

Statement of Environmental Effects

**Concept and Detailed (Stage 1)
Development Application for an
Educational Establishment**

For

The Scots College

Site address

**369 Jacks Corner Road (Lot 27
DP881838 & Lot 1 DP1261829),
Kangaroo Valley**

Date

6/12/2024

Project Reference: N25855



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Initial	Rev	Date	Details
GW/RL	0	6/12/2024	Issued for Client Review
RL	1	6/12/2024	Final for DA lodgement



1.0 INTRODUCTION

This Statement of Environmental Effects has been prepared on behalf of The Scots College in support of a development application (DA) for a Concept and Detailed (Stage 1) Development Application for an Educational Establishment on 369 Jacks Corner Road (Lot 27 DP881838 & Lot 1 DP1261829), Kangaroo Valley. Glengarry is an existing educational facility campus for Year 9 students at The Scots College offering a six-month residential program with a unique experiential learning program.

This DA seeks approval for a Concept DA Proposal ('Concept DA') under Section 4.22 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) for the Master Plan redevelopment of Glengarry.

The Concept DA involves the overall Master Plan for the educational establishment building envelopes, including the layout and positioning of the new dormitories and ancillary education facility buildings, and proposed uses within the broader site. It also establishes the access, bushfire and wastewater requirements for the Master Plan development. The Concept DA does not seek approval for any works, with detailed proposals for Stage 2 to be the subject of a subsequent development application.

Per section 4.22(2) of the EP&A Act, this subject DA also seeks approval for the first stage of development. Stage 1, as further outlined in Section 3.0, includes the demolition of two existing dormitories (D1 and D2) – including the dismantling and repurposing of an existing dormitory (D2) to be used for the new facilities maintenance and outdoor education storage building; conversion of existing dormitory D3 to staff housing, construction of three new dormitory buildings; an outdoor education storage building; a canoe shed; and a clinic building, as well as associated landscaping, vehicular access upgrades, and services.

This Statement of Environmental Effects is based the Architectural Plans provided by Baxter and Jacobson Architects (see **Appendix 2** and **Appendix 3**) and technical information submitted with this application (see **Table of Contents**).

The purpose of this Statement of Environmental Effects is to describe the site and the development proposal and review the proposal in accordance with the provisions of Section 4.15 of the EP&A Act. The report also provides an assessment of the potential environmental impacts of the proposal and where impacts are identified, outlines the measures to mitigate any harm on the environment. This report concludes that this development proposal for the broader Concept DA and the construction of Stage 1 is sound in terms of design and function and its overall response to the site constraints.

The DA is Integrated Development for the purposes of Section 4.46 of the EP&A Act, requiring approvals under Section 100B of the Rural Fires Act 1997.

The proposal has an estimated development cost of \$50,445,260 (inc. GST) and as such is categorised as a 'Private infrastructure and community facilities over \$5 million' under Schedule 6 of the State Environmental Planning Policy (Planning Systems) 2021. Accordingly, the proposal is required to be determined by the Southern Regional Planning Panel in accordance with Section 4.7 of the EP&A Act.

2.0 SITE CHARACTERISTICS AND SURROUNDING LAND USES

2.1 KEY CHARACTERISTICS OF THE SITE

Legal Description:

As shown by the accompanying site survey (**Appendix 1**) the development site (the site) comprises 369 Jacks Corner Road, Kangaroo Valley (Lot 27 DP881838 and Lot 1 DP1261829).

Site Description:

The site (**Figure 1**) is located on the southern side of Jacks Corner Road. The site is irregular in shape and has an area of 275.27ha.

The site is located within Kangaroo Valley and approximately 7.5km north-east of the Kangaroo Valley Village. Figure 1 (below) provides an aerial photo of the site.

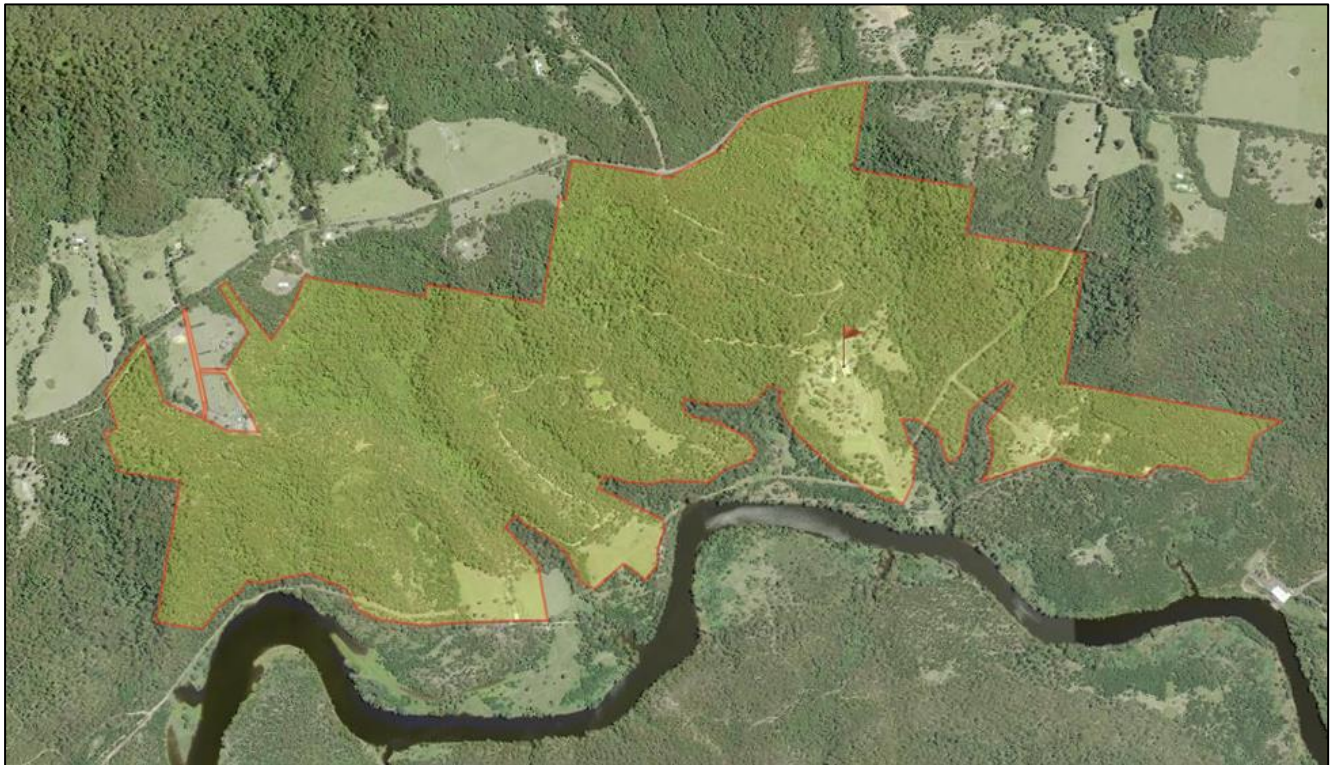


Figure 1 – Site Image – Source: Six Maps

Existing Improvements:

The lot currently has an existing multi-purpose hall, dormitory buildings, staff accommodation, kitchen and dining area, administration building and classrooms (as shown in **Figure 2**).

Appendix 1 provides a site survey prepared by SET Consultants and **Appendix 3** depicts the existing site layout plan prepared by Baxter & Jacobson Architects (dwg. no MP1.03).



Figure 2 – Aerial Image of Site – Source: Near Maps



Relevant Development History:

The site has approval as an educational establishment since 1987, with various development approvals for alterations and new buildings since that time.

The following relevant approvals history applies to the is outlined below at Table 1.

Table 1 – Relevant Approvals History

Application	Approved Use	Date
DA87/1827	Education Facility – School/Dormitory Facilities	30/07/1987
BA88/0262	Boarding School Building – Class Rooms (4) – Dormitory Accommodation – Residential Accommodation – Central Dining Block.	15/03/1988
DA12/2134	Realignment of existing unsealed road, Reconfiguration of car park, new pedestrian paths and covered walkway, new golf buggy loop, new quadrangle courtyard. Construction of new administration building, new dining hall/kitchen facility, new music classroom and amphitheatre, new canoe and water safety shed. Conversion of dining/kitchen area into classroom, Conversion of toilet facility into classroom and demolition of existing library.	23/04/2013
DS20/1289	Commercial Additions – S4.55 – Replace School Accommodation Building (Dormitories) C & D approved under DA87/1827 & provide associated APZ maintenance requirements – The original accommodation was destroyed by the Currowan Bushfire on 4 Jan 2020.	25/06/2020
DA23/3208	Alteration and addition to the existing Hall, to change of the use to dormitory.	15/07/ 2024

2.2 SURROUNDING LAND USES

Surrounding land uses include rural dwelling houses and vacant rural land.

Figure 3 to Figure 8 show images of the site.



Figure 3 – Buildings on site to be demolished in Stage 1 – H1 Chapel, Multipurpose Room, Music Class, Linen Store – source: AP



Figure 4 – Buildings on site to be demolished in Stage 1 – M1 Maintenance Facilities / Storage – source: AP



Figure 5 – Buildings on site to be demolished in Stage 1 – D2 Dormitory – source: AP



Figure 6 – Buildings on site to be repurposed in Stage 1 as the facilities maintenance and outdoor education storage building– D2 Dormitory – source: AP



Figure 7 – Proposed location of new buildings – Dormitory Building and Outdoor Education – source: AP



Figure 8 – Proposed location of new canoe store building – source: AP

3.0 PROPOSED DEVELOPMENT

This Concept DA seeks consent for the staged Master Plan redevelopment of an existing educational facility, and Detailed (Stage 1) as outlined in the Stage 1 and Master Plan plans prepared by Baxter & Jacobson Architects (**Appendix 2** and **Appendix 3**).

The Concept DA sets out the intended framework, structure, guiding principles, and design guidelines for the future development of the site, facilitating future detailed Development Applications for the delivery of the specified stages, while the Stage 1 DA seeks consent to construct the first stage of the Concept DA. The proposal does not affect the existing capacity of the existing education facility with regard to student, staff or visitors to the facility.

3.1 CONCEPT PROPOSAL

The following sets out the Concept Proposal for which development consent is sought as part of this Concept DA pursuant to Section 4.22 the EP&A Act.

In order to clarify the limitations of Concept DAs, the Land and Environment Court Planning Principle, handed down as part of the court hearing in relation to *Anglican Church Property Trust v Sydney City Council* NSWLEC 353, provides the parameters to be considered under a Concept or Staged DA. The judgement states that:

“Multi-stage applications are useful for large or controversial projects as they provide the applicant with certainty about the major parameters of a proposal before it embarks on the expensive exercise of preparing detailed drawings and specifications for a development application. The critical issue is: how much detail should be provided in the Stage 1 application as against the Stage 2 application?”

The principle we have adopted is that in multi-stage applications the information provided in Stage 1 should respond to all those matters that are critical to the assessment of the proposal. Where traffic generation is the critical issue, Stage 1 should include information on the precise number of cars accommodated on a site. Where the floor space is critical, Stage 1 should include the precise FSR. Where the major issue is the protection of vegetation, the footprints of the proposed buildings may be sufficient.”

Accordingly, this application includes the land uses proposed, building envelopes and approximate distribution across the site, bushfire protection measures, access, vegetation removal, waste water design and the applicable parking rate to be applied across the stages and vehicular access/egress to and within the site to respond to the matters that are critical to the assessment of the proposal.

The critical matters to be assessed and determined are:

- Bushfire safety outcomes under Planning for Bushfire Protection 2019 (PBP) and construction requirements for future development stages;
- Biodiversity impacts and vegetation removal;
- Traffic, access and egress to/from and within the site;
- Parking requirements;

- The impact of the development on surrounding properties and the character of the surrounding areas; and
- Capacity for the proposed development site to appropriately manage waste water disposal.

The built forms shown in the plans may not represent the final design of the buildings, as these details are typically addressed under future development applications. Instead, the plans included for the Concept DA primarily outline the building envelopes and positioning within the site in which the future structures will be situated. Specific details, such as the building shapes, elevations, external finishes, and colours, will be determined and presented in subsequent development applications submitted after the approval of the Concept DA consent.

This SEE and the supporting documentation address key matters essential to the assessment of the proposal, ensuring the Planning Panel and Council have sufficient certainty regarding the appropriateness of the Concept DA in its current form.

3.1.1 CONCEPT DA STAGES

The proposed Concept DA (also referred to as the Master Plan) includes site-wide development considerations and approval for general layout as described in the Master Plan (refer **Figure 9** and **Appendix 3**).

Key features of the Master Plan include:

- **General Site Layout:** Establishing the building envelopes for the new dormitory and ancillary education buildings, including the layout and positioning of buildings and proposed uses within the broader site. It also establishes the access, bushfire, ecological impacts and waste water requirements for the Master Plan development.
- **Future Staged Developments:** The Master Plan will guide the staged development of key areas across the site, ensuring consistency with broader strategic objectives, environmental sustainability, and school community needs. Future stages of development informed by the Master Plan include:
 - **Stage 1:**
 - Demolition of existing buildings H1 (current multi-purpose room) and M1 (two buildings for storage and maintenance facilities),
 - Demolition of existing dorm rooms D1 and D2, including the dismantling and repurposing of an existing dormitory (D2) to be used for the construction of a new facilities maintenance and outdoor education storage building.
 - Change of use of the existing D3 Dormitory to be used for staff accommodation.
 - Construction of three new dormitory buildings (D1, D2 & D3):
 - Dorm 1 – three storey dormitory building, including four ground floor class rooms, level 1 accommodation for 40 students, and level 2 staff accommodation with 2 bedrooms and self-contained facilities.
 - Dorm 2 – three storey dormitory building, including four ground floor class rooms, level 1 accommodation for 40 students, and level 2 staff accommodation with 2 bedrooms and self-contained facilities.
 - Dorm 3 – two storey dormitory building, including ground floor accommodation for 40 students, and level 2 staff accommodation with 2 bedrooms and self-contained facilities.



- Construction of a canoe store, replacing the past structure destroyed by the 2020 fires. This storage building will be used for the safe storage of canoes and associated trailers for recreational activities.
- Upgrade of existing perimeter road with associated car parking facilities to improve site accessibility and traffic management. See accompanying Internal Road Plan prepared by MI Engineers (**Appendix 22**).
- **Stage 2:**
 - Demolition of existing dining room and kitchen facilities and administration building, and replacement with new, modern facilities in the same location.
 - Demolition of existing class rooms.
 - New Student Common Room and Multipurpose Room.
- **Parking Scheme:**

The existing site has a total of 43 formalised parking spaces within Parking Areas P1 – P3 and 10 parking spaces associated with staff housing. Other parking on the site is informal, totalling 53 spaces + 1 accessible parking space. This is in addition to 2 spaces within the delivery loading area.

The proposed Concept DA includes a total of 62 standard parking spaces and 6 accessible parking spaces, including

- P2 – 2 spaces + 1 accessible park (stage 2 – future DA);
- P4 – 6 spaces;
- P5 – 6 spaces.
- New dorms – 1 accessible park per dorm (total of 3 spaces).
- Gym – 1 accessible parking space;

Bus Drop-Off Zones:

- *Large Coach Bus Drop-Off Zone:*

Located at the top of the access driveway on Jacks Corner Road, this area offers ample space for large coach buses to safely drop off and pick up students. The design allows for easy and safe turning of the buses, ensuring a smooth exit from the site. After being dropped off by the larger buses, students are transferred to the smaller 20-24 seater buses for entry onto the campus.
- *20-24-Seater Bus Drop-Off Zone:*

The designated drop-off zone for these buses is located at P1, providing a convenient and organized transition for students as they enter the campus.

Total parking proposed onsite:

- 62 spaces;
- 6 accessible spaces;
- 2 delivery loading spaces.

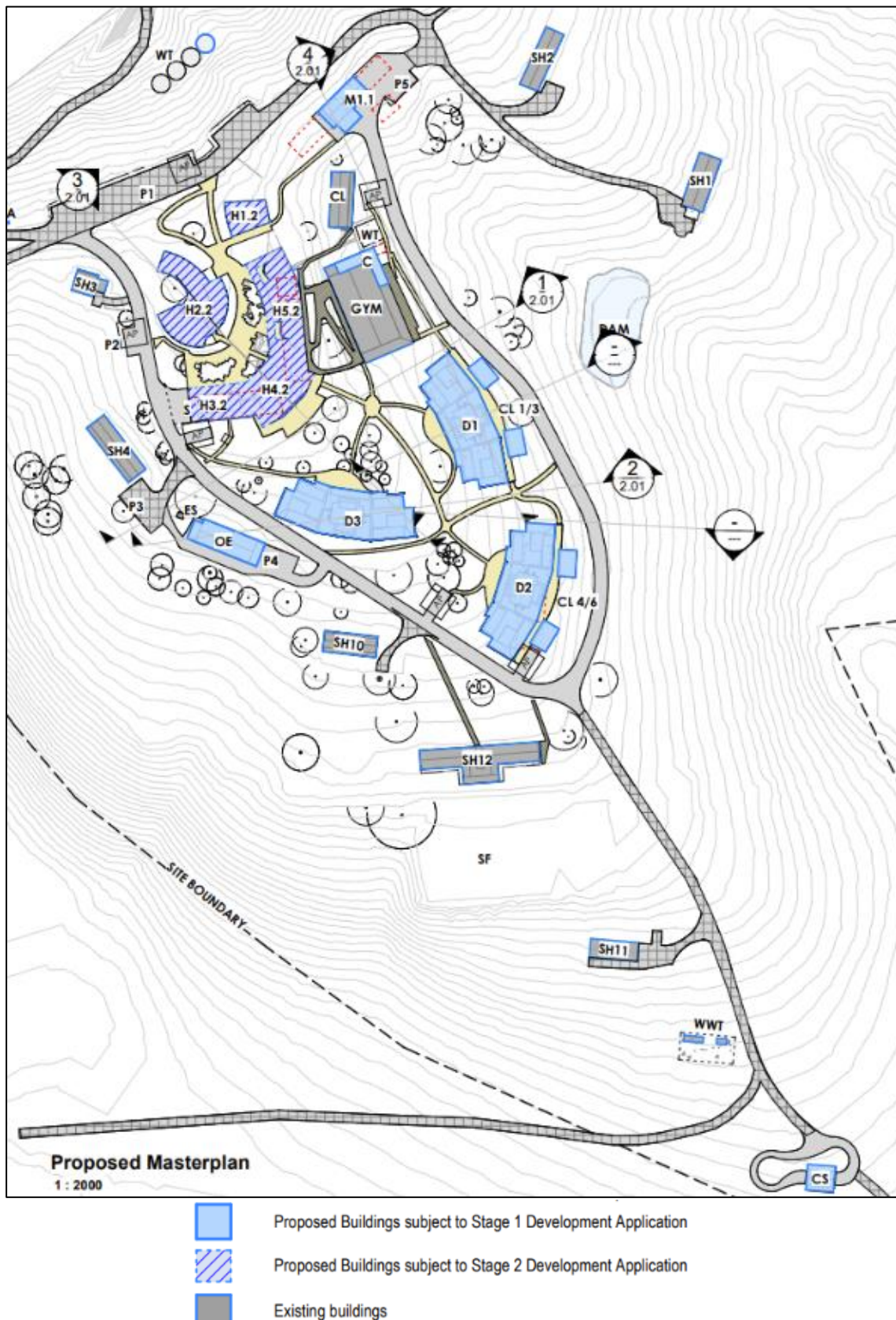


Figure 9 – Proposed Master Plan – source: Baxter & Jacobson Architects (MP1.05, Issue 5)

3.2 STAGE 1 CONSTRUCTION

Consent is sought for the detailed works associated with Stage 1 of the project (refer **Figure 10** and **Appendix 2**). The Stage 1 DA seeks consent for:

- **Demolition of Existing Multi-Purpose Room and Maintenance Facility Building:**
The buildings identified as H1 and M1 on the current site plan are scheduled for demolition. In their place, the D2 building will be repurposed to serve as the new maintenance facility and storage space, replacing the functions of the H1 building (new building M1.1).
- **Demolition and Construction of New Dorm D1:**
The existing dorm will be demolished to build a new dorm on the first floor and classroom on the ground floor. A replacement dorm (D1) will be constructed to provide accommodation to contemporary standards. Dormitory 1 will be a three storey dormitory building, including four ground floor class rooms, level 1 accommodation for 40 students, and level 2 staff accommodation with 2 bedrooms and self-contained facilities.
- **Dismantlement and Repurposing of D2:**
Dormitory D2 will be dismantled and repurposed on site as the new Outdoor Education Store (OE) and Facilities Maintenance Building (M1.1). These new facilities will be located on separate sites within the overall campus.

The construction of a new dormitory building will replace the current D2 dorm, providing modern accommodation for the student's needs. Dormitory 2 includes a three-storey dormitory building, including four ground floor class rooms, level 1 accommodation for 40 students, and level 2 staff accommodation with 2 bedrooms and self-contained facilities.

- **New Dormitory 3 building (D3):**
Construction of a new Dormitory D3, a two storey dormitory building, including ground floor accommodation for 40 students, and level 2 staff accommodation with 2 bedrooms and self-contained facilities.
- **Change of use of existing D3:**
Existing D3 Dormitory is proposed to be repurposed for staff accommodation (SH12).
- **Clinic:**
Alterations and additions to the existing gymnasium building to provide a medical clinic for the education facility.
- **Canoe Store:**
A dedicated Canoe Store will be constructed as part of the site's development. This facility will securely house equipment used in the site's water-based activities and will be located at the southern end of the site.
- **Perimeter Road and Associated Car Parking:**
Upgrade of existing perimeter road to enhance vehicle circulation around the site, improving access to key facilities and reducing congestion. In conjunction with the roadworks, additional car parking will be provided to accommodate increased demand,

accessibility, ensure visitor convenience, and comply with local traffic and parking requirements.

- Vegetation removal:
Including removal of 17 trees, and protection of 21 trees within the immediate development area.
- Location of a new waste water system for the development:
A new commercial Sewerage Management Facility is proposed to treat wastewater from the proposed Master Plan (including Stage 1 and 2) development in the same location as the existing facility. A separate application to install and operate a Sewerage Management System under the Local government Act 1993, Section 68 will be submitted. This DA seeks consent for the effluent disposal area which will have capacity to serve the Stage 1 and 2 developments.
- Landscaping:
Native plantings throughout the Site in the form of large trees, ground coverings, and pedestrian pathways and associated embellishment throughout the site. Landscaping is proposed to comply with bushfire requirements.

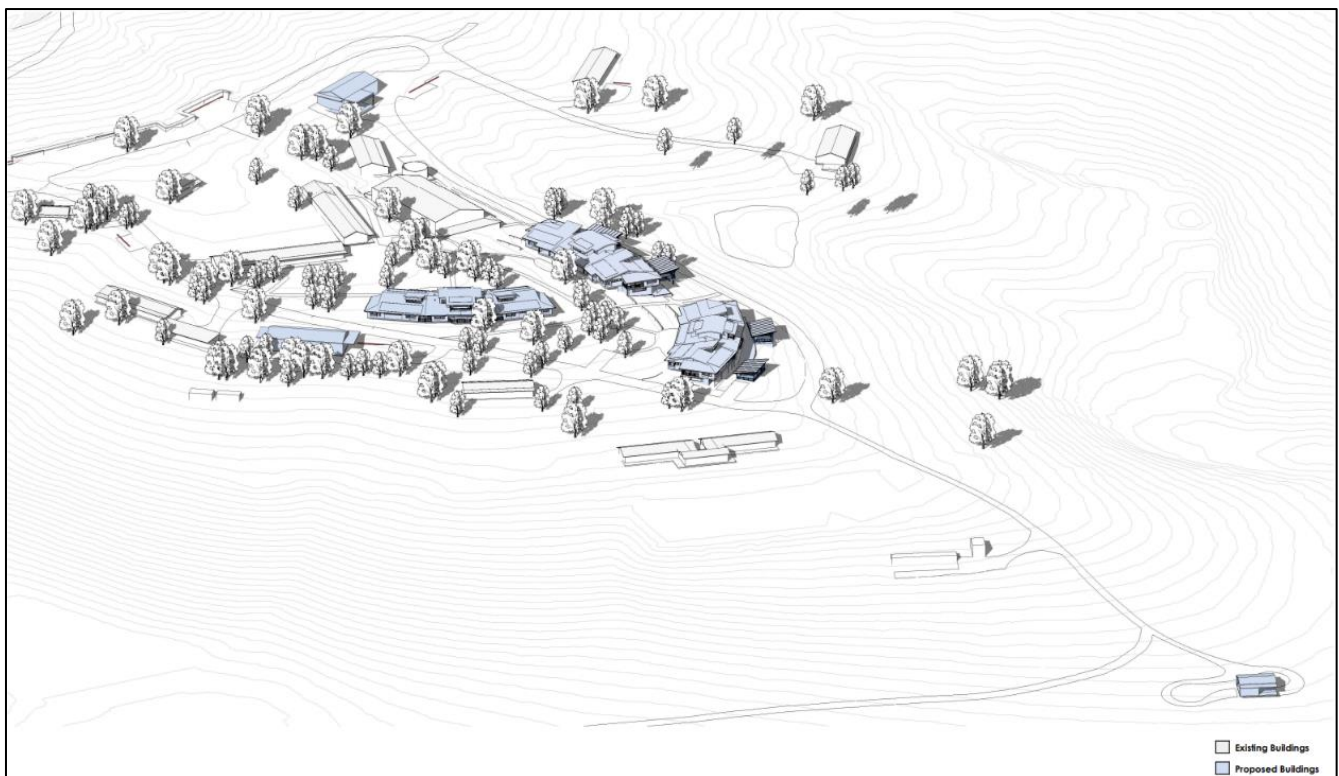


Figure 10 – 3D Site View (looking south-east) of proposed Stage 1 Development – source: Baxter & Jacobson Architects

4.0 PLANNING LEGISLATION, COUNCIL CODES AND POLICY

4.1 ENVIRONMENTAL PLANNING & ASSESSMENT ACT

There are a number of pertinent provisions of the EP&A Act relevant to this project, notwithstanding Section 4.15 (1).

4.1.1 SECTION 1.7: APPLICATION OF THE BIODIVERSITY CONSERVATION ACT 2016

The site is mapped with Biodiversity values (see **Figure 11**). The DA is accompanied by a Flora and Fauna (**Appendix 12**), and an Ecological Constraints Assessment (**Appendix 17**) both prepared by Narla Environmental.

The Ecological Constraints Assessment Report identifies biodiversity development constraints within the Concept DA site and concludes that should clearing works occur within any mapped areas or exceed 1 hectare, entry in the Biodiversity Offset Scheme following the preparation of a Biodiversity Development Assessment Report (BDAR) will be required.

The Flora and Fauna Assessment assesses the overall Concept DA, focusing on impacts of the Stage 1 development site. This report concludes that it is not anticipated that the development anticipated will significantly affect any threatened species or ecological communities. Surveys of the site did not detect threatened species, and habitat impacts are considered minimal. The report recommends mitigation measures, including the implementation strategic site planning, sediment and erosion controls and tree replacement, further reduce potential ecological impacts. The report concludes there will be no significant ecological effects requiring a BDAR or referral under the EPBC Act are anticipated.

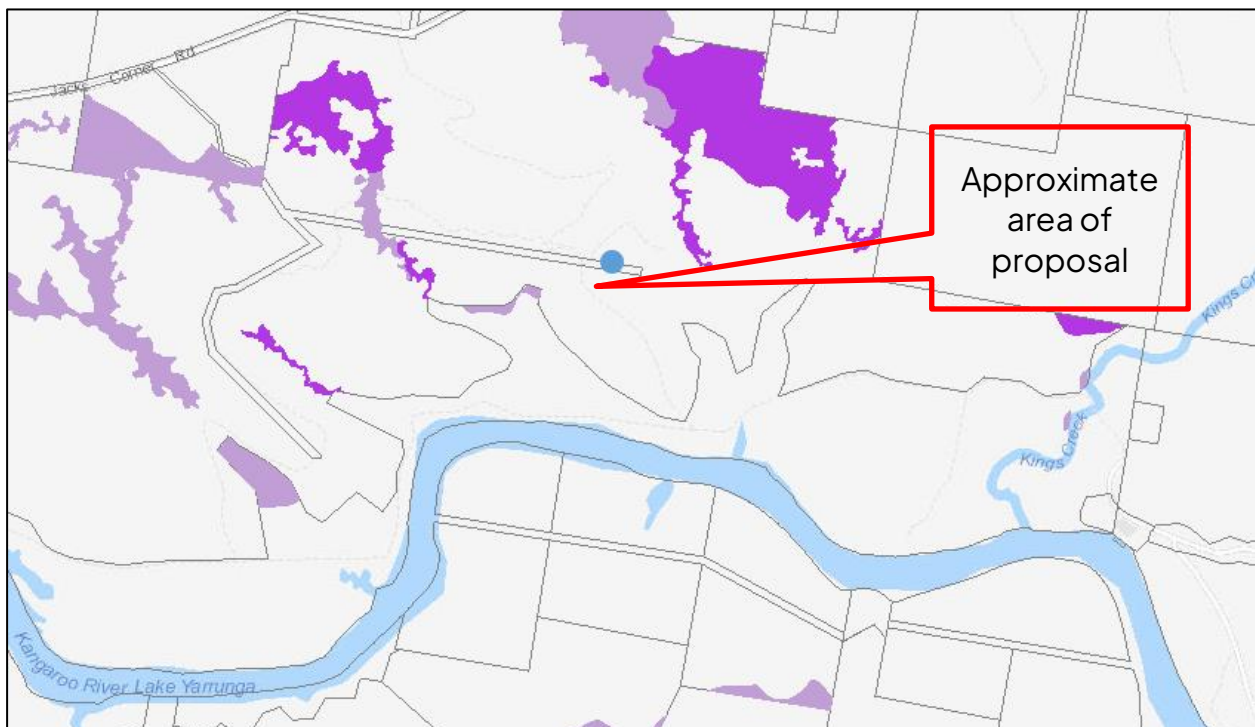


Figure 11 - Biodiversity Map – Source: NSW Biodiversity Mapping, 2020

4.1.2 SECTION 4.46: INTEGRATED DEVELOPMENT

This application is an integrated development application as Shoalhaven City Council has mapped the subject land as being bush fire prone (see **Figure 12**). In accordance with the *Rural Fires Act 1997*, the site falls under a special fire protection purpose (SFPP) designation. A Bushfire Assessment Report, prepared by Building Code & Bushfire Hazard Solutions Pty Limited accompanies this application (refer **Appendix 8**). The report assesses the Concept DA, including the Stage 1 and Stage 2 building envelopes, Asset Protection Zones (APZs) of and Bushfire Assessment Level (BAL) ratings for future development of the site.

This report concludes that a BAL proposal for the Concept DA is capable of meeting and exceeding the minimum APZ requirements for new SFPP development as outlined at **Table 2**.

Table 2. APZs for the proposed Concept DA

	Minimum Required APZs	Proposed APZs
North	67m	>84m
East	67m	>88.
Southwest	100m	>107m
West	142m	≥142m

The report concludes that the proposal satisfies the relevant specifications and requirements of Planning for Bush Fire Protection 2019 and the addendum to Planning for Bush Fire Protection.

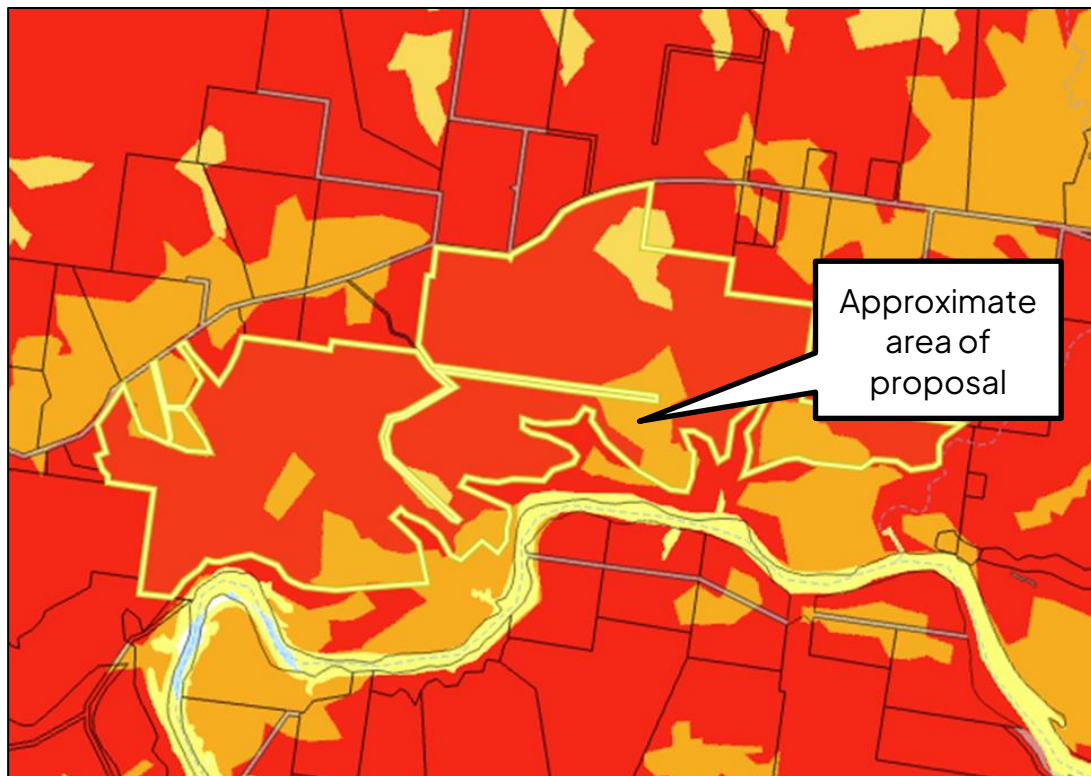


Figure 12 - Bushfire Prone Land - Source: SCC Mapping

4.2 STATE ENVIRONMENTAL PLANNING POLICY SUMMARY

A summary of State Policies relevant to the subject site and proposal is summarised below.

Table 3 – SEPP Summary

State Policies Relevant to Subject Site	Relevant Chapters	Relevant to this Application
State Environmental Planning Policy (Sustainable Buildings) 2022	Chapter 3: Standards for non-residential development	Addressed below.
State Environmental Planning Policy (Biodiversity and Conservation) 2021	Chapter 3: Koala Habitat Protection 2020 Chapter 4: Koala Habitat Protection 2021	Addressed below.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008: Land Application	x	x
State Environmental Planning Policy (Housing) 2021	x	x
State Environmental Planning Policy (Industry and Employment) 2021	x	x
State Environmental Planning Policy (Planning Systems) 2021	Part 3.3 Regional Development – Schedule 6	Addressed below.
State Environmental Planning Policy (Precincts – Central River City) 2021	x	x
State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021	x	x
State Environmental Planning Policy (Precincts – Regional) 2021	x	x
State Environmental Planning Policy (Precincts – Western Parkland City) 2021	x	x
State Environmental Planning Policy (Primary Production) 2021	x	x
State Environmental Planning Policy (Resilience and Hazards) 2021	Chapter 2: Coastal Management Chapter 4: Remediation of Land	Addressed below.
State Environmental Planning Policy (Resources and Energy) 2021	x	x
State Environmental Planning Policy (Transport and Infrastructure) 2021	Chapter 2: Infrastructure Clause 2.48 – Development within or immediately adjacent to an easement for electricity purposes	Addressed below.



4.2.1 STATE ENVIRONMENTAL PLANNING POLICY (SUSTAINABLE BUILDINGS) 2022

As the project has a estimated cost for development exceeding \$5 million, Chapter 3, Section 3.2 of the Sustainable Building SEPP is relevant. Under the SEPP the consent authority needs to consider if the proposed design enables:

- (a) the minimisation of waste from associated demolition and construction, including by the choice and reuse of building materials*
- (b) a reduction in peak demand for electricity, including through the use of energy efficient technology*
- (c) a reduction in the reliance on artificial lighting and mechanical heating and cooling through passive design*
- (d) the generation and storage of renewable energy*
- (e) the metering and monitoring of energy consumption*
- (f) the minimisation of the consumption of potable water*

The accompanying Ecologically Sustainable Design (ESD) Report prepared by Efficient Living (**Appendix 15**) accompanies this application to support the Stage 1 DA. The report addresses the relevant requirements of the SEPP and concludes strong ESD outcomes for the new proposal will be incorporated into the design for the construction of the Stage 1 dormitory buildings. Through this report, the consent authority can be satisfied that is satisfied the embodied emissions attributable to the development have been quantified.

4.2.2 STATE ENVIRONMENTAL PLANNING POLICY (PLANNING SYSTEMS) 2021

The proposal is categorised as a 'Private infrastructure and community facilities over \$5 million' under Schedule 6 of the above planning instrument and as such the proposal is required to be determined by the Southern Regional Planning Panel in accordance with Section 4.7 of the EP&A Act. Refer **Appendix 18** for the Estimated Cost of Development Report prepared by Newton Fisher Group.

4.2.3 STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021 – CHAPTER 3: KOALA HABITAT 2020

Chapter 3 of the B&C SEPP applies to the development pursuant to clause 3.3 being RU2 – Rural Landscape zoned land. This Chapter and aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline. A full assessment against this section of the SEPP is included in the accompanying Flora and Fauna Report prepared by Narla Environmental (**Appendix 12**). **Table 4** provides a summary of the assessment.

Table 4 – Chapter Three: Koala Habitat Protection 2020 Assessment

Question	Development	Outcome
Clause 3.5 - Does the site have a site area greater than 1.0 Ha or does the site form part of a landholding greater than 1.0 Ha in area?	Yes	Assessment under B&C SEPP required (Clause 3.5).
Clause 3.5 - Step 1 - Is the land potential koala habitat? <i>Note: ‘potential koala habitat’ are areas of native vegetation where trees of the types listed in Schedule 2 of the SEPP (now Schedule 1) (feed tree species) constitute at least 15% of the total number of trees in the upper or lower strata of the tree component.</i>	Yes	The site is potential koala habitat, continue assessment (Clause 3.6).
Clause 3.6 - Step 2 - Is the land core koala habitat? <i>Note: ‘core koala habitat’ means an area of land with a resident population of koalas, evidenced by attributes such as breeding females, being females with young, and recent sightings of and historical records of a population.</i>	No - The supporting Flora and Fauna Assessment prepared by Narla Environmental states that “The proposed development will result in the removal or modification of 0.95 ha of potential Koala habitat. This area represents a small portion—approximately 0.35%—of the total 270 ha of available habitat within the broader Subject Property. The habitat to be removed is located at the periphery of a high-quality patch and does not include core areas critical for the Koala population”.	Development satisfactory under B&C SEPP.

4.2.4 STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021 – CHAPTER 4 KOALA HABITAT 2021

Chapter 4 – Koala Habitat Protection 2021 of the B&C SEPP applies to the development pursuant to clause 4.4 being zoned C2 – Environmental Conservation and C3 – Environmental Management. This Chapter aims to encourage the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent free-living population over their present range and reverse the current trend of koala population decline. A full assessment against this section of the SEPP is included in the accompanying Flora and Fauna Report prepared by Narla Environmental (**Appendix 12**). Table 5 provides a summary of the assessment.

Table 5 – Chapter Four: Koala Habitat Protection 2021 Assessment

Control	Development	Outcome
Clause 4.8 – Does the site have a KPOM?	No	Proceed to Clause 4.9.
Clause 4.9 – Does the site have a site area greater than 1.0 Ha or does the site form part of a landholding greater than 1.0 Ha in area?	Yes	Assessment under B&C SEPP required.
Clause 4.9 – Is the development likely to have any impact on koalas or koala habitat. <i>Note: ‘koala habitat’ means koala habitat however described in a plan of management under this Chapter or a former Koala SEPP and includes core koala habitat.</i>	Yes	Assessment under B&C SEPP required.
Clause 4.9 – (3) If the council is satisfied that the development is likely to have low or no impact on koalas or koala habitat, the council may grant consent to the development application. (5) However, despite subsections (3) and (4), the council may grant development consent if the applicant provides to the council— (a) information, prepared by a suitably qualified and experienced person, the council is satisfied demonstrates that the land subject of the development application— ... (ii) is not core koala habitat ...	The development is likely to have low impact on koala habitat as assessed in the Flora and Fauna Report prepared by Narla Environmental – per clause (3) and (5)(a)(ii).	Development is satisfactory under B&C SEPP and the consent authority may grant consent to the DA.

4.2.5 STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021 – CHAPTER 2: COASTAL MANAGEMENT

The subject site is not mapped as either a Coastal Environment Area (Clause 2.10) or a Coastal Use Area (Clause 2.11) and therefore no assessment has been provided.

4.2.6 STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021 – CHAPTER 4: REMEDIATION OF LAND

Chapter 4 of SEPP (Resilience and Hazards) 2021 provides a state-wide planning approach to the remediation of contaminated land. Under Chapter 4, Council is required to consider whether land is contaminated and whether the proposed remediation of any proposed contaminated site will satisfactorily render the land suitable for the intended use, when determining a Development Application.



The information available to the applicant has not concluded that the site has previously been used for a purpose that would trigger or justify the need for remediation of the land. The proposal does not include a change of use of the site and a walkover assessment of the site and surrounds also did not identify any items that would potentially trigger the need for phase 1 contamination investigations. The development has been assessed against the requirements of Chapter Four of the R&H SEPP and it has been determined that the development meets the requirements and objectives of the R&H SEPP

4.2.7 STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021 – CHAPTER 6: SYDNEY DRINKING WATER CATCHMENT

Chapter 6 – Water Catchments of the B&C SEPP applies to the development pursuant to clause 6.1 as the development is located within the Sydney Drinking Water Catchment (SDWC), which is defined as a regulated catchment pursuant to Schedule 6 of the B&C SEPP. Therefore, concurrence will be required from Water NSW. The accompanying Neutral or Beneficial Effect on Water Quality Assessment prepared by MI Engineers (**Appendix 5**) addresses the stormwater quality issues and concludes that by adopting the recommendations within the report the ‘Neutral or Beneficial Effect’ criteria as required by Water NSW will largely be satisfied.

4.2.8 STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021 – CHAPTER 2: INFRASTRUCTURE CLAUSE 2.48

Chapter 2 – SEPP (Transport and Infrastructure) 2021 (T&I SEPP) applies to the development pursuant to clause 2.2 and aims to facilitate the effective delivery of infrastructure across the State.

Clause 2.48 of the T&I SEPP requires certain development to be referred to the relevant electricity supply authority and any response is to be considered as part of the assessment. The development involves *Development within or immediately adjacent to an easement for electricity purposes*. Per clause 2.48(2)(a) it is anticipated the application will be referred to Endeavour Energy inviting comments about potential safety risks.

4.3 SHOALHAVEN LOCAL ENVIRONMENTAL PLAN 2014

The subject land is zoned C2 – Environmental Conservation, C3 – Environmental Management and RU2 – Rural Landscape under the provisions of the Shoalhaven Local Environmental Plan (SLEP), 2014. The proposed development is best characterised as ‘educational establishment’ which is permissible with consent within the zone. The proposed development meets the definition of SLEP 2014, which is defined as follows:

educational establishment means a building or place used for education (including teaching), being—

(a) a school, or

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

The objectives of the relevant zones are as follows:



RU2 – Rural Landscape

Objectives of zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To maintain the rural landscape character of the land.
- To provide for a range of compatible land uses, including extensive agriculture.

C2 – Environmental Conservation

Objectives of zone

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.
- To protect water quality and the ecological integrity of water supply catchments and other catchments and natural waterways.
- To protect the scenic, ecological, educational and recreational values of wetlands, rainforests, escarpment areas and fauna habitat linkages.
- To conserve and, where appropriate, restore natural vegetation in order to protect the erosion and slippage of steep slopes.

C3 – Environmental Management

Objectives of zone

- To protect, manage and restore areas with special ecological, scientific, cultural or aesthetic values.
- To provide for a limited range of development that does not have an adverse effect on those values.
- To protect the natural and cultural features of the landscape, including coastal and foreshore areas, that contribute to scenic value and visual amenity.
- To maintain the stability of coastal land forms and protect the water quality and ecological values of estuaries and coastal streams.

The proposed development meets the objectives of the relevant zones by aligning with the intended land use, maintaining the character of the area, and supporting sustainable growth while addressing environmental and community considerations.

The pertinent Shoalhaven Local Environmental Plan, 2014 provisions relating to this proposal are addressed in **Table 6**.

Table 6 – SLEP 2014 Relevant Clauses

Clause	Clause requirement	Comments on this proposal
2.6 Subdivision	Subdivision requires consent	Not applicable
4.1 Minimum Lot Size	40ha	Not applicable
4.3 Maximum Building Height	No overlay mapping applies, Clause 4.3 applies.	Concept DA: The proposed building envelopes are all compliant with the maximum height of building of 11m. Stage 1: The proposed buildings in Stage 1 do not contravene the 11m height restriction.
5.1 & 5.1A Land Reservation Acquisition	No overlay mapping applies.	Not applicable.
5.10 Heritage	No overlay mapping applies.	Neither the subject site, nor the adjoining land, contains an item under Schedule 5 of the LEP
5.21 Flood Planning Area	No overlay – Clause 5.21 applies	Clause 5.21 has been considered. This land does not fall within the flood planning area as defined on the flood maps in SLEP 2014. This development is consistent with the objectives of this clause.
Part 6 Urban Release Area	No overlay mapping applies.	Not applicable.
7.1 Acid Sulfate Soils	No overlay mapping applies	Not applicable.
7.4 Coastal Risk Planning	Not within a CRP area	Not applicable.
7.5 Terrestrial Biodiversity	The site is mapped with significant vegetation and habitat corridors.	The development proposed as part of this application will not have any adverse impacts on the habitat corridors. The accompanying Flora and Fauna Report prepared by Narla Environmental outlines that no removal of significant vegetation is proposed. The overall development will have no major impacts on the existing terrestrial biodiversity on the site.
7.6 Riparian Lands & Watercourses	No overlay mapping applies.	Not applicable.
7.7 Natural Resource Sensitivity – Land	No overlay mapping applies.	Not applicable.
7.8 Scenic Protection Area	No overlay mapping applies.	Not applicable.

Clause	Clause requirement	Comments on this proposal
7.15 Buffers	No overlay mapping applies.	Not applicable.

4.4 SHOALHAVEN DEVELOPMENT CONTROL PLAN 2014

A full assessment of Shoalhaven DCP 2014 is provided at **Attachment A – DCP Assessment Table** at the end of this report.

Table 7 provides a summary of the SDCP 2014 chapters.

Table 7 - DCP Compliance Summary

DCP 2014 Chapter	Relevance to this application
G1 Site Analysis, Site Design and Building Materials	Complies
G2 Sustainable Stormwater Management and Erosion/Sediment Control	
G3 Landscaping Design Guidelines	
G4 Tree & Vegetation Management	
G5 Biodiversity Impact Assessment	Not applicable
G6 Coastal Management Areas	
G7 Waste Minimisation and Management Controls	Complies
G8 Onsite Sewage Management	
G9 Development on Flood Prone Land	Not applicable
G10 Caravan Parks in Flood Prone Areas	
G11 Subdivision of Land	
G12 Dwelling Houses and Other Low-Density Residential Development.	
G13 Medium Density and Other Residential Development	
G15 Tourist and Visitor Accommodation	
G16 Short Term Rental Accommodation	
G17 Business, Commercial and Retail Activities	
G18 Streetscape Design for Town Centres	
G19 Home Based Business Activities	
G20 Industrial Development	
G21 Car Parking and Traffic	Complies
G22 Advertising Signs and Structures	Not applicable
G23 Jetties, Wharf and Boating Facilities, Moorings, Mooring Pens and Boat Launching Ramps	
G24 Restricted and Sex Services Premises	



DCP 2014 Chapter	Relevance to this application
G25 Stationary Food Vans/Vehicles on Service Station Sites and Food Stalls	Not applicable
G26 Acid Sulphate Soils and Geotechnical (Site Stability) Guidelines	
G27 Dog Breeding and Boarding Establishments (Including Catteries)	
G28 Design Guidelines for Permanent Occupation in Caravan Parks	



5.0 OTHER MATTERS FOR CONSIDERATION

5.1 CRITICAL MATTERS – CONCEPT DA

Section 3.1 of this report outlines the critical matters for consideration under the Concept DA for which special approval is sought. This assessment concludes that the consent authority and applicant can have certainty about the major parameters of a proposal, such that future stages can deliver a satisfactory development.

These matters are addressed below:

5.1.1 BUSHFIRE SAFETY OUTCOMES AND CONSTRUCTION REQUIREMENTS FOR FUTURE DEVELOPMENT STAGES

The supporting Bushfire Assessment Report prepared by Building Code & Bushfire Hazard Solutions Pty Limited (**Appendix 8**) concludes that the proposal can satisfactorily comply with the aims and objectives of PBP 2019. Of particular note, the report recommends the update of the Emergency and Evacuation Management Plan to reflect the new buildings and also noting that the existing gym onsite is located within a compliant 10kW/m² area and is considered to be the logical 'Place of Refuge' for the site.

The Bushfire Assessment Report and site-specific bushfire risk assessment demonstrate that the proposed Concept DA provides a reasonable and satisfactory level of bushfire protection for the subject development. The Stage 1 DA is capable of meeting the relevant specifications and requirements of the Planning for Bushfire Protection (PBP) guidelines. Furthermore, any development consent for the Concept DA can specify the required standards for future consideration of a Stage 2 DA, if necessary.

5.1.2 BIODIVERSITY IMPACTS AND VEGETATION REMOVAL

The proposal includes the removal of two-hundred and two (202) native and exotic trees under the Concept DA, and Stage 1 DA, with 17 within the Stage 1 proposal due to significant encroachment.

The accompanying Flora and Fauna Report prepared by Narla Environmental (**Appendix 12**) has assessed potential impacts associated with the proposed development on terrestrial ecology (biodiversity), particularly threatened species, populations and ecological communities listed under the BC Act and the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The report concludes that the development is not anticipated to significantly affect any threatened species or ecological communities.

The accompanying Arboricultural Impact Assessment prepared by Gummiifera (**Appendix 13**), outlines that within the Stage 1 development footprint of the development, 38 trees are impacted, with 21 trees able to be retained. The report recommends actions to be undertaken to ensure the protection and long-term health of the trees. It is anticipated that these recommendations will form conditions of any consent, with future Stage DAs required to demonstrate that suitable tree protection measures can be undertaken.



5.1.3 TRAFFIC, ACCESS AND EGRESS TO/FROM AND WITHIN THE SITE

The proposal include no overall increase in the number of staff, students or visitors to the site. Accordingly there are no anticipated increases to the overall traffic generation of the site compared with the existing operations. While a level of construction traffic will be experienced during construction, suitable conditions of consent can be included on the Stage 1 and 2 DAs for Construction Traffic Management Plans if considered appropriate by the consent authority.

The internal road access plans prepared by MI Engineering (**Appendix 22**) identify the proposed upgrades necessary to be undertaken in the Stage 1 works, but also within the context of the Concept Proposal. These plans demonstrate that suitable access can be provided within the site, with adequate passing bays for emergency services and compliant parking spaces throughout the development and adjacent to necessary new buildings.

Additionally, the supporting Bushfire Assessment Report prepared by Building Code and Bushfire Hazard Solutions Pty Ltd (**Appendix 8**) identifies that a Performance Solution will be required to comply with PBP 2009. With regard to access for bushfire services, the report outlines that

“The existing access to the site consists of a gravel all-weather access road which provides a carriageway of 4-6m variable width.

....

As part of the Master Plan proposal, work will be undertaken to improve the main access road from Jacks Corner Road to provide passing bays at various locations along the access road”.

The report concludes that:

“Although in accordance with PBP, this proposal generally does not trigger the need to apply access requirements. As the upgraded internal road network provides a full loop around the site and direct access to the hazards, the upgraded access in our opinion satisfies the performance criteria of Table 3 of the addendum to PBP, being:

Firefighting vehicles are provided with safe, all-weather access to structures and hazardous vegetation.

We request that the NSW RFS specifically acknowledge this modification in the issued Bush Fire Safety Authority in accordance with NSW G5D”.

In addition to this, the statement from the Soil Conservation Service (**Appendix 20**) states that

SCS carried out a site inspection with Nathan Apps for the upgrade of the internal driveway to RFS standards which include the construction of passing and turnaround bays. We also inspected bushland proposed for APZ clearing. During inspection of the approx. 1.16km internal driveway, SCS found the driveway to be a high standard for firefighting purposes. The carriageway width is already to CAT 1 FAFT standards with road width at 4m. Scots collage will need to do regular maintenance checks to continue this and to ensure vegetation stays at the minimum 6m width and 4m height clearance.



As a critical item for consideration under the Concept Proposal, it is considered that suitable performance solutions are proposed with regard to the matter, with adequate accessibility provided to the site such that future development applications, and the subject Stage 1 DA will be capable of approval through demonstrating compliance with the solutions identified under this Concept DA.

5.1.4 PARKING

The proposal includes no overall increase in the operation, function or use of the site, nor any change to the number of staff, students or visitors to the site. Accordingly, there are no anticipated increases the need for parking compared with the existing operations. Nonetheless, with the demolition and reconstruction of new buildings an analysis of the parking requirements for the site has been undertaken. The proposal includes the net increase in formal parking spaces of 9 standard spaces and 6 accessible spaces, responding to the changing needs and modernisation of the site and ensuring compliance with current accessibility requirements.

Overall, the existing and proposed car parking arrangements meet the objectives of Chapter G21 of Shoalhaven DCP and complies with the parking requirements.

5.1.5 THE IMPACT OF THE DEVELOPMENT ON SURROUNDING PROPERTIES AND THE CHARACTER OF THE SURROUNDING AREAS

The proposed Concept DA is appropriate given its location and existing uses of the site. As addressed in the accompanying Visual Impact Assessment prepared by Baxter & Jacobson Architects (**Appendix 7**), there are no anticipated view impacts on neighbouring properties with the campus generally imperceptible from neighbouring properties due to the forest and steep terrain of the site.

The distance from the river to the campus, along with dense vegetation along the river foreshore mean viewing opportunities of the campus are limited, and any visibility of the campus will not cause an unreasonable or negative impact on the overall amenity of the environment compared with that of the existing development on site. Accordingly, there are no anticipated impacts on the character of the neighbourhood or the locality.

5.1.6 CAPACITY FOR THE PROPOSED DEVELOPMENT SITE TO APPROPRIATELY MANAGE WASTEWATER DISPOSAL.

A Soil and Site Assessment for Onsite Wastewater Disposal (**Appendix 4**) prepared by Harris Environmental accompanies this report. It assesses the suitability of the soil and site more generally for on-site wastewater management, including an estimate of the potential wastewater volume generated by the proposed development and the required area for wastewater disposal, ensuring it is suitably located and compliant with relevant assessment criteria. The report concludes that with the installation of a Sewage Management Facility, wet weather storage tanks, a commercial irrigation system, decommissioning of the off-line dam, stormwater diversion measures, management of pasture grasses and a monitoring program that the proposed waste water management can be appropriately undertaken on site to support the proposed development at full capacity under the Concept Proposal. A separate Section 68 approval under the Local Government Act 1993 will be submitted to Council for the installation of the proposed system.



While no additional staff, students or visitors are proposed under the Concept DA, the system will ensure the ongoing operations of the facility can occur with impacts on the environment suitably managed in accordance with modern standards and the future Stage 2 DA will be suitably catered for under the increased capacity of the system.

5.2 SERVICES

The site is fully serviced, it is not anticipated that the proposed development will place unrealistic or unreasonable demands upon the existing infrastructure network.

5.3 ACCESSIBILITY

The accompanying Disability Access Report prepared by Essential Access (**Appendix 6**) has reviewed the proposed Stage 1 development to review the proposals compliance under the provisions of the *disability (Access to Premises – Buildings) Standards 2010* & the *Access Provisions of the National Construction Code (NCC 2022 Vol 1)* and *AS 1428.1-2009*. The report concludes that subject to compliance with the recommendations in the report, that the proposal is capable of complying with the relevant standards.

5.4 HERITAGE

The heritage overlay of the Shoalhaven Local Environmental Plan, 2014 does not indicate any heritage items on the site or in close proximity to it under Schedule 5.

5.5 NATURAL HAZARDS

The site is not mapped as being flood prone, however is mapped as being bushfire prone.

Bushfire – The land is mapped by Shoalhaven City Council as being bushfire prone land. An assessment has been undertaken by Building Code & Bushfire Hazard Solutions Pty Limited to demonstrate this developments compliance with the provisions of Planning for Bushfire Protection.

5.6 ECOLOGICAL SUSTAINABLE DEVELOPMENT

The Stage 1 proposal has been assessed by Efficient Living Pty Ltd (**Appendix 15**) who have undertaken an Ecologically Sustainable Design assessment of the 3 new dormitory buildings in Stage 1 of the proposal. This assessment assesses the energy and water efficiencies of the development, along with waste management cycles for the operations of the facility and overall climate change resilience of the development. The report outlines ESD commitments for the proposal, and also provides recommendations for consideration and inclusion in the later detailed design/construction certificate documentation for the proposal.

5.7 ACOUSTIC ASSESSMENT

An acoustic assessment is not required as there are no sensitive receivers in close proximity to the subject site, and the existing noise levels are unlikely to exceed acceptable thresholds. The development is located at a sufficient distance from any residential or noise-sensitive areas,



ensuring that any potential noise generated will have minimal impact on the surrounding environment. As a result, there is no anticipated need for additional noise mitigation measures.

5.8 SUITABILITY OF THE SITE FOR THE DEVELOPMENT

The site is considered suitable for the Concept and Detailed (Stage 1) Development Application for an Educational Establishment upon 369 Jacks Corner Road (Lot 27 DP881838 & Lot 1 DP1261829), Kangaroo Valley.

The proposal is considered appropriate with regard to the zoning of the site and as demonstrated within this report and the supporting documentation, is not expected to have any negative impacts on the amenity of the locality or adjoining land uses.

5.9 ANY SUBMISSIONS MADE IN ACCORDANCE WITH THIS ACT OR THE REGULATIONS

It is anticipated that the proposal will be advertised in accordance with Council's notification policy. We do not anticipate any submission being received when advertised however should a submission be received, this will be assessed by the Council in consultation to the applicant.

5.10 THE PUBLIC INTEREST

After consideration of the development against section 4.15 of the EP&A Act and the relevant statutory and policy provisions, the proposal is considered suitable for the site and is in the public interest.

The proposal seeks to upgrade, modernise and improve the overall resilience of the existing educational facility to respond to the changing needs of students, and to respond to natural disasters. Compared with the existing facility, the proposed Concept DA and Stage 1 DA will result in the facility being able to withstand and respond to bushfires, reducing the threat to infrastructure and assets.

The proposal complies with the relevant State and local planning controls. The application is not expected to have any unreasonable impacts on the environment or the amenity of the locality, and as demonstrated in this report, the critical matters for assessment under the Concept DA have been addressed and it has been demonstrated that minimal or negligible impacts will be associated with the delivery of the Concept Proposal.

It is considered appropriate with consideration to the zoning and the character of the area and is therefore considered to be in the public interest.



6.0 CONCLUSION

Having regard to the above, the Concept proposal and Stage 1 Development at the site is considered to warrant approval for the following key reasons:

- A full assessment has been undertaken of the potential environmental impacts of the proposal which demonstrates that potential impacts have been avoided, adequately justified or appropriately mitigated. On this basis, the proposed Master Plan has adequately considered the critical matters of consideration for the proposed new buildings within the existing educational facility and demonstrated that the proposal is appropriate within the specific circumstances of the site.
- The proposal is consistent with the zone and planning controls applying to the site and will not create any adverse impacts on the surrounding environmental and biodiversity values of the site.
- The proposal provides for the modernisation and upgrade of the existing educational facility to better respond to the changing needs of the facility,
- The proposal results in improved energy and water efficiencies of the existing development, along with waste management cycles for the operations of the facility and overall climate change resilience of the development.
- The proposal will not have any unacceptable adverse impacts on either the built or natural environment and it is considered that the proposal is not contrary to public interest.
- The site is suitable for the proposed development and is in the public interest.

Allen Price Pty Ltd

7.0 ATTACHMENT A – DCP ASSESSMENT TABLE

G1: Site Analysis, Site Design and Building Materials

4 Objectives

The objectives are to:

- i. Consider the constraints and opportunities of the site for the proposed development.
- ii. Ensure compatibility between the site and the proposal.
- iii. Maximise the potential for energy efficiency and conservation in building design.
- iv. Minimise overshadowing impacts of a development on adjoining dwellings.
- v. Preserve solar access to north facing solar collectors serving adjoining dwellings e.g. solar hot water panels, photovoltaic cells.
- vi. Ensure development is compatible with the natural landscape and any identified natural hazards.
- vii. Ensure buildings are constructed of such materials and finishes and are not intrusive upon the landscape.
- viii. Ensure that views from public roads, public places and private properties are protected from highly reflective building materials.

Comment: The objectives of this chapter have been considered and the performance criteria and the suggested acceptable solutions relevant to this proposal have been met. A site analysis has been prepared for both the concept master plan DA and the stage 1 DA.

G2: Sustainable Stormwater Management and Erosion/Sediment Control

4 Objectives

The objectives are to:

- i. Manage stormwater flow paths and systems to ensure the safety of people and property.
- ii. Protect and enhance natural watercourses and their associated ecosystems and ecological processes.
- iii. Maintain, protect and/or rehabilitate modified watercourses and their associated ecosystems and ecological processes towards a natural state.
- iv. Mitigate the impacts of development on water quality and quantity.
- v. Encourage the reuse of stormwater.
- vi. Integrate water cycle management measures into the landscape and urban design to maximise amenity.
- vii. Minimise soil erosion and sedimentation resulting from site disturbing activities.
- viii. Minimise the potential impacts of development and other associated activities on the aesthetic, recreational, cultural and ecological values of receiving water.
- ix. Ensure the principles of ecologically sustainable development are applied in consideration of economic, social and environmental values in water cycle management.
- x. Ensure stormwater systems and infrastructure are designed, installed and maintained so as not to increase the risk to life or safety or people.
- xi. Provide Green and Golden Bell Frog friendly stormwater detention ponds in areas where Green and Golden Bell Frog are present.
- xii. Ensure stormwater systems and infrastructure are appropriately designed and installed to minimise the ongoing maintenance costs as much as possible.

Comment:

Concept DA:

A stormwater drainage concept plan accompanies this application (refer **Appendix 22**). These drawings demonstrate the Concept DA is capable of compliance with the objectives of this chapter which are not compromised by this proposal.

Stage 1 DA:

A stormwater assessment accompanies this application (refer **Appendix 22**). This assessment demonstrate compliance with the objectives of this chapter which are not compromised by this proposal. The proposed stormwater quality measures, consisting of existing sediment basin, proposed sediment basin, existing dam, onsite detention tanks, three swales and buffer zones will be sufficient for the proposed development to achieve both NoRBE and water quality reduction targets by Shoalhaven City Council.

G3: Landscaping Design Guidelines

G3: Landscaping Design Guidelines

4 Objectives

The objectives are to:

- i. Blend new developments, where appropriate, into the existing streetscape and neighbourhood character.
- ii. Enhance the appearance, amenity and energy efficiency of new developments for the users and for the community in general.
- iii. Provide landscaping within a development that relates to the scale and type of existing elements in the neighbouring landscape.
- iv. Design for winter sun and summer shade in landscape design and species selection for public and private spaces.
- v. Reduce the removal of native vegetation and dominant locally occurring native trees.
- vi. Restore the urban canopy (as appropriate) using local native tree and vegetation species.

Comment:

Concept DA:

Additional details will be provided in the development application plans for the subsequent stages. The ability for the proposal to provide an adequate landscape design is not a critical issue under the Concept proposal. The proposed Concept DA is capable of providing a landscape plan design that addresses the relevant provisions of G3, which can be conditioned on any Concept Approval issued by the consent authority.

Stage 1:

The Stage 1 Landscape Plan, prepared by Thompson Berrill Landscape Design (**Appendix 18**), clearly illustrates that the proposal meets the required development controls. Relevant acceptable solutions have been addressed below.

5 Controls

Performance Criteria

Acceptable Solutions

Comment

G3: Landscaping Design Guidelines		
P1 Development minimises and preserves site disturbance the existing landscape elements which make a positive contribution to the character of the area, through appropriate site design and by retaining mature shade trees.	A1.1 Existing trees and landscape elements which make a positive contribution to the character of the area, especially semimature/mature shade trees, should be retained and integrated into the proposal. A1.2 Proposals to remove existing trees and landscape elements must propose suitable landscaping streetscape character. to retain is Note: Where removal of a mature shade tree proposed, this must be accompanied by sufficient justification. A1.3 Tree planting and landscaping considers amenity by providing summer shade and winter sun.	Stage 1 DA: Existing trees and landscape elements that contribute positively to the campus character have been retained and integrated into the proposal. Stage 1 DA: The proposed development requires the removal of 17 trees on-site. For detailed justification regarding the necessity of this removal, refer to Chapter G4 below. Stage 1 DA: The landscape plan has been designed to enhance amenity by providing ample summer shade while allowing for optimal sunlight during winter. This approach ensures year-round comfort and environmental balance, contributing to the overall sustainability and aesthetic appeal of the site.
P2.1 The landscape plan: - Is designed to meet user requirements taking into account maintenance, exercise opportunities, shade provision and aesthetic quality. - Enhances the appearance of the streetscape through the provision of substantial landscaping to the street frontage. Integrates the development into the streetscape.	A2.1 For development other than a new dwelling house or alterations and additions to a dwelling house, landscaping must be in accordance with an approved landscape plan for the site, prepared by a suitably qualified landscape professional	Stage 1 DA: A landscape plan prepared by Thompson Berrill Landscape Design (Appendix 18) accompanies this application and demonstrates the development compliance with the development controls.
P2.2 The landscape plan:	A2.2 The landscape plan must:	Stage 1 DA: A landscape plan prepared by Thompson Berrill

G3: Landscaping Design Guidelines

- Specifies the location and species of trees, shrubs and ground cover.
- Uses vegetation and landscaping styles that blend the development in with the streetscape.
- Complements the functions of the street and reinforce desired traffic speed and behaviour.
- Is an appropriate scale relative to both the street reserve width and the building bulk.
- Considers personal safety (safety by design) by ensuring good visibility and lighting at dwelling entries, along paths and driveways and avoids shrubby landscaping near thoroughfares.
- Contributes to energy efficiency and amenity by providing substantial shade in summer especially to west facing windows and open car park areas and admitting winter sunlight to outdoor and indoor living areas.
- Improves privacy and minimises overlooking between dwellings.
- Minimises risk of damage to proposed buildings, overhead and underground power lines and other services.
- Minimises the risk of damage due to bushfire if the land is within a bushfire prone area as mapped by Council.
- Retains or plants mature shade trees to assist in reducing the urban heat effect.
- Reduces the removal of native vegetation and dominant locally occurring native trees.

- Relate to the site plan for the proposed development.
- Address P2.1 and P2.2.
- Include the landscape plan and planting schedule requirements at Section 6.1 of this Chapter, as appropriate to the scale of the development.

Landscape Design (**Appendix 18**), accompanies this application and complies with this acceptable solution.

G3: Landscaping Design Guidelines		
P3 Paving is designed to be fit for the intended purpose, low maintenance and complementary to the development.	A3.1 Where paving is provided to driveways, walkways and in the vicinity of garbage bin enclosures, letterboxes clotheslines such paving should: • Use and materials and colours which complement the development. • Feature nonslip finishes and be suitable for use by people with disabilities. • Minimise maintenance requirements where appropriate and practicable, taking into account the ownership of and proposed management of the landscaped area, particularly in bushfire prone areas.	Stage 1 DA: The proposed pathways are designed with neutral-coloured materials, featuring nonslip finishes to ensure safety and durability, while also requiring minimal maintenance. This design complies with the relevant acceptable solution.
P4 Street trees retained/replaced, are included and where appropriate, including in car parks, to provide shade and improve streetscape amenity.	A4.1 Street tree planting that provides summer shade, winter sun and enhances site lines for pedestrians shall be included and retained/replaced, where appropriate. A4.2 Street trees and trees within the road reserve shall be positioned to maximise shade opportunities for pedestrians and car parking and minimise disturbance to service lines. A4.3 Shade trees should be provided at a rate of one tree per row of six (6) car parking spaces or through the provision of shade to at least 50% of the car park.	Not applicable to this application. No street trees are proposed due to the nature of the development. Stage 1 DA: Not applicable to this application. No street trees or trees within the road reserve are proposed due to the nature of the development. Stage 1 DA: Appropriate shade planting trees are provided where possible

G4: Trees & Vegetation Management

G4: Trees & Vegetation Management

4 Objectives

The objectives are to:

- Ensure land owners are aware when tree or vegetation removal or pruning requires a permit and when it can be carried out without a permit.
- Provide a consistent framework to assess applications for the removal or pruning of trees and other vegetation.
- Recognise trees and other vegetation as a highly valued asset to maintain the visual appeal and amenity of the local area.
- Control inappropriate cutting down, felling, uprooting, killing, poisoning, ringbarking, burning or otherwise destroying of vegetation, or lopping or otherwise removing a substantial part of vegetation.
- Minimise the risk caused by destabilisation of foreshore, riparian or agricultural land.
- Ensure that high value trees or other vegetation in environmentally sensitive locations are preserved.
- Recognise the intrinsic value of trees and other vegetation to support native birds and wildlife.

5 Controls

5.3 Assessment Criteria for Tree Removal and Pruning

If the tree or other vegetation proposed for removal or pruning is declared under Section 5.1 of this Chapter for the purpose of Part 3 of the Vegetation SEPP, and is not exempt under Section 5.2.2 of this Chapter, then a permit application must be submitted to Council.

5.3.3 Amenity Considerations

Performance Criteria	Acceptable Solutions	Comment
P5 Character of towns and villages is maintained and improved by the retention of mature trees.	A5.1 Where mature trees or other vegetation have been removed, they are replaced with trees native to the region in an appropriate location. Note: An Arborist Report prepared by a suitably qualified and practicing Arborist to assess the health and condition of the tree/s may be required.	Replacement trees will be planted in an appropriate location as seen in the accompanying landscape plan. An arborist report prepared by Gummifera accompanies this application (refer Appendix 13).
P6 Enable residents to access solar power alternatives.	A6.1 Trees or other vegetation removed or pruned to facilitate solar access for the tree owner or their neighbours are kept to the minimum necessary to ensure solar efficiency.	Not applicable to this application.

G4: Trees & Vegetation Management		
P7 Retain and value a healthy streetscape.	A7.1 Removal of a tree that is a poor specimen and is in a state of decline that is prolonged and irreversible is supported by an Arborist Report prepared by a suitably qualified and practising Arborist in relation to the health and condition of the tree/s.	Not applicable to this application.
P8 Protect public and private assets from unnecessary damage.	A8.1 Removal of trees that have caused or are likely to cause significant structural damage and is supported by relevant evidence; and	Not applicable to this application.
	A8.2 The application is supported by written expert advice and other reasonable alternatives are not available.	A Flora and Fauna assessment prepared by Narla Environmental and an Arborist report prepared by Gummifera accompany this application (refer Appendix 12 and Appendix 13).
5.3.5 Other Important Vegetation		
Performance Criteria	Acceptable Solutions	Comment
P10 Verified EECs are protected.	A10.1 The trees to be removed are not part of a listed EEC (mapped in this DCP) in accordance with an assessment by a suitably qualified person.	The trees proposed to be removed are not part of a listed EEC, refer Flora and Fauna Report (Appendix 12).
P11 Removal of trees in mapped paper subdivisions is avoided or minimised.	A11.1 Removal of any trees in Jerberra Estate is in accordance with Chapter N20 Jerberra Estate.	Not applicable to this application.
	A11.2 Removal of any trees in other paper subdivisions within Shoalhaven is limited to removal and pruning that is in conjunction with an approved development or use.	Not applicable to this application.
P12 Toona australis are protected.	A12.1 A report from a suitably qualified Arborist is provided and determines that the Toona australis is obviously severely damaged, decayed or causing structural damage.	Not applicable to this application.

G4: Trees & Vegetation Management		
P13 Areas recognised for their scenic value are preserved.	A13.1 Removal of trees on land covered by the Scenic Protection Area Map of SLEP 2014 is minimised.	Not applicable to this application.
	A13.2 A program of replanting of local native species is proposed.	Not applicable to this application.
P14 Trees and other vegetation with environmental significance are appropriately managed.	A14.1 Submission of an assessment of significance (5 part test) by a suitably qualified person for any tree that contains a hollow, is a threatened species or is a component of an EEC.	Not applicable to this application.
	A14.2 All trees and other vegetation to be removed or pruned to be clearly marked on site for inspection purposes.	Noted. This requirement can be met.
	A14.3 Animal handler to be present on site to rescue any animals, where there is proposed removal of a hollow bearing tree.	Noted. This requirement can be met.

G7: Waste Minimisation and Management Controls

4 Objectives		
The objectives are to: i. Reduce the amount of waste generated and the demand for landfill disposal. ii. Maximise recovery, reuse and recycling of building/construction materials, household generated waste and industrial/commercial waste. iii. Provide on-going management for waste handling and recovery on site (at the source). iv. Provide guidelines on the preparation of waste management plans, matters for assessment, and the reduction and handling of waste. v. Encourage the use of materials made from recycled products and materials that can be recycled and reused. vi. Achieve source separation and improve design and location standards, which complement waste collection and management services, offered by Council and/or private service providers. vii. Encourage building designs and construction techniques which will maximise future resource recovery. viii. Assist in achieving Federal and State Government recovery targets and directive outcomes. ix. Minimise the overall environmental impacts and foster the principles of ecologically sustainable development.		
5 Controls		
Performance Criteria	Acceptable Solutions	Comment

P1 The development appropriately accounts for waste generation in a way that meets the objectives of this Chapter.	A.1.1 A waste management plan is submitted with the development application in accordance with the Waste Minimisation and Management Guidelines .	A waste minimisation and management plan accompanies this application (see Appendix 14).
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G8: Onsite Sewage Management

G8: Onsite Sewage Management 4 Objectives

The objectives are to:

- i. Minimise the risk to public health. Contact with effluent, particularly by children, the elderly and immune-compromised members of our community, is to be minimised or eliminated. The application of effluent and its by-products is to be managed carefully.
- ii. Prevent the deterioration of land and decline in tree and vegetation quality through soil structure degradation, salinisation, waterlogging, chemical contamination or soil erosion.
- iii. Protect surface waters from contamination from any flow from treatment systems and land application areas.
- iv. Protect ground water from contamination from any flow from treatment systems and land application areas.
- v. Conserve water resources and reuse domestic wastewater (including nutrients, organic matter and water) where possible and within the constraints of other performance objectives.
- vi. Protect community amenity by not unreasonably interfering with quality of life and by giving consideration to aesthetics, odours, dust, vectors and excessive noise which may impact on the local amenity.

5 Controls

Performance Criteria	Acceptable Solutions	Proposed Development
P1 The system is designed and located to: - Protect the quality of water bodies. - Provide adequate separation between effluent application areas and water bodies. <i>Note: A buffer distance is measured as a ground surface flow line and is not based on the closest measured distance.</i>	A1.1 A minimum buffer distance of 100 metres is provided between effluent application areas (particularly land application areas) and any perennial watercourse or waterbody.	The effluent application area is in excess of 100m from any perennial watercourse or waterbody. Refer to the wastewater management report and plan prepared by Harris Environmental (Appendix 4).
	A1.2 A minimum buffer distance of 40 metres is provided between effluent application areas and any intermittent watercourse or waterbody. <i>Note: Refer to Table 1 and Section 6.2 for information and legislation relating to</i>	Complies.

G8: Onsite Sewage Management		
	land in Sydney's Drinking Water Catchment.	
P2 The system is designed and located to: Protect the quality of groundwater. Provide adequate separation between effluent application areas and ground water.	A2.1 The minimum depth to ground water is: 1.2 metres for absorption trenches; or 0.6 metres for application of secondary quality effluent with disinfection and from the base of a mound system.	Complies.
	A2.2 The minimum soil depth to bedrock (of low strength or harder) or other confining layer is: 1.2 metres for absorption trenches; or 0.5 metres for application of secondary quality effluent with disinfection and from the base of a mound system. <i>Note: AS/NZS 1547:2012 provides a range of acceptable depths depending on a number of factors, including, but not limited to, soil type, quality of the effluent and application method</i>	Complies.
P3 The system is designed and located to ensure adequate separation between the application areas and property boundaries, pools,	A3.1 A minimum horizontal setback distance from the perimeter of any application area is provided in accordance with Table 1.	Complies.

G8: Onsite Sewage Management		
other buildings and other effluent application areas. <i>Note: A buffer distance is measured as a ground surface flow line and is not based on the closest measured distance</i>	A3.2 In the case of allotments being created through subdivision, an additional horizontal setback distance applies where a plan has been submitted showing the proposed location of on-site systems. A minimum buffer distance between potential effluent application areas and proposed diversion drains on separate allotments is to be 40 metres.	Not applicable to this application. no subdivision is proposed.
P4 Wastewater treatment systems and application areas are not adversely affected during flood periods. <i>Note: Where the land identified for wastewater treatment or application is flood prone land, a flood certificate is required and the projected 2050 flood levels are to be adopted.</i>	A4.1 All wastewater treatment systems and application areas shall be located above the 1 in 20 year flood level. Systems with electrical components shall be located above the 1 in 100 year flood level. <i>Note: Sealed submerged pumping facilities may be located below the 1 in 100 year flood levels with appropriate flood protection</i>	Complies.
P5 Catchment-wide consideration is incorporated in the selection, design, siting, construction, operation and maintenance of wastewater management systems. <i>Note: Council encourages the use of subsurface application of effluent in lieu of surface spray irrigation due to the higher potential risk to the environment and public health associated with the latter.</i>	A5.1 Irrigation areas shall be as level as possible, with a maximum slope of 12% in areas used for spray irrigation. Subsurface irrigation systems shall be utilised on steeper slopes where site stability is not compromised and surfacing of effluent will not occur.	Complies.
	A5.2 Sites shall be contoured to direct surface water flow away from application areas.	Complies.

G8: Onsite Sewage Management		
	A5.3 The construction of a sewage management system shall be in accordance with AS/NZS 1546.1 – “OnSite Domestic Wastewater Treatment Units”.	Complies.
	A5.4 The minimum size of septic tanks and holding tanks shall be in accordance with AS/NZS 1547 and Water NSW’s requirements, where the property is located within Sydney’s Drinking Water Catchment.	Complies.
	A5.5 Effluent application areas (in a location where they can meet the objectives) shall be designed and constructed in accordance with the provisions of AS/NZS 1547 and this policy. Textural classification of the soil profile is to be examined to determine the long-term acceptance rate and to assist in the design of the sewage management system.	Complies.
	A5.6 Where soils exhibit a high permeability (greater than 3.5 m/day), the application shall demonstrate through further investigation that pollution of groundwater will not occur.	Not applicable.
	A5.7 A reserve (secondary) area of 100% of the design area is to be identified upon the site for expansion and contingencies. The reserve area is to be protected from any development that would prevent its use in the future. <i>Note:</i>	Complies.

G8: Onsite Sewage Management		
	• Reserve area is based upon hydraulic calculations. • On small allotments it may not be possible to provide a reserve area. The designer, in consultation with Council, is to assess the options available for the site. The designer is to propose an appropriate design that provides security in the case of unsatisfactory performance.	
	A5.8 The application shall demonstrate that the proposed and future development of the allotment/s can be accommodated. Note: For example, a proposal may include a dwelling, outbuildings, driveways, sealed areas and primary recreation area in addition to the on-site sewage management area.	Noted.
	A5.9 For subdivisions, more than one type of effluent application system can be achieved for each allotment.	Not applicable to this application. No subdivision is proposed.
	A5.10 The effluent application area is to be setback at least 1m from the dripline of trees and vegetation of biodiversity value identified for retention (such as hollow-bearing trees or vegetation).	Complies.
P6 Sufficient area is provided for sub-surface absorption and irrigation of effluent so that effluent is not transported off the site.	A6.1 To determine suitable application areas, a minimum available irrigation area shall be calculated utilising water balance and nutrient balances, as specified within the Environmental Health	Complies.

G8: Onsite Sewage Management		
	Protection Guidelines (1998) and AS/NZS 1547.	
P7 Appropriate provision is made for wet weather storage of treated effluent during wet weather periods when it is inappropriate to spray irrigate. <i>Note: Assessment of the need for wet weather storage is based upon an accepted standard and criteria. Population, rainfall, evaporation, soil permeability, soil depth and effluent quality must be used.</i>	A7.1 Wet weather storage is provided for surface irrigation systems in accordance with the recommendations of the Environment and Health Protection Guidelines (1998), for periods of wet weather and when soils in the application area will become saturated. <i>Note: Systems designed for wet weather storage may range from impervious storage either above or below ground, to subsurface storage/disposal systems. Details of the wet weather storage is to be submitted to Council for approval.</i>	Complies.
P8 Effluent is wholly contained within the boundaries of the site and the application area is designed to ensure that ponding of effluent or waterlogging of the soil profile does not occur.	A8.1 Irrigation areas are designed in accordance with this Chapter and/or AS/NZS 1547 and may be either surface or sub-surface systems. <i>Note: Sub-surface systems are generally preferable.</i>	Complies.
	A8.2 In the case of allotments created through subdivision, the minimum size for an allotment is 2500m ² . <i>Note:</i> • The minimum lot size has been determined after considering areas required for elements such as buildings, outbuildings, set-back distances and unimpeded open space for private recreation. • Allotments located in Sydney's drinking water catchment area that are proposed to be subdivided,	Not applicable.

G8: Onsite Sewage Management		
	are to be referred to Water NSW.	
P9 People, their pets or other objects to which people may be exposed are not to come into contact with non-disinfected wastewater, including grey water.	A9.1 Land application and treatment systems shall be installed in accordance with the former NSW Health Advisory Note 4 Sewage Management Facility Accreditation Criteria Based on the Final Application of Treated Effluent and Risk of Disease Transmission (April 2008).	Complies.
	A9.2 Wastewater, that has not been disinfected, shall not applied to the ground surface.	Noted.
	A9.3 Effluent application areas are not used as the primary recreation areas for a property.	The effluent application areas have previously been carefully designated to avoid use as the primary recreational spaces on the property. The location of the effluent application area does not change as a result of this application and the chosen area ensures the safe and appropriate use of land, maintaining a clear separation between effluent management and recreational activities.
P10 Areas used for spray irrigation are not used for recreation purposes or the growing of vegetables.	A10.1 Where effluent is applied via spray irrigation, the application area is to be isolated so as not to be used for passive or active recreation purposes (fenced off, delineated garden etc.). Such areas are also to be stock proof, during and immediately after application.	Complies
	A10.2 The application area shall not be used to grow vegetables for human consumption.	The designated effluent application area will not be used for growing vegetables intended for human consumption, ensuring compliance with health and safety standards. This separation

G8: Onsite Sewage Management		
		mitigates any potential risks to public health.
	A10.3 The use of effluent for fruit trees shall comply with AS/NZS 1547. <i>Note: Effluent disposal under trees is not prohibited but must be in accordance with A5.10 and AS/NZS 1547.</i>	Not applicable. Effluent will not be used for fruit trees.
P11 Surface application/reuse areas are adequately signposted.	A11.1 Warning signs shall be erected within the effluent application area in accordance with the provisions of AS/NZS 1547 and AS 1319.	Warning signs are existing within the effluent application area and are in accordance with the provisions of AS/NZS 1547 and AS 1319.
P12 Designs that incorporate alternative technology demonstrate best practice.	A12.1 System designs (new or existing) that incorporate alternative technology shall not prejudice the integrity of the system	Not applicable
P13 Where permissible, each dual occupancy site includes a separate system that is designed to incorporate best practice and adequate separation between systems.	A13.1 A separate on-site sewage management system (including treatment and application areas) is to be provided for each occupancy/dwelling.	Not applicable.
P14 New development in the Sydney Drinking Water Catchment must have a neutral or beneficial effect on water quality. <i>Note: Refer to Section 6.2 for further information.</i>	A14.1 All development must comply with the 'Neutral or Beneficial Effect on Water Quality Assessment Guidelines' and 'Neutral and Beneficial Effect on Water Quality Assessment Tool'.	Complies.
	A14.2 All development in the Sydney Drinking Water Catchment must be accompanied by a Water Cycle Management Study.	The subject site is within the Sydney Drinking Water Catchment and therefore, a water cycle management study accompanies this application – refer NorBE assessment prepared by MI Engineers (Appendix 5)
P15.1 New subdivisions do not propose (or install) new pumpout systems. P15.2	A15.1 A sufficient effluent disposal area, in accordance with the requirements of this Chapter, shall be maintained	Complies.

G8: Onsite Sewage Management

New multi dwelling housing development does not propose pumpout systems unless the land is designated for future reticulated services. P15.3 Residential or business zoned land does not rely upon new pumpout systems unless the system was approved before the adoption of Council's former Effluent Pumpout Policy on 28 August 2007. <i>Note: Refer to Section 6.2 for further information.</i>	for effective effluent disposal, including required buffer distances. A15.2 New pumpout services shall only be considered: - On lots within unsewered residential or business zoned land that was registered before the adoption of Council's former Effluent Pumpout Policy on 28 August 2007. - For multi dwelling housing development in villages designated for future reticulation services.	Not applicable.
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G21: Car Parking and Traffic

G21: Car Parking and Traffic

4 Objectives

The objectives are to:

- Ensure that adequate off street parking is provided in conjunction with development throughout the City, including any overflow parking.
- Discourage the use of on street parking for new development.
- Ensure that car parking areas are visually attractive, functional, operate efficiently, are safe and meet the needs of users.
- Ensure that all vehicles enter and leave a site in forward direction and that the manoeuvring of vehicles does not take place within the road reserve, but within the subject site.
- To encourage developments that contribute to the vitality and liveability within CBD areas.
- Address the principles of ecologically sustainable development.
- To ensure that the traffic and road safety implications of development are adequately assessed in accordance with current guidelines and standards.
- To minimise any adverse traffic and road safety impacts of development.

5 Car Parking Controls

5.1 Car Parking Schedule

Land Use Type	Standard	Comment
Educational establishments	High School 1 space per 8 students, minimum; and - Pick up/drop off zone of minimum length to be	Concept DA & Stage 1: Given the unique nature of the educational establishment, the car parking arrangements deviate from

G21: Car Parking and Traffic		
	sufficient to allow 1 space per 35 students; and • Bus zone of minimum length sufficient to allow 1 bus space per 200 students.	those typically found in conventional high school settings. This proposal includes a total of 62 standard parking spaces, complemented by 6 accessible parking spaces, representing a net increase of 9 standard spaces and 5 accessible spaces. The design prioritises functionality and ease of access, ensuring that all users can navigate the site safely and conveniently. This thoughtful approach reflects a commitment to inclusivity and addresses the specific needs of the educational community. The proposed Concept DA is capable of complying with the proposed parking controls, and therefore the current Stage 1 DA is considered satisfactory. Bus Drop-Off Zones: • <i>Large Coach Bus Drop-Off Zone:</i> Located at the top of the access driveway on Jacks Corner Road, this area offers ample space for large coach buses to safely drop off and pick up students. The design allows for easy and safe turning of the buses, ensuring a smooth exit from the site. After being dropped off by the larger buses, students are transferred to the smaller 20-24 seater buses for entry onto the campus. • <i>20-24 Seater Bus Drop-Off Zone:</i> The designated drop-off zone for these buses is located at P1, providing a convenient and organized transition for students as they enter the campus. Total parking available onsite: • 62 spaces; • 6 accessible spaces; • 2 delivery loading spaces. Overall, the proposed Concept DA car parking arrangements meet the



G21: Car Parking and Traffic		
		objectives of Chapter G21 and comply with the parking requirements.