Sulfate Soils.
- Regionally significant vegetation - Tumby Spotted Gum Ironbark Forest occurs on the site. A total of 65 trees are required to be removed for the proposed development. Additional landscaping of advanced specimens is proposed comprising trees that occur in the area. A total of 45 trees are to be planted in accordance with the Tree Management Plan. The species of new planting is considered suitable by Council's Tree Assessment Officer. Council's Environment Officer provides a condition of consent which requires new nesting boxes, at a ratio of 1:1, be constructed for any hollow bearing trees that may be removed. The extent of tree removal is substantially offset by the additional tree planting for a landscape screening buffer between the proposed new Homebase building and southern boundary.

As such the site is considered suitable for this type of development subject to conditions of consent relating to sewer and drainage works, and the provision of landscaping.

s. 4.15 (1)(e) of the EP&A Act: The Public Interest

The approval of the application is considered to be in the public interest. The proposed development will replace existing demountable buildings which when removed will provide additional outdoor recreation space. The construction of the new Homebase building will consolidate the classrooms (previously demountable buildings) and be of benefit to the ambience of the school and create a more efficient use of the space within the school. Facilities for staff will be improved by the additions to the administration area. The proposed development will enable the implementation of current and future development in technology and school growth in line with community expectations.

Other Matters for Consideration

Rural Fires Act 1997

The site is identified as "bushfire prone land" on Council's bushfire maps. A Bushfire Assessment Report prepared by Eco Logical Australia reference 16HNG_6125 dated 28 June 2017 was submitted with the application recommending the proposal comply with BAL-12.5.

In accordance with section 100B of the *Rural Fires Act 1997* (RF Act) the proposed development is an infill Special Fire Protection Purpose (SFPP) and a Bushfire Safety Authority is to be obtained before developing bushfire prone land to which a SFPP applies. While the proposed development is not considered to be integrated development, the development application was referred to the NSW Rural Fire Service (RFS) in accordance with section 100B of the RF Act. The RFS has issued a Bushfire Safety Authority, Ref DA17082408917 RB, dated 14 September 2017, subject to conditions to maintain asset protection zones and construction requirements of BAL-12.5 which are attached to the development consent.

The proposed development is considered to meet the objectives for SFPP development and will achieve an improved bushfire protection outcome for the overall development.

Integrated Development

A SFPP generally constitutes integrated development under the RF Act. Section 4.44 of the EP&A Act applies to Integrated Development. In accordance with section 4.44(2) Integrated Development provisions do not apply to a development application made by or on behalf of the Crown.

The development application was lodged as Integrated Development under section 100B of the RF Act and notified as such. As integrated provisions do not apply in this instance, the development application proposal is amended and the NSW Rural Fire Service is removed as the integrated authority.

Water Management Act 2000

Works or a specified activity within 40m of any river or lake may require a controlled activity approval under the *Water Management Act 2000* (WM Act). The works will be conducted more than 40m from the dam located in the northeast corner of the site with the exception of the awning extension and seating of the hall which will be within 40m of the dam.

Clause 38 of the *Water Management (General) Regulation 2011* (WMG Regulation) provides exemption to a public authority from the requirement to obtain a controlled activity approval on waterfront land. Therefore, a controlled activity approval is not required in this instance.

Crime Prevention through Environmental Design (CEPTED)

The proposed development has incorporated design elements to ensure CEPTED principles are followed.

- Building design and orientation – provides a high level of passive surveillance during school hours. The use of outdoor learning, terraces and walkways around the buildings improve surveillance opportunities to that part of the site. Outside of school hours natural surveillance opportunities are reduced due to location of site and surrounding land use. Organised measures can be used to strengthen surveillance such as security patrols and alarm systems.
- Materials and surface treatments – Graffiti resistant materials and surface treatments are used where possible. The screens on the Homebase building and the side of the administration building will be prefinished so are suitable for graffiti removal.
- Lighting – to be undertaken around the building in accordance with Education Departmental standards. The Applicant states lighting is limited around the school after hours due to the nature of the use of the site. The external walkways will have lights which can be utilised in the evening when events are occurring. Due to the location of the Homebase building to the southern boundary a condition is included to ensure lighting is provided in accordance with *Australian Standard AS4282 – Control of the Obtrusive Effects of Outdoor Lighting* (AS 4282) so as not to cause a nuisance or adverse impact on the amenity of residents.
- Car Parking – The car park will only be lit during periods when the school is being used at night. Accessible car parking is well designated. Conditions of consent will require car parking to be provided in accordance with AS 2890.
- Fencing – No fencing is proposed as part of this development proposal. The Department of Education is intending to fully fence the school including a fence and gate between the school and the access to Aldinga Drive in the future.
- Landscaping – landscaping plan submitted.

A condition of consent is imposed to apply CEPTED principles including a condition to operate external lights so as not to cause a nuisance or adverse impact on the amenity of adjoining residents.

Construction Management

A Construction Environmental Management Plan (CEMP), including a Traffic Management Plan (CTMP), Vehicle Movement Plan and Traffic Control Plan will be prepared and submitted to Council which will detail environmental management, waste management, erosion and sediment control plan, traffic management including a temporary work zone area in the southeast of the site accessed from Tumbi Road. Council is not required to approve these plans.

A temporary builder's compound is required connecting to the existing driveway access at Tumbi Road. Works will be required to improve site vehicular access over this driveway and make provision for a large area to store plant and materials for construction works.

The location of the temporary builder's compound and associated drainage works is to avoid existing trees and be a minimum of 10m from the southern boundary of the site so as to minimise the impact of the construction zone on adjoining residential properties. At the completion of the works the area is to be remediated to its current condition.

Section 7.11 Contributions

The subject site is not located within a Development Contribution Plan area. Therefore, no contributions are applicable.

Planning Agreements

The proposed development is not subject to a planning agreement / draft planning agreement.

Political Donations

During assessment of the application there were no political donations were declared by the Applicant, Applicant's consultant, owner, objectors and/or residents.

Conclusion

This application has been assessed under the heads of consideration of section 4.15 of the *Environmental Planning and Assessment Act 1979* and all relevant instruments and policies. The potential constraints of the site have been assessed and it is considered that the site is suitable for the proposed development. Subject to the imposition of appropriate conditions, the proposed development is not expected to have any adverse social or economic impact. It is considered that the proposed development will complement the locality and meet the desired future character of the area.

Accordingly, the application is recommended for **approval** pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

Attachments

1. Architectural Plans and Landscape Plans, ECM Doc No. 25907396
2. Draft Conditions of Consent, ECM Doc No. IR 25907397