

COUNCIL ASSESSMENT REPORT

Panel Reference	2017NTH020
DA Number	DA 2017 - 800
LGA	Port Macquarie-Hastings
Proposed Development	Alterations and Additions to Educational Establishment including Clause 4.6 Objection to Clause 4.3 (Height of Buildings) under the Port Macquarie- Hastings Local Environmental Plan 2011
Street Address	2 Waugh Street, 31 Campbell Street, Mackay Street & 2 Johnstone WAUCHOPE
Applicant/Owner	Conrad Gargett
Date of DA lodgement	7 September 2017
Number of Submissions	Four(4)
Recommendation	That DA2017 – 800.1 for alterations and additions to an educational establishment including Clause 4.6 Objection to Clause 4.3 (Height of Buildings) under the Port Macquarie- Hastings Local Environmental Plan 2011 at 2 Waugh Street, 31 Campbell Street, Mackay Street & 2 Johnstone, Wauchope, be determined by granting consent subject to the recommended conditions.
Regional Development Criteria (Schedule 4A of the EP&A Act)	Crown development CIV over \$5 million
List of all relevant s79C(1)(a) matters	<ul style="list-style-type: none"> • State Environmental Planning Policy No.44 – Koala Habitat Protection • State Environmental Planning Policy No. 55 – Remediation of Land • State Environmental Planning Policy 64-SEPP 64- Advertising and Signage • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 • State Environmental Planning Policy (Educational Establishments and Childcare Facilities) 2017 • Port Macquarie Hastings Local Environmental Plan 2011 • Development Control Plan 2013 • Clause 92 of Environmental Planning and Assessment Regulation
List all documents submitted with this report for the Panel's consideration	<ul style="list-style-type: none"> • Architectural plans • Stormwater drawings and report • Traffic report • Statement of Heritage Impact • Draft consent conditions
Report prepared by	Fiona Tierney Development Assessment Planner Port Macquarie-Hastings Council
Report date	11 April 2018

Summary of s79C matters

Have all recommendations in relation to relevant s79C matters been summarised in the

Yes

Executive Summary of the assessment report?

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 summarized, in the Executive Summary of the assessment report? <i>e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP</i>	Yes
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?	Yes
Special Infrastructure Contributions	
Does the DA require Special Infrastructure Contributions conditions (S94EF)? <i>Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions</i>	Not Applicable
Conditions	
Have draft conditions been provided to the applicant for comment? <i>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 any comments to be considered as part of the assessment report</i>	Yes

Executive summary

This report considers a Development Application (DA) for demolition of existing heritage listed school building, six (6) demountable buildings and two older school blocks and construction of a new classroom block, storage area and garden at the subject site.

Additional information and discussion has occurred in response to assessment issues raised and submission concerns relating to significant heritage issues.

The proposal has been advertised in accordance with the requirements of the *Environmental Planning and Assessment Regulation 2000*. Following exhibition of the application four (4) written submissions have been received.

This report provides an assessment of the application in accordance with the Environmental Planning and Assessment Act 1979. The consent authority must be satisfied in relation to a number of provisions in relevant environmental planning instruments applicable to the proposal before granting consent to the development. A detailed assessment of the relevant clauses is noted within the report. A summary is also provided below:

- **Clause 9 of SEPP No 44 – Koala Habitat Protection.**

With reference to clauses 6 and 7, the subject land is greater than 1 hectare (including any adjoining land under same ownership) and therefore the provisions of SEPP must be considered.

- **Clause 7 of SEPP No 55 – Remediation of Land.** A Preliminary Site Investigation has been conducted. This report concludes that the site will be required to be remediated. Once this is completed the site is considered to have a very low risk of contamination and is unlikely to pose an unacceptable

risk of harm to human health or the environment. Conditions have been imposed to reinforce the remediation process.

- **Clause 7 of SEPP (Vegetation in Non-Rural Areas) 2017.** Clause 9 and 10, the proposal includes removal of trees which require Council approval.
- **Part 4 of SEPP (Educational Establishments and Childcare Facilities) 2017.**
All Clauses of this SEPP have been satisfactorily addressed and complied with.
- **Part 4 of Regional Development of SEPP (State and Regional Development) 2011.** The proposal is a Regional Development as defined under Schedule 4A of the Act and the Northern Region Joint Regional Planning Panel is the consent authority for the function of making determination on this DA.
- **Clauses 1.9A, 2.2, 2.3, 2.7, 4.3, 4.4, 5.10 and 7.13 of Port Macquarie-Hastings Local Environmental Plan 2011**
All clauses of this LEP relating to permissibility, floor space ratio and satisfactory arrangements for essential services are all complied with.
A clause 4.6 Variation to Clause 4.3 (Height of Buildings) is proposed.

In summary, the assessment of the proposed development has adequately addressed all consent considerations required by the above environmental planning instrument clauses. It is therefore considered that the Panel can proceed with determining the Development Application, subject to the recommended conditions of consent.

1. BACKGROUND

Existing sites features and surrounding development

The site is located on the multi fronted site facing Waugh, Campbell and Mackay Streets, Wauchope. The aerial photograph below provides an overview of the site,

[illegible]

The subject site is known as 2 Waugh Street, 31 Campbell Street, Mackay Street & 2 Johnstone WAUCHOPE, and has the legal description Lot 1 DP 795186, Lot 1 DP 91019, Lot 11 DP 1168214, Lot 1 DP 158568, Lot 1 DP 161649 & Lot 1 DP 197045 and a total area of approximately 2.78 Ha.

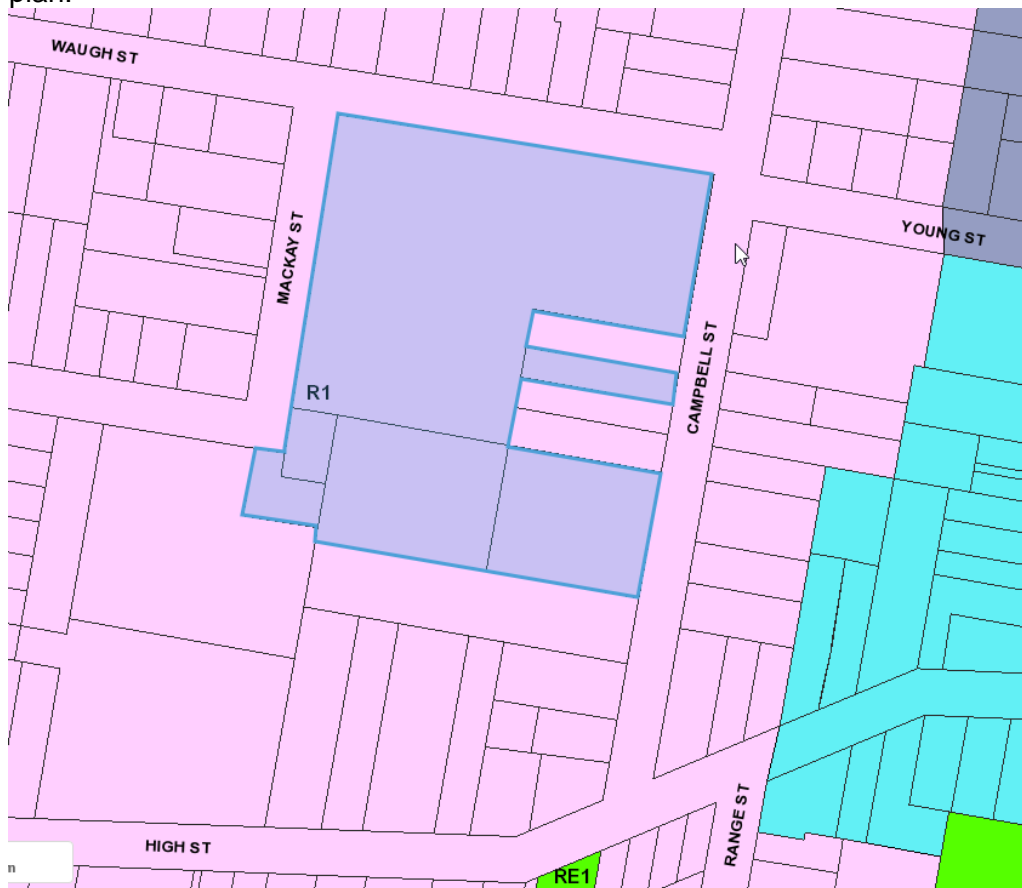
The site has a frontages to Waugh, Campbell and Mackay Streets. Three remnant residential lots under private ownership are toothed into the site facing Campbell Street.

Existing on the site are existing school buildings and outdoor play areas. Main access to the site is via Waugh Street. There is currently no formal parking on the site with users parking generally along Mackay Street.

The following development surrounds the site:

- North: Development opposite the subject site on the northern side of Waugh Street comprises low scale residential development.
- West: Development to the immediate west of the subject site comprises low scale residential development. Further to the south west are existing medical uses and Bundaleer Nursing Home.
- East: Adjoining the site to the east is North Coast Institute of TAFE and private residences.
- South: South of the site is an established low-density residential area.

The site is currently zoned R1 General Residential, in accordance with the Port Macquarie-Hastings Local Environmental Plan 2011, as shown in the following zoning plan.



2. DESCRIPTION OF DEVELOPMENT

In summary the proposed development comprises the following:

- Removal/demolition of six (6) demountable buildings and two school buildings (Block 4 & 6).
- Removal of 5 trees.
- Remediation of localised soil contamination and certification.
- Erection of two storey school block consisting of 13 home base classrooms and outdoor learning areas.
- Landscaping works including outdoor pathways and seating.



Plans of the proposed development are included in the attachments to this report

Application Chronology

- 7 September 2017 – DA lodged with Council.
- 21 September 2017 – 20 October 2017- Neighbour notification of proposal
- 6 November 2017 – Meeting to discuss heritage matters
- 19 January 2018 – Additional information received from Applicant including a response to submission issues raised

- 5 February 2018 – Additional information requested from Applicant – question west side setback, retention of tree on east neighbouring property, swept paths for vehicles and traffic assessment technical data.
- 14 February 2018 – Additional information received from Applicant including an amendment to the west side setback of building.

3. STATUTORY ASSESSMENT

The provisions (where applicable) of:

(a)(i) Any environmental planning instrument

State Environmental Planning Policy No. 44 - Koala Habitat Protection

With reference to clauses 6 and 7, the subject land is greater than 1 hectare (including any adjoining land under same ownership) and therefore the provisions of SEPP must be considered.

The application has demonstrated that no habitat will be removed or modified. Therefore, no further investigations are required.

State Environmental Planning Policy No.55 – Remediation of Land

GHD are managing the geotechnical/contamination assessment for the project. The surface and subsurface soil has been identified as unsuitable from a geotechnical perspective and as a result the expected civil works include 750mm deep removal and replacement.

Contamination of the soil has also been identified in some locations of the upper 500mm (accessible locations around Building 6 tested to date). Remediation of this contamination will be undertaken in concurrence with the removal of surface soils (ie tested/disposed of accordance with relevant waste classification). SEPP 55 is applicable to the remediation component of the proposed works.

Conditions of consent have been applied in relation to remediation works, which are required to be completed prior to commencement of works. Council's Environmental Health Officer has reviewed the application and deemed such an approach acceptable.

State Environmental Planning Policy No. 62 – Sustainable Aquaculture

Given the nature of the proposed development and proposed stormwater controls, the proposal will be unlikely to have any adverse impact on existing aquaculture industries.

State Environmental Planning Policy No. 64 – Advertising and Signage

The proposal includes general identification signage and badging for three (3) signage zones in limited area as shown on the plans submitted. The proposed signage satisfies the applicable requirements of this SEPP. The assessment table provided below provides consideration of the signage in accordance with Schedule 1 of the SEPP.

Applicable clauses for consideration	Comments	Satisfactory
Clause 8(a)	The proposed signage is consistent with the	Yes

Consistent with objectives of the policy as set out in Clause 3(1)(a).	objectives of this policy.	
Schedule 1(1) Character of the area.	The signage is consistent with the desired future character of the area and locality as it is limited to the building's purpose and does not protrude above the building.	Yes
Schedule 1(2) Special areas.	The signage will not detract from the amenity or visual quality of any special areas.	Yes
Schedule 1(3) Views and vistas.	The signage will not obscure or adversely impact on any views of vistas.	Yes
Schedule 1(4) Streetscape, setting or landscape.	The signage is proportionate to the building proposed and the site to which it will be installed and will not detract from the streetscape.	Yes
Schedule 1(5) Site and building.	The signage is of a suitable scale and proportion to the site which it's to be located.	Yes
Schedule 1(6) Associated devices and logos with advertisements and advertising structures.	No safety devices or logos nominated.	Yes
Schedule 1(7) Illumination.	No illumination proposed.	Yes
Schedule 1(7) Safety.	No adverse safety impacts identified from the proposed signage.	Yes

State Environmental Planning Policy (State and Regional Development) 2011

This policy aims to identify state and regionally significant development or infrastructure and confer functions on Joint Regional Planning Panels.

Clause 20 and 21, regional development is triggered by the development. Schedule 4A to the Act identifies the development for which a regional panel is authorised to exercise the consent authority function.

Clause 5 of schedule 4A reads as follows:

5 Crown development over \$5 million

Crown development that has a capital investment value of more than \$5 million

The proposed development meets Clause 5 as the proposal has an estimated construction value greater than \$5 million and it has been lodged on behalf of the Crown.

Clause 21 identifies the Northern Joint Regional Planning Panel as the consent authority. The purpose of this report is to provide an assessment of the Development Application in accordance with Section 79C of the Act.

State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

Clause 9 and 10, the proposal includes removal of trees which require Council approval. The removal of these trees is assessed under the flora and fauna section of this report.

State Environmental Planning Policy (Educational Establishments and childcare Facilities) 2017

SEPP PART 4 SCHOOLS Assessment Table		
Requirement	Proposed	Complies
Clause 33 – Definition of “prescribed zone”	The site is zoned R1-General Residential, which is identified as a prescribed zone within the definition.	Yes
Clause 34 - Development for the purposes of student accommodation.	Not applicable- no accommodation proposed	N/A
Clause 35 – Schools-development permitted with consent	Schools are permissible with consent in any prescribed zone (including R1). The design quality principles detailed in Schedule 4 of the SEPP have been considered and a design statement submitted.	Yes
Clause 36 –Schools-Development permitted without consent	The proposal does not comply with these provisions, therefore needs development consent.	Yes
Clause 37 – Notification of carrying out certain development without	Not Applicable	N/A
Clause 38- Existing schools-Exempt Development	The proposal is not considered to be exempt development.	N/A
Clause 39- Complying Development	Not applicable, the site is heritage listed and therefore cannot be considered as complying development, as per the SEPP (Exempt and Complying Development Codes) 2008.	N/A
Clause 40 – School Based	Not Applicable	N/A

Childcare- complying development		
Clause 41-Complying development certificates – additional conditions	Not Applicable	N/A
Clause 42 - State significant development for the purpose of schools – application of development standards in environmental planning instruments	Not applicable, the proposed development is not State significant.	N/A
SEPP PART 5 UNIVERSITIES		
Sections 43-49	Not Applicable	N/A
SEPP PART 6 TAFE ESTABLISHMENTS		
Sections 5-56	Not Applicable	N/A
SEPP PART 7 GENERAL DEVELOPMENT CONTROLS		
Clause 57	Not Applicable	N/A- no change to student numbers proposed

Port Macquarie-Hastings Local Environmental Plan 2011

- Clause 2.2, the subject site is zoned R1 General Residential.
- Clause 2.3(2), the consent authority must have regard to the objectives of a zone when determining a Development Application.
The objectives of the R1 General Residential zone are as follows:
 - *To provide for the housing needs of the community.*
 - *To provide for a variety of housing types and densities.*
 - *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The proposal complies with the objectives as the development is a permissible use and provides a facility to meet the day to day needs of residents.
- Clause 2.7 the proposed demolition/removal of the selected school buildings and associated structures on the site is permissible. A suitable demolition condition has been recommended to manage any potential asbestos within these buildings.
- Clause 4.3, the maximum overall height of the proposal above ground level (existing) varies to a maximum 12.28m in height at the eastern elevation of the building. This height exceeds the standard height limit of 8.5m applying to the site. A clause 4.6 variation has been applied for as part of the DA and is addressed below.



- Clause 4.6, the Applicant has submitted a request to vary the 8.5m standard height limit in part to a height of 12.28m for the following reasons:
 - The proposed roofline of the structure provides a high roof pitch which adds to the architectural interest of the proposed building,
 - The department of education require higher than normal ceiling heights within classrooms, which raise the height of the structure.
 - The site slopes and this means that part of the building is higher than it would normally appear as it needs to be built up to ensure access.
 - The height at the street frontage contains only a small section higher than the 8.5m limit at 8.75m.
 - The building will not overshadow residential development.

The above justifications for seeking a variation to the standard building height restriction are well founded and reasonable. In particular, the assessing officer agrees with the reasons put forward by the applicant. In addition, the assessing officer provides the following additional justification:

- The area of variation is centrally located within the building structure and provides a sense of identity and framing to the large area that the school site occupies.
- The design blends in with the future character of the area given the TAFE location and expanding Hospital/ nursing home precinct.
- The design provides for an architecturally interesting roof design that also allows for natural light and ventilation to the learning spaces.

- A change to the height control to 11.5m applies on the eastern side of Campbell Street opposite the proposed new works.

It should also be noted that the Director General's concurrence from the Department of Planning and Infrastructure is assumed for Council's assessment of the building height variation under Planning Circular PS 18-003.

- Clause 4.4, the floor space ratio of the proposal is 0.45:1.0 which complies with the maximum 0.65:1 floor space ratio applying to the site.
- Clause 5.10 of the plan aims to conserve the heritage significance of items, objects and areas identified under this plan. Items of heritage significance exist onsite in the form of a number of school blocks (one of which is proposed to be removed) and landscape elements. The issue of heritage is discussed further in this report under the Heritage heading.
- Clause 7.13, satisfactory arrangements are in place for provision of essential services including water supply, electricity supply, sewer infrastructure, stormwater drainage and suitable road access to service the development.

The requirements of this LEP are considered to be satisfied.

(a)(ii) Any proposed instrument that is or has been placed on exhibition

No draft instruments apply to the site.

(a)(iii) Any DCP in force

Port Macquarie-Hastings Development Control Plan 2013:

The following tables provide a checklist against the Development Provisions requirements of this DCP.

<i>DCP 2013: General Provisions</i>			
	Requirements	Proposed	Complies
2.7.2.2	Design addresses generic principles of Crime Prevention Through Environmental Design guideline	The layout does not create any crime safety issues. The design allows separation from habitat/concealment areas and allows greater surveillance of the school grounds. Appropriate lighting and CCTV can be provided to improve safety as well – subject to a condition that the lighting is not obtrusive.	Yes
2.3.3.1	Cut and fill 1.0m max. 1m outside the perimeter of the external building walls	Cut and fill >1.0m change 1m outside the perimeter of the external building walls.	Yes
2.3.3.2	1m max. height retaining walls along road frontage	None proposed.	N/A
	Any retaining wall >1.0 in height to be certified by structure engineer	Condition recommended to require engineering certification.	Yes
	Combination of retaining wall and front fence height	General school security fencing proposed.	Yes

DCP 2013: General Provisions

	Requirements	Proposed	Complies
	max 1.8m, max length 6.0m or 30% of frontage, fence component 25% transparent, and splay at corners and adjacent to driveway		
2.3.3.8	Removal of hollow bearing trees	No hollow trees proposed to be removed.	N/A
2.6.3.1	Tree removal (3m or higher with 100m diameter trunk at 1m above ground level and 3m from external wall of existing dwelling)	Tree removal applied for and addressed later in this report.	Yes
2.4.3	Bushfire risk, Acid sulphate soils, Flooding, Contamination, Airspace protection, Noise and Stormwater	Refer to main body of report.	
2.5.3.2	New accesses not permitted from arterial or distributor roads	No new access proposed to arterial or distribution road.	N/A
	Driveway crossing/s minimal in number and width including maximising street parking	Existing and no changes proposed or required.	Yes
2.5.3.3	Parking in accordance with Table 2.5.1. 3 per consultant + 1 per 2 employees $13.5 \text{ consultants} \times 3 = 40$ $7 \times 0.5 = 3.4$ (4) Total = minimum 44 required	No parking currently exists on site. No significant change to student numbers proposed that warrant new/additional parking.	N/A
2.5.3.11	Section 94 contributions	Refer to main body of report.	
2.5.3.12 and 2.5.3.13	Landscaping of parking areas	No parking area proposed or required.	N/A
2.5.3.14	Sealed driveway surfaces unless justified	No change to driveways proposed or required.	N/A
2.5.3.15 and 2.5.3.16	Driveway grades first 6m or 'parking area' shall be 5% grade with transitions of 2m length	No change to driveways proposed or required.	N/A
2.5.3.17	Parking areas to be designed to avoid concentrations of water runoff on the surface.	No parking area proposed or required.	N/A

(a)(iii)(a) Any planning agreement or draft planning agreement

No planning agreement has been offered or entered into relating to the site.

(a)(iv) Any matters prescribed by the regulations

Demolition of buildings AS 2601 – Clause 92

Demolition of the existing building on the site is capable of compliance with this Australian Standard and is recommended to be conditioned.

(a)(v) Any Coastal Zone Management Plan

No Coastal Zone Management Plan applies to the subject site.

(b) The likely impacts of that development, including environmental impacts on both the natural and built environments and the social and economic impacts in the locality

Context and Setting

The school is situated within a multi-use precinct with a mixture of low scale residential development interspersed with commercial, medical and educational uses.

The school has become a patchwork of different styles of buildings resulting in cluttered appearance from the street and development within the site. The proposed structure will provide for a pleasing framing and identity within the streetscape and enable removal of temporary demountable buildings and consolidation of structures.

The building placement has also had satisfactory regard to the other existing developments in the locality and therefore the proposal will be unlikely to result in adverse impacts to the streetscape.

The proposal will be unlikely to have any adverse impacts to existing adjoining properties and satisfactorily addresses the public domain.

The proposal is considered to be compatible with other development in the locality and adequately addresses planning controls for the area as justified.

The proposal will not have a significant adverse impact on existing view sharing.

The proposal will not have significant adverse lighting impacts subject to compliance with the recommended conditions.

There are no significant adverse privacy impacts to the immediately adjoining neighbouring properties. Adequate building separation is proposed/existing.

There are no identifiable no adverse overshadowing impacts. The proposal does not prevent adjoining properties with residential occupation from receiving 3 hours of sunlight to private open space and primary living areas on 21 June.

Roads

The site has road frontage to Waugh Street, Mackay Street and Campbell Street..

Traffic and Transport

The application includes a Traffic Impact Assessment form StreetWise Road Safety & Traffic Services Pty Ltd (undated). Findings of the study determined:

The completed project will not increase traffic generation or parking requirements of the school, and will therefore have no significant impact on the local road network. Also, construction is scheduled during school holidays, with traffic volumes significantly less than during normal school activities. Any impacts created by movements of construction vehicles can be addressed via a Construction Traffic Management Plan.

Site Frontage & Access

All existing accesses shall be retained.

Parking and Manoeuvring

The works will result in no significant changes to student numbers and therefore minimal changes to the overall existing traffic generation of the school. Also, no changes are proposed to school parking areas or access locations. Therefore, the completed works are unlikely to have any significant impact on the local road network.

Water Supply Connection

Council records indicate that the development site has an existing 40mm metered water service.

Final water service sizing will need to be determined by a hydraulic consultant to suit the domestic and commercial components of the development, as well as fire service and backflow protection requirements in accordance with AS3500. Refer to relevant conditions of consent.

Sewer Connection

Council records indicate that the development site is connected to Sewer via junction to the existing sewer line that traverses the development site.

The existing 150mm Asbestos Cement sewer main that traverses the development site must be replaced in PVC pipe from the sewer manhole in Campbell Street (W02P077). If adequate cover cannot be achieved over the sewer main and replacing it in its existing location is not acceptable to the Sewer Section, then the sewer main must be relocated clear of the building. The existing sewer junction must also be clear of the building. Engineering plans must be provided to Sewer Section for assessment.

Detailed plans will be required to be submitted for assessment with the S.68 application.

Refer to relevant conditions of consent.

Stormwater

The site naturally grades towards the north-east and is currently serviced by a direct connection to the public piped drainage system.

The legal point of discharge for the proposed development is defined as a direct connection to Council's stormwater pipeline.

A detailed site stormwater management plan will be required to be submitted for assessment with the S.68 application and prior to works commencing. Overall, stormwater is considered capable of being addressed.

In accordance with Councils AUSPEC requirements, the following must be incorporated into the stormwater drainage plan:

- On site stormwater detention facilities
- Water quality controls

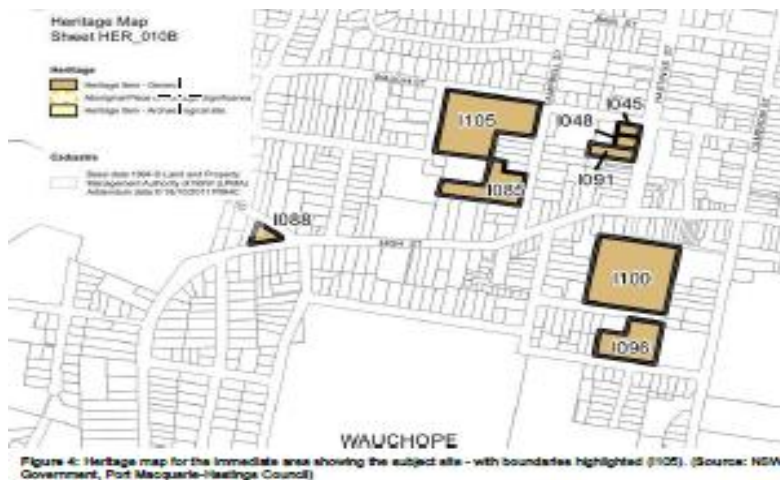
Refer to relevant conditions of consent.

Other Utilities

Telecommunication and electricity services are available to the site.

Heritage

Wauchope Public School (Building B006) is listed as an item of local heritage significance in the Hastings Local Environmental Plan 2001. The description in the Local Environmental Plan states that the “Primary School buildings, mature palms and fencing (excluding additions) (HS0105)” are included in the listing. The subject of land has been identified as Lot 1 DP795186. The school is also included on the State Heritage Inventory as an item of local significance. It is not however, listed in the State Register.



The Council's heritage inventory states that the building style is Inter-War California

Bungalow and described as “Large school with classrooms arranged in a lineal form with verandahs on one side. Simple weatherboard structures with gable ends and nine pane window sashes. Typical of the early 1920’s. Grounds include mature palms and sympathetic mesh on timber fencing”.

The subject Building (B006) is a weatherboard building listed as an item of local heritage significance in the Hastings Local Environmental Plan 2001. It was erected in 1917 and it was the first building on the new site that had been resumed in 1913. The building originally consisted of four classrooms but was extended in 1920 with the addition of the original 1883 double classroom building which was incorporated into the structure with matching weatherboards and windows.

The Heritage Report prepared by the NSW Department of Education Heritage Officer states:

“The building has been considerably altered both externally and internally with the result that it is not representative of school buildings erected in 1917 even though it appears to have original windows located on the eastern and southern elevations and chimneys remain in place.

Alterations were made in 1944 when a double window was installed on the northern elevation and in 1953 when the verandahs on the northern and western elevations were enclosed. Aluminium windows were installed during the 1980’s or 1990’s. During this period, partitions between classrooms were replaced with gyprock walls, external walls between the outside of the building and the verandah were removed to incorporate the space into the classrooms to provide wet areas or classrooms altered to provide office and storage facilities . The corrugated iron roof and original ventilators were probably replaced in 2003 with colourbond roof sheeting and turbo ventilators.”

A number of meetings have been held between the Applicant, Council staff and Council’s Heritage Advisor to gain a greater understanding of the challenges of retention of the building and the possibilities for preservation or interpretation of the building. As a result the applicant was requested to provide additional supporting documentation for consideration by Council and Council’s Heritage Advisor.

The following comments were provided by Council’s Heritage Advisor:

“Following receipt of the supplementary document from APP the NSW Dept of Education’s consultants entitled “Information to Support proposed demolition of Block 6. November 2017” significantly more information become available and there is now a way of moving forward taking into account proposed interpretation, archival recording, design rationale and possible salvage and reuse of building materials.

Consideration has now been given to the condition of the building, contamination through lead paint and asbestos and its loss of integrity through insensitive change and adaptation and physical shortcomings in serving the end users.

Retention would necessitate undue difficulty in management of playground and lunchtime programming and supervision of activities. There are also physical constraints that need to be considered considering the special needs component of the new building that must be met. The way forward necessitates agreement to the following conditions:

- *Block 7 and its associated landscape now becomes much more important for retention on the site and its integration into the delivery of education to the local children and its ongoing viability and management/maintenance must be assured. Future demolition of this structure will not be considered and assurance must be made that due provisions are made for the ongoing retention and maintenance of the building. To this end a Conservation Management Strategy is to be prepared, and lodged with Council for review and availability through the Local Studies Section of the Local Library.*

- *Block 6 shall be archivally recorded through the preparation of measured drawings and the photographic recording of the building prior to demolition and in the process of removal.*

- *Options for salvage or sale and relocation of the building or part of the building should be taken into account and considered. It is understood that a number of community groups in the Wauchope area are vying for the opportunity to obtain the building and have it removed from the site to their location. This seems like a good outcome.*

- *Alternatively, there is ample opportunity for the salvage and reuse of material elements of the building.*

- *Interpretation of the historical development of the School site/sites and block 6 as well as the commercial and historical development of Wauchope. The Interpretation Strategy and implementation proposals are to be developed in conjunction with/consultation with the Councils' Heritage Advisor.*

These elements/conditions shall be satisfactorily fulfilled prior to the issue of the Occupancy Certificate."

Conditions of consent requiring compliance with the recommendations have been applied.

Other land resources

The site is within an established urban context and will not sterilise any significant mineral or agricultural resource.

Water cycle

The proposed development will be unlikely to have any adverse impacts on water resources and the water cycle.

Soils

The proposed development will be unlikely to have any adverse impacts on soils in terms of quality, erosion, stability and/or productivity subject to a standard condition requiring erosion and sediment controls to be in place prior to and during construction. Contamination has been addressed elsewhere in this report.

Air and microclimate

The construction and/or operations of the proposed development will be unlikely to result in any adverse impacts on the existing air quality or result in any pollution. Standard precautionary site management condition recommended.

Flora and fauna

A total of 5 trees (1 x Eucalypt, Jacarandas, Camphor Laurels) along Waugh Street have been identified within the boundaries of the site to be removed. The significant heritage palms are to be retained and additional landscaping provided. No significant impact considered likely.

Waste

Satisfactory arrangements are in place for proposed storage and collection of waste and recyclables. No adverse impacts anticipated. Standard precautionary site management condition recommended.

Energy

The proposal includes measures to address energy efficiency and will be required to comply with the requirements of Section J of the Building Code of Australia. No adverse impacts anticipated.

Noise and vibration

No increased adverse impacts anticipated. The proposed hours of operation are acceptable and a condition is recommended to restrict construction to standard construction hours.

Bushfire

The site is not identified as being bushfire prone.

Safety, security and crime prevention

The proposed development will be unlikely to create any concealment/entrapment areas or crime spots that would result in any identifiable loss of safety or reduction of security in the immediate area.

Social impacts in the locality

The proposal will deliver improved facilities and education opportunities for students in the area to the benefit of the population and community of Wauchope.

The proposal therefore is considered to have a positive impact in terms of social impacts.

Economic impact in the locality

No adverse impacts. A likely positive impact is that the development will maintain employment in the construction industry, which will lead to flow impacts such as expenditure in the area.

Site design and internal design

The proposed development design satisfactorily responds to the site attributes and will fit into the locality. No adverse impacts likely.

Construction

A National Construction Code (NCC) Assessment Report prepared by TT Building Surveyors has been submitted with the DA. The Report concludes that the proposal is capable of complying with the NCC.

No potential adverse impacts identified to neighbouring properties with the construction of the proposal subject to conditions requiring engineering certification and a dilapidation report being prepared.

Cumulative impacts

The proposed development is not expected to have any adverse cumulative impacts on the natural or built environment or the social and economic attributes of the locality.

(c) The suitability of the site for the development

The proposal will fit into the locality and the site attributes are conducive to the proposed development.

All potential site constraints have been adequately addressed and appropriate conditions of consent recommended where required beyond what is proposed by the Applicant.

(d) Any submissions made in accordance with this Act or the regulations

Key issues raised in the four (4) submissions (3 in opposition and 1 in support) received and assessment comments in response to these issues are provided as follows:

Submission Issue/Summary	Planning Comment/Response
Demolition of the oldest building on a Heritage Listed site	The Applicant has provided additional information in response to the loss of the building from the site and the risks and challenges of retention of the building after strong concerns from the community and Council were raised. Additional consultation has been carried out with Council's Heritage Advisor to provide for ongoing retention of remaining blocks under a Conservation Management Strategy and Interpretive documentation and possible relocation and salvage of items from the building which is considered an acceptable compromise and response. See the Heritage Advisor's comments above in the Heritage heading of this report.
Traffic Management	A Traffic Impact Assessment has been submitted to Council and reviewed by Council's Traffic engineers. There is

	currently no parking available on site and it is proposed that the development will not significantly increase the number of students on the site or result in a significant increase in traffic movements to and from the site. A more detailed assessment is provided in the comments above in this report.
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(e) The public interest

The proposed development satisfies relevant planning controls, including well justified variations to objective based development control provisions and is not expected to impact on the wider public interest.

Ecologically Sustainable Development and Precautionary Principle

Ecologically sustainable development requires the effective integration of economic and environmental considerations in decision-making processes.

The four principles of ecologically sustainable development are:

- the precautionary principle,
- intergenerational equity,
- conservation of biological diversity and ecological integrity,
- improved valuation, pricing and incentive mechanisms.

Consideration of the proposal in relation to the ESD principles have been applied in the assessment of the environmental impacts of the development.

4. DEVELOPMENT CONTRIBUTIONS

Not applicable- the Crown has requested that they receive an exemption as a Crown

5. CONCLUSION

The application has been assessed in accordance with Section 79C of the Environmental Planning and Assessment Act 1979.

Issues raised during assessment of the application have been considered and where relevant, conditions have been recommended to manage the impacts attributed to these issues.

The site is suitable for the proposed development, is not contrary to the public's interest and will not have a significant adverse social, environmental or economic impact. Consequently, it is recommended that the application be approved, subject to the recommended conditions of consent provided in the attachment section of this report.