



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Alterations and Additions to Existing School, including increase in student numbers

Mackillop Catholic College-91 Sparks Road, Woongarrah

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1 Introduction

1.1 Commission

EPM Projects (EPM) has been commissioned by the Catholic Schools Broken Bay (CSBB) to prepare a Statement of Environmental Effects (SEE) for the proposed alterations and additions to the existing Mackillop Catholic College (the College) at 91 Sparks Road, Woongarrah (the site).

The SEE is to accompany a development application (DA) to Central Coast Council (Council). The site is zoned R1 General Residential (the R1 zone) under the *Central Coast Local Environmental Plan 2022* (the CCLEP) with educational establishments permitted with consent in the R1 zone.

1.2 Overview of Proposed Development

The proposed development aims to consolidate, upgrade and expand the existing learning facilities at the existing College. The consolidation facilities will be constructed in three (3) and intends to resolve some of the topographical challenges for access and use of available play space. The proposed development comprises the following alterations and additions to the existing college in stages:

- Demolition of thirteen (13) classroom buildings and ancillary structures
- Construction of a two-storey building comprising eight (8) new primary General Learning Areas (GLAs) (Block V)
- Construction of two-storey building comprising eight (8) new primary GLAs (Block W)
- Construction of three-storey building comprising twelve (12) new primary GLAs (Block T)
- Playground redevelopment and pathways
- Additional 275 students and 34 Staff

Full details of the proposed development are set out in the Architectural Plans, prepared by Stanton Dahl Architects (**Appendix A**).

1.3 Purpose of this Statement

The purpose of this report is to provide Council and relevant NSW State Government Agencies all pertinent information necessary to assess the subject development proposal and to determine the DA in accordance with section 4.16 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the *Environmental Planning and Assessment Regulation 2021* (the Regulation). The proposed development is assessable pursuant to Part 4 of the EP&A Act.

Pursuant to section 4.46 of the EP&A Act, the proposed development is integrated development as it is development for the purposes of a 'special fire protection purpose' and requires authorisation under the section 100B of the *Rural Fires Act 1997*.

As the proposed development will result in the school being able to accommodate 50 or more additional students on a site that has direct access to a road, the consent authority must provide written notice to Transport for NSW (TfNSW) pursuant to section 3.58 of *State Environmental Planning Policy (Transport and Infrastructure) 2021* (T&I SEPP).

The proposed development has an estimated development cost (EDC) of more than \$5 million and therefore pursuant to Schedule 6 of *State Environmental Planning Policy (Planning Systems) 2021*, the proposal is Regionally Significant Development, and will be determined by the Hunter and Central Coast Regional Planning Panel.

Due to the proposed development resulting in a breach of the 9.5m Height of Buildings development standard under Section 4.3 of the CCLEP, a Clause 4.6 variation statement has been prepared to support the non-compliance (**Appendix B**) in accordance with the Section 35B of the Regulation.

1.4 Consultation

On 12 October 2023, a Pre-DA meeting took place with Council, Stanton Dahl Architects and EPM to discuss the proposed development at the site. The following table identifies the sections and appendices where the matters raised by Council have been addressed.

Table 1 Central Coast Council Pre-DA Minutes	
Council Comments	Addressed in
Engineering	
Council recommended that a catchment analysis should be undertaken to determine the impact on the drainage system through the site for both the minor and major flows (5yr and 100yr ARI).	Section 6.1.3 Appendix E Appendix F
This would determine if the COLA area can be built over to upper reach of the swale within the site adjoining Mataram Road. This would also determine if any additional works are required to the swale system through the site and if any additional safety measure are need to the swale.	
The swale also forms part of the water quality treatment train through the site. Any alterations to the swale should have consideration to the effects on water quality. Any significant changes should be supported by modelling.	
Council stated that there would be no objection to the COLA spanning over the drainage easement if the drainage analysis supports the case. Any foundations supporting the structure would need to be compliant to Council's zone of influence requirements for Drainage pipes. See DCP extract below.	
Trees	
Council confirmed that an Arboricultural Impact Assessment would be required. The assessment must be prepared by a qualified arborist (minimum AQF Level 5) and include assessment of all trees (> 3 m in height) on, or where relevant, adjoining the subject site.	Section 6.1.1 Appendix D Appendix O
A detailed Landscape Plan would also be required to be submitted with the DA. It must be completed by a suitably qualified Landscape Architect/Designer with input from a qualified Ecologist.	
Council included that a landscaping maintenance and replacement criteria (minimum 3 years) would be required to be specified to ensure the establishment/survival of landscaping, replacement planting (where necessary) and weed removal.	
Traffic	
Council states that a traffic and parking impact report must accompany the DA. The traffic survey is to include Mataram Road and Mary MacKillop (4 leg intersection). It is proposed as signals in Council's contributions plan.	Section 6.4 Appendix J
The traffic consultant should assume that the Mataram Road connection between Hiawatha Road and Woongarra Drive exists.	
Urban Design	
Council commented that it would be good if the new buildings and play areas could incorporate or retain natural areas and materials to connect with environment and retain the playful nature of the school identity.	Section 6.1.1 Section 6.2 Appendix A Appendix P
Roof treatments will be a big consideration for the MacKillop school due to the surrounding topography and vantage points from the roads and the hilltop park.	Section 6.2 Appendix P
It would be good to see some variations in roof forms in the DA, especially by breaking up the two Blocks V and W. The roof forms of Blocks V and W are joined together and make the design appear very lengthy and monotonous. Consider different roof forms and how the two buildings may be connected but be visually	Section 6.2 Appendix A Appendix P

Table 1 Central Coast Council Pre-DA Minutes	
Council Comments	Addressed in
separated. This is important because this elevation on the west will be highly visible to the future residents.	
The development will also be viewed from the kiss and drop area and Block T should address this street elevation and provide a visual connection to the surrounding residential and a welcoming entry point.	Section 6.2 Appendix A Appendix P
SEPP Sustainable Buildings provides an opportunity to do something with roofs e.g. solar, rainwater collection, and also with the landscaping.	Appendix P Section 6.1.3
WSUD treatments are evident in the residential subdivisions and in the school, and it would be good to see this continued.	Section 6.1.3
Building height there may be good argument for varying the height limit as it is non-residential, will provide benefits, 3rd storey building is setback from boundary, could also provide a visual connection to the church.	Section 6.2.1 Appendix B
Environmental Health	
Council requested an acoustic report to provide a proper assessment of the impacts of construction and ongoing operation of the school on the surrounding residential receivers, prepared by a suitably qualified acoustic consultant that meets the technical eligibility criteria for membership with the Association of Australasian Acoustical Consultants.	Section 6.2.5 Appendix K
In addition, a Soil and Water Management Plan in accordance with Section 2.3 of the 'Blue Book' (Managing Urban Stormwater: Soils and Construction, Landcom, 2004). The plan should be prepared by a suitably qualified environmental/civil consultant.	Section 6.1.3 Appendix E Appendix F

Council's advice has been incorporated into proposed development and are further assessed in **Section 6** of this report.

2 The Site and Context

2.1 Site Location

The site is located within the existing Mary MacKillop College campus at 91 Sparks Road Woongarra and is within the Central Coast Council LGA (**Figure 1**).

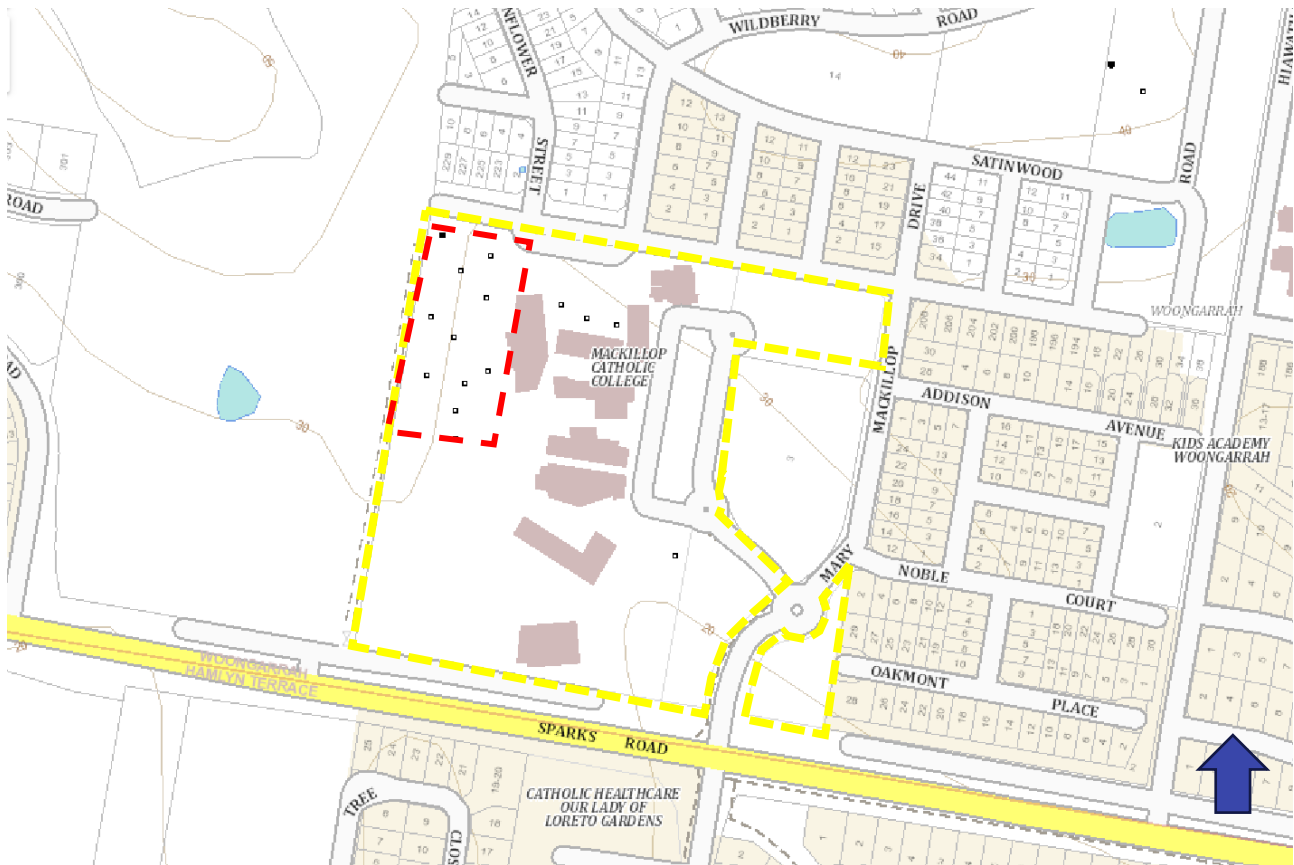


Figure 1 Site Location plan with the site boundary, outlined in yellow (source: ePlanning portal).

2.2 Site Description

The site is legally described as Lots 71 and 72 in Deposited Plan (DP) 1258149 and an aerial image of the site is shown at **Figure 2**.

The site is irregular in shape with 350 metres frontage to Sparks Road to the south, and to Mataram Road to the north. Mary MacKillop Drive and Minnesota Road intersect the site. The majority of school infrastructure is located on Lot 71.

The site contains sloping land, with a fall of more than 16 metres, generally from the northwest to the southeast, with undulations throughout.

The site comprises existing school buildings for K-12 education including, administration facilities, library, multi-purpose hall, indoor and outdoor learning spaces, sports courts, at grade and elevated pathways, vehicle circulation, carparking and play space as well as a church (corner Mataram & Minnesota Roads) and a presbytery (northwestern corner of the site).



Figure 2 Aerial Image of the existing site, outlined in yellow (source: NearMap dated 22 May 2024).

2.3 Site Context and Surrounding Development

To the east of the site is a medical centre and beyond it is low density residential development. The land to the north and west of the site is undergoing a substantial transformation from bushland to a low density residential subdivision including road corridors, dwelling lots and residual bushland. The southern boundary has frontage onto Sparks Road, which is a state classified road. Further to the south, is low density residential development and an aged care facility. **Figure 3** below shows the surrounding development.



Figure 3 Aerial image of the site, outlined in yellow, indicating surrounding development (source: NearMap dated 22 May 2024).

2.4 Site Considerations and Constraints

The site is subject to the following environmental mapping and constraints.

2.4.1 Zoning and Permissibility

The site is zoned R1 General Residential (the R1 zone) by the CCLEP and educational establishments are permitted with consent in R1 zoned land. In addition, the R1 zone is a prescribed zone for the purposes of school development under the T&I SEPP.

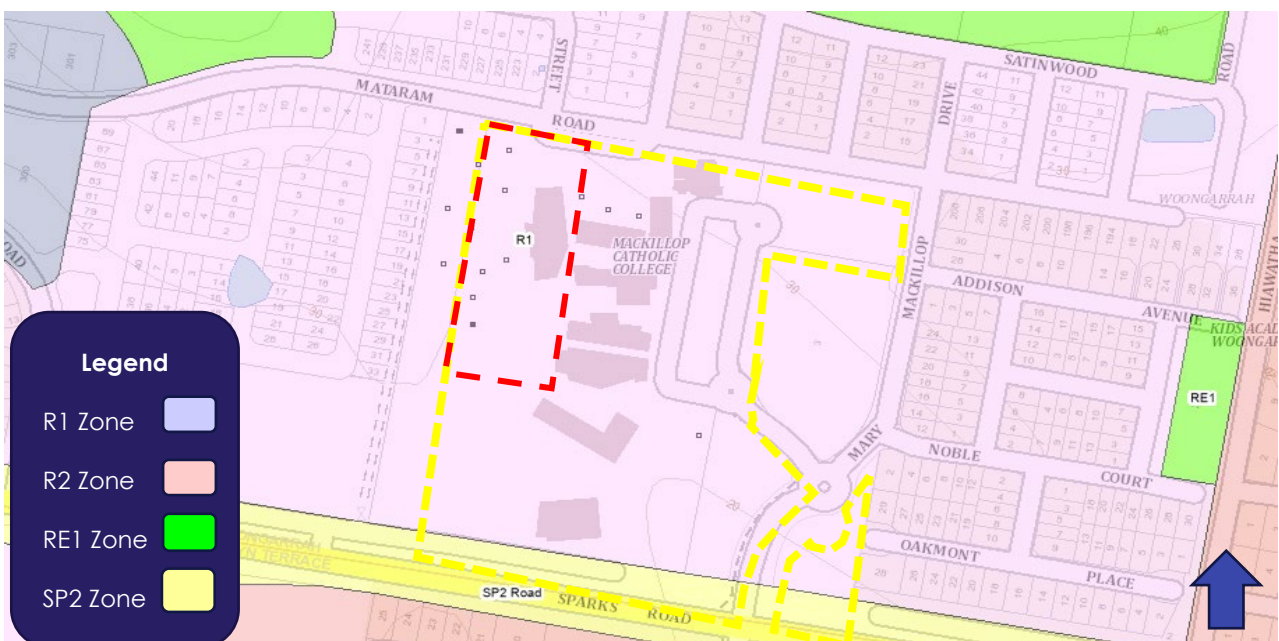


Figure 4 Extract of zoning map, with area of proposed works within the site outlined in red (source: ePlanning Spatial Viewer).

2.4.2 Height of Buildings

The site is subject to a maximum building height of 9.5m (**Figure 5**). The proposed development will result in Building T exceeding the 9.5m by a maximum of 4.2m, therefore in response, please see the accompanying Written Statement for the Clause 4.6 Variation (**Appendix B**).



Figure 5 Extract of height of building map, with area of proposed work outlined in red (source: ePlanning Spatial Viewer).

2.4.3 Bushfire

The site is partially mapped as bushfire prone land, with the western and northern parts of the site mapped as Vegetation Buffer and a small section in the northeastern corner mapped as Vegetation Category 1. It should be noted that the landscape profile of the surrounding land as shown in **Figure 3** has substantially changed as the bushland has been cleared for the emerging residential development.



Figure 6 Extract of bushfire map, with area of proposed works outlined in red (source: ePlanning Spatial Viewer, accessed 5/7/24).

2.4.4 Flooding

The south-eastern corner of the site is mapped within the Probable Maximum Flood (PMF) extent. However, the area of proposed work is not affected by the PMF extent.

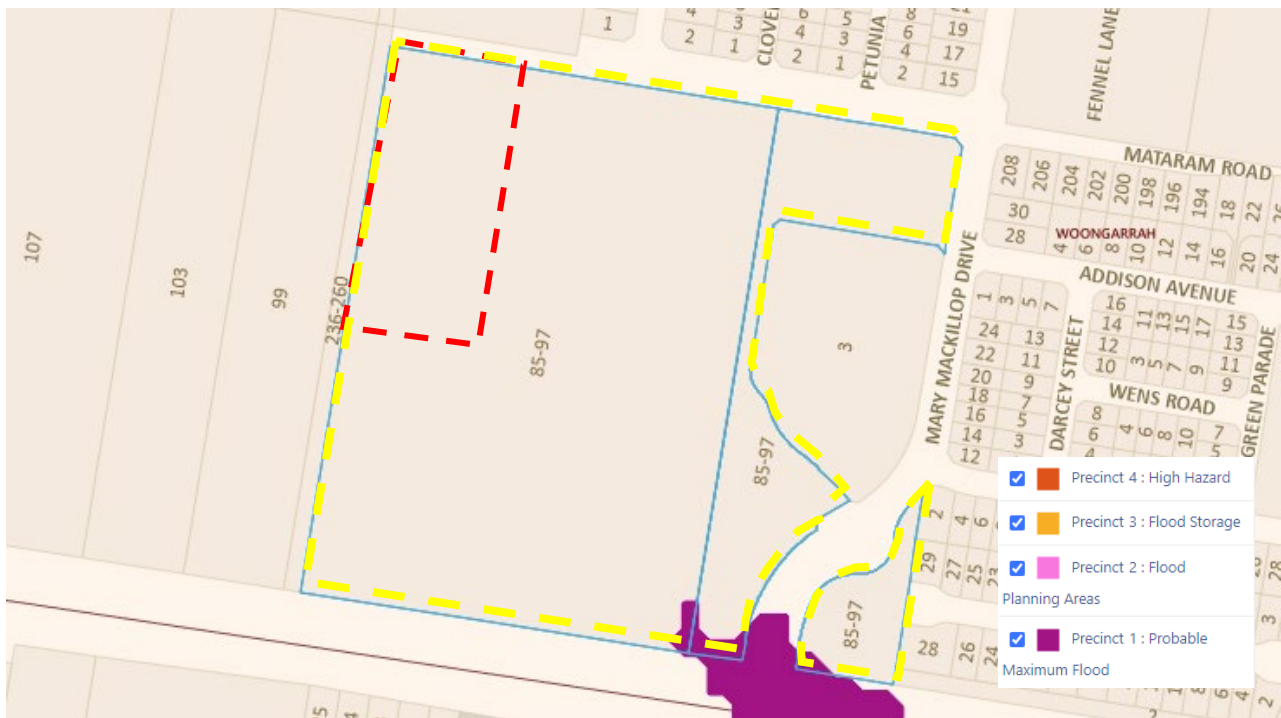


Figure 7 Extract of flood planning map, with area of proposed works outlined in red (source: Central Coast Council website).

2.5 Easement and Encumbrances

EPM has obtained copies of the property files applying to the land to identify any encumbrances that apply outside of the planning controls covered elsewhere in this advice. The documents obtained by EPM include:

- 8BB - Instrument setting out terms of Easements or Profits – DP1155796
- Certificate of Title (CoT) for Lot 16 in DP 573234
- CoT for Lot 2 in DP 1155796
- CoT for Lot 7 in DP 7738
- DP 573234
- DP 1155796
- DP 7738

2.6 Development Consents

A request to provide all development consents applying to the site was submitted to Council on 19 February 2022, under the *Government Information (Public Access) Act 2009* (GIPA Act).

Table 2 below provides an overview of the relevant consents available on Council records:

Table 2 DA Consents		
Date	DA Consent	Relevant Conditions
17/07/2002	2779/01 - Catholic School and Church Stage One	-
05/06/2023	392/03 – Stage 2 of Mackillop Catholic School	-
05/06/2003	392/03 A – Stage 2 of Mackillop Catholic College (Amended application)	-
21/08/2003	1427/03 - Playing Field and Tree Clearing at Mackillop Catholic College	-
04/05/2004	DA/2977/2003 – Stage 3 of Mackillop Catholic College	-
11/05/2004	DA-2977/2003/A – Stage 3 of Mackillop Catholic College (Amended application)	-
11/05/2004	DA/2977/2003/B – Stage 3 of Mackillop Catholic College (Amended application)	-
11/05/2004	DA/2977/2003/C – Stage 3 of Mackillop Catholic College (Amended application)	-
11/05/2004	DA/2977/2003/D – Mackillop Catholic College (Amended application re-positioning of kindergarten and administration buildings)	-
11/05/2004	DA/2977/2003/F - Mackillop Catholic College (Amended application)	-
03/03/2010	DA/1304/2009 - Multipurpose Hall (Mackillop Catholic College)	-
17/11/2010	DA/226/2010 – 5 Lot subdivision in 2 stages	-
20/08/2014	DA/498/2014 – Subdivision (Boundary adjustment)	-
02/06/2016	DA/572/2016 - Entry Signage Wall – Mackillop Catholic College	-

3 Proposed Development

3.1 Summary of Proposed Development

The proposed development aims to consolidate, upgrade and expand the existing learning facilities at the existing College. The consolidation facilities will be constructed in three stages (3) and intends to resolve some of the topographical challenges for access and use of available play space. The proposed development include:

- Demolition of classroom buildings and ancillary structures
- Construction of one (1) three storey (Block T) and two (2) two storey classroom buildings (Blocks V and W)
- Construction two (2) new amenities buildings
- Creation of new outdoor play areas
- Tree removal and landscape works
- Ancillary enabling works and access upgrades, including works over an existing easement
- Increase in the staff and student population from 1,555 to 1,830 (net increase of 275 students)
- Increase in staff numbers from 136 to 170 (net increase of 34 staff)

A full set of Architectural Drawings prepared by Stanton Dahl Architects can be found at **Appendix A**.

Figure 8 is an extract of the proposed site plan.

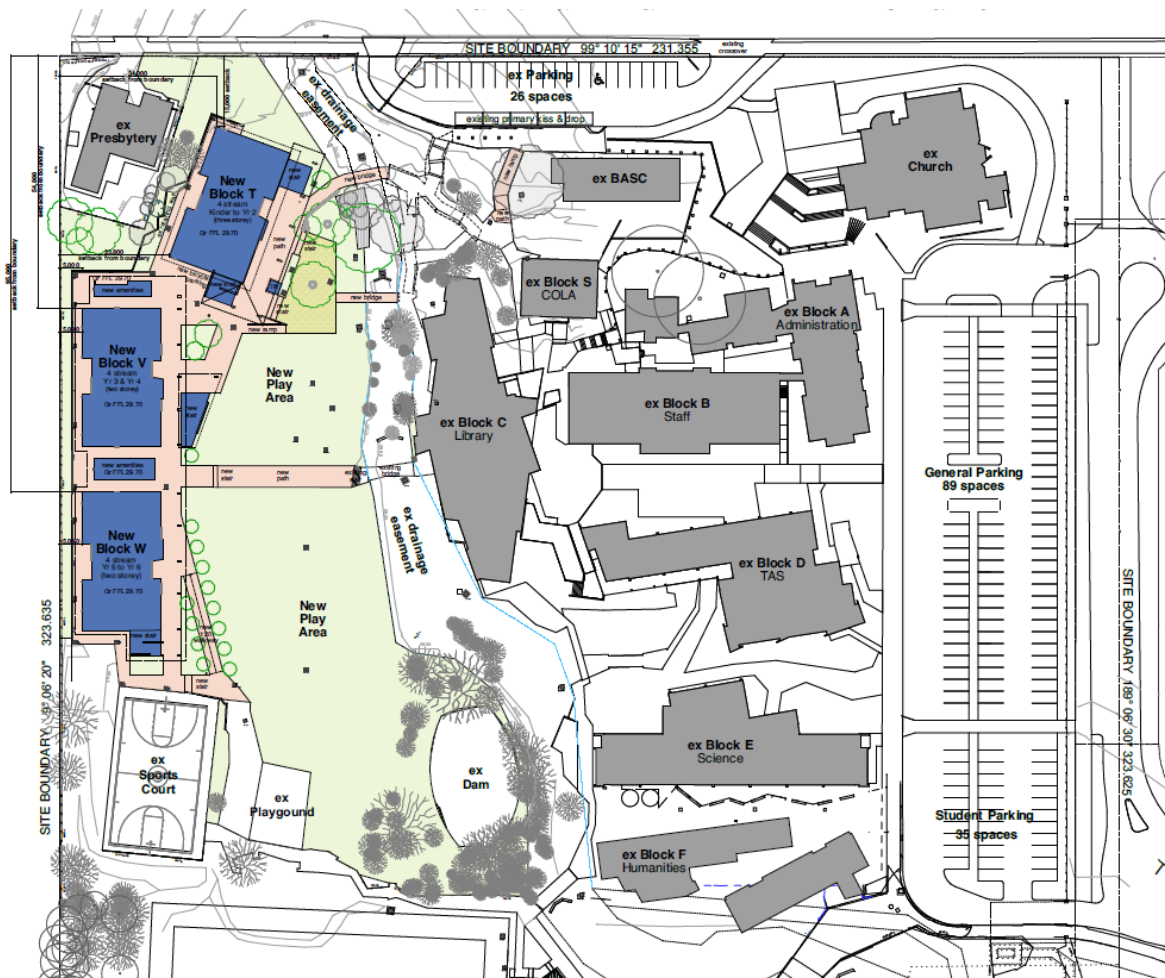


Figure 8: Extract of proposed site plan (source: Stanton Dahl Architects).

3.2 Description of Works

3.2.1 Demolition

The proposed development comprises the demolition of 16 buildings clustered adjacent to the northwest corner of the campus and includes the demolition and removal of:

- Seven (7) permanent classroom blocks and associated amenities
- Six (6) demountable buildings
- Three (3) amenities/stores structures
- Existing pathways, shade sails and hard stand areas

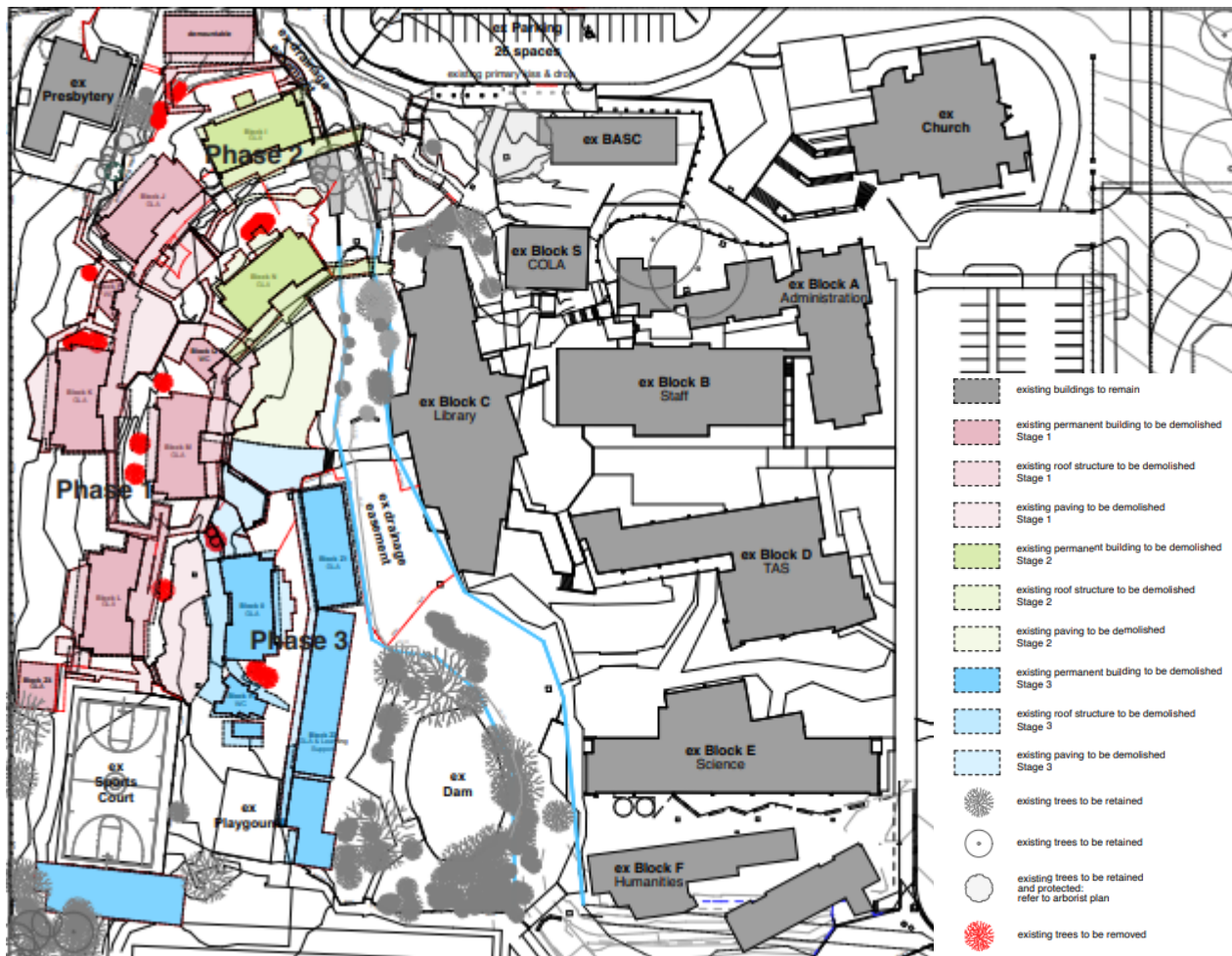


Figure 9: Extract of the proposed demolition plan (source: Stanton Dahl Architects).

3.2.2 Earthworks

To enable to creation of new play areas and a construction pad for new buildings, the proposed development will include cut and fill works in the northwestern portion of the College campus. As shown in **Figure 10** below the proposed earthworks will reduce the contour height to provide a maximum 20% gradient between bench levels of the existing and proposed development.

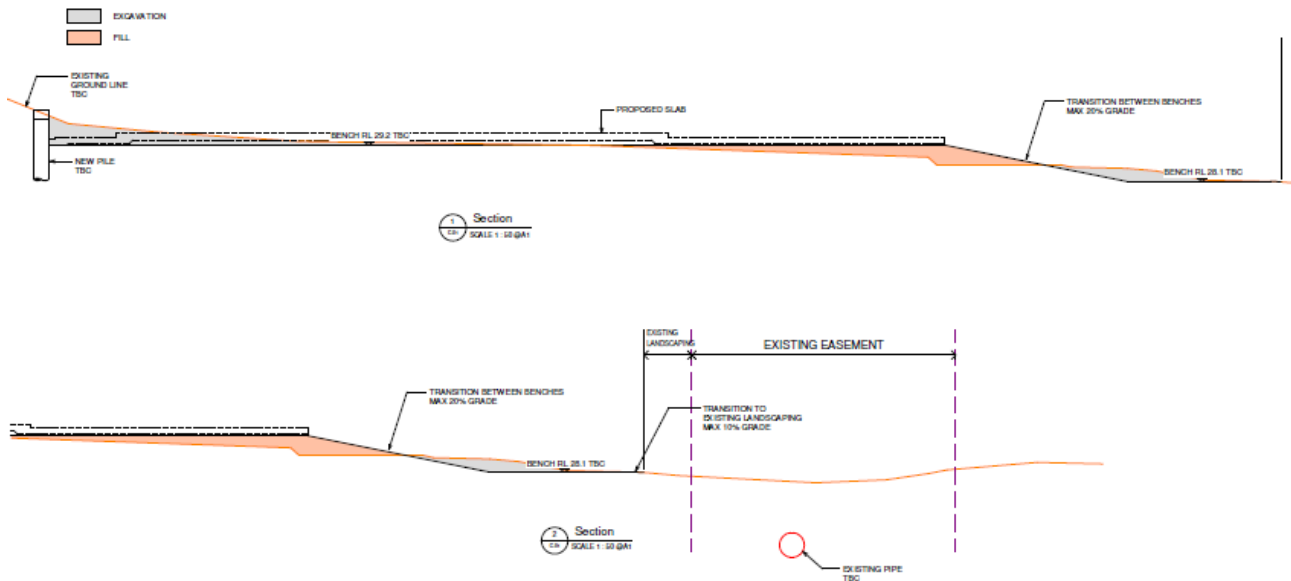


Figure 10: Extract of proposed cut and fill section (Source James Taylor & Associates)

3.2.3 New Buildings

The proposed development comprises the construction of three (3) new buildings (Blocks V, T & W) and associated amenities facilities comprising:

- Block V, a two storey building for Year 3 and Year 4 students comprising:
 - (8) new primary school general learning areas (GLAs)
 - Shared practical activity area
 - Circulation space
 - Withdrawal
 - WCs
 - Store
- Block W, a two storey building for Year 5 and Year 6 student comprising:
 - (8) new primary school general learning areas (GLAs)
 - Shared practical activity area
 - Circulation space
 - Withdrawal
 - WCs
 - Store
- Block T, a three storey building for Kindergarten to Year 2 students comprising:
 - (12) new primary school general learning areas (GLAs)
 - Shared practical activity area
 - Circulation space
 - Withdrawal
 - WCs
 - Store
- Ancillary works comprising:
 - Two (2) New amenities blocks and stores
 - Play area consolidation
 - Pathway and access works

Building Design

The new buildings have been located along the western boundary of the site and connect into the existing kiss and drop area off Mataram Road to the north. The building's position and associated external elements have been designed to consolidate the footprint of the learning areas and to support a large primary school play space with connections to landscape.

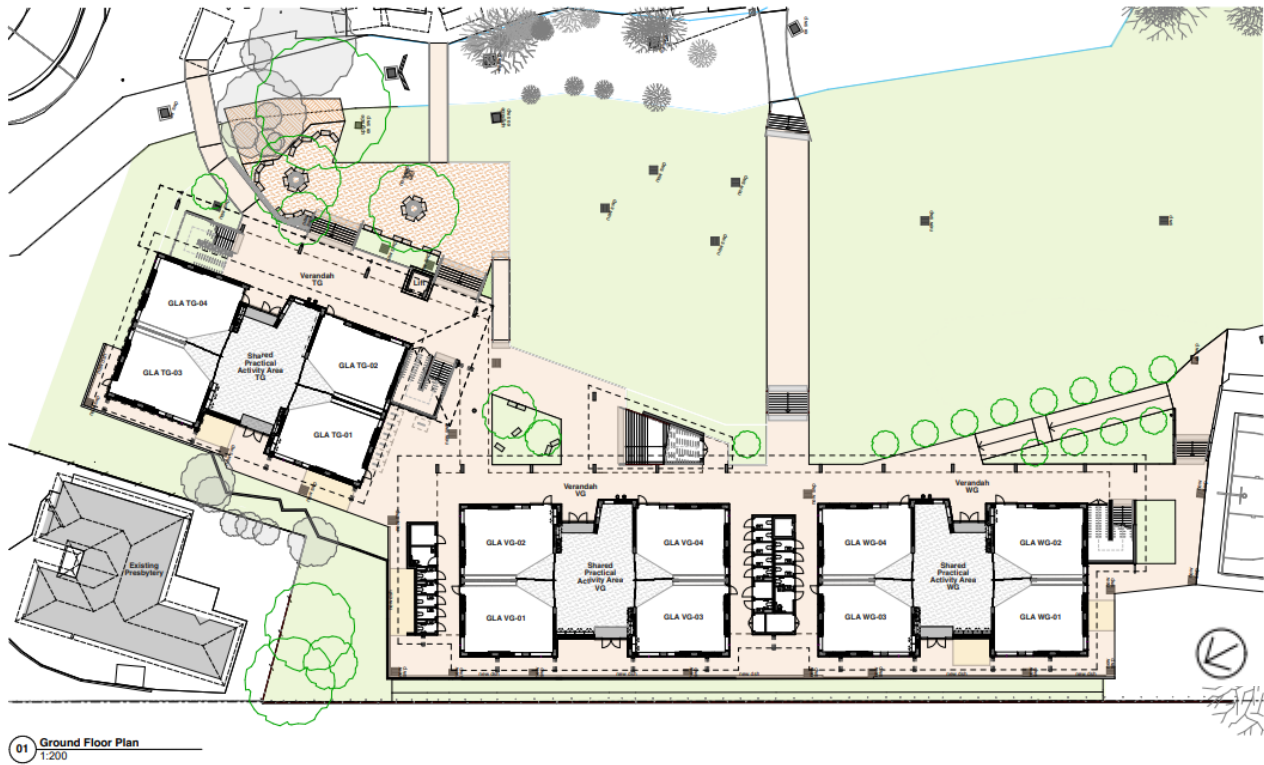


Figure 11: Extract of combined floor plan (source: Stanton Dahl Architects)

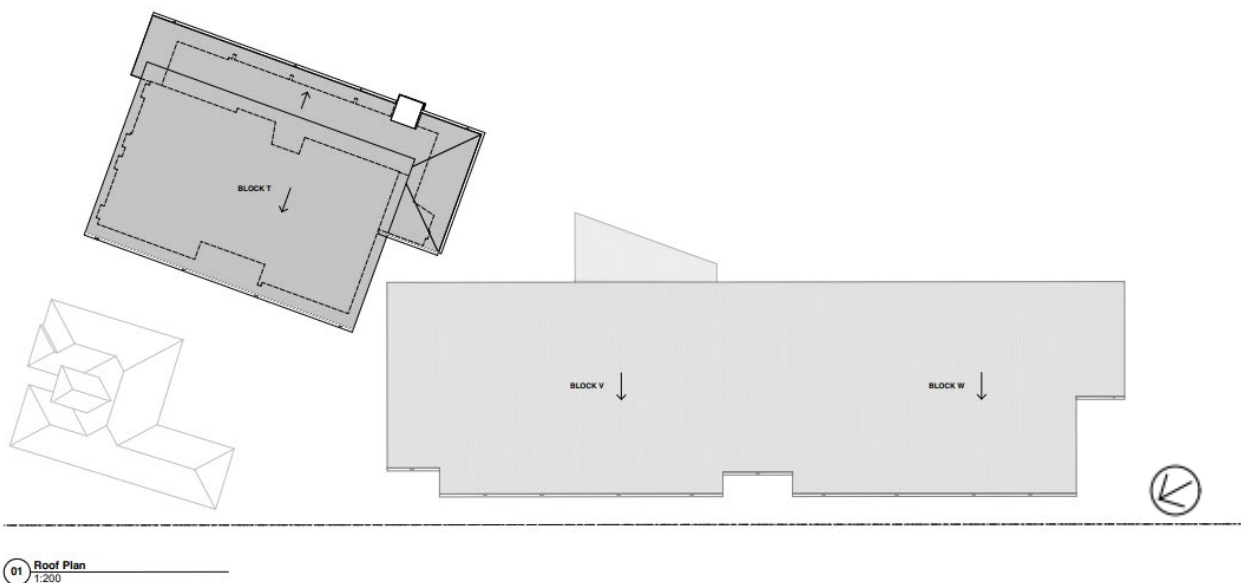


Figure 12: Extract of combined roof plan (source: Stanton Dahl Architects).



Figure 13: Extract external perspective of Block T from Mataram Road (source: Stanton Dahl Architects).



Figure 14: Extract of perspective of Block T from driveway entry (source: Stanton Dahl Architects).

Staging

It is proposed to deliver the development over three (3) stages. As shown in **Figure 15** below, Blocks V and W as well as the new amenities buildings with associated access would be provided at stage 1. Block T, access upgrades and landscaping adjacent to Blocks T and V will then be delivered in Stage 2 with the southern section of the play area delivered as stage 3 of the proposal.

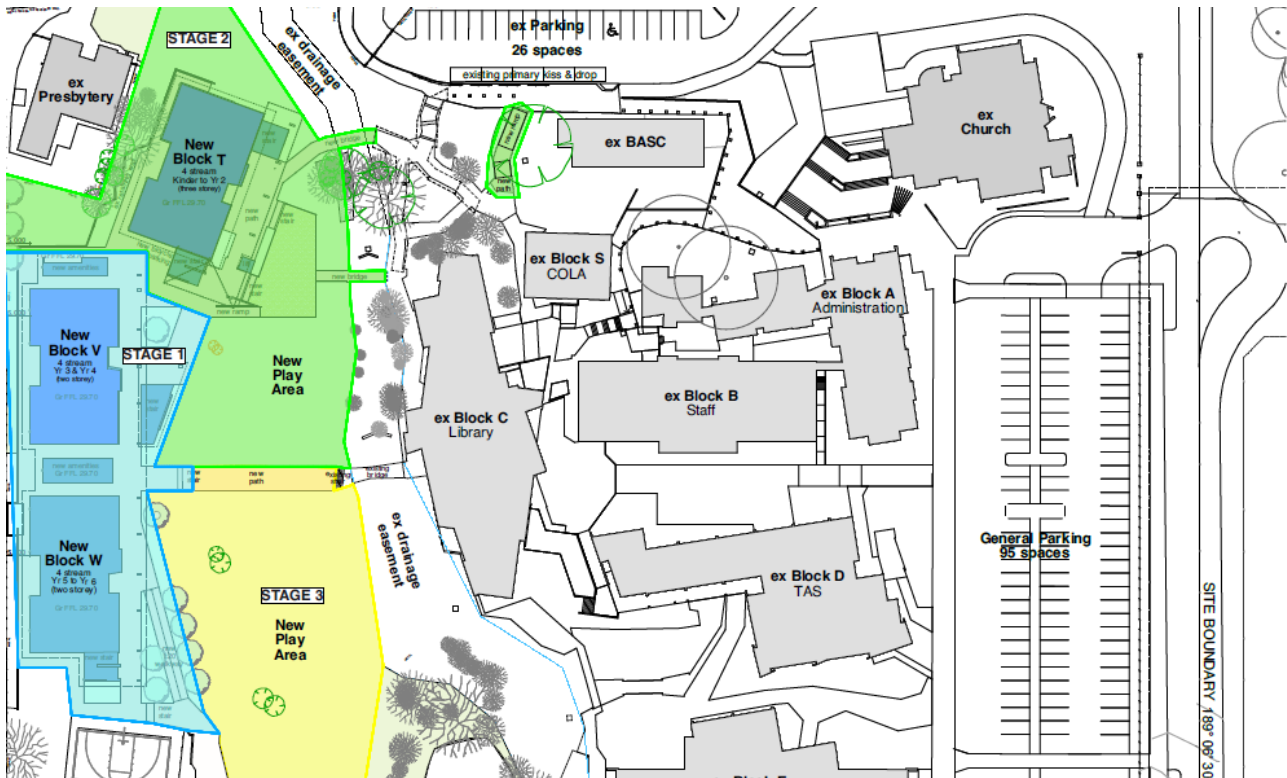


Figure 15: Staging of the proposed development (source: Stanton Dahl Architects).

3.2.4 Tree Removal

A total of 22 trees are proposed to be removed as part of the proposal. All other trees will be protected in accordance with the recommendations of the Arboricultural Report (**Appendix O**). The trees proposed for removal are set out in the table below.

Tree #	Species (common name)	Crown Class	Height (m)	Significance	Reason
21	<i>Glochidion ferdinandi</i> (Cheese Tree)	Dom	5	Low	Wholly or partially within footprint of proposed development.
22	<i>Melaleuca bracteata</i> (River Tea Tree)	Co	4	Low	Wholly or partially within footprint of proposed development.
23	<i>Melaleuca bracteata</i> (River Tea Tree)	Co	4	Low	Wholly or partially within footprint of proposed development.
24	<i>Stenocarpus sinuatus</i> (Firewheel Tree)	Dom	4	Low	Wholly or partially within footprint of proposed development.
26	<i>Stenocarpus sinuatus</i> (Firewheel Tree)	Co	8	Low	Wholly or partially within footprint of proposed development.
41	<i>Syzygium paniculatum</i> (Magenta Cherry)	Co	5	Low	Wholly or partially within footprint of proposed development.
42	<i>Syzygium paniculatum</i> (Magenta Cherry)	Co	4	Low	Wholly or partially within footprint of proposed development.
90	<i>Stenocarpus sinuatus</i> (Firewheel Tree)	Dom	8	Low	Wholly or partially within footprint of proposed development.
91	<i>Stenocarpus Sinuatus</i> (Firewheel Tree)	Dom	8	Low	Wholly or partially within footprint of proposed development.

Table 3 Trees to be removed					
180	Waterhousea floribunda (Weeping Lilly Pilly).	Co	10	Low	Wholly or partially within footprint of proposed development.
181	Stenocarpus Sinuatus (Firewheel Tree)	Co	8	Low	Wholly or partially within footprint of proposed development.
182	Syzygium luehmannii (Riberry)	Co	5	Low	Wholly or partially within footprint of proposed development.
187	Melaleuca bracteate (River Tea Tree)	Co	6	Low	Wholly or partially within footprint of proposed development.
188	Melaleuca bracteate (River Tea Tree)	Co	6	Low	Wholly or partially within footprint of proposed development.
189	Melaleuca bracteate (River Tea Tree)	Co	6	Low	Wholly or partially within footprint of proposed development.
190	Melaleuca bracteate (River Tea Tree)	Co	6	Low	Wholly or partially within footprint of proposed development.
27-32	Melaleuca bracteate (River Tea Tree) Group of 6	Co	8	Moderate	Wholly or partially within footprint of proposed development.

3.2.5 Landscape

In addition to the proposed outdoor play areas, the development will include landscape embellishments and new walkways. As indicated in **Figure 16** landscaping, shrubs, garden beds and passive sitting areas will be incorporated into the western edge and northern portion of the proposed outdoor play areas. Tree planting will also be included at the western boundary of the College campus, adjacent to the adjoining presbytery. A total of 22 new trees will be planted to offset the trees to be removed.



Figure 16: Proposed landscaping works (source: Inview Design)

3.2.6 Civil and Stormwater

The proposal will be supported by upgrades to the existing stormwater infrastructure. The stormwater system, which consists of a network of pits and pipes, will maintain existing stormwater quality and quantity control devices located within the site. The stormwater management system will drain through an existing swale, dam, OSD basin and wetlands prior to runoff leaving the site.

3.2.7 Student and Staff Populations

The Construction of Blocks T, V and W will support an expansion of the primary school to a four (4) stream primary campus. This expansion will correspond to an increase in 275 student places (202 primary and 73 secondary) which will be supported by an additional 34 full time staff.

3.2.8 Access and Car Parking

The development will use existing car parking and vehicle access arrangements. No changes are proposed to existing school operations relating to servicing and delivery or emergency vehicle access.

3.2.9 Waste Management

A waste management plan has been prepared and details the measures proposed to reduce deliver best practice waste management outcomes at the development's demolition, construction and operational phases.

3.2.10 BCA and Access

An access compliance report (**Appendix H**) and BCA compliance report (**Appendix G**) have been prepared in support of the proposed development. Subject to the implementation of the respective report's recommendations, the proposed development is capable of compliance with the relevant sections of the BCA and Access Code of Disability (*Access to Premises-Building*) Standards 2010.

3.2.11 Environmentally Sustainable Design

An architectural design statement (**Appendix P**) has been prepared by Stanton Dahl Architects and outlines the sustainable design elements that have been incorporated into the proposal. A calculation of embodied emissions for the proposed external material has been provided by Blue Stone Management (**Appendix R**).

4 Statutory Requirements

The following statutory instruments, documents and matters have been considered in this SEE:

- *Environmental Planning and Assessment Act 1979 (EP&A Act)*
- *Rural Fires Act 1997 (RF Act)*
- *Roads Act 1993*
- *Water Management Act 2000 (WM Act)*
- *Environmental Planning and Assessment Regulation 2021 (EP&A Regulation)*
- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *Central Coast Local Environmental Plan 2022*

The applicable provisions from each of the above are considered below.

4.1 Environmental Planning & Assessment Act 1979

4.1.1 Objectives of the Act

Planning and development in NSW is controlled and regulated via the EP&A Act. The objectives of the EP&A Act are as follows:

- (a) *to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,*
- (b) *to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,*
- (c) *to promote the orderly and economic use and development of land,*
- (d) *to promote the delivery and maintenance of affordable housing,*
- (e) *to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,*
- (f) *to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),*
- (g) *to promote good design and amenity of the built environment,*
- (h) *to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,*
- (i) *to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,*
- (j) *to provide increased opportunity for community participation in environmental planning and assessment.*

This SEE outlined the proposed development and its consistency with the above objectives.

4.1.2 Evaluation

Section 4.15(1) of the EP&A Act outlines matters that a consent authority must consider in determining a development application. Matters as are of relevance to the proposed development are discussed in **Table 4** below:

Table 4 Matters for Consideration under Section 4.15 of EP&A Act	
Section	Discussion
4.15(1)(a)(i) Any environmental planning instrument (EPI)	All applicable environmental planning instruments are addressed at Section 4.
4.15(1)(a)(ii) Any draft (EPI)	All applicable draft environmental planning instruments are addressed at Section 4.
4.15(1)(a)(iii) Any development control plan	The Central Coast Development Control Plan 2022 is addressed at Section 5.1.
4.15(1)(a)(iia) Any planning agreement	There are no planning agreements applicable to the proposed development
4.15(1)(a)(iv) The regulations (as prescribed for the purposes of this section)	See Section 4.4 below.
4.15(1)(b) Likely impacts	The likely impacts of the proposed development, including but not limited to environmental impacts on both the natural and built environments, and social and economic impacts in the locality are addressed at Section 6.
4.15(1)(c) Site suitability	The suitability of the site for the proposed development is addressed at Section 6.5.
4.15(1)(d) Submissions	EPM understands that Council will notify the proposed development to adjoining and nearby landowners in accordance with Council's Community Participation Plan 2019. Should any submissions be received by way of objection to the proposal, the applicant seeks to be provided a copy of the submission(s) and be afforded an opportunity to provide a response to the matters raised.
4.15(1)(e) The public interest	The public interest of the proposed development is considered in detail at Section 6.6.

4.1.3 Integrated Development

Section 4.46 of the EP&A Act outlines that integrated development is a type of development that in order to be carried out, requires development consent and approval under one or more separate Acts.

The proposal is integrated development as it is for the purposes of a 'special fire protection purpose' (SFPP) and requires authorisation under the section 100B of the *Rural Fires Act 1997* (RF Act).

4.2 Rural Fires Act 1997

As referred to in **Section 4.1.3** and identified in **Figure 6** the College campus is mapped as containing bushfire prone land (Vegetation Buffer and Vegetation Category 1) on Council's bush fire prone land map. The proposed development would be located on the part of the campus mapped as bushfire prone land.

Schools are considered development for 'special fire protection purpose' (SFPP) and Section 100B of the RF Act requires a bushfire safety authority (BFSa) to be issued by the Commissioner of the NSW Rural Fire Service (RFS) for development located on bushfire prone land for a 'special fire protection purpose'.

A Bush Fire Assessment Report has been prepared by Bushfire Consulting Services (**Appendix I**) and provides an assessment of the proposed development against the relevant provisions of *Planning for Bushfire Protection 2019* (PBP 2019). The College campus and land in the vicinity of the development are located in an urban release area, designated by the *Central Coast Local Environmental Plan 2022* and the Bush Fire Assessment Report notes that significant land clearing has occurred in the vicinity of the site. As a result, the site of the proposed development within the existing College campus is rated as Bushfire Attack Level (BAL) Low and is located in excess of 140m from the nearest hazardous vegetation. The report concludes that there is no vegetation in the vicinity that has the potential to affect the proposed development.

Specification 43

Under the National Construction Code 2022 (NCC 2022) School buildings are designated as Class 9b buildings. When located in a 'designated bushfire prone area' Class 9b buildings are required to comply with the relevant provisions of NCC 2022 Specification 43. NCC 2022 Specification 43 details requirements for Class 9b buildings including appropriate separate distances between buildings, site boundaries and hazards, emergency power supply, vehicular access requirements and signage requirements.

In relation to NCC 2022 Specification 43, the Bush Fire Assessment Report (**Appendix I**) notes that due to the distance from the nearest hazardous vegetation the development has an AS 3959 construction level of BAL-Low. This BAL rating indicates that the development would experience minimal attack from radiant heat and flame due to the distance of the buildings from the vegetation. The BAL rating recognises that some attack by burning debris is possible but here is insufficient threat to warrant specific construction requirements.

Noting that the College benefits from existing vehicle access and as a result of the identified BAL rating, the Bush Fire Assessment Report requests that the BFSa and the associated GTAs issued by the RFS provide an exemption from all Part G5D4 of the NCC 2022 requirements.

Once issued, the consent authority must ensure that any exemptions from NCC 2022 Specification 43 issued by the RFS are provided for in the development consent.

4.3 Water Management Act 2000

Central Coast Council is a water supply authority identified by the *Water Management Act 2000*. Where any development or engineering works are to be undertaken, the owner or developer is responsible for ensuring the water supply authority's assets are considered.

As a condition of development consent, the consent authority (Council) will require that satisfactory arrangements be made for the provision of services to the new development, which may also involve payment of water and/or sewer developer charges. To identify the appropriate arrangements, the developer must submit an application for a Section 307 Certificate of Compliance.

4.4 Environmental Planning and Assessment Regulation 2021

Division 1 of Part 3 of the EP&A Regulation 2021 sets out the requirements for the making of development applications under Part 4 of the EP&A Act. The relevant sections under Division 1 of Part 3 are discussed in **Table 5**.

Table 5 Assessment against Division 1 of Part 3 of the EP&A Regulation	
Section	Discussion
23 Persons who may make development applications	The Development Application is made by EPM Projects on behalf of The Trustees of the Roman Catholic Church for the Diocese of Broken Bay (the property owner) who has provided their written consent.
24 Content of development applications	The Development Application is made in the approved form and contains the information necessary for Council as the consent authority, the Rural Fire Service as the approval body and Transport for NSW as a concurrence authority to

Table 5 Assessment against Division 1 of Part 3 of the EP&A Regulation	
Section	Discussion
	assess and determine the application. The Development Application will be submitted via the NSW planning portal.
25 Information about concurrence or approval	Concurrence and approval is to be obtained from the following authorities before the development may be legally carried out: • Transport for NSW • NSW Rural Fire Service Approvals required by Section 4.46(1) of the EP&A Act include: • Authorisation under Section 100B of the <i>Rural Fires Act 1997</i>
32 Extract of development application for erection of building	The proposed development includes the erection of building. An extract of the proposed building that: • identifies the applicant and the land to which the application relates; and • contains a plan of the building that indicates the proposed height and external configuration of the site Has been provided for submission to the NSW planning portal.
35B Additional requirements for development applications involving contravention of development standards	The proposed development will contravene an existing development standard, being the maximum building height for the land designated by <i>Central Coast Local Environmental Plan 2022</i>. The development application is accompanied by a document that demonstrates: • compliance with the development standard is unnecessary • there are sufficient environmental planning grounds to justify the contravention of the development standard.
35BA Embodied emissions for non-residential development under Sustainable Buildings SEPP	The proposed development is for non-residential development involving the erection of a new building with an estimated development cost exceeding \$5 million. The amount of embodied emissions for the development has been disclosed in accordance with section 35BA(1)(a) by a quantity surveyor.

4.4.1 Demolition of buildings

For the purposes of section 4.15(1)(a)(iv) of the EP&A Act, section 61(1) of the EP&A Regulation provides that a determining authority must consider the *Australian Standard AS 2601—2001: The Demolition of Structures* when a proposed development entails the demolition of a building.

All demolition work will be carried out in accordance with AS 2601—2001, and Council as the consent authority can provide conditions of development consent that also seek to ensure compliance with the AS standard.

4.5 State Environmental Planning Policies

4.5.1 State Environmental Planning Policy (Planning Systems) 2021

Section 21.9 and Schedule 6 of *State Environmental Planning Policy (Planning Systems) 2021* (PS SEPP) designates that development for the purpose of private infrastructure and community facilities with an estimated development cost (EDC) over \$5 million as regionally significant development.

A Cost Summary report prepared by Blue Stone Management (**Appendix Q**), identifies that the estimated development cost of the proposal exceeds \$5 million. Therefore, pursuant to Schedule 6 of the PS SEPP, the proposal is a regionally significant development and as such the DA will be determined by the Hunter and Central Coast Regional Planning Panel.

4.5.2 State Environmental Planning Policy (Resilience and Hazards) 2021

The following table provides an assessment against the relevant provisions of Chapter 4 of the Resilience and Hazards SEPP.

Table 6 State Environmental Planning Policy (Resilience and Hazards) 2021

Provision of SEPP	Assessment	Consistent
4.6 Contamination and remediation to be considered in determining development application	Section 4.6(1) of R&H SEPP requires a consent authority to consider whether the land is contaminated prior to granting development consent. Prior to use as an educational establishment, the site had previously been used for pastureland, with some bushland and a residential dwelling situated on the southern part of the site. A preliminary site investigation (PSI) of the of the northwest portion of the campus has identified an area of environmental concern (AEC) within the area of the proposed works as follows: Potential uncontrolled fill materials beneath the building The PSI identifies that there is a low-moderate risk of exposure to contaminants of potential concern. The PSI identifies that the site can be made suitable for the proposed development. Contamination is discussed further in Section 6.5.4	Yes

4.5.3 State Environmental Planning Policy (Transport and Infrastructure) 2021

An assessment of the proposed development against Chapters 2 and 3 of *State Environmental Planning Policy (Transport and Infrastructure) 2021* (T&I SEPP) is provided in the following table.

Table 7 State Environmental Planning Policy (Transport and Infrastructure) 2021

Provision of SEPP	Assessment	Consistent
Chapter 2 Infrastructure		
2.119 Development with frontage to classified road		
(1) The objectives of this section are— (a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and (b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.	The proposed development does not have direct vehicle access to a classified Road but is bound by a classified Road to the South (Sparks Road). The proposed development is supported by a Traffic Impact Assessment (TIA) (Appendix J) which includes and assessment of existing traffic conditions along Sparks Road and identifies that the vehicle movements during am and pm peaks (resulting from the increase in staff and student numbers) won't compromise or adversely affect the ongoing operation of Mataram Road. An acoustic assessment has been completed (Appendix K) and confirms that the proposed development would comply with establishment noise criteria.	Yes
Chapter 3 Educational establishments and childcare facilities		
3.36 Schools—development permitted with consent		
(1) Development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone.	The proposed development would be undertaken within the boundary of an existing educational establishment and on R1 zoned land which, for the purpose of section 3.36(1) is a prescribed zone.	Yes
(6) Before determining a development application for development of a kind referred to in subsection (1), (3) or (5), the consent authority must take into consideration—		
(a) the design quality of the development when evaluated in accordance with the design quality principles set out in Schedule 8, and	An assessment against the design quality principles of Schedule 8 has been provided by Stanton Dahl Architects and is appended to this SEE (Appendix P).	Yes
(b) whether the development enables the use of school facilities (including recreational facilities) to be shared with the community.	The proposed development does not include any facilities that would be able to be shared with the community.	N/A

Table 7 State Environmental Planning Policy (Transport and Infrastructure) 2021

Provision of SEPP	Assessment	Consistent
(9) A provision of a development control plan that specifies a requirement, standard or control in relation to development of a kind referred to in subsection (1), (2), (3) or (5) is of no effect, regardless of when the development control plan was made.	Pursuant to Section 3.36 (9) the Central Coast DCP has no effect in accordance with Section 3.36(9) of T&I SEPP. However, to identify consistency with pertinent development controls of the Central Coast DCP is provided in Section 5.1 of this SEE.	Yes
3.58 Traffic-generating development		
(1) This section applies to development for the purpose of an educational establishment— (a) that will result in the educational establishment being able to accommodate 50 or more additional students, and (b) that involves— (i) an enlargement or extension of existing premises, or (ii) new premises, on a site that has direct vehicular or pedestrian access to any road.	The development proposed would result in the College being able to accommodate 50 or more additional students. Pursuant to section 3.58(2) of the T&I SEPP Council is required to refer the application to TfNSW for concurrence, prior to determining the application.	Yes

4.5.4 State Environmental Planning Policy (Biodiversity and Conservation) 2021

An assessment of the proposed development against the *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (the B&C SEPP), Chapter 4 is provided in the following table.

Table 8 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Provision of SEPP	Assessment	Consistent
4.9 Development assessment process – no approved koala plan of management for land (1) This section applies to land to which this Chapter applies if the land— (a) has an area of at least 1 hectare (including adjoining land within the same ownership), and (b) does not have an approved koala plan of management applying to the land.	The site is over 1ha in size and is not subject to an approved Koala Plan of Management.	Yes
(2) Before a council may grant consent to a development application for consent to carry out development on the land, the council must assess whether the development is likely to have any impact on koalas or koala habitat.	The proposed development would be undertaken within the boundaries of an existing school which adjoins low density residential development. Accordingly, the site and adjoining land do not comprise koala habitat. To confirm that the site does not comprise a koala habitat, a site assessment was undertaken by East Coast Ecology on 22 February	Yes

Table 8 State Environmental Planning Policy (Biodiversity and Conservation) 2021

Provision of SEPP	Assessment	Consistent
(3) If the council is satisfied that the development is likely to have low or no impact on koalas or koala habitat, the council may grant consent to the development application.	2024. A letter of advice following the survey (Appendix O) has been provided confirming: - No evidence of koalas was identified - The site contains koala use trees but is not koala habitat	

4.5.5 State Environmental Planning Policy (Sustainable Buildings) 2022

The *State Environmental Planning Policy (Sustainable Buildings) 2022* (the SB SEPP) encourages the design and construction of more sustainable buildings across NSW and provides sustainability standards for non-residential development. An assessment of the proposed development against the Chapter 3 of the SB SEPP is provided in the following table.

Table 9 State Environmental Planning Policy (Sustainable Buildings) 2022

Provision of SEPP	Assessment	Consistent
3.1 Application of Chapter (1) This Chapter applies to development, other than development for the purposes of residential accommodation, that involves— (a) the erection of a new building, if the development has a capital investment value of \$5 million or more, or (b) alterations, enlargement or extension of an existing building, if the development has a capital investment value of \$10 million or more.	The proposal is a non-residential development that includes the construction of new buildings within an existing school. The estimated development cost is greater than \$5 million (refer to Appendix Q), and Chapter 3 of the SEPP is applicable. The embodied emissions attributable to the development have been quantified in accordance with section 35BA(1)(a) of the EP&A Regs.	Yes

4.5.6 Central Coast Local Environmental Plan 2022

The following table provides a summary assessment of the proposed development against the relevant provisions of the LEP.

Table 10 Central Coast Local Environmental Plan 2022

Provision of LEP	Assessment
2.2 Zoning of Land to which Plan applies 2.3 Zone objective and Land Use Table	The development site is located on land zoned R1 General Residential and educational establishments are permitted with consent in this zone. The proposed development is consistent with the zones objectives as a non-residential land use that: • provides facilities and services to meet the needs of residents; and • would not adversely affect residential amenity or place unreasonable demands on services.
4.3 Height of buildings	The development site is subject to a maximum 9.5m height of building development standard and Block T will exceed this standard by 3.5m (equivalent to an exceedance of 37%) at the northeastern corner of Block T and 4.2m (equivalent to an exceedance of 44%) at the southeastern corner of Block T
4.4 Floor space ratio	The floor space ratio map indicates the subject site is not subject to maximum FSR and therefore is not applicable.
4.6 Exceptions to development	The site is non-compliant with regards to the maximum 9.5m building height standard. In accordance with the requirements of Section 35B of the EP&A Regulation a written statement (Appendix B) has been provide demonstrating: • compliance with the development standard is unnecessary in the circumstances • there are sufficient environmental planning grounds to justify the contravention of the development standard Clause 4.6(8) does not operate to exclude a development that contravenes the height of building development standard from obtaining development consent. Therefore, a development that is non-compliant with the maximum height standard can be granted development consent. The written statement confirms that the exceedance of the development standard does not result in any amenity impacts such as overshadowing or overlooking to the adjoining residential properties and identifies that the consolidation of built form would provide additional play areas for primary students.
5.21 Flood planning	The flood risk associated with the existing college campus has been assessed as part of the school's enabling DA (DA 2779/01) and subsequent DAs. The College campus is partially affected by the probable maximum flood (PMF) extent at its south-eastern corner. A water cycle management plan (Appendix F) has been prepared and identifies that the proposed development would: • be above the PMF Level • not raise the predevelopment flood level by more than 10mm • allow access to all driveway and parking areas during a PMF event In consideration of the above, the proposed and existing development at the College Campus: • is compatible with the flood function and behaviour on the land, and • will not adversely affect flood behaviour or the safe occupation and efficient evacuation of people • incorporates appropriate measures to manage risk to life in the event of a flood, and • will not adversely affect the environment
6.2 Public utility infrastructure	Mackillop College is located within a designated Urban Release area. Previous development consents at the school have established that Council is satisfied all public utility infrastructure, essential for the development to operate, is available.
7.6 Essential services	The site is currently serviced for water, electricity, sewerage and has suitable arrangement in place for waste collection and vehicle access. The development proposes to undertake stormwater infrastructure works that, once completed, will provide appropriate stormwater management services.

5 Non-statutory Requirements

5.1 Central Coast Development Control Plan (DCP) 2022

Chapter 3, Part 3.34, Section 3.36(9) of *State Environmental Planning Policy (Transport and Infrastructure) 2021* outlines that the provisions of a DCP have no effect in relation to development proposed under Section 3.36(1), development under 3.36(1) being development for the purpose of a school carried out on land with a prescribed zone.

Noting the above limitations, a summary assessment against relevant provision of DCP 2013 have been provided below in **Table 11** to demonstrate consistency with the objectives of pertinent local development controls.

Table 11 Central Coast Development Control Plan 2022	
Provision of DCP	Assessment
Chapter 1	
1.2 Notification of development proposals	The application is notifiable in accordance with Section 1.2.2 of the DCP. In accordance with Section 4.46 of the EP&A Act the application is integrated development and will also be advertised in accordance with the relevant provisions of the EP&A Regulation.
Chapter 2	
2.12.3.2 Car Parking Requirements	The proposed development would increase the student and staff population by: • Primary campus 202 students • Secondary campus 73 students • 34 staff The college currently provides 242 of onsite parking spaces and in accordance with Section 2.12.3.2 of the DCP has completed a demand survey which confirms that based on demand the College has an over provision of parking spaces. The demand survey demonstrates that the proposed expansion to staff and student numbers can be accommodated by the existing parking arrangements.
2.13.3.6 Bus and Coach Parking	Bus and coach parking will be provided per existing conditions. The adequacy of these facilities is discussed further in Section 6.4 below.
2.13.3.7 Parking and access for the disabled	Accessible parking has been provided in accordance with this control and the College currently provides six (6) accessible spaces.
2.13.3.8 Bicycle Parking	The proposal will include an additional 14 bicycle spaces.
2.14.2.3 DA Guidelines for Resource and Waste Planning	A waste management plan (WMP) has been prepared by MRA Consulting Group (Appendix I). The waste management plan has informed the design of the proposed development and has been prepared to promote sustainable outcomes at the demolition, construction and operation phases of the development. the WMP addresses waste generation and storage associated with the construction works throughout the development and the ongoing occupation and use of College facilities.
3.1 Floodplain management and water cycle management	
3.1.4 Development Provisions	The application site is located within a flood planning precinct and in accordance with Section 3.1.4 of the DCP is a critical or sensitive land use. A Water Cycle Management Plan has been prepared (Appendix F) and flood impacts and water management are discussed further in section 6.1.3
3.5 Tree and vegetation management	

Table 11 Central Coast Development Control Plan 2022

Provision of DCP	Assessment
Appendix 1	An arborist report has been prepared (Appendix O) and identifies that the proposed development includes the removal of 16 low retention values trees and six (6) moderate retention value trees. Tree removal is discussed further in Section 6.1.1

5.2 Strategic Planning Context

The following table lists any strategic plan that is required to be considered if it is applicable to the proposed works.

Table 12 Strategic Plans

Plan	Assessment
Central Coast Regional Plan 2041 (DPE – 2022)	Objective 3: Create 15-minute neighbourhoods to support mixed, multi-modal, inclusive and vibrant communities – Neighbourhoods provide local access to education, jobs, services, open space and community activities.
Local Strategic Planning Statement (CCC – 2020)	Urban Management Strategies Co-location of community infrastructure (including schools and pre-schools) to create a range of opportunities for people to visit the centres and linger.

5.3 Development Contributions

5.3.1 Section 7.11 Contributions

The Mackillop College campus is located on land that is subject to the Warnervale District Contributions Plan 2021.

5.3.2 Development Servicing Plan

The Mackillop College campus is subject to Council's Northern Region Water Supply and Sewerage Development Servicing Plan.

5.3.3 Housing and Productivity Contribution

The Mackillop College campus is located on land that is subject to the NSW Government's Housing and Productivity Contribution. The proposed development comprises alterations and additions to an existing educational establishment and is therefore exempt from the requirement to pay levies to Council under this plan.

6 Environmental Planning and Impact Assessment

The following subsections consider the environmental impact associated with the proposed development including relevant matters for consideration under section 4.15 of the EP&A Act.

6.1 Natural Environment

6.1.1 Tree Removal and Landscaping

The proposed development would be supported by landscape improvements comprising two (2) new external play area, access paths (including ramps and walkways) as well as landscape embellishments to passive and active recreation areas. The proposed development would also

require the removal of 22 trees which are within the development footprint of the proposed classroom buildings and as a result cannot be retained.

A koala assessment letter, supported by site investigation, had been completed by East Coast Ecology (**Appendix N**) and has identified that tree removal will include koala use trees, *Angophora costata* and *Eucalyptus globoides*. The advice letter confirms that the koala use trees and the broader College campus are not core koala habitat and further assessment of impact (via a Koala Assessment Report) is not required.

An arborist report has been prepared by Bellevue Tree Consultants (**Appendix O**) to evaluate the existing trees within the development site. The report includes an assessment of the significance of the existing trees and identifies that six (6) of the trees identified for removal have a moderate degree of significance, with the remaining 16 trees having low significance.

The arborist report provides suitable tree protection measures for the trees being retained in the vicinity of the proposed development and provides suitable recommendations for replacement species, which have been included in the Landscape plan prepared by Inview Design (**Appendix D**). The landscape plans identify that the development would result in a net increase of 22 trees across the site and in conjunction with the proposed landscape embellishments and access upgrades would provide improved visual amenity and improvements to passive and active recreation areas.

6.1.2 Soils and Geology

Cut and fill works are proposed as part of the development. As shown in the bulk excavation plan and section prepared by James Taylor & Associates (**Appendix S**) cut and fill works will reduce the effective slope of the campus's northwest corner and will provide a maximum transition grade of 20% from the new school buildings to the adjoining play areas. The earthworks will be undertaken in the vicinity of the swale drainage easement and subject to the implementation of the proposed sediment control plan is unlikely to affect the water quality of downstream sites or lead to sediment build up in the swale area.

6.1.3 Hydrology and Water Management

The development will include works to the site in the vicinity of an existing drainage easement and will result in changes to the extent of roof, pervious and impervious surfaces within the college campus. To identify and manage the anticipated impact to overland flow and surface area run off a Concept Storm Water and Catchment Plan (**Appendix E**) supported by a Water Cycle Management Plan (WCMP) (**Appendix F**) has been prepared by James Taylor & Associates.

The concept catchment plan identifies that the proposed development will result in a change in the proportion of roof, pervious and impervious surfaces across the site and will reduce the overall area of the site covered by impervious services from 60% to 42%.

The change in the proportion of pervious and impervious areas has been mapped using DRAINS model in the Water Cycle Management Plan. The pre and post development flows have been modelled based on the 1% and 5% annual exceedance probability (AEP) storm events and confirms that the total site discharge in the post development scenario would be reduced in comparison to the pre-development scenario.

DRAINS modelling has been undertaken to assess the proposed stormwater system against Council's overland flooding targets as specified in Chapters 3.1.11.5 and 3.1.11.6 of DCP 2022. This modelling has been undertaken in conjunction with MUSIC modelling that assess the proposed stormwater system against Council's stormwater quality targets and confirms that the post development scenario will meet the pollution reduction targets in Chapter 3.1.11.3 of DCP 2022.

The WCMP is also supported by DRAINS Modelling which has provided a total catchment analysis and provides that during peak flows in a 1% AEP storm event the post development site will result in an overall peak flow reduction of 36L/s. The WCMP also confirms that the existing swale complies with Council's safety requirements and confirms that the proposed pedestrian bridges have sufficient

capacity to cater for the 1% AEP storm event, with adequate freeboard to allow for the passage of debris.

Subject to the implementation of the proposed erosion and sedimentation control plan, the construction phase of the proposed development would not adversely affect the swale's sediment and pollution load and as demonstrated by the WCMP would result in a reduction in offsite water and pollution discharge.

6.1.4 Air and Microclimate

Some dust is anticipated during the construction phase of the proposal, particularly as demolition works are involved. This however can be mitigated and managed through the use of measures such as wetting down work areas and stockpiles, stabilising exposed areas, preventing material tracking out onto public roadways, covering loads and all departing vehicles and working to weather conditions as appropriate.

The proposal is otherwise not expected to give rise to any long term or adverse impacts on local or regional air quality.

6.2 Built Environment

6.2.1 Built form, bulk and scale

The proposed development includes the construction of three (3) classroom Blocks (Block T, V & W). Blocks W and V comprise a two storey built form with a typical floor plan of four (4) general learning areas abutting a central shared/practical learning area. Blocks W and V are connected via a walkway at level one and low pitch skillion roof. Block T comprises a three storey building with a typical floor plan that connects to the Blocks W and V via the first floor veranda on the eastern elevation.

Vertical circulation is provided by external stairways at the southern and northern end of Block T and from Blocks W and V. These circulation areas provide access to the amenities facilities and the lift core between Blocks T and V.

As shown in the building height limit plane diagrams prepared by Stanton Dahl Architects (**Appendix A**) the roof form of Block T will exceed the nominated 9.5m maximum height of building control and is discussed further in the Clause 4.6 variation request prepared by EPM Projects (**Appendix B**). The variation request notes that the exceedance of the height of buildings development standard does not result in any amenity impacts (overlooking or overshadowing) to the adjoining properties. In addition, by consolidating the footprint of the new buildings, it enables the school to maximise the open play space. Therefore, it is considered that compliance with the development standard for height is not necessary in this instance and that there are sufficient environmental planning grounds to justify the contravention of the development standard.

A Building Code of Australia (BCA) report prepared by Steve Watson and Partners (**Appendix G**) and an Access Report prepared by Vista Access Architects (**Appendix H**) have been provided in support of the proposed development. The BCA report identifies that the proposed development is of complying with the applicable provision of the BCA. Similarly, the compliance statement provided by Vista Access Architects confirms that the proposed development achieves the relevant spatial requirements to provide access for people with a disability.

6.2.2 Design

The character of the existing College primary school area is defined by small scale single building stock of both permanent and demountable classrooms. These buildings are terraced and arrayed across the northwestern corner of the College creating pockets of smaller play spaces interspersed between significant paved areas, ramps, steps and retaining walls, with minimal articulation and streetscape presence.

The new building works would reference the materiality of the existing buildings within the secondary campus and would use pre-finished compressed fibre cement cladding and un-painted off form concrete columns and blockwork. The use of these materials across the façade provides ground level articulation and breaks up the overall scale of the buildings. In effect, articulated façade's use of varying cladding and external finishes breaks up the scale of the buildings in its context.

6.2.3 Solar Access

Stanton Dahl Architects have provided a shadow diagram analysis (**Appendix A**) of Blocks T, V and W. The analysis has provided a representation of the extent of overshadowing in the post development scenario at:

- 9am, 1pm and 3pm on March 21
- 9am, 1pm and 3pm on June 21
- 9am, 1pm and 3pm on September 21

The diagrams identify that the development will cause minimal overshadowing to west adjoining neighbours at 9am but would otherwise not cause overshadowing to adjoining development.

6.2.4 Visual Amenity

The proposed buildings would be positioned along the northwestern portion of the College campus. The new building would replace the existing arrangement of low scale buildings that currently occupy the western portion of the campus. The consolidation of built form provided by the new buildings allows for the creation of additional passive and active recreation areas within the campus.

The development's siting would position two (2) and three (3) storey built form in proximity to the northern and western site boundaries. However, design elements such as the use of low pitched roofs, and façade articulation in conjunction with excavation works would in effect reduce the overall bulk and scale of built form in proximity to the site boundary.

At the western site boundary, excavation below the natural ground level would reduce the overall height of the development, when viewed from the west adjoining allotments. The apparent bulk of built form sited in this location is also broken up by the floorplan of each block which steps in from the boundary, in line with the practical learning areas on ground and level one. Visual impacts to the west of the development would be further mitigated by an existing retaining wall and visually impermeable fence. This would in effect present the proposed development as a single storey development to future adjoining residents and mitigate the perceived and actual extent of overlooking to future residential development.

In this regard, consideration has been given to the residential development underway on the western boundary through the arrangement and siting of the proposed buildings. The 3-storey building has thoughtfully been located to the northern section of the site where it is set back from both the northern and western boundaries. The two buildings have been proposed as 2 storey and lowered into the site to minimise the scale against the neighbouring residences.

Similarly, the siting of built form at the northern boundary aligns with the setback of the adjoining Presbytery and provides an appropriate transition of scale across the site and to the adjoining built form within the campus.

6.2.5 Noise and Vibration

An Acoustic Assessment report has been prepared by PKA Acoustic Consulting (**Appendix K**), which has been conducted in accordance with the acoustic requirements of the NSW EPA Noise Policy for Industry. The assessment assesses the noise breakout for the proposed development and confirms that the proposed development complies with established acoustic criteria.

The report's assessment includes unattended noise monitoring and provides measurements calculated to the boundary of the nearest sensitive receivers. Impacts from road noise have also been reviewed and PKA Acoustic Consulting confirms that the school is not adversely affected by traffic noise levels

The assessment sets out that the proposed new buildings, being that of typical classrooms, are not anticipated to generate specifically problematic noise levels. The report identifies that noise impacts from inside the buildings would be sufficiently mitigated by typical façade performance and recognises that the increased student population is unlikely to affect acoustic impacts to the nearest receiver.

To further reduce to the potential for adverse acoustic impacts, the report recommends selecting mechanical plant and equipment in consultation with an acoustic consultant, using an inward facing PA system and using an absorptive soffit treatment for under cover areas.

6.2.6 Waste Management

A waste management Plan (WMP) (**Appendix L**) has been prepared by MRA consulting group and outlines how the building design delivers best practice waste management and promotes sustainable outcomes at the demolition, construction and operational phases of the development.

The WMP addresses waste generation and storage associated with the construction and operational phases of development and provides appropriate management strategies to account for the additional waste generated by the increase in staff and student numbers.

6.3 Social and Economic Impacts

6.3.1 Social and Economic Impacts

Schools are a vital part of any vibrant and thriving community and the proposed Mackillop Campus expansion would allow the school to continue to function as an important place for parents, teachers and students from the school community. The proposal would provide additional open space for student well-being and would contribute to better student outcomes through the provision of a quality learning environment that will provides learning spaces responsive to contemporary pedagogy in an accessible building.

The proposed development would provide short term and long-term economic benefits. In the short term the proposal would support the creation of additional full-time employment in the construction industry which would in turn support vendors and allied services.

6.3.2 Crime and Safety

Crime Prevention Through Environmental Design is a crime prevention strategy that focuses on the planning, design and structure and neighbourhoods. It seeks to reduce the opportunities for crime through the use of design and place management principles. The four (4) key strategies of Crime Prevention Through Environmental Design (CPTED) are:

- Surveillance measures
- Territorial reinforcement
- Access control
- Space / activity movement

Each of these strategies is discussed below.

Surveillance Measures

Opportunities for crime can be reduced by providing effective surveillance. The surveillance principle indicates that offenders are often deterred from committing a crime in areas with high levels of surveillance. From a design perspective, deterrence of crime can be achieved by providing:

- Clear sight lines between public and private places and maximising natural surveillance.
- Appropriate lighting and effective guardianship of communal and/or public areas.
- Landscaping that makes places attractive but does not provide offenders with a place to hide or entrap victim.

The siting of built form in proximity to the campus boundary provides a suitable degree of passive surveillance over the campus and the adjoining public realm. The retention of visually permeable boundary fencing also creates clear sightlines to the public domain and provides suitable opportunities for passive surveillance during school hours.

Territorial Reinforcement

This principle involves the community ownership of public spaces and that staff, students and visitors will be more comfortable in visiting a communal area that is well-cared for and to which they feel they own. Well used places also reduce opportunities for crime and present as a deterrent to criminals. Also, designing with clear transitions and boundaries between public and private spaces, and clear design cues on what the area is used for is recommended. The proposed development will not alter existing the territorial reinforcement measures which provide suitable delineation between the public and private space of the College campus

Access Control

The principle of access control is to use physical and symbolic barriers to attract, channel or restrict the movement of people to minimise opportunities for crime and increase the effort required to commit a crime. Access control at the College will be provided using existing operational procedures.

Space / Activity Management

This principle provides that space which is appropriately utilised and well cared for reduces the risk of crime and antisocial behaviour. Space management strategies include activity coordination, site cleanliness, rapid repair of vandalism and graffiti, the replacement of lighting and the removal or refurbishment of decayed physical elements. These space management strategies will be undertaken in accordance with existing operational procedures.

6.4 Traffic, Transport and Access

6.4.1 Traffic

To assess the potential impacts from the increased student population on the surrounding road network and to confirm the adequacy of existing parking and vehicle access arrangements a Traffic Impact Assessment (TIA) has been prepared by Traffix (**Appendix J**).

To identify the existing traffic volumes and to confirm the potential impact of the student population on the surrounding road network the following key intersections in the regional network were surveyed to establish a base scenario:

- Sparks Road, Mary MacKillop Drive and Minnesota Road
- Mary MacKillop Drive and Tenison Woods Close
- Mataram Road and Mary MacKillop Drive

Traffic generated from the proposed development affecting this intersection has been based on an assumed generation rate of 63.92 trips per 100 students in the am peak and 33.38 trips per 100 students in the pm peak, with these figures derived from site survey of vehicle movements at the College.

Based on the above assumptions the proposal is expected to result in an additional:

- 176 vehicle trips per hour in the am peak period
- 92 vehicle trips per hour in the pm peak period

SIDRA analysis based on the above vehicle trips was then completed to identify the anticipated level of service for the key intersections. The SIDRA analysis identified that the vehicle movements generated by the increase in staff and student numbers would result in an increase in the degree of saturation and intersection delay but would not affect the overall level of service for each intersection.

6.4.2 Car Parking

Table 1, Section 2.13.3.1 of the Central Coast DCP 2022 provides that car parking for a development is to be provided in accordance with the rates specified by Table 1 of the DCP. Where a variation to the parking rates identified in Table 1 is proposed, the reason and justification for the variation are to be included in a traffic management plan for Council's consideration.

The proposed development will provide an increase in the staff and student population comprising:

- 275 students (202 Primary and 73 Secondary)
- 34 Staff

In accordance with Table 1 of the Central Coast DCP 2022, the proposal is required to provide an additional 27 parking spaces. However, based on existing demand and usage the College currently has an overprovision of parking spaces and can accommodate the proposed increase in staff and student numbers

The MacKillop College campus benefits from 242 existing off street parking spaces, which includes six (6) accessible spaces. The campus provides kiss and drop facilities, accessed via Mataram Drive and Tennison Wood Close (**Figure 18**).

No additional carparking spaces are proposed as part of the development and to confirm the adequacy of existing parking arrangements a survey-based demand assessment has been completed by Traffix (**Figure 17**). The surveys were conducted between 6am - 6pm at 30 min intervals on a school day and identified the following parking demand at the College:

- 179 occupied spaces in the am peak (30% of spaces unoccupied)
- 197 occupied spaces (23% of spaces unoccupied)

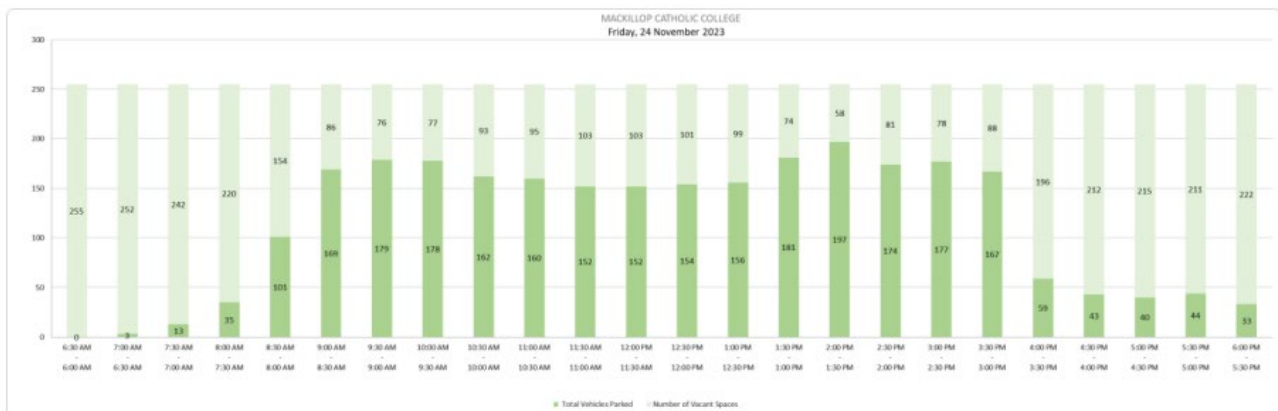


Figure 17: On site car parking demand survey (source: Traffix)

Based on the occupancy parking rates shown in **Figure 17** and on the current level of enrolment, Traffix have identified that the parking demand rate for the campus is 12.7 car spaces per 100 students and can be accommodated by the 242 existing off street parking spaces.



Figure 18: Existing parking locations (source: Traffix)

6.4.3 Access

No changes to vehicular access to the site are proposed and the existing arrangements are consistent with previous approvals for the site. The suitability of existing arrangements has been established by previous development consents and transport assessment confirms that the existing access arrangements are suitable.

6.5 Suitability of the Site for the Development

6.5.1 General

There are two (2) key questions to be considered in site suitability:

1. Does the proposal fit the locality?

The proposal would expand an existing educational establishment and consolidate built form, providing additional outdoor play areas to support existing school operations. The proposal is consistent with the established and newly approved pattern of subdivision in the area and has utilised the existing topography to create an appropriate transition in built form that provides an articulated frontage along Mataram Road

2. Is the site itself suitable for the particular development?

The suitability of the site for the existing land use has been established through previous development consents. Subject to the implementation of the relevant stormwater infrastructure works and following the completion of land remediation works, the site will remain suitable for the proposed development.

Therefore, the site is considered to be suitable for the proposed development.

6.5.2 Flooding

Mackillop Catholic College is partially affected by the probable maximum flood (PMF) level, however the proposed development would not occur in the vicinity of the flood affected portion of the site. The proposed development would be positioned upstream from the flood affected area of the site and the stormwater plans confirm that the proposed development would result in reduced volume of water flow off site during storm events.

6.5.3 Bush Fire

In accordance with Section 100B of the *Rural Fires Act 1997*, the proposed development is development for a special fire protection purpose and is located on bush fire prone land as defined pursuant to Section 10.3(3) of the *Environmental Planning and Assessment Act 1979* as follows:

Land recorded for the time being as bush fire prone land on a bush fire prone land map for an area is bush fire prone land for the area for the purposes of this or any other Act.

Therefore, the development is required to obtain a bushfire safety authority, prior to development consent being granted. However, as identified by the Bushfire Assessment Report (**Appendix I**) the proposal is not in proximity to hazardous vegetation and has a BAL- Low rating, confirming the existing College Campus currently has the lowest risk rating from a potential fire.

The discrepancy in bushfire prone land mapping and the actual bushfire risk is due the College campus being located within an urban release area and the former bushland in the vicinity of the College being cleared for the purpose of residential subdivision. It is anticipated that this discrepancy will be rectified once the mapping in the vicinity is recertified.

Accordingly, subject to compliance with the relevant general terms of approval issued by the NSW Rural Fire Service and the recommendations of the bushfire assessment report, the proposed development can mitigate manage bushfire risk by:

- Managing the College campus as an inner protection area (IPA); and
- Preparing a bushfire emergency management and evacuation plan

6.5.4 Contamination and Remediation

A preliminary site investigation has been completed by Raw Earth Environmental (**Appendix M**). Desktop due diligence outlines that the presence of existing buildings on the site could potentially be indicative of the existing use having the potential to contain uncontrolled fill. The investigation identifies that the uncontrolled fill could be a potential source of contamination and a site investigation was therefore undertaken by Raw Earth Environmental to confirm if fill/soil was contaminated.

During the site investigation one (1) area of environmental concern (AEC) was identified as having a low-moderate potential for exposure to contaminants of potential concern (CoPC). However,

subject to the following recommendations Raw Earth Environmental confirms that the site can be made suitable for the proposed development:

- Undertake intrusive testing of soil at areas of known disturbance
- If offsite disposal of soil is required analyse and classify of soil in accordance with the *Protection of the Environment Operations (Waste) Regulation (2014)*
- In the event of unexpected finds notify the nominated environmental consultant and undertake investigation of the works area

Subject to the implementation of the above, a detailed site investigation and remediation action plan would not be required, and the above measures can be included as conditions of development consent.

6.6 The Public Interest

The proposed development is not prejudicial to the public interest as it would allow the expansion of an existing educational establishment for the purpose of providing additional play space for the well-being of students.

7 Conclusion

The proposed development for the demolition of existing buildings, construction of new school buildings, tree removal, landscape improvements and increase in staff and student numbers at Mackillop Catholic College has been assessed in accordance with the requirements of the EP&A Act and other relevant legislation.

Adverse environmental impacts have been assessed and subject to the implementation of the proposed noise attenuation measures and validation of the proposed land remediation, the proposal would not result in adverse environmental impacts.

Whilst the proposed development seeks vary the 9.5m height of buildings development standard under clause 4.3 of the CCLEP, it is considered that compliance with the development standard is unreasonable and unnecessary in the circumstances and that there are sufficient environmental planning grounds to justify the contravention of the height of buildings development standard.

Accordingly, the proposal is considered to satisfactorily respond to the opportunities and constraints of the site and the relevant legislation and is therefore worthy of Council approval.