

COUNCIL ASSESSMENT REPORT

SYNDEY NORTH PLANNING PANEL

PANEL REFERENCE & DA NUMBER	PPSSNH-379 - DA/233/2023
PROPOSAL	Alterations and additions to an educational establishment
ADDRESS	Lot 101 DP 833207, Northholm Grammar School, No. 79-81 Cobah Road, Fiddletown
APPLICANT	Caladines Town Planning Pty Ltd
OWNER	Northholm Grammar School Ltd
DA LODGEMENT DATE	17 March 2023
APPLICATION TYPE	Development Application (Integrated) NSW Rural Fire Service
REGIONALLY SIGNIFICANT CRITERIA	Section 2.19(1) and Clause 5(a) of Schedule 6 of State Environmental Planning Policy (Planning Systems) 2021 declares the proposal regionally significant development as a private community facility (educational establishment) having a capital investment value in excess of \$5 million
CIV	\$7,241,770 (excluding GST)
CLAUSE 4.6 REQUESTS	N/A
KEY SEPP/LEP	<ul style="list-style-type: none"> State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 Hornsby Local Environmental Plan 2013 Hornsby Development Control Plan 2013
TOTAL & UNIQUE SUBMISSIONS KEY ISSUES IN SUBMISSIONS	No Submissions
DOCUMENTS SUBMITTED FOR CONSIDERATION	<ul style="list-style-type: none"> Architectural Plans Staging Plan Waste Management Plan

	<ul style="list-style-type: none"> • Civil Stormwater Report • Civil Engineering Plans • Statement of Environmental Effects • Landscape Concept Plan and Tree Protection Plan • Ecological Assessment Report • Bushfire Assessment Report • Arboriculture Impact Assessment Report • Access Review • Construction Management Plan
SPECIAL INFRASTRUCTURE CONTRIBUTIONS (\$7.24)	N/A
RECOMMENDATION	Approval
DRAFT CONDITIONS TO APPLICANT	No
SCHEDULED MEETING DATE	12 July 2023
PLAN VERSION	Various - See Condition 2 for a full list of approved documentation
PREPARED BY	Katrina Maxwell, Senior Town Planner
COI DECLARATION	No conflict of interest declared
DATE OF REPORT	5 July 2023

EXECUTIVE SUMMARY

The development application No. DA/233/2023 was lodged on 17 March 2023. A briefing meeting was held on 7 June 2023. An amended statement of environmental effects (SEE) and a construction management plan and were submitted on 19 June 2023 and 23 June 2023 respectively.

The development application (DA/233/2023) seeks consent alterations and additions to an Educational Establishment.

Specifically, the proposal seeks consent for on-site preparation works, including the removal of four single level demountable classroom buildings from the site, other structures, minor excavation works and the removal of trees to facilitate the construction of a free-standing teaching building and two storey free standing change room pavilion.

The proposal also includes updating of the approved Master Plan for the site.

The subject site is known as Lot 101 DP 833207, Northholm Grammar School, No. 79-81 Cobah Road, Fiddletown ('the site') has an area of 10.39 hectares and is located on the southern side Nollands Road and the western side of Cobah Road, Fiddletown. The proposed development footprint has a fall of approximately 1.5 metres.

The site contains numerous school buildings associated with Northholm Grammar School, sport fields, car parks, dams and natural bushland.

The subject site is located on the south-western corner of Nollands Road and Cobah Road Fiddletown. The surrounding neighbourhood is a mix of rural residential properties, plant-based agriculture and poultry farms.

The site is zoned part RU1 Primary Production and part C3 Environmental Management pursuant to Clause 2.2 of the LEP. Educational Establishments are prohibited in both the RU1 Primary Production zone and C3 Environmental Management zone. The development relies on existing use rights.

As the site relies on existing use rights, the following planning controls do not strictly apply, however have been used as a guideline. The principal planning controls relevant to the proposal include the Hornsby Local Environmental Plan 2013 and Part 1,2 and 7 of Hornsby Development Control Plan ('DCP'). The proposal is consistent with various provisions of the planning controls including:

- *Clause 2.3 Zone objectives and Land Use Table - Hornsby Local Environmental Plan 2013*
- *Clause 4.3 Height - Hornsby Local Environmental Plan 2013*
- *Clause 6.2 Earthworks - Hornsby Local Environmental Plan 2013*

Notwithstanding, State Environmental Planning Policy (Transport and Infrastructure) 2021 prevails with regard to permissibility in the zone. The site is not within a prescribed zone under State Environmental Planning Policy (Transport and Infrastructure) 2021. However, Clause 3.36(3) of the SEPP, allows for development consent for works on land that is not in a prescribed zone if it is carried out on land within the boundaries of an existing or approved school.

Concurrence was required from NSW Rural Fire Service for the proposal and the application is integrated development pursuant to Section 4.46 of the *Environmental Planning and Assessment Act 1979* ('EP&A Act').

Jurisdictional prerequisites to the grant of consent imposed by the following controls have been satisfied including:

- Chapter 4 of *SEPP (Biodiversity & Conservation)* for consideration of koala habitat
- Chapter 6 of *SEPP (Biodiversity & Conservation)* for consideration of the impact of the development on the water catchment.
- Section 4.6 of the *Resilience and Hazards SEPP* for consideration of whether the land is contaminated.
- Section 2.19(1) of *SEPP (Planning Systems)* for the declaration of regionally significant development.
- Sections 3.4 & 3.6(6) and Schedule 8 of *SEPP (Transport and Infrastructure)* matters for consideration and design quality principals for educational establishments

The application was placed on public exhibition from 23 March 2023 to 13 April 2023, with no submissions being received.

The application is referred to the Sydney North Planning Panel ('the Panel') as the development is '*regionally significant development*', pursuant to Section 2.19(1) and Clause (5)(b) of Schedule 6 of *State Environmental Planning Policy (Planning Systems) 2021* as the proposal is development for private *community facilities* and a with a CIV over \$5 million.

A briefing meeting was held with the Panel on 7 June 2023 where key issues were discussed, including consistency with previously approved masterplan, consideration of the community use of proposed facilities, removal of landscaping/replacement trees and confirmation of Council's landscape officer comments/support, requirement for a construction management plan and wastewater consideration.

Following consideration of the matters for consideration under Section 4.15(1) of the EP&A Act, the provisions of the relevant State environmental planning policies, in particular *SEPP (Transport and Infrastructure) 2021* and *Hornsby Local Environmental Plan 2013*, the proposal is supported.

The proposal is considered to be in the public interest as it provides educational facilities and recreational facilities for the community and would not result in any adverse impacts to the community.

Following a detailed assessment of the proposal, pursuant to Section 4.16(1)(b) of the *EP&A Act*, DA DA/233/2023 is recommended for approval subject to the conditions contained at Attachment A of this report including approval from the applicant to impose conditions where required.

1 THE SITE AND LOCALITY

1.1 The Site

The site has an area of 10.39 hectares and is located on the southern side Nollands Road and the western side of Cobah Road, Fiddletown. The proposed development footprint has a fall of approximately 1.5 metres.

The site contains numerous school buildings associated with Northholm Grammar School, sport fields, car parks, dams and natural bushland.

The site is bushfire prone.

The site is not flood prone.

The site is mapped as containing a threatened community species (Bloodwood-Scribbly Gum Woodland and Peppermint-Angophora Forest).

The site does not contain a heritage listed item, is not located within the vicinity of a heritage listed item and is not within a heritage conservation area.

There is a natural watercourse in the southern portion of the site.

The site is not served by the sewers of Sydney Water.

There is an Easement for Drainage at the northern boundary of the site.



Figure 1 Aerial Photograph of Site (Source: Near Maps)

1.2 The Locality

The subject site is located on the south-western corner of Nollands Road and Cobah Road Fiddletown. The surrounding neighbourhood is a mix of rural residential properties, plant-based agriculture and poultry farms.



Figure 2 Locality Plan - Site hatched

2 THE PROPOSAL AND BACKGROUND

2.1 The Proposal

The proposal seeks consent for on-site preparation works, including the removal of four single level demountable classroom buildings from the site, other structures, minor excavation works and the removal of trees to facilitate the construction of a free-standing teaching building and single storey free standing change room pavilion

Specifically, the proposal involves:

- Removal of four single level demountable buildings.
- Demolition of the façade of the existing arts block to allow space for the new teaching building.
- Construction of a new teaching building and change room pavilion.
- Construction of an accessible asphalt path of travel, gathering place and pathway areas.
- Introduction new half basketball court and outdoor table tennis boards.
- Introduction of elevated platform with shade sail.
- Provision of new landscaped pathways to create new 'academic boulevard'.
- Landscaping including outdoor seating terraces, planter boxes and proposed feature bottle tree.

- New Amphitheatre.
- No increase in the numbers of staff and no increase in student numbers is proposed as a result of this development application.

2.1.1 Teaching Building

The Teaching would be located on the lower ground level of the teaching building. The ground level would consist of four classrooms and staff room, stairs and landing, lift, WC and planter boxes. The building includes a water tank and plant room.

Five classrooms, an outdoor learning area, lift stairs, landing and WC would be located on Level 1.

A skillion metal deck roof is proposed.



Figure 3: Artist Rendering of Main Building (Source: Architectural Plans)

2.1.2 Pavilion Building

The Pavilion Building includes change rooms, showers, and toilets on the ground floor. Level 1 would include classrooms with storage cupboards, and balcony facing north. The roof would be a skillion style metal roof. The pavilion building would be connected to an existing building by a glazed bridge. New stairs and lifts are also proposed.



Figure 4: Artist Rendering of Pavilion Building (Source: Architectural Plans)

The development would require the removal of 19 trees and a further 20 trees would be impacted by the development.

The proposal also includes developing a new strategic masterplan that can guide future development of the school in an orderly and organised manner.

The key development data is provided in Table 1.

Table 1: Development Data

Control	Proposal
Site area	10.39 hectares
GFA (additional)	1226m ²
FSR (retail/residential)	N/A
Clause 4.6 Requests	No
No of apartments	N/A
Max Height	Max. 10.5m. Max 10.2m proposed
Landscaped area	Min 45% of site - Complies
Car Parking spaces	No changes to car parking spaces, no additional staff or students.
Setbacks	As per Rural Buildings Setbacks in Part 2 of HDCP
Recreation Space	Min 20m ² per student - Complies

2.2 Background

The development application was lodged on 17 March 2023. A chronology of the development application since lodgement is outlined in Table 2.

Table 2: Chronology of the DA

Date	Event
23 March - 13 April 2023	Exhibition of the application
23 March 2023	DA referred to external agencies
27 March 2023	Request for Information from Council to applicant
12 April 2023	Additional Information regarding CIV Value received
4 May 2023	NSW Rural Fire Service Comments received.
7 June 2023	Panel briefing
19 June 2023	Amended Statement of Environmental Effects (SEE) received providing additional information regarding compliance with Chapter 3, Schedule 8 Design Quality in Schools under SEPP (Transport and Infrastructure) 2021 accepted by Council under CI 38(1) of the Environmental Planning and Assessment Regulation 2021 ('2021 EP&A Regulation') on 19 June 2023.
23 June 2023	Preliminary Construction Management Plan (PCMP)

	received and accepted by Council under CI 38(1) of the Environmental Planning and Assessment Regulation 2021 ('2021 EP&A Regulation')
12 July 2023	Sydney North Planning Panel Meeting

2.3 Site History

The following development applications have been previously approved on the site:

- On 6 May 1982, Council granted consent to Development Application No. DA/71/82 to establish a school on the subject site.
- On 21 February 1985, Council granted consent to Development Application No. DA/206/84 to increase the number of students from 280 to 400.
- On 3 September 1985, Council granted consent to Development Application No. DA/191/85 to construct new school buildings on the site.
- On 3 December 1990, Council granted consent to Development Application No. DA/427/1990 for a boundary adjustment.
- On 22 January 1993, Council granted consent to Development Application No. DA/625/1992 to construct playing fields, physical education centre and Stage 1 of the performing arts building.
- On 31 July 2000, Council granted consent to Development Application No. DA/1107/2000 to construct a lower ground floor (basement) and installation of student facilities.
- On 6 July 2001, Council granted consent to Development Application No. DA/909/2001 to carry out alterations and additions to the Performing Arts Building, including 2 new classrooms.
- On 11 January 2002, Council granted consent to Development Application No. DA/2636/2001 to use the cricket pitch on Saturdays in daylight hours.
- On 1 December 2004, Council granted consent to Development Application No. DA/591/2004 for construction of a new classroom block, associated car parking, infrastructure, and landscaping works (Stage 1A) and approval of a Masterplan for NGS.
- On 22 June 2006 Council granted consent to Development Application No. DA/1881/2005 for erection of 2 multi-purpose playing courts
- On 29 April 2008, Council granted consent to Development Application No. DA/530/2008 for demolition of the temporary classrooms and construction of three classroom buildings with associated landscaping as a staged development which included a Masterplan for Northholm Grammar School. (See Figure 6 of this Report).

In order to maintain parity between all approved applications, should this development application be approved, a recommended condition of consent would be imposed requiring amendment of the approved masterplan under Development Application No. DA/530/2008 by including the building approved under this development application.

3 STATUTORY CONSIDERATIONS

When determining a development application, the consent authority must take into consideration the matters outlined in Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* ('EP&A Act'). These matters as are of relevance to the development application include the following:

- (a) *the provisions of any environmental planning instrument, proposed instrument, development control plan, planning agreement and the regulations*
 - (i) *any environmental planning instrument, and*
 - (ii) *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
 - (iii) *any development control plan, and*
 - (iiia) *any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
 - (iv) *the regulations (to the extent that they prescribe matters for the purposes of this paragraph), that apply to the land to which the development application relates,*
- (b) *the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) *the suitability of the site for the development,*
- (d) *any submissions made in accordance with this Act or the regulations,*
- (e) *the public interest.*

These matters are further considered below.

It is noted that the proposal is Integrated Development (s4.46) with the NSW Rural Fire Service and further consideration is provided in this report.

3.1 Environmental Planning Instruments, proposed instrument, development control plan, planning agreement and the regulations

The relevant environmental planning instruments, proposed instruments, development control plans, planning agreements and the matters for consideration under the Regulation are considered below.

3.2 Section 4.15(1)(a)(i) - Provisions of Environmental Planning Instruments

The following Environmental Planning Instruments are relevant to this application:

- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Industry and Employment) 2021*
- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *Hornsby Local Environmental Plan 2013*

A summary of the key matters for consideration arising from these State Environmental Planning Policies are outlined in Table 3 and considered in more detail below.

Table 3: Summary of Applicable Environmental Planning Instruments

EPI	Matters for Consideration	Comply (Y/N)
SEPP (Biodiversity & Conservation)	Chapter 4: Koala Habitat Protection 2021 Chapter 6: Water catchments	Y
SEPP (Planning Systems)	Chapter 2: State and Regional Development • Section 2.19(1) declares the proposal regionally significant development pursuant to Clause 5(a) of Schedule 6 as it comprises private infrastructure and community facilities over \$5 million.	Y
SEPP (Resilience & Hazards)	Chapter 4: Remediation of Land • Section 4.6 - Contamination and remediation has been considered in the Contamination Report and the proposal is satisfactory subject to conditions.	Y
SEPP (Transport and Infrastructure)	<u>Chapter 2: Infrastructure</u> The site is not located on a classified road and there is no increase in student or staff numbers. Referral to TfNSW is not required. <u>Chapter 3: Educational Establishments</u> • Section 3.4 - School - matters for consideration by consent authorities • Clause 3.36(6) consideration of design quality principles set out in schedule 8 of the SEPP • Schedule 8 Design Quality Principles in Schools	N/A Y
Proposed Instruments	No compliance issues identified.	Y
HLEP	<ul style="list-style-type: none"> • Clause 2.3 - Permissibility and zone objectives • Clause 4.3 - Height of Buildings - discussed in Section • Clause 6.2 - Earthworks • Clause 6.4 - Terrestrial Biodiversity 	Y
HDCCP	The proposed development would not alter the development compliance with the relevant Parts of Chapters 1, 2 or 7 of the HDCCP	Y

Consideration of the relevant SEPPs is outlined below

3.2.1 State Environmental Planning Policy (Biodiversity and Conservation) 2021

The application has been assessed against the requirements of Chapters 4 and 6 of State Environmental Planning Policy (Biodiversity and Conservation) 2021.

3.2.1.1 Chapter 4 - Koala Habitat Protection 2021

The Hornsby Shire LGA is listed under Schedule 2 of SEPP (Biodiversity and Conservation) 2021 as a koala management area and therefore Koala Habitat Protection is a consideration in the assessment of this DA.

The application is accompanied by an Ecological Assessment Report Ref: 22NGS02 prepared by Travers Bushfire and Ecology (dated 3 March 2023) which confirms the study area does not comprise Core Koala Habitat and as such the proposed development does not impact on potential koala habitat. However, the vegetation patch to the south of the study area may be used as a stepping-stone for Koalas moving through the landscape.

Council's Natural Resources Officer has assessed this development and, subject to a deferred commencement consent, raise no concern or objection in relation to protection of koala habitat.

The proposal is consistent with Chapter 4 of State Environmental Planning Policy (Biodiversity and Conservation) 2021 and is considered acceptable.

3.2.1.2 Chapter 6 Water Catchments

The site is located within the catchment of the Hawkesbury-Nepean River. The aim of this chapter is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of development are considered in the regional context. Chapter 6 of this Plan contains general planning considerations and strategies requiring Council to consider the impacts of development on water quality, aquaculture, significant vegetation habitats, extraction, environmental heritage and scenic quality, recreation and tourism, and agriculture.

Subject to the implementation of sediment and erosion control measures and stormwater management to protect water quality, the proposal would not impact on the water quality of the catchment and would comply with the requirements of Chapter 6 of the Biodiversity and Conservation SEPP.

3.2.2 State Environmental Planning Policy (Planning Systems) 2021 ('Planning Systems SEPP')

The proposal is *regionally significant development* pursuant to Section 2.19(1) as it satisfies the criteria in 5(a) of Schedule 6 of the Planning Systems SEPP as the proposal is development for private community facility (educational establishment) having a capital investment value in excess of \$5 million.

The provided Quantity Surveyors Report provides a CIV of \$7,241,770.00 which satisfies this criterion. Accordingly, the Sydney North Planning Panel is the consent authority for the application. The proposal is consistent with this Policy.

3.2.3 State Environmental Planning Policy (Resilience and Hazards) 2021

The application has been assessed against the requirements of Chapter 4 of State Environmental Planning Policy (Resilience and Hazards) 2021 (*the Resilience and Hazards SEPP*) have been considered in the assessment of the development application. Section 4.6 of Resilience and Hazards SEPP requires consent authorities to consider whether the land is contaminated, and if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out.

The site has been occupied as an educational establishment since 1982. Contamination has been considered in the Statement of Environmental Effects, which outlines that the site has never in the past been used for industrial or commercial purposes and the site is not listed on Council's records as being subject to contamination.

Council's Environmental Protection Officer has assessed this development application and has found it to be satisfactory.

The proposal is considered to be consistent with the Resilience and Hazards SEPP.

3.2.4 State Environmental Planning Policy (Transport and Infrastructure) 2021

State Environmental Planning Policy (Transport and Infrastructure) 2021 provides planning controls for school development within Chapter 3 of the SEPP, with further controls within Schedule 8 which relate to the design quality of the development.

3.2.4.1 Chapter 3 Educational Establishments/Design Quality Principles

Clause 3.36 of the SEPP requires a consent authority to take into consideration the design quality of the development in accordance with the design quality principles set out in Schedule 8 of the Transport and Infrastructure SEPP.

The applicant provided documentation regarding how the development was designed in accordance with these principles, within an addendum to Statement of Environmental Effects prepared by Calandines Town Planning Pty Ltd (June 2023) addressing Schedule 8 Design Quality Principles in Schools of the Transport and Infrastructure SEPP. An assessment of the development against the seven principles is provided within the below table:

The seven design principles are set out in the following table.

Table 4: Design Quality Principles

Design Quality Principle	Design Response	Comply (Y/N)
<p>Principle 1- context, built form and landscape</p> <p>Schools should be designed to respond to and enhance the positive qualities of their setting, landscape, and heritage, including Aboriginal cultural heritage. The design and spatial organisation of buildings and the spaces between them should be informed by site conditions such as topography, orientation, and climate. Landscape should be integrated into the design of school developments to enhance on-site amenity, contribute to the streetscape, and mitigate negative impacts on neighbouring sites. School buildings and their grounds on land that is identified in or under a local environmental plan as a scenic protection area should be designed to recognise and protect the special visual qualities and natural</p>	<p>The site fronting Cobah Road and Nollands Road is generally flat however the land falls away to the west of the site into a natural bushland setting.</p> <p>The site has site area of 10.39ha, is irregular in shape and accommodates an educational establishment. The site comprises of low scale school buildings adjacent to a native vegetation setting, manmade dams for water recycling purposes, sporting fields and open space that is used for recreational purposes by the school. All vehicular access into and out of the site is from Cobah Road. On site car parking for teachers, visitors and senior students is provided at the southern end of the school. Other existing car spaces are sited next to the school's sports hall/gymnasium. On-street parking is available along Cobah Road and all surrounding roads within the vicinity of the site. The majority of the on street car parking is unrestricted throughout the day and night.</p> <p>The siting of the new buildings away from</p>	Y

<p>environment of the area and located and designed to minimise the development's visual impact on those qualities and that natural environment.</p>	<p>residential properties along Cobah Road assists in mitigating potential visual, acoustic, privacy and shadow impacts from the surrounding environment and are to be sited in a natural setting.</p> <p>The siting of the new buildings has also been based around accessibility requirements and improving access throughout the site. The provision of a new lifts and ramps creates equitable access for students, staff, and visitors.</p> <p>The existing biodiversity land and cross fall on the site has been a significant consideration in the design approach. The approach responds to the sites surrounding natural context by removing demountable buildings out of fire zones.</p> <p>Overall, the proposed built forms and landscape design integrates with other buildings in the site and will result in a positive manner by connecting with the sites natural environment.</p>	
<p>Principle 2- sustainable, efficient, and durable</p> <p>Good design combines positive environmental, social, and economic outcomes. Schools and school buildings should be designed to minimise the consumption of energy, water and natural resources and reduce waste and encourage recycling.</p> <p>Schools should be designed to be durable, resilient, and adaptable, enabling them to evolve over time to meet future requirements.</p>	<p>The proposed buildings would incorporate the properties of high thermal mass, glazing and insulation, thereby reducing the need for artificial heating, cooling, and lighting.</p> <p>The building is constructed of durable and low maintenance materials. The internal layout is designed to be adaptable.</p> <p>The proposed buildings adopt a philosophy of reducing the amount of waste to landfill and a waste management hierarchy of avoid/reuse/recycle/dispose.</p> <p>Rainwater will be collected from the roof into large storage tanks for reuse back into the school. Provisions for a future solar array have been included in the design and power generated will be used across the school. Energy efficient mechanical systems and highly efficient water fixtures and fittings are proposed to reduce consumption. The landscape design focuses on the integration of people, nature and learning across the whole of school.</p> <p>The north facing façade and windows of the new teaching building encourages solar access to all parts of the learning spaces and promotes cross/through ventilation and air</p>	<p>Y</p>

	<p>movement between the buildings. Roof overhangs and sun shading devices provide solar protection.</p> <p>The new buildings will have a brick plinth with a framed structure and painted FC/Vitrapanel façade cladding. Colours are to match the schools colour guide, which was developed to complement the earthy, leafy colour tones that characterize the surrounding environment.</p> <p>Glass balustrading is provided with aluminum framed glass windows and sliding glass doors onto outdoor passageways and balconies. See schedule of materials and photomontages accompanying the DA</p> <p>These materials are considered to be robust and durable and are in line with NSW Department of Education requirements. The sustainable focus of the proposal is a holistic and careful balance of economic prosperity, social responsibility, and environmental sensitivity.</p>	
<p>Principle 3 - accessible and inclusive</p> <p>School buildings and their grounds should provide good wayfinding and be welcoming, accessible and inclusive to people with differing needs and capabilities.</p> <p>Note: Wayfinding refers to information systems that guide people through a physical environment and enhance their understanding and experience of the space.</p> <p>Schools should actively seek opportunities for their facilities to be shared with the community and cater for activities outside of school hours.</p>	<p>Through a combination of stairs, ramps and lift, internally and externally, across the site are accessible to all students. Circulation starts from the main access point into the site connecting all existing and new buildings across all levels and supporting simple wayfinding logic across the learning communities.</p> <p>The design has focused on strong connections between people and spaces through spatial planning and transparency with the intent to engage staff and students in collaborative environments that support and enhance productivity, interdisciplinary activities, and positive educational outcomes.</p> <p>Northholm Grammar School currently allows their oval to be used by cricketers from the Hornsby Ku-ring-gai & Hills District Cricket Association competition. The school also allows the Hills Zone Sports Association cricket games to use the oval.</p> <p>The gymnasium is to be used by the Hills Zone Sports Association for basketball games in the afternoons and evenings.</p> <p>The schools existing on site car park nearest the oval is also used by parents of the</p>	Y

	<p>cricketers and basket ballers who do not drive motor vehicles.</p> <p>The new change room pavilion would also be available to cricket organisations.</p>	
<p>Principle 4 - health and safety.</p> <p>Good school development optimises health, safety and security within its boundaries and the surrounding public domain, and balances this with the need to create a welcoming and accessible environment.</p>	<p>During school hours the front boundary gates will remain open to allow public entry while a secondary fence line surrounding the site provides a secure line around the school. The administration building will have good surveillance over the public forecourt and people entering and leaving the site.</p> <p>Surrounding the site, school fencing provides security for the school, providing controlled access onto the school site at various entry points including the staff carpark.</p> <p>Whilst not strictly relevant to works that form this DA, the car park area is also fenced to keep students safe and away from moving vehicles. External walls to all teaching spaces promote natural daylight and cross flow ventilation. Openable windows, louvres at low and high levels will promote convection air movement circulating fresh air through the internal environments to support healthy learning spaces. Open planned learning environments support collaborative learning opportunities and provide good surveillance of all learning spaces.</p> <p>All external environments are open and visually connected, hence promoting good surveillance. The buildings internally and externally provide views to the retained biodiversity vegetation north, south and west of the proposed buildings, which promotes views overlooking play areas.</p> <p>Circulation pathways provide protection from adverse weather conditions and allows for seamless connections between facilities to new amenities.</p>	Y
<p>Principle 5 - amenity</p> <p>Schools should provide pleasant and engaging spaces that are accessible for a wide range of educational, informal and community activities, while also considering the amenity of adjacent development and the local</p>	<p>The proposed design has retained many significant existing trees which will be used as a biodiversity educational tool for students. The proposed design aims to limit the amount of hard landscaping elements. An alternate, soft landscaping inclusive of deep soil will be used along with celebrating the site's indigenous species.</p>	Y

<p>neighbourhood.</p> <p>Schools located near busy roads or near rail corridors should incorporate appropriate noise mitigation measures to ensure a high level of amenity for occupants.</p> <p>Schools should include appropriate, efficient, stage and age appropriate indoor and outdoor learning and play spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, and service areas.</p>	<p>The design promotes a learning setting across the school grounds, both internally and externally and will support the variety of needs of students and staff alike.</p> <p>The arrangement of the core facilities and centralised teaching facilities, was created to support staff related learning needs and to encourage a sense of place and belonging for students and staff.</p>	
<p>Principle 6 - whole of life, flexible and adaptive</p> <p>School design should consider future needs and take a whole-of-life-cycle approach underpinned by site wide strategic and spatial planning. Good design for schools should deliver high environmental performance, ease of adaptation, and maximise multi-use facilities.</p>	<p>The internal layout has been designed to be adaptable and flexible for both formal and informal learning including the provision of an outdoor learning area.</p> <p>The internal floor plates are designed to be fitted out with non-load bearing partition walls to enable future modifications to be made with minimal impact to the building structure.</p> <p>The predominant use of loose and moveable furniture in lieu of fixed joinery units will also enable learning spaces to be flexible for teaching and learning changes into the future.</p> <p>The open planned future focused learning model encourages flexible shared use of space and increased utilisation of circulation areas.</p> <p>The learning spaces have been designed to encourage a variety of learning activities. Spaces can be adapted and connected for various teaching and learning styles and activities making them adaptable for changing teaching needs.</p>	Y
<p>Principle 7- aesthetics</p> <p>School buildings and their landscape setting should be aesthetically pleasing by achieving a built form that has good proportions and a balanced composition of elements. Schools should respond to positive elements from the site and surrounding neighbourhood and have a positive impact on the quality and character of a neighbourhood.</p> <p>The built form should respond to the</p>	<p>The building incorporates a high level of finishes and will appear as an integral part of the school. It is well set back from the street and has internal connections to the existing adjoining school buildings.</p> <p>The overall design is sympathetic to the current semi-rural and natural environment of Fiddletown whilst considering the potential of future growth in population.</p> <p>The proposed style is the combination of clear and fluid forms, which are simple together with the site-specific context of climate, and Australian traditional rural vernacular learning</p>	Y

<p>existing or desired future context, particularly, positive elements from the site and surrounding neighbourhood, and have a positive impact on the quality and sense of identity of the neighbourhood.</p>	<p>from the basic construction techniques employed on farms and their underlying rationale.</p> <p>The architecture should neither oppose nature nor prevent its occupants from enjoying the landscape and environment by use of natural daylight, winds, sounds, colours and even smells - stimulating to the senses and “healthy” learning environments.</p> <p>This combination derived from the “modernist” ethos brought together with the NSW rural vernacular provides a sophisticated response to the educational environment, taking the most positive elements of both.</p> <p>The colours of walls generally will be varied from building to building to help break down the scale of the school thereby showing consideration of the ambition to remain ‘village-like’ in scale. The walls are over-layer to the thermal mass enclosing the spaces between the structural frame. The materials for walls are proposed as:</p> <ul style="list-style-type: none"> • Galvanized Steel/Clip lock - for areas of smaller scale and possibly where there is concern about fire. • Vitrapanel (or equal) or CFC painted with masonry plinths up to 1m. In selecting wall cladding materials, whole of life environmental assessments should be considered. • The colours should be evocative of the local earth, rocks, flora, and fauna (greens and ochres). <p>The low profiled rooves keep the overall height of the built form to a minimum. The materials, finishes and profile of the built form have been chosen to reflect the natural green, biodiversity valued land surrounding the site and to bring emphasis to this semi-rural and environmentally constrained neighbourhood context.</p> <p>The use of glazing allows for the provision of an uplifting learning environment as well as reducing the built mass. Wherever possible, blinds will be used to control glare and daylight. All opening windows are stainless mesh (to an agreed gauge) to protect from bushfire embers.</p>	
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As outlined in the table above, the proposal is considered to be generally consistent with the design quality principles outlined in Schedule 8 of the Transport and Infrastructure SEPP.

It is therefore considered that the proposal is generally consistent with the relevant requirements of the Transport and Infrastructure SEPP as outlined in Part 3 and Schedule 8.

3.2.5 Hornsby Local Environmental Plan 2013

The relevant local environmental plan applying to the site is the Hornsby Local Environmental Plan 2013 ('the LEP'). The aims of the LEP include:

- (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,*
- (a) to facilitate development that creates—*
 - (i) progressive town centres, thriving rural areas and abundant recreation spaces connected by efficient infrastructure and transport systems, and*
 - (ii) a well-planned area with managed growth to provide for the needs of future generations and people enriched by diversity of cultures, the beauty of the environment and a strong economy,*
- (b) to guide the orderly and sustainable development of Hornsby, balancing its economic, environmental, and social needs,*
- (c) to permit a mix of housing types that provide for the future housing needs of the community near employment centres, transport nodes and services,*
- (d) to permit business and industrial development that meets the needs of the community near housing, transport, and services, and is consistent with and reinforces the role of centres within the subregional commercial centres hierarchy,*
- (e) to maintain and protect rural activities, resource lands, rural landscapes, and biodiversity values of rural areas,*
- (f) to provide a range of quality passive and active recreational areas and facilities that meet the leisure needs of both the local and regional community,*
- (g) to facilitate the equitable provision of community services and cultural opportunities to promote the well-being of the population of Hornsby,*
- (h) to protect and enhance the scenic and biodiversity values of environmentally sensitive land, including bushland, river settlements, river catchments, wetlands, and waterways,*
- (i) to protect and enhance the heritage of Hornsby, including places of historic, aesthetic, architectural, natural, cultural, and Aboriginal significance,*
- (j) to minimise risk to the community in areas subject to environmental hazards, including flooding and bush fires.*

The proposal is consistent with these aims as the proposal provides for managed growth to provide for the needs of future generations by supplying additional educational facilities. The proposal would not have an adverse impact on rural activities or the rural landscape in the vicinity of the site. The proposal includes passive and active recreational facilities as integrated into the landscape plan.

The proposal would facilitate a range of active recreational facilities that would be available for both the school and includes provision for some community use.

3.2.5.1 Zoning and Permissibility (Part 2)

The site is located within the part RU1 Primary Production and part C3 Environmental Management zone pursuant to Clause 2.2 of the LEP.



Figure 5 Extract of Zoning Map

Pursuant to Hornsby Shire Local Environmental Plan 1994 (HSLEP) the site was zoned Rural AA (Large Holdings - Agricultural Landscapes) zone and part Environmental Protection B (Environmental Protection - River Catchment) zone. The proposed structure is located within that portion of the site previously zoned Rural AA (Large Holdings - Agricultural Landscapes) zone.

The educational establishment was permissible pursuant to Enabling Clause 22 “Land Within a Rural Zone” of the HSLEP which allowed educational establishments on rural zoned sites containing existing educational establishments.

Therefore, the site benefits from existing use rights under Division 4.11 of the *Environmental Planning and Assessment Act 1979*.

Notwithstanding the above, State Environmental Planning Policy (Transport and Infrastructure) 2021 prevails with regard to permissibility in the zone. The site is not within a prescribed zone under the Transport and Infrastructure SEPP. However, Clause 3.36(3) of the SEPP, allows for development consent for works on land that is not in a prescribed zone if it is carried out on land within the boundaries of an existing or approved school.

The zone objectives include the following (pursuant to the Land Use Table in Clause 2.3 of the HLEP:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To encourage diversity in primary industry enterprises and systems appropriate for the area.*
- *To minimise the fragmentation and alienation of resource lands.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To encourage land uses that support primary production, including low-scale and low-intensity tourist and visitor accommodation and the provision of farm produce direct to the public.*

- *To ensure that development does not unreasonably increase the demand for public infrastructure, services, or facilities.*

The proposal is consistent with these zone objectives for the following reasons:

- No additional staff or students are proposed and therefore no additional demand for public infrastructure, services, or facilities.
- The educational establishment provides facilities to service the needs of primary producers and the wider community in the area.
- The proposal for alterations and additions to an existing educational establishment would not cause fragmentation and alienation of resource lands and would conflict with other land uses both with the RU1 Primary Production Zone and the C3 Environmental Management Zone.

A summary of the key matters for consideration and non-compliances arising from the relevant EPIs are outlined in Table 3. The pre-conditions to the grant of consent have been considered and are outlined in bold.

3.2.5.2 General Controls and Development Standards (Part 2, 4, 5 and 6)

The LEP also contains controls relating to development standards, miscellaneous provisions and local provisions. The controls relevant to the proposal are considered in Table 5 below.

Table 5: Consideration of the LEP Controls

Control	Requirement	Proposal	Comply
Height of buildings (CI 4.3(2))	Max 10.5m	10.2m	Yes
FSR (CI 4.4(2))	N/A	N/A	N/A
Land acquisition (CI 5.1/5.1A)	N/A	N/A	N/A
Heritage (CI 5.10)	N/A	N/A	N/A
Flood Planning (CI 5.21)	N/A	N/A	N/A
Earthworks (CI 6.2)			
Terrestrial Biodiversity (CI 6.4)	N/A	N/A	N/A

3.2.5.3 Earthworks

Clause 6.2 of the HLEP states that consent is required for proposed earthworks on site.

Council's assessment of the proposed works and excavation concludes that excavation to be undertaken on the subject site is largely limited to the building footprint and would comprise of approximately 430m³ of topsoil and pavements stripped and removed from the site as specified in the Waste Management Plan, dated 6 March 2023. Approximately 145,000kg of excavated material would be used on site as fill.

As the majority of these earthworks are confined the building footprint, are relatively minor in scale when compared to the expansive development site, and are adequately setback from neighbouring land uses, it is not considered that the proposed earthworks would have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land. An Earthworks (cut and fill) Report would be required to be submitted prior to

the commencement of works and would provide additional detail regarding the volume of cut and fill proposed.

The proposal is generally consistent with Clause 6.2 Earthworks of the LEP.

3.2.5.4 Assessment of Existing Use Rights - Fodor Investments v Hornsby Shire Council [2005] NSWLEC 71

Due to the proposed use not being permissible in the zone, an assessment of the suitability of the development cannot be undertaken in accordance with the prescriptive requirements of the Infrastructure and Transport SEPP, HLEP or most of the Hornsby Development Control Plan (HDCP) (some assessment against the HDCP is possible, this is provided in Part 6.5 of this report). Consequently, a merit assessment is required.

The principles to be considered when undertaking a merit assessment of a proposed redevelopment of a site with existing use rights were dealt with by Roseth SC in Fodor Investments v Hornsby Shire Council [2005] NSWLEC 71. Roseth SC found that four questions usually arise in the assessment of existing use rights developments. These four questions comprise the Planning Principle for assessing such developments. An assessment of this application against this planning principle is provided below:

Table 6: Planning principles: Assessment of proposals on land with existing use rights

Question	Assessment
How do the bulk and scale (as expressed by height, floor space ratio and setbacks) of the proposal relate to what is permissible on surrounding sites?	The proposal complies with the bulk and scale controls of community buildings in the RU1 - Primary Production zone. The proposal is consistent with the scale of other buildings within the existing school site. It is therefore considered that the bulk and scale of the proposed development is consistent and acceptable with respect to the surrounding built environment.
What is the relevance of the building in which the existing takes place?	The site in which the existing use takes place will continue to be utilised as an educational establishment, with the alterations and additions enhancing the functionality of the educational establishment. The bulk and scale of the structure is considered to be acceptable.
What are the impacts on adjoining land?	Impacts arising from the development are likely to be negligible and confined to the construction period only (noise etc). The students are considered to be sensitive receptors of construction noise and not the adjoining properties.
What is the internal amenity?	The proposal will contribute to a positive internal amenity with extensive landscaping and additional recreation facilities (such as playground equipment).

3.3 Section 4.15 (1)(a)(ii) - Provisions of any Proposed Instruments

There are no draft environmental planning instruments relevant to this site or development type which have been the subject of public consultation under the EP&A Act, and are relevant to the proposal, including the following:

3.4 Section 4.15(1)(a)(iii) - Provisions of any Development Control Plan

The following Development Control Plan is relevant to this application:

- *Hornsby Development Control Plan 2013* ('the DCP')

The HDCP applies to all land within Hornsby Shire and came into effect on 11 October 2013. As discussed in Section 3.2.5.1 of this report, Educational Establishments are prohibited within the RU1 Primary Production zone pursuant to HLEP and therefore the built form controls of Part 2 and Part 7 of the HDCP are not strictly applicable. However, the relevant general provisions within Part 1, 2 and 7 of the HDCP are applicable to the development. This includes provisions relating to tree preservation, stormwater management, earthworks and slope, noise and vibration, earthworks and slope, bushfire, effluent disposal, and car parking. These matters are considered throughout this report.

3.4.1 Tree Preservation

Part 1B.6 Tree and Vegetation Preservation of HDCP requires the consent of Council to remove trees protected by the HDCP.

Nineteen trees would be removed by the development, and a further 20 trees would be impacted by the development. The trees would be removed to facilitate construction of the teaching building and pavilion building, to facilitate asset protection zones (APZ), and to enable the partial demolition of the arts building. A landscape plan has been prepared by Umbaco Landscape Architects (dated March 2022) including 19 replacement trees. A condition of consent requires a minimum planting of 19 replacement trees.

An Arboriculture Assessment Report was submitted by Travers Bushfire & Ecology (dated 14 March 2023) in support of this development application.

Council's Tree Assessment Officer has assessed this development application and found it to be satisfactory.

Subject to conditions, the proposal complies with Part 1B.6 Tree and Vegetation Preservation of HDCP and is considered acceptable.

3.4.2 Stormwater

The desired outcomes of Part 1C.1.2 Stormwater Management of HDCP are to encourage "*development that protects waterways from erosion, pollution and sedimentation, and maintains or improves water quality and aquatic habitats*" and "*water management systems that minimise the effects of flooding and maintains natural environmental flows*".

It is proposed to connect the stormwater for the additions to the existing stormwater system on the site, which would then be conveyed to the street. Civil engineering plans of the proposed stormwater connection have been prepared by Taylor Thomson Whitting (NSW) Pty Ltd (dated 7 March 2023).

The development application was assessed by Council's Development Engineer who has found the proposal to be satisfactory.

The proposal complies with the desired outcomes of Part 1C.1.2 Stormwater Management of HDCP and is considered acceptable.

3.4.3 Earthworks and Slope

The desired outcomes of Part 1C.1.4 Earthworks and Slope of HDCP are “*development that is designed to respect the natural landform characteristics and protects the stability of land*” and “*development that limits landform modification to maintain the amenity of adjoining properties and streetscape character*”.

These desired outcomes are supported by prescriptive controls requiring that development be sited on the area of land presenting the least topographic constraints and away from ridge lines, and that cut and fill outside the building platform be limited to 1 metre in depth. Retaining walls would be incorporated into proposed landscaping for the site.

The Construction Management Plan submitted with this development application identifies excavated material would be reused as clean fill. Conditions have been included in Attachment A of this report requiring an “earthworks” (cut and fill) report to be prepared prior to the commencement of works, street sweeping, and environmental management measures being implemented during works, and requiring that any fill imported to the site is clean fill. Conditions have also been included in Attachment A requiring civil engineering details of retaining walls on site.

Subject to conditions, the proposal generally complies with the desired outcomes of Part 1C.1.4 Earthworks and Slope of HDCP and is considered acceptable.

3.4.5 Noise and Vibration

The desired outcomes of Part 1C.2.4 Noise and Vibration of HDCP are to encourage “*development designed and managed to minimise noise and vibration impacts on the occupants of residential dwellings and other noise sensitive land uses*”.

Part 1C.2.4 of the HDCP contains prescriptive controls for construction noise management, noise sensitive development, and noise generating development.

A Construction Management Plan has been submitted in support of this development application. The Construction Management Plan includes a Noise and Vibration Management plan detailing management of noise and vibration during the construction process. During any works that require vibration work, all practical efforts to protect vibration sensitive buildings and occupiers of these buildings will be implemented. Vibration would be limited during normal work hours to minimise disruption to the school operations. It should be noted that the most affected receivers would be the school students, and not users of adjoining properties.

Council’s Environmental Protection Officer has assessed this development application and has found it to be satisfactory.

Subject to conditions, the proposal complies with the desired outcomes of Part 1C.2.4 Noise and Vibration of the HDCP and is considered acceptable.

3.4.6 Bushfire

The desired outcomes of Part 1C.3.1 Bushfire of HDCP encourage “*development that is located and designed to minimise the risk to life and property from bushfires*” and “*development that balances the conservation of native vegetation and bushfire protection*”.

Educational establishments are considered special fire protection purposes (SFPP) subject to Section 100B of the *Rural Fires Act 1997*. A Bushfire Assessment Report was prepared by Building Code & Bushfire Hazard Solutions Pty Limited (dated 1 March 2023) in support of this development. The bushfire assessment identified that the development would be required to be constructed to Bushfire Attack Level (BAL) 12.5 and that the development would be capable of achieving the required asset

protection zones of 47 metres to the west, and 93 to the southwest. Appropriate APZs currently exist to the north and east.

The Development application was referred to the NSW Rural Fire Service as integrated development.

On 3 May 2023, The NSW Rural Fire Service provided General Terms of Approval subject to conditions.

Subject to conditions, the proposal complies with the desired outcomes of Part 1C.3.1 Bushfire of the HDCP and is considered acceptable.

3.4.7 Wastewater

The desired outcome of Part 1C.2.4 Effluent Disposal of HDCP is to ensure *“sewage is disposed of in a manner that minimises impacts on the natural and built environment and public health”*.

There is an existing approval at the site for a “sewerage treatment plant and AWTS - spray irrigation”. Historic records demonstrate the location of the available refuse area for wastewater disposal is located adjacent to the multi-purpose courts in a south-western area of the site and additional reserve irrigation area in the north-western portion of the site closer to Nollands Road. A review of Council records confirms there is an existing approval at the site for a “Sewerage treatment plant and AWTS - spray irrigation” (OSSM3//2001).

A wastewater assessment has not been provided with the application as there is no proposed increased usage as part of this development. However, several connections to the existing wastewater system will be required. Therefore, a condition is recommended for an assessment of the system to be provided prior to occupation of the new buildings.

Council’s Environmental Protection Officer has assessed the development and has found it to be satisfactory.

Subject to conditions, the proposal generally complies with the desired outcome of Part 1C.2.4 Effluent Disposal of the HDCP and is considered acceptable.

3.4.8 Vehicular Access and Parking

The desired outcomes of Part 1C.2.1 Transport and Parking of HDCP are to encourage *“car parking and bicycle facilities that meet the requirements of future occupants and their visitors”* and *“development with simple, safe and direct vehicular access”*.

The proposal would not result in additional staff or students and therefore would not increase the car parking demand on the site. No car parking spaces would be removed from the site as a result of the development. The proposal would not affect access to, or egress from the site once construction is complete.

During construction, a carpark containing 30 car parking spaces would be temporarily affected by the construction process. A temporary car parking area would be established accommodating up to 26 vehicles and would be accessed from Nollands Road during the construction period.

Additional car parking consisting of approximately 78 car parking spaces exists to the south of the site and would be unaffected by the construction process. Pedestrian access to the main areas of the site from Cobah Road would be unaffected. A Pedestrian Access Management Plan (PAMP) would be required to be completed prior to commencement of works.

The proposal generally complies with the desired outcomes of Part 1C.2.1 Transport and Parking of HDCP and is considered acceptable.

3.4.9 Rural Buildings

Most of the site is zoned RU1 Primary Production. Therefore, the prescriptive controls of Part 2.1 Rural Buildings of HDCP apply. Part 2.1 includes prescriptive controls regarding scale, site coverage, setbacks, landscaping, vehicle access and parking and design details.

The proposal complies with the prescriptive controls regarding scale, being a maximum building height of 10.5 metres. The development has a maximum building height of 10.48 metres. On sites over 4000m² site coverage is assessed on merit. The site coverage of the site is considered appropriate and allows for future expansion of the school, with appropriate landscaping, recreation space and car parking.

All works are central to the existing school site and comply with front, rear and side setback controls.

The development would be setback 77 metres from the front boundary, 139 metres from the side boundary, 100 metres from the secondary street frontage and 160 metres to the rear building. Therefore, the proposal complies with all setback controls under Part 2.1 Rural Buildings.

The prescriptive controls regarding landscaping in rural zones include landscaping of setback areas, landscaping to maintain the natural features, topography and vegetation on site, and vehicle crossings be located to contribute to the visual amenity of the area. The proposal complies with the landscaping controls under Part 2.1 and the development would be located away from all property boundaries. The proposal does not alter any access arrangements to the site.

The Design Details of Part 2.1 require building colours to be harmonious with the surrounding natural environment. The materials schedule incorporates sandstone and timber elements which are harmonious with the surrounding environment.

The proposal generally complies with Part 2.1 Rural Buildings of DCP 2013 and is considered acceptable.

3.4.10 Part 7 Community

Part 7 Community of the HDCP provides guidelines for the development of land for schools. Part 7 includes controls for minimum site width, location of schools in proximity to significant noise, dust or odour generating uses, scale, setbacks, landscaping, open space, privacy, security and sunlight, vehicle access and parking.

In rural zones, community facilities (including educational establishments) are required to comply with the scale, setbacks and site coverage controls within Part 2.1.

Specific controls for educational establishments under Part 7 Community of the HDCP include the provision of recreation space including gymnasiums at a rate of 20m² per student, locating buildings so that flatter areas of the site are reserved for recreational space, and providing separate pedestrian and vehicular access from the public domain. The school has approval for 650 students therefore a minimum of 1,300m² recreation space is required. The school has playing fields which are approximately 17,400m² in area as well as basketball courts, and other playground areas, complying with the minimum recreation space per student. The proposal would not alter pedestrian or vehicle access from the street.

The proposal complies with relevant controls of Part 7 Community of the HDCP and is considered acceptable.

The following contributions plans are relevant pursuant to Section 7.18 of the EP&A Act and have been considered in the recommended conditions (notwithstanding Contributions plans are not DCPs they are required to be considered):

3.4.11 Hornsby Shire Council S7.12 Development Contributions Plan 2019-2029

Hornsby Shire Council Section 7.12 Contributions Plan 2019- 2029 applies to the development as the estimated costs of works is greater than \$100,000. This Contributions Plan has been considered and included the recommended draft consent conditions which require a contribution of 1% of the value of the proposed development.

3.5 Section 4.15(1)(a)(iia) - Planning agreements under Section 7.4 of the EP&A Act

There have been no planning agreements entered into and there are no draft planning agreements being proposed for the site.

3.6 Section 4.15(1)(a)(iv) - Provisions of Regulations

Section 61 of the 2021 EP&A Regulation contains matters that must be taken into consideration by a consent authority in determining a development application, with the following matters being relevant to the proposal:

- If demolition of a building proposed - provisions of AS 2601. The proposed demountables are proposed to be removed from the site. Some minor demolition will be required such as removal of existing footings, concrete paths.

These provisions of the 2021 EP&A Regulation have been considered and are addressed in the recommended conditions of consent.

Section 64 (consent authority may require upgrade of buildings) of the 2021 EP&A Regulation is relevant to the proposal. This development application was referred to Council's Building Certification Team who did not identify any requirements to upgrade existing buildings. An Access Review was prepared by Morris-Goding Accessibility Consulting (dated 13 February 2023) in respect to the "affected part" of the building being the principal pedestrian entrance to the existing building and the accessible path of travel from the entrance to the new or modified work. The Access Review also provides recommendations for the proposed buildings, as well as access for disabled persons from the site entrance to the new and affected buildings.

These provisions of the 2021 EP&A Regulation have been considered and are addressed in the recommended draft conditions (where necessary).

3.7 Section 4.15(1)(b) - Likely Impacts of Development

The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality must be considered. In this regard, potential impacts related to the proposal have been considered in response to SEPPs, LEP and DCP controls outlined above and the Key Issues section below.

The proposal would impact on the local road network and would not create additional traffic or car parking issues. Subject to conditions, the development would not have adverse impact on the on-site wastewater servicing of the site.

The proposed works would be sited away from site boundaries and therefore would not have any adverse impacts on the streetscape or adjoining properties.

The proposal does not require the removal or modification of a significant area of vegetation or habitat, is generally consistent with the biodiversity element of HDCP and will not have a significant impact on matters listed under the NSW *Biodiversity Conservation Act 2016*.

The consideration of impacts on the natural and built environments includes the following:

3.7.1 Context and setting

The proposal is considered to be generally consistent with the context of the school site, in that the proposed building is an appropriate scale, mass, form, and in character with existing and surrounding development.

The proposed alterations and additions would not be highly visible from the streetscape or adjoining properties.

3.7.2 Access and traffic

There would be no increase in students or staff as a result of this development, and therefore there would not be an increase in traffic and travel demands.

A Construction Management Plan has been provided with this development application and includes details of construction traffic management.

Construction access will be via an unformed driveway through the site from Nollands Road and therefore would not impact student, staff and visitor access of the site from Cobah Road. During construction, a temporary car parking area accommodating up to 26 vehicles would be provided. Therefore, car parking for staff, students and visitors would not be impacted.

The Construction Management Plan identifies that heavy construction vehicles would not enter or egress the site during morning and afternoon peak school traffic times (8am-9:30am and 2:30pm-4pm) as to not create unreasonable conflict with regular school traffic.

Once construction works are complete, access to the site would not be modified by the proposed development.

The proposed building does not result in any additional traffic or parking generation, or impact on public transport or capacity of the road network.

3.7.3 Public Domain

The proposal will not impact the public domain. The proposed works would not be highly visible from the streetscape or from adjoining properties. There is no public open space adjoining the site except for public road system.

3.7.4 Utilities

The site is not serviced by the sewers of Sydney Water and wastewater disposal is provided by an on-site wastewater system.

Council is satisfied that the proposed additional school buildings can be serviced by the existing onsite sewerage treatment plant and AWTS - spray irrigation systems. A condition is recommended requiring separate approval to connect the new buildings to the sewerage treatment plant.

The site is serviced by existing stormwater infrastructure which drains to Cobah Road. The proposed alterations and additions would be connected to the existing stormwater drainage system.

Water supply to the site is provided by a *Sydney Water* water main. However, there are no water hydrants in the vicinity. Irrigation dams on site would provide a static water supply for fire fighting purposes.

The site currently connected to Electricity with Endeavour Energy being the electricity authority in this area.

3.7.5 Heritage

The site does not contain a heritage listed item, is not located within the vicinity of a heritage listed item and is not within a heritage conservation area. The nearest heritage item is approximately 260 metres from the subject site (Item 419 - Windbreak and Garden at 40-44 Cobah Road. The proposed alterations and additions would be discernible when viewed from the heritage item.

3.7.6 Other land resources

As all works would be confined to an existing school site, the development would not impact on the availability of viable agricultural land in the vicinity.

The site is not within a drinking water catchment. There are no mining or quarry operations in the vicinity of the subject site.

There is a mapped watercourse on the site. However, the watercourse is approximately 100 metres from the proposed works. Therefore, subject to appropriate erosion and sediment control measures, the proposed works are unlikely to impact the watercourse.

3.7.7 Water/air/soils impacts

The site has been used as a school since 1982 and its past use is unlikely to result in contamination.

Whilst there will be disturbance of the site during construction, upon completion of the development, the site will be landscaped with shrubs, turf, and native trees, thus reinstating the microclimatic conditions on the site.

Prior to any building works commencing on site, a sedimentation control fence will be erected around any part of the site that is to be disturbed. Such fencing will be erected in accordance with best practice guidelines.

Trucks leaving the site will be checked by a designated worker to ensure soil and other material does not spill onto the public road, however if this was to occur for some unforeseen circumstance, the matter will be quickly cleaned from the road surface by a designated worker.

3.7.8 Flora and fauna impacts

Nineteen trees would be removed by the development, and 20 trees would be impacted by the development.

The Bushfire Report identifies the property to be a special fire protection purpose (SFPP), which largely relies on meeting Asset Protection Zone (APZ) distances. The required distances to a forest vegetation hazard are 93 metres southwest and 47 metres west. The report states that the teaching building will meet this proposed APZ. The pavilion building is greater than 140 metres southwest and greater than 70 metres to the west, also meeting the APZ requirement. Overall, the Bushfire Report suggests that Planning for Bushfire Protection 2019 has been met.

Plant community types (PCT) and BAM plot data analysis in the Ecological Assessment determined that the site contains Sydney Hinterland Enriched Sandstone Forest (PCT 3619) and Sydney Hinterland Peppermint-Apple Forest (PCT 3617) as well as vegetation indicative of Bloodwood-Scribbly Gum Woodland and Peppermint-Angophora Forest. The report identifies that no threatened flora, fauna or ecological communities are present within the site, including Koala habitat.

The ecological assessment recommends the implementation of a Vegetation Management Plan due to a weed infestation found adjoining the development area. This is supported by Council's Natural Resources Team, and while usually implemented by bush regenerators, there is an educational opportunity for students to complete the weed removal in this case. A deferred commencement condition has been included in Attachment A requiring an Integrated Bushfire Vegetation

Management Plan (IBVMP) to be prepared and approved by Council prior to the issue of the operative consent.

The proposal does not require the removal or modification of a significant area of vegetation or habitat, is generally consistent with the biodiversity element of HDCP and will not have a significant impact on matters listed under the NSW BC Act 2016.

3.7.9 Natural environment

There are no significant changes to the contours of the site. Majority of cut and fill associated with the buildings would be contained within the respective building footprint. A 1.3 metre high retaining wall is proposed to the East elevation of teaching building

Minor earthworks would be incorporated in the landscaping, with retaining walls for amphitheatre being a maximum 900mm in height, seating terraces with a maximum height of 600mm in height.

Subject to the imposition of appropriate conditions of deferred commencement consent, there would be no adverse impact to the natural environment of the site.

3.7.10 Noise and vibration

Noise and vibration associated with construction impacts are expected and can be mitigated via the imposition of appropriate conditions of development consent. As discussed elsewhere in this report noise and vibration impacts to proposed dwellings have been considered and appropriate conditions are recommended to be applied to the development.

3.7.11 Natural hazards

The development application is integrated development requiring General Terms of Approval from the NSW Rural Fire Service (RFS).

Bushfire consultant bushfire assessment has been submitted and the NSW Rural Fire Service have issued GTAs under Section 100B of the Rural Fires Act 1997, subject to conditions

3.7.12 Safety, security and crime prevention

The principles of Crime Prevention Through Environmental Design (CPTED) have been implemented within the proposed development in accordance with the Department of Planning guideline titled Crime Prevention and the Assessment of Development Applications (2001) as follows:

Principle 1 - Natural Surveillance

As noted in Crime Prevention and the Assessment of Development Applications, good surveillance means that people can see what others are doing. People feel safe in public areas when they can easily see and interact with others. Would-be offenders are often deterred from committing crime in areas with high levels of surveillance. The proposed development provides increased active surveillance within the core of the site and next to the playing fields.

The new change room pavilion is to be erected in a largely vacant section of the school as it has its interface with the playing fields and the open car park. By erecting the new teaching building and pavilion buildings in this location greater passive surveillance will be provided as both buildings have windows and open landings that address both the open playing fields and the core of the school. This promotes casual surveillance to the school and the street and will act as a risk in the minds of potential perpetrators.

Principle 2 - Access Control

Access controls use physical and symbolic barriers to attract, channel or restrict the movement of pedestrians. Effective access controls make it clear that where people are permitted to go or not go,

makes it difficult for potential offenders to reach and victimise people and damage property. The entrance to the school's northern car park will remain accessible from Cobah Road. The school will remain open during the day however access by visitors will be controlled via the reception desk located at front of the school.

Principle 3 - Territorial Reinforcement

Territorial reinforcement refers to the clear identification of public spaces, and the creation of a sense of community ownership over such spaces. People feel comfortable in, and are more likely to visit, places which feel owned and cared for. Well used places also reduce opportunities for crime and increase risk to criminals. Boundary fencing and landscaping will help differentiate public and private areas. The proposed development does not seek to provide any new fencing but will rely on existing boundary fencing that clearly defines public spaces. This will reinforce the surrounds as a private property and deter potential criminals.

Principle 4 - Space Management

Space management refers to providing attractive, well maintained and well used spaces. As noted in Crime Prevention strategies, space management includes site cleanliness, rapid repair of vandalism and graffiti and the removal of damaged physical elements. The NGS will continually be maintained with particular care taken with the buildings, gardens and open space areas to avoid degradation and dilapidation. The continued maintenance and access control and territorial management will ensure that the buildings do not become degraded and will discourage any potential vandalism.

The school currently employs an on-site manager to care for the day to day running of the school buildings and open space.

3.7.13 Social impact

Schools are essential pieces of social infrastructure within a community. This proposal will enable the existing school to undergo timely renewal and upgrade, to ensure that the existing and future generation of students within the locality and broader community have clear opportunities to high quality education.

The proposal will provide improved amenities and facilities for the existing school. The new building will aid the health and safety of the school community and provide a sense of place.

The school has made playing fields and the gymnasium available to local sporting groups and would continue to do so once the new facilities are constructed. Once constructed, the change room facilities would be made available to local cricket teams. Therefore, the proposal would have a positive social impact for the wider community by providing facilities for active recreation and social interaction.

3.7.14 Economic impact

The proposal also seeks to enhance the on-going development approach staged development approach to school campus, which can result in poor social, economic and environmental outcomes for the school and surrounds. Alternatively, it will provide a framework that holistically reviews opportunities to improve the amenity, functionality and equitable access of the existing school. Importantly, the proposal strategically plans for anticipated growth in student enrolment numbers in the Hornsby LGA and other nearby LGAs.

The proposal will generate additional employment during construction which will have some local economic benefits for local businesses. The proposal provides facilities for the families of people employed in the local community.

Overall, proposal will result in both positive social and economic outcomes.

3.7.15 Site design and internal design

The proposed teaching building is in the existing location of the existing demountable buildings which are to be removed. The proposed change room pavilion would be located on an existing playing field and would be connected to the existing gymnasium.

Several generic design principles have been adopted to establish the proposed buildings to achieve a holistic school design response across the site. These principles aim to create a well-connected, safe, and secure school grounds while retaining and preserving the unique aesthetic qualities of the school.

The proposal incorporates a mix of retaining large trees on the site and provision for new indigenous landscaping. This softens the buildings presentation to the street and surrounding neighbourhood.

The well-designed landscaping and use of a variety of materials and colours in the buildings will soften their appearance to the surrounding neighbourhood context.

Overall, the proposal incorporates good articulation in the built form and a mixed palette of building materials, earthy colours and finishes to compliment the leafy character of this neighbourhood.

3.7.16 Construction

Construction activities at the site will generate a range of construction and demolition wastes across the various stages of demolition and building works. Throughout the development process, where possible, most materials will be reused and recycled, minimising the disposal (landfilling) of materials other than those that are unsuitable for reuse or recycling processes.

Waste storage during construction operations will involve some stockpiling of reusable material, as well as placement of skip bins for the separation of construction materials for recycling.

Given the nature of the site as an educational establishment catering to young children, and the resultant potential for vehicle/pedestrian conflict on the site, a construction management plan was provided as part of the assessment of this development application. Alternate vehicle access via Nollands Road will be provided during construction, to minimum pedestrian/vehicle conflict during construction. A Pedestrian Access Management Plan (PAMP) would be required to be prepared prior to the commencement of works. A condition of consent would require the applicant to comply with construction management plan during demolition and construction.

3.7.17 Cumulative impacts

The proposal is unlikely to have any cumulative impacts. It is consistent with the planning controls, zoning of the land and the objectives of the RU1- Primary Production zone.

Accordingly, it is considered that the proposal will not result in any significant adverse impacts in the locality as outlined above.

3.8 Section 4.15(1)(c) - Suitability of the site

The proposal fits within the locality of the existing school. There are adequate services, public transport, onsite parking and playing fields.

The bush fire risk from adjoining land is mitigated by construction standards and conditions imposed by the Rural Fire Service.

There are no adjoining uses which impact the development, and the surrounding uses are compatible with the school use.

3.4.1 Bushfire

A Bushfire Assessment Report has been prepared by Building Code & Bushfire Hazard Solutions Pty Limited (dated 1 March 2023). The bushfire assessment report identified the development as having a bushfire attack level (BAL) of BAL 12.5.

The development application is integrated development requiring General Terms of Approval from the NSW Rural Fire Service (RFS). No objections were raised to the development in this regard and the NSW RFS conditions

3.9 Section 4.15(1)(d) - Public Submissions

No Public submissions were received in response to this development application.

3.10 Section 4.15(1)(e) - Public interest

Approval of the proposal is in the public interest. It will provide upgraded and improved educational and sporting facilities for the school and the community.

The proposal is consistent with the principles of Ecologically sustainable development, by incorporating rainwater collection and re-use, and design that promotes good solar access and cross-ventilation,

On balance the proposal is consistent with the public interest.

4 REFERRALS AND SUBMISSIONS

4.1 Agency Referrals and Concurrence

The development application has been referred to various agencies for comment/concurrence/referral as required by the EP&A Act and outlined below in Table 7.

There are no outstanding issues arising from these concurrence and referral requirements subject to the imposition of the recommended conditions of consent being imposed.

Table 7: Concurrence and Referrals to agencies

Agency	Concurrence/ referral trigger	Comments (Issue, resolution, conditions)	Resolved
Concurrence Requirements (s4.13 of EP&A Act)			
Environment Agency Head (Environment, Energy & Science Group within DPIE)	S7.12(2) - <i>Biodiversity Conservation Act 2016</i>	N/A	N/A
Rail authority for the rail corridor	Section 2.98(3) - <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i>	N/A	N/A
Referral/Consultation Agencies			
Electricity supply authority	Section 2.48 - <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> Development near electrical infrastructure	N/A	N/A
Rail authority	Section 2.97 - <i>State Environmental Planning Policy (Transport and</i>	N/A	N/A

	<i>Infrastructure) 2021</i> Development land that is in or adjacent to a rail corridor.		
Transport for NSW	Section 2.121 - <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> Development that is deemed to be traffic generating development in Schedule 3.	N/A	N/A
Design Review Panel	CI 28(2)(a) - SEPP 65 Advice of the Design Review Panel ('DRP')	N/A	N/A
Integrated Development (S 4.46 of the EP&A Act)			
RFS	S100B - <i>Rural Fires Act 1997</i> bush fire safety of development of land for special fire protection purposes	A bushfire safety authority has been issued subject to conditions.	Y
Natural Resources Access Regulator	S89-91 - <i>Water Management Act 2000</i> water use approval, water management work approval or activity approval under Part 3 of Chapter 3	N/A	N/A

4.2 Council Officer Referrals

The development application has been referred to various Council officers for technical review as outlined in Table 8.

Table 8: Consideration of Council Referrals

Officer	Comments	Resolved
Engineering	Council's Engineering Officer reviewed the submitted stormwater concept plan and considered that there were no objections subject to conditions.	Y
Traffic	Council's Traffic Engineering Officer reviewed the proposal and raised no concerns in relation to traffic generation and car parking providing that the student and staff numbers are not increased as a result of this proposal. (subject to conditions)	Y
Building	No objections subject to recommended conditions	Y
Tree Protection	Council's Tree Protection Officer has an Aboricultural Impact Assessment (AIA), Tree Protection Plan Specification (including plan), tree location plan. No objection raised subject to recommended conditions.	Y
Natural Resources	Natural Resources reviewed the proposal and raised no concerns in relation to ecology and vegetation management subject to the recommended conditions under a deferred commencement consent.	Y (deferred commencement consent)

Environmental Protection Officer	Council's Environmental Protection Officer reviewed the wastewater report, construction management plan and waste management plan. No objections subject to recommended conditions.	Y
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The issues raised by Council officers are considered in the following section.

4.3 Community Consultation



The proposal was notified in accordance with the Council's Community Engagement Plan from 23 March 2023 until 13 April 2023. The notification included the following:

- A sign placed on the site
- Notification letters sent to adjoining and adjacent properties (12 letters sent)
- Notification on the Council's website.

The Council received no submissions in response to the development application.



NOTIFICATION PLAN

• PROPERTIES NOTIFIED	X SUBMISSIONS RECEIVED		PROPERTY SUBJECT OF DEVELOPMENT	
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5 KEY ISSUES

The following key issues are relevant to the assessment of this application having considered the relevant planning controls and the proposal in detail:

5.1 Master Plan

Prior to the introduction of HDCP, educational establishments were required to comply with the Community Uses Development Control Plan. As part of the Community Uses Development Control Plan *“recreation space should be provided at a minimum rate of 20m² per student enrolled at the school. To satisfy this requirement a masterplan indicating the long-term development of the site and total projected enrolments should be submitted with any development application.”*

As a result, Development Application No. DA/591/2004 was accompanied by a Masterplan for the future development of the site. This staged Master Plan was for the replacement of the demountable teaching accommodation in favour of permanent structures which are appropriate to both their purpose and also architecturally appropriate to the semi-rural environment of Arcadia.

The Master Plan had been developed to provide a framework for that development which not only considered the educational aspirations of the School but also maintained the "village" At the completion of all works proposed in the Masterplan, it was intended that a total of eight (8) demountables would be removed, eight (8) existing buildings would be retained, (four of which will be expanded) and seven new buildings would be constructed. The Masterplan also indicated that additional car parking areas will be formalised.

The master plan was further amended as part of Development Application No. DA/530/2008 for demolition of the temporary classrooms and construction of three classroom buildings with associated landscaping as a staged development which included a Masterplan for Northholm Grammar School.



Figure 6 - Approved Masterplan under DA/530/2008

Proposed Master Plan

Master plans are no longer required for new and amended educational establishments under HDCP. However, as the site has an approved master plan, consent is required to amend this master plan.

The proposal includes the review of the existing masterplan for the site. The underlying intent of this application is to provide a new masterplan framework that will guide and facilitate renewal and future development of Northholm Grammar School in an orderly and organised manner. The masterplan also offers the opportunity to review the existing layout of the school campus, improve circulation, functionality and efficiency. The staging of the works will enable the accommodation of the students in the other buildings during construction of the classroom buildings. Therefore, the project is underpinned by the desire to:

- *Develop a new strategic masterplan that can guide future development of the school in an orderly and organised manner*
- *Develop a framework that will strategically guide future development and renewal commensurate to the school's anticipated growth strategy*
- *Protect, preserve and retain areas of unique ecological and aesthetic qualities, while identifying opportunity areas that can appropriately accommodate the additional density*
- *Upgrade and improve student and staff learning/teaching facilities on site; and*
- *Holistically review opportunities to improve connectivity, accessibility and legibility across the school.*

A Staging Plan was submitted with this development application and includes the following stages:

- Stage 1 - New Teaching Building
- Stage 2A - New Change Room Pavilion
- Stage 2B - Adaptive Reuse of Existing Change rooms
- Stage 3 - Additional Car parking
- Stage 4A - New Science, Art and GPLA Classrooms (Single Storey)
- Stage 4A - Reinstate Performing Arts Building
- Stage 5 - Second storey on science and art building for GPLs and Library.
- Stage 6 - Addition to and refurbishment of admin building.

With regard to the Masterplan, the new buildings proposed are also located mainly within the curtilage of the existing school buildings. The proposal is consistent with the intent of the original masterplan by removing demountable buildings, and replacing them with permanent buildings, as well as extending existing buildings. The new buildings proposed, for the most part, are to be located within the footprint of buildings to be demolished or will be an extension of existing buildings. The modifications to the proposed masterplan suit the current needs of the school and will not adversely impact on the scale, intensity and site coverage within the site.

The proposal involves the carrying out of works associated with Stages 1 and 2A as shown in Figure 7 below being the new teaching building and new change room pavilion.



Figure 7 Proposed Master Plan

Resolution: The application is consistent with the approved Masterplan. There are no objections to the amendment of the masterplan through this development application.

5.2 Community Use of Schools

Clause 3.26 of State Environmental Planning Policy (Transport and Infrastructure) 2021 requires that before determining a development application for development the consent authority must consider whether the development enables the use of school facilities (including recreational facilities) to be shared with the community.

Resolution: The Applicant has provided details of the current arrangements with local sporting groups to use the gymnasium and playing fields at the school. These arrangements would continue and would be enhanced upon completion of the proposed change room pavilion building.

5.3 Construction Impact.

The proposal does not increase the number of students/staff and will not generate additional traffic/parking during future operation.

The construction period will result in on site disruption and external road impacts during while demolition and construction of the new building is being carried out.

Resolution: Council requested a Construction Management Plan be submitted prior to the determination of the development application. The Construction Management Plan was submitted and assessed by Council to be satisfactory. A condition of consent would require the applicant to comply with the construction management plan during demolition and construction.

5.4 Noise Assessment

A Construction Noise and Vibration Management Plan (CNMP) was provided as part of the Construction Management Plan. The additional buildings on the site are not expected to give rise to additional noise impacts during the operation of the school.

5.5 Bushfire Risk

The school site is identified as bushfire prone land. Schools are listed as sensitive development and are a Special Fire Protection Purpose under section 100b of the *Rural Fires Act 1997*. As such the development is classified as integrated development under Section 4.46 of the Environmental Planning and Assessment Act 1979 as it requires the approval of the NSW Rural Fire Service.

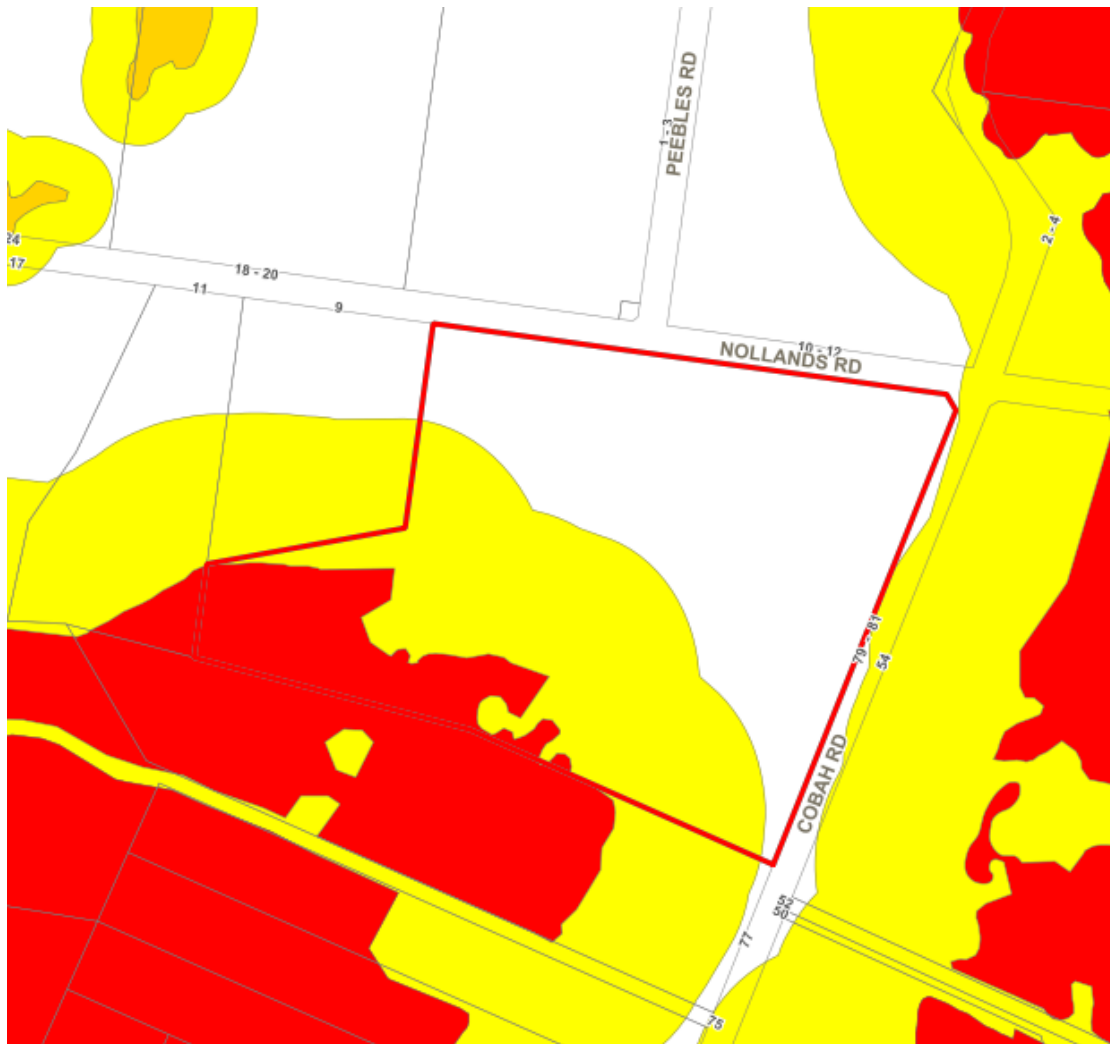


Figure 8 Bushfire Prone Land Mapping

A Bushfire Assessment Report has been prepared by Building Code & Bushfire Hazard Solutions Pty Limited (dated 1 March 2023). The bushfire assessment report identified the development as having a bushfire attack level (BAL) of BAL 12.5.

5.6 Urban Design

The proposed building form presents a sympathetic response to the streetscape and the internal school layout and existing buildings

6 CONCLUSION

This development application has been considered in accordance with the requirements of the EP&A Act and the Regulations as outlined in this report. Following a thorough assessment of the relevant planning controls, issues raised in submissions and the key issues identified in this report, it is considered that the application can be supported.

The proposal does not increase staff or student numbers. The replacement of the existing demountable buildings with a new teaching building and changeroom pavilion will improve the operation and efficiency of the school, as well as the internal and external appearance.

The location of the teaching building in the location of the existing demountable buildings improves the current situation by the removal of demountable buildings, and the design is compatible with the surrounding development.

The proposal provides for stormwater collection and disposal to the existing street system. The proposed stormwater connection would be consistent with the civil engineering plans provided by Taylor Thomson Whitting (NSW) Pty Ltd.

The site is bushfire prone, and the development will be constructed in accordance with current bushfire measures as approved by the NSW Rural Fire Service.

A deferred commencement condition has been recommended requiring a consolidated Integrated Bushfire and Vegetation Management Plan (IBVMP) to provide the developer and current and future landowners with a single document prescribing the required vegetation management actions across the site.

The Construction Management Plan submitted with this development application has demonstrated that the likely internal and external impacts during construction can be mitigated by the imposition of conditions of consent.

There were no public objections submitted to the proposal.

It is considered that the key issues as outlined in Section 6 have been resolved satisfactorily through amendments to the proposal and/ or by the recommended draft conditions at Attachment A.

7 RECOMMENDATION

It is recommended THAT:

- Development Application No. DA/233/2023 for alterations and additions to an educational establishment at Lot 101 DP 833207, Northholm Grammar School, No. 79-81 Cobah Road, Fiddletown be approved as a deferred commencement pursuant to Section 4.16(3) of the *Environmental Planning and Assessment Act 1979* subject to the conditions of consent attached to this report at Attachment A.
- Pursuant to Clause 118 of the Environmental Planning and Assessment Regulation 2021, a Notice of Determination is to be prepared by Council following the Panel's determination of this development application.

The following attachments are provided:

- Attachment A: Draft Conditions
- Attachment B: Architectural Plans
- Attachment C: GTA NSW Rural Fire Service