STATEMENT OF ENVIRONMENTAL EFFECTS

SNOWY MOUNTAINS GRAMMAR SCHOOL
STAGE 1—LEARNING HUB
KOSCIUSZKO ROAD, JINDABYNE

Prepared for:

FEBRUARY 2021
Project: 02-20

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KOSCIUSZKO ROAD, JINDABYNE

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1. INTRODUCTION

1.1 Executive Summary

Dabyne Planning Pty Ltd has been engaged by the Snowy Mountains Grammar School (SMGS) to prepare a Statement of Environmental Effects (SEE) to accompany a Development Application (DA) to Snowy Monaro Regional Council (Council).

The Development Application is for the SMGS Stage 1 – Learning Hub, a new detached two storey building that will providing learning facilities for school students.

SMGS is located at 6339 Kosciuszko Road, Jindabyne and the proposed development will be partly located within Lot 12 DP 242010 and Lot 4 DP 874113 with a boundary adjustment underway (as Exempt Development) to allow for the development to be located wholly within one allotment.

The new Learning Hub building is located at the front north-west corner of the school, adjacent to the Snowy Shed and Administration buildings with frontage to Kosciuszko Road.

The existing campus at Jindabyne was the former Snowy Mountains Hydro Electric Authority (SMHEA) headquarters for its Jindabyne based operations from early 1960's to mid-1990's. The site was acquired by SMGS in the mid 1990's and the SMGS commenced educational activities in 1996. Since that time the school has implemented a range of building and infrastructure improvements to meet the growing needs of its school community.

SMGS is now in a position of growth, triggering the expansion of the physical footprint of the school and the need to review its long-term asset development and address the financial commitment necessary to match the School's educational aspirations.

The Learning Hub building forms Stage 1 of a Master Plan for the school, providing a framework within which future development of the campus will proceed over the next 10-20 years.

The building has been designed to accommodate art, design and tech classrooms on the ground floor as well as a uniform shop, plant and storage. On the first floor the building will include science labs, learning studios, graphic and makers room and general learning areas providing a multi-use and flexible learning space together with outdoor learning areas integrated into the landscaped areas around the building.

These new learning areas will predominantly cater for existing student demand and allow for the older buildings at the upper end of the school to be repurposed, allowing for future improved facilities. The new Learning Hub is anticipated to accommodate an additional increased student capacity in addition to the current demand.

The building has been subject to a comprehensive site analysis process, informed by design, education, planning and engineering specialists together with the School Board, School Executive as well as ongoing consultation with the community including students. Formal Pre-Application consultation with Council has also been undertaken.

This will result in a modern purpose-built learning facility that responds to the site and its setting with an integrated landscaped environment to enhance on-site amenity, contribute to the streetscape and provide age-appropriate outdoor learning areas.

The design approach for the development is to deliver high environmental performance by minimising the consumption of energy, water and natural resources and reduce waste and encourage recycling with a building that is durable, resilient and adaptable, enabling it to evolve over time to meet future requirements.

Together with its modern alpine architecture and setting, the building will integrate with the existing school built form responding to its unique setting with solar access and views to the north over Lake Jindabyne whilst minimising impacts on the environment.

A detailed description of the proposal is provided in Section 3 of the report.

The purpose of this SEE is to:

- describe the land to which the DA relates.
- describe the form of the proposed works.
- define the statutory planning framework within which the DA is to be assessed and determined; and
- assess the proposed development against the matters for consideration listed under Section 4.15(1) of the Environmental Planning and Assessment Act, 1979 (EP&A Act, 1979).

The report has been prepared in accordance with the requirements of Schedule 1 of the Environmental Planning and Assessment Regulations 2000.

2. THE LOCALITY AND THE SITE

2.1 The Locality

The SMGS site is located within 1km west of the Jindabyne township on the southern side of Kosciuszko Road and western side of the Barry Way.

The location of the school site in relation to the Jindabyne locality is provided below.

Figure 1: Location of the SMGS site in context with the locality (Source: MSM Architects)

2.2 The Site

The SMGS site comprises of multiple allotments that form the current school campus, the recently purchased allotment on the corner of the Barry Way and the surplus land within Lot 4 to the west.

The combination of these lots that form the subject site in context with the locality is shown in figures 1 & 2 below.

Figure 2: Aerial map of the subject site in context with the Jindayne township

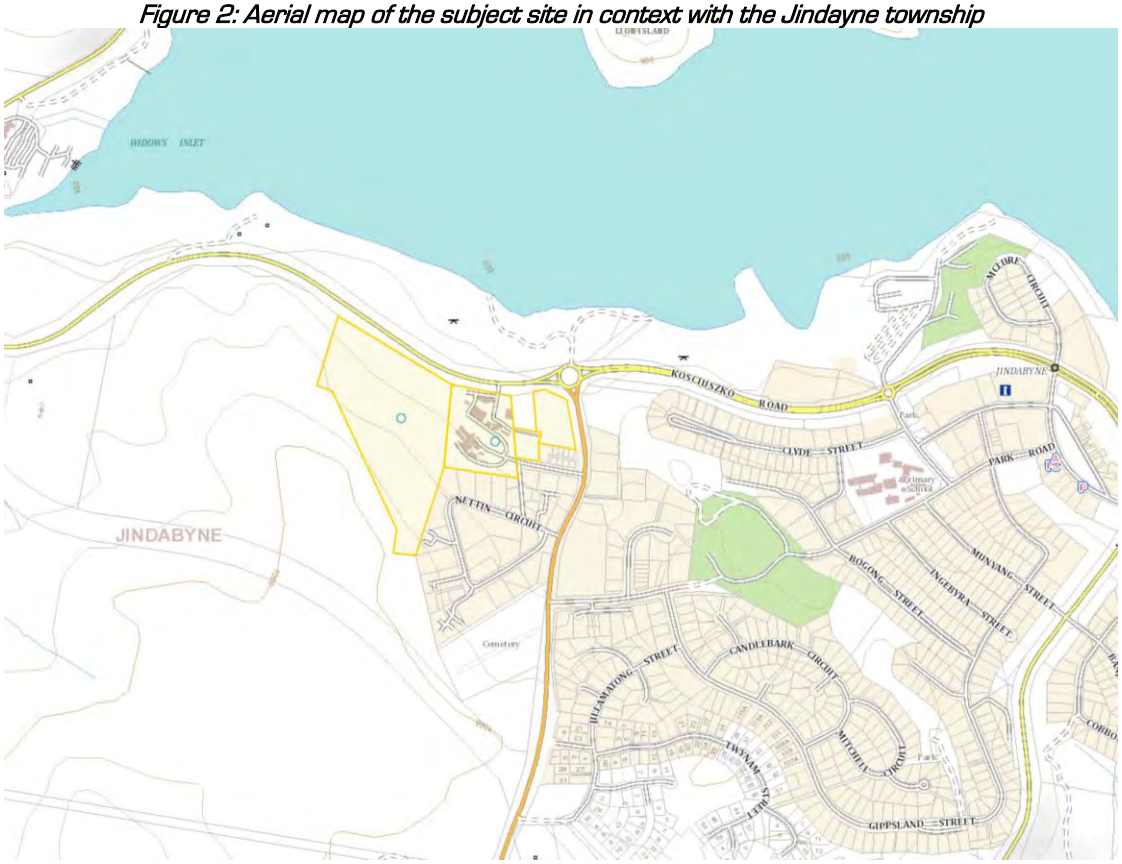


Figure 3: Topographic map of the subject site in context with the Jindayne township

An aerial and topographic plan of the school site together with Lot 10 DP 808594 (currently owned by NSW Ambulance) is provided in figures 4 & 5 below.

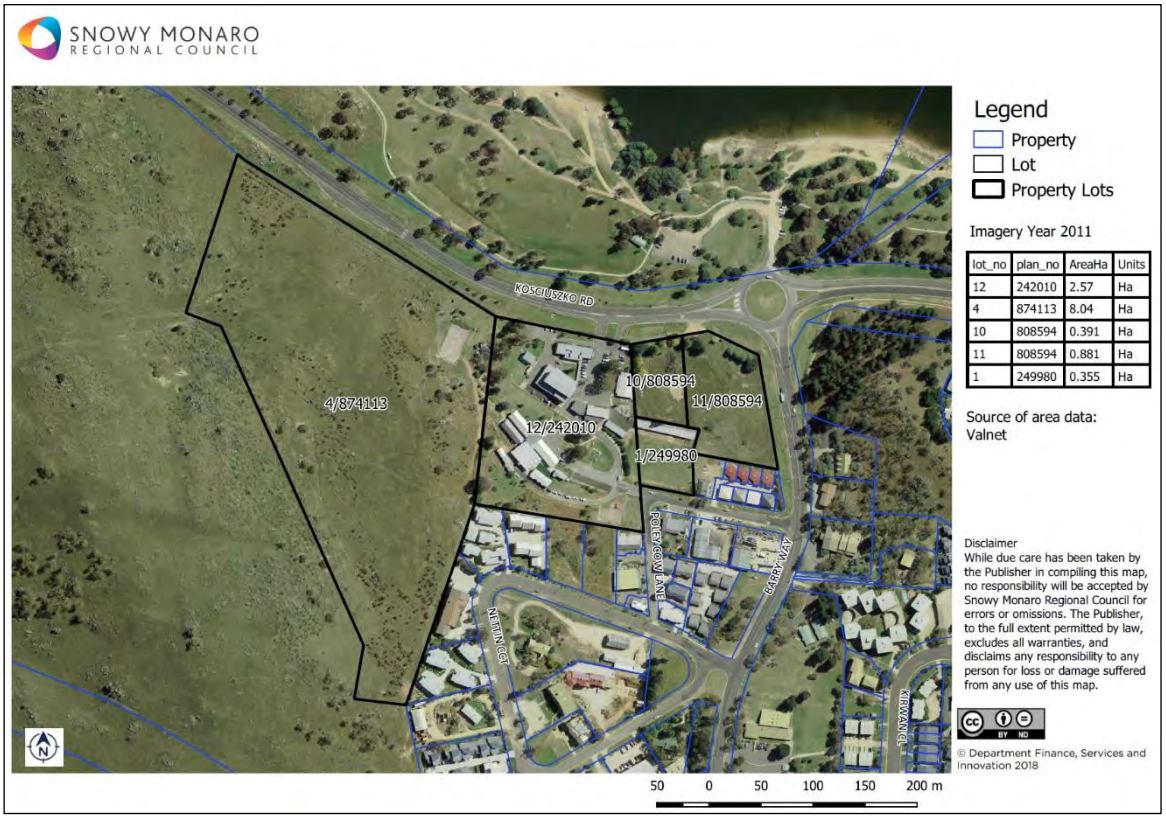


Figure 4: Aerial map and lot sizes of the School (Source: SMRC)

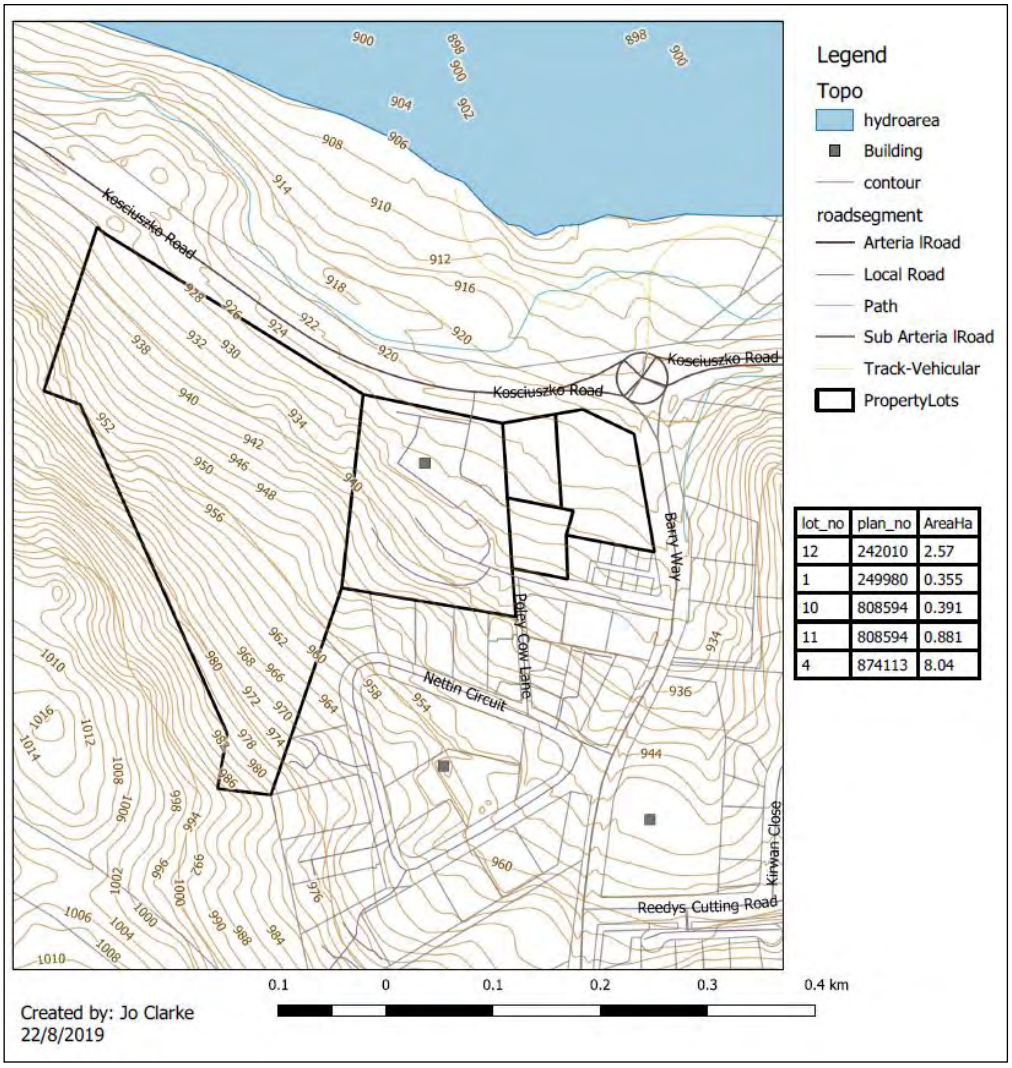


Figure 5: Topographic map and lot sizes of the School (Source: SMRC)

The proposed development will be located mostly within Lot 12 DP 242010 and partly within current Lot 4 DP 874113 with a boundary adjustment under (by way of Exempt Development) to allow for the development to be located wholly within one (1) allotment:

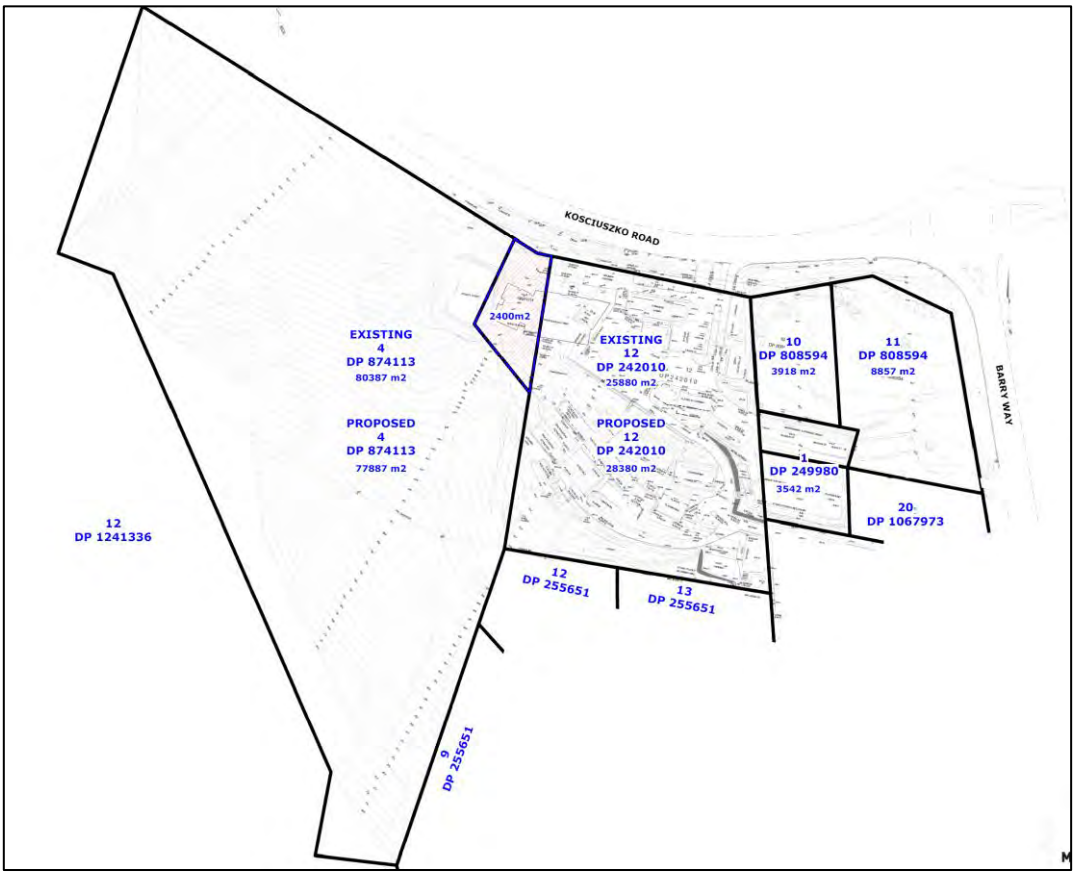


Figure 6: Boundary adjustment between Lot 4 & Lot 12 (Source: MSM Architects)

The proposed development is located within the north-west corner of the school site adjacent to the Snowy Shed and Administration buildings.

This area has been previously disturbed and includes the current art building and waste enclosure. The area includes both native and exotic trees comprising of six (6) native trees that are required to be removed as shown in the aerial map provided below and the Tree Assessment Report, provided separately.

Figure 7: Aerial map with the proposed development site highlighted

The site slopes from the south to the north, towards Kosciuszko Road. Within the development footprint the site has a considerable slope of approximately 8m from the rear to the front, which has required the building to incorporate a split level design with multiple egress levels.

An extract of the survey plan for the site is provided in figure 8 below.

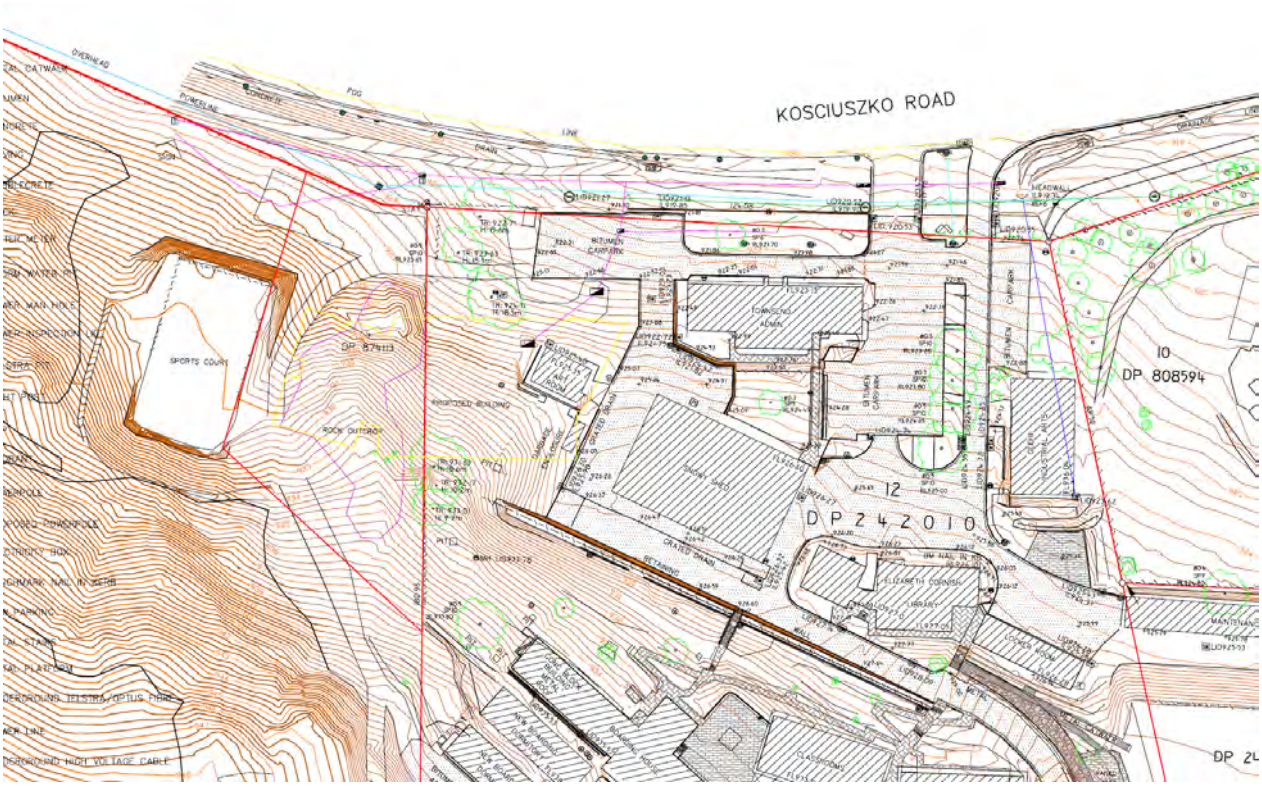


Figure 8: Survey of the subject site

Photos of the site are provided in Appendix A.

3. DESCRIPTION OF THE DEVELOPMENT

3.1 Purpose of the Development

Forming the first major stage of the delivery of the Schools Masterplan is the Stage 1 Learning Hub building.

This building has been designed to cater for existing and future student demand and allow for the older buildings at the upper end of the school to be repurposed, allowing for future improved facilities.

By the time of its completion in 2023, the new Learning Hub is anticipated to accommodate up to an additional forty-four (44) students above the projected 2022 enrolment numbers accommodated by the existing buildings.

The new Learning Hub will provide education facilities for school students and address the immediate need for upgrades to the school's specialist facilities, while at the same time providing a collection of spaces in which future focused pedagogies could be properly implemented.

3.2 General Description

The new Learning Hub building is located at the front north-west corner of the school, adjacent to the Snowy Shed and Administration building with frontage to Kosciuszko Road.

The building includes two stories, comprising of approximately 2424m^2 of gross floor area with 775m^2 on the ground floor and 1649m^2 on the first floor.

The building design responds to the slope of the land and therefore provides a two level arrangement which ties in with existing levels, access points and desire lines.

The two storey design responds to the existing site topography and allows the majority of internal spaces to be able to break out to adjacent outdoor learning and recreation areas at approximately the same level as internal space. The building steps up to the west with the existing landform. The building is cut into the existing ground at the lower floor to address connections to adjacent functions and facilities as well as to limit the overall height of the building.

A rendered 3D model of the building provided below to illustrate how it responds to the topography of the site and streetscape.

Figure 9: Rendered image of the building from the front (north) (Source: MSM Architects)

The building will require the current art room building and waste enclosure to be demolished.

The waste enclosure will be relocated and constructed as part of the proposed development.

3.3 Access, Traffic & Parking

The construction of the proposed development requires a temporary construction access direct from Kosciuszko Road, to avoid impacts with the current access arrangements at the secondary school.

This will comprise of a temporary gravel driveway and require permission from Transport for NSW via a S.138 Roads Act Application.

The construction works will require the temporary use of the current overflow parking area to the west, currently used by a small number of senior school students that drive to the school.

The proposed development will require the permanent loss of twelve (12) parking bays at the rear of the Snowy Shed, to provide vehicle access to the relocated waste enclosure.

Including the loss of these twelve (12) spaces as well as the additional student capacity provided by the subject development, the school site provides more than the minimum parking required under the Snowy River Development Control Plan, 2013 as outlined in the Traffic Assessment has been undertaken by GHD Pty Ltd, provided with the DA separately.

Furthermore, the school as part of its Master Plan is currently preparing the Stage 2 Sports Precinct Development Application, to be lodged separately. This DA includes the provision for seventeen (17) additional parking spaces.

Regarding traffic, the GHD Traffic Assessment determined the additional trip generation in relation to the existing access arrangement onto Kosciuszko Road.

This assessment factored in population growth and thus traffic growth and determined that the intersection can operate sufficiently when the development is completed and into the future (2030).

3.4 Landscaping

The landscape design integrates the building with surrounding levels and in doing so provide for both visual and physical connections between the building and surrounding landscape. The landscape design provides low masonry retaining walls to define outdoor spaces with natural boulder material utilised to then integrate and negotiate level changes beyond the formal landscaped zone. Boulders and plants are setback from the masonry retaining walls to facilitate 'clear' or 'visible' zones to discourage snake activity directly adjacent human use and to improve user visibility of any encroaching fauna. Masonry walls have been staggered and angled to provide a variety of sizes in outdoor learning spaces and informal seating nodes maximizing user flexibility and encouraging participation. A selection of smaller seating opportunities offer quiet spaces for contemplation or to provide spaces for students to calm down. The paved spaces offer good visual and physical connection to the surrounding landscape providing the students with the educational benefits it offers, including, improved concentration, increased participation, mental health and physical activity.

The Amphitheatre negotiates level changes while providing an engaging space for informal gatherings and formal presentations or assembly. The Amphitheatre opens up the space between the existing building and proposed building ensuring the level transition does not overwhelm the space.

The use of natural materials claimed from site during the establishment of the building platforms will tie the new landscape areas with the existing boulder strewn grasslands which surround the school. This further establishes the strong and unique landscape character of the site and surrounds.

A selection of hardy native and alpine plants forms the predominant planting palette. Medium shrubs reduce the impacts of walls and spreading groundcovers cascade between and over boulder placements. Trees selected are predominantly eucalypts from the region while a small selection of deciduous trees that are used to create highlights and ensure winter sun penetration into the building and to outdoor learning environments on the north side for user benefit.

4. KEY MATTERS FOR CONSIDERATON

4.1 Design

Education:

The design of the building responds to an educational specification and brief developed by the school and educational facility planners following consultation with the school staff and students.

The development includes new science laboratories, visual arts studio and fabrication lab connected to range of general learning spaces which will address immediate need for replacement of the school's specialist facilities while at the same time providing a range of spaces in which future focused pedagogies can be properly implemented. The provision a generic maker spaces within the hub will reduce the need for multiple laboratories and improve utilisation of specialist spaces in general.

The building design provides for a process-based learning approach that aligns functions and activities with special provisions. This will ensure that specialist spaces are not being used to deliver theory and that students and staff rotate through spaces best suited to the desired pedagogy and learning outcomes. Co-teaching across linked specialist and general learning areas will help ensure that students are able to access facilities best suited to the product they are working on, be it a project requiring specific equipment in a specialist space or the writing up of the assessment task in a general learning space.

The demand on specialist spaces will be alleviated through the provision of a multipurpose maker space in which basic practical, creative and project work can take place without the need for highly specialised spaces such as laboratories or workshops. The majority of learning spaces have ready and immediate access to outdoor learning areas which can be utilised for formal instruction as well as for creative and exploratory learning.

Site Selection:

The site for the new Learning Hub was identified from several potential options as it could accommodate the size of the proposed facility and worked best in terms of the functional adjacencies and connections to other functions on the site.

The proposed building site sits at the middle contour of the site close to the communal and multipurpose spaces with on grade connections available to surrounding buildings and to the boarding precinct. The floor levels achieved aim to provide for a balanced cut and fill without needing to excavate too deeply into increasingly dense bedrock material expected at depths beyond 3m.

The building location starts to set up a Senior School zone and will allow existing functions spread out across the site to come together in a central location and eliminate the need for staff and students to move across the entire site between classes.

The building alignment matches the existing Administration building and presents a consistent alignment to Kosciuszko Road. The geometry creates an interesting courtyard space between the new building and existing Snowy Shed sheltered from south westerly winds.

The chosen site also provides an opportunity for the building to assist in resolving the changes in level between the Administration area, Primary School and Boarding with a new lift providing a compliant access path through to all parts of the school.

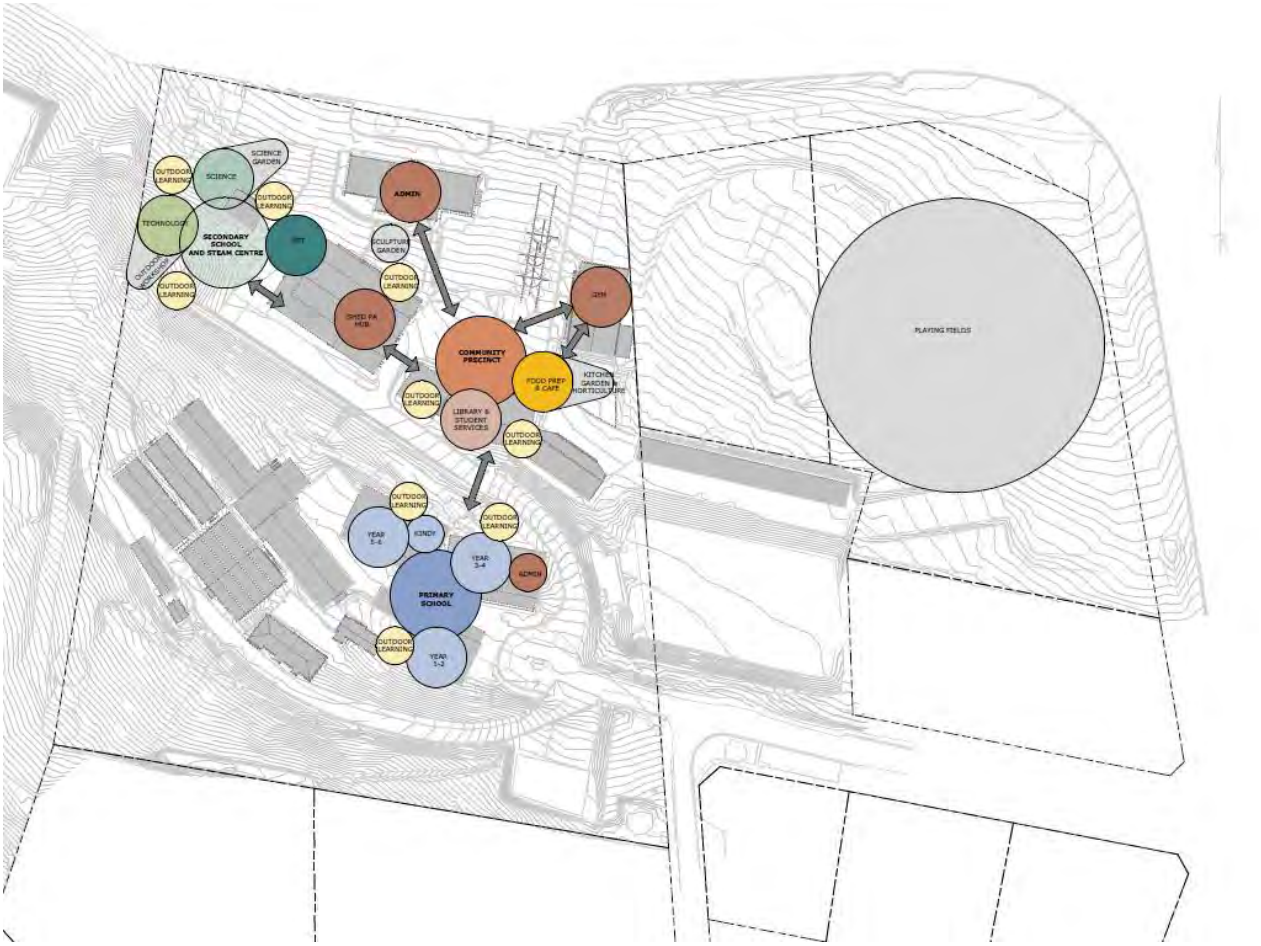


Figure 10: Masterplan Precinct Planning (Source: MSM Architects)

Building height and form:

The building design utilises the existing fall on the site to provide a two level arrangement which ties in with existing levels, access points and desire lines. The two storey design responds to the existing site topography and allows the majority of internal spaces to be able to break out to adjacent outdoor learning and recreation areas at approximately the same level as internal space. The building steps up to the west with the existing landform. The building is cut into the existing ground at the lower floor to address connections to adjacent functions and facilities as well as to limit the overall height of the building.

Ecological Sustainable Development:

The building has been designed from first principles to minimise energy consumption:-

- East/West orientation to maximise controllable northern exposure (and the expansive views over the lake).
- Natural daylighting to all areas of the building through the use of generous skylights.
- Passive air movement and ventilation through the use of thermal chimneys that encourage air movement deep within the floorplate.

The building also incorporates a number of active ESD initiatives including:-

- Active solar panel array and allowance for future battery storage.
- Use of water efficient fittings and fixtures.
- Use of electrical mechanical plant with solar power rather than fossil fuel based heating systems.

Pedestrian connectivity:

Due to the nature of the slope and the drive to limit vertical movement, the proposed building provides new accessible access to the Administration building and access to the preforming arts (Snowy Shed) which links to other accessible paths. Within the building it has two lifts. An elevator to link the main levels and a platform lift to join the west wing general learning area.

Building Materials and Colours:

The colours and material selection for the proposed building were selected to integrate with the existing palette of materials and colours evident within the school. This existing materiality responds to the colours and demands of the surrounding landscape through the use of natural rock and robust materiality. In selecting similar materials and colours the intention is for the new building to appear part of the existing composition not to compete against it.

4.2 Visual Impacts

The proposed development will be most visible from Kosciuszko Road for both eastbound and westbound traffic.

The development will also be visible to a lesser extent from the shared use path on the northern side of Kosciuszko Road. Due to the topography and vegetation, the development is not expected to be visible from Lake Jindabyne and if so, only partially within a built environment context.

The proposed development is most visible when approaching Jindabyne and the subject site from the west along Kosciuszko Road. The proposed development has been designed to integrate with the existing built form of the school and excavated down into the rear of the site, presenting as mostly a single storey building at its western end.

Figure 11: View of the subject site from Kosciuszko Road from the west

The building has been designed to achieve a similar height to the Snowy Shed, however with greater articulation, use of skillion roofs, use of a split level design and better proportions together with appropriate colours and materials.

Visual impacts from directly in front and from the east will also be mitigated in part by the placement of the building behind the building line of the Administration building with the same alignment, parallel to Kosciuszko Road.

Figure 12: View of the subject site from the front (north)

These impacts will be further mitigated by the proposed landscaping of the development site.

Visual impacts of the development and its impacts on the streetscape, particularly when viewed from Kosciuszko Road have therefore been minimised and are considered positive.

4.3 Fauna and Flora

The subject site has been predominantly disturbed with existing buildings, roads and services and comprise of exotic grasses and individual Eucalypt trees with scattered shrub cover.

The site is mostly devoid of native vegetation, which is as illustrated under the 'Terrestrial Biodiversity' mapping under the Snowy River Local Environmental Plan 2013 provided in the extracted map below.

Figure 13: LEP Terrestrial Biodiversity Map Extract (Source: SMRC)

The proposed development was located in part to avoid the removal of large groups of trees, with only a small number of individual trees and groups of shrubs requiring removal.

The proposed tree removal has been assessed in the Tree Assessment Report provided with the DA separately.

Impacts on fauna and flora, in particular any listed Threatened Species and or Endangered Ecological Communities will therefore be minimal given the siting and design of the development as part of the site analysis process undertaken and the level of previous disturbance.

4.4 Aboriginal Cultural Heritage

The following assessment has been undertaken in accordance with the then Department of Environment, Climate Change and Water (DECCW) 2010 'Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales'.

The Code provides a flowchart of six questions to identify the presence of and potential harm to Aboriginal heritage. These questions and their applicability to the project are shown below. The responses to these questions determine if further heritage investigations are required.

Step 1. Will the activity disturb the ground surface?

Comment:

The proposed development will disturb the ground surface.

Step 2. Step 2a. Search the AHIMS database and use any other sources of information of which you are already aware.

Comment:

This search has been undertaken and provided in Appendix B. The search of the subject site, has found no record of any Aboriginal sites or places.

Step 2b. Activities in areas where landscape features indicate the presence of Aboriginal objects:

Consequently, if your proposed activity is:
• within 200m of waters ,
• located within a sand dune system , or
• located on a ridge top, ridge line or headland,
• located within 200m below or above a cliff face,
• within 20m of or in a cave, rock shelter, or a cave mouth and is on land that is not disturbed land (see Definitions) then you must go to step 3.

Comment:

The subject site is not located within a sand dune system, on a ridge top, ridge line or headland, located within 200m of a cliff face or within 20m of or in a cave, rock shelter or cave mouth.

The site is located approximately 1km away from the closest natural watercourse, being Widows Creek to the west.

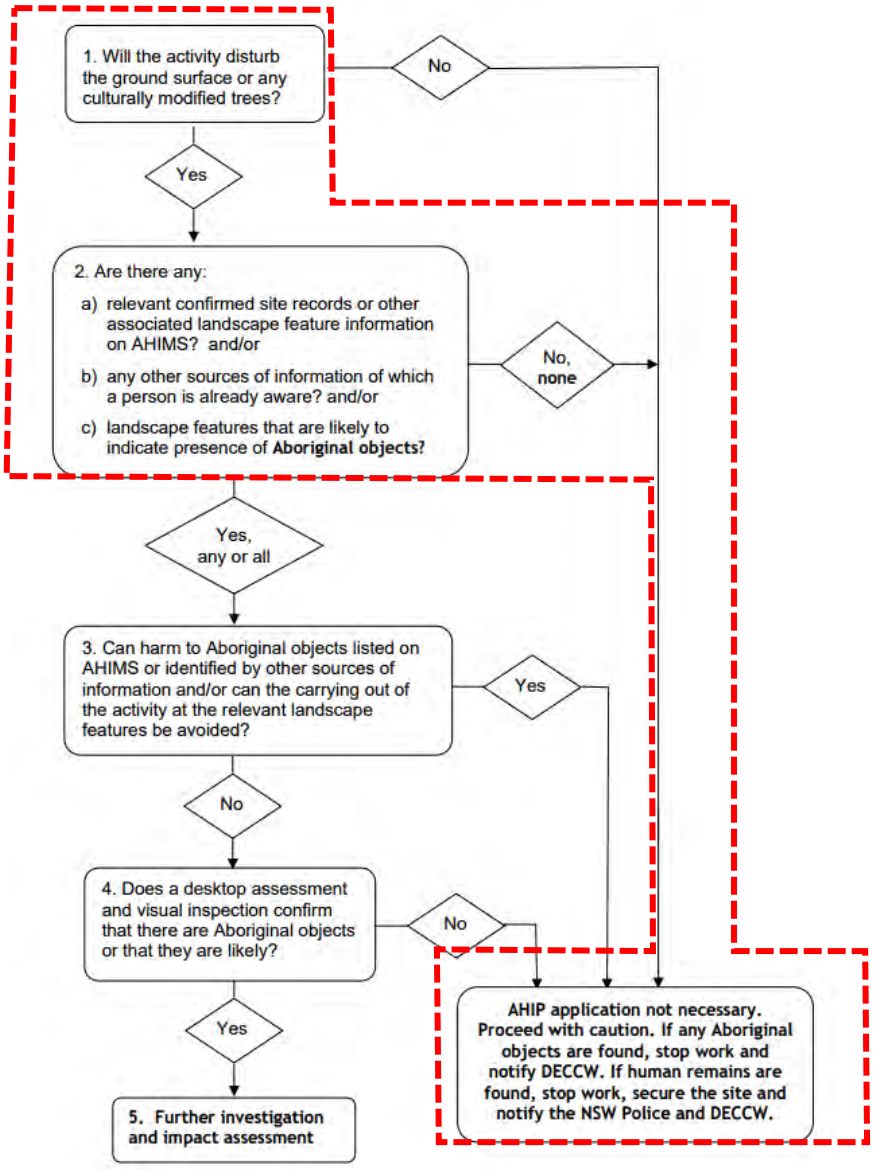
The proposed development is located on highly disturbed land as defined, due to the previous use of the site by SMHEA and development of the school which would have included large scale earthworks, including removal of topsoil, construction of drainage, infrastructure and the construction of the adjacent buildings.

Therefore, the original soils (and hence archaeological potential) have been removed as demonstrated in the photos of the site provided in Appendix A, demonstrating a high level of disturbance.

Accordingly, after completing steps 2a and 2b, it is reasonable to conclude that there are no known Aboriginal objects or a low probability of objects occurring in the area of the proposed activity, and the development can proceed with caution without applying for an AHIP. This fulfils all reasonable steps under the Due Diligence Code.

Therefore, there is no requirement to move onto Step 3, as per the Code below.

8 The generic due diligence process



10 Due Diligence Code of Practice

5. ENVIRONMENTAL AND PLANNING LEGISLATION

5.1 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

5.1.1 SECTION 4.15(1)(a)(i) – ENVIRONMENTAL PLANNING INSTRUMENTS

The following environmental planning instruments apply:

- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017
- State Environmental Planning Policy (State and Regional Development) 2011
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy No. 55 – Remediation of Land
- Snowy River Local Environmental Plan 2013

Each of the above environmental planning instruments is considered below.

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

The Educational Establishments and Child Care Facilities SEPP, 2017 (Education SEPP, 2017) was implemented in September of 2017 and applies to all educational establishments in NSW.

The Education SEPP, 2017 therefore applies to the proposed development, with the following provisions applicable:

Zoning and Permissibility:

The subject site is zoned R1 – General Residential under the Snowy River Local Environmental Plan, 2013 (SR LEP, 2013) as shown in the LEP zoning map below.

The R1 zone is a prescribed zone under clause 33 of the Education SEPP, 2017.

In accordance with clause 35(1), development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone.

The proposed development is therefore permissible with consent.

Design Quality:

In accordance with clause 35(6)(a), the consent authority is to take into consideration the design quality of the development when evaluated in accordance with the design quality principles set out in Schedule 4.

An assessment of the proposed development in relation to the Education SEPP, 2017 design quality principles has been undertaken:

Schedule 4 Schools—design quality principles

Principle	Response
Principle 1—context, built form and landscape Schools should be designed to respond to and enhance the positive qualities of their setting, landscape and heritage, including Aboriginal cultural heritage. The design and spatial organisation of buildings and the spaces between them should be informed by site conditions such as topography, orientation and climate. 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 environment of the area, and located and designed to minimise the development's visual impact on those qualities and that natural environment.	*The development has been designed to respond to its natural setting and surrounding landscape with no recognised European or Aboriginal heritage values.* *The design has been driven in part to take full advantage of the site's orientation and views of the lake to the north.* *The building has been located to integrate with the existing school built and natural environment, being parallel and behind the Administration building with a similar height to the Snowy Shed building.* *The building responds to the visual qualities of the area and contributes to the school-built environment and overall streetscape.*
Principle 2—sustainable, efficient and durable 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. Schools should be designed to be durable, resilient and adaptable, enabling them to evolve over time to meet future requirements.	*The development has been designed in accordance with ESD principles to minimise the consumption of energy, water and natural resources and reduce waste and encourage recycling.* *This includes providing a northern orientation to maximise solar access, use of skylights, use of thermal chimneys for passive air movement and ventilation, installation of solar panels and use of water efficient fittings and fixtures.*
Principle 3—accessible and inclusive School buildings and their grounds should provide good wayfinding and be welcoming, accessible and inclusive to people with differing needs and capabilities. *Note—* *Wayfinding refers to information systems that guide people through a physical environment and enhance their understanding and experience of the space.* Schools should actively seek opportunities for their facilities to be shared with the community and cater for activities outside of school hours.	*Pedestrian connectivity including access for disabled persons is an important design component for the development, with integration and use of multi-levels as well as vertical lifts provided.*

Principle 4—health and safety 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.	*The development is to provide a safe and healthy educational facility that is also welcoming and accessible.*
Principle 5—amenity Schools should provide pleasant and engaging spaces that are accessible for a wide range of educational, informal and community activities, while also considering the amenity of adjacent development and the local neighbourhood. Schools located near busy roads or near rail corridors should incorporate appropriate noise mitigation measures to ensure a high level of amenity for occupants. 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.	*The development has incorporated a building design that provides for a process-based learning approach that aligns functions and activities with special provisions.* *The demand on specialist spaces will be alleviated through the provision of a multipurpose maker space in which basic practical, creative and project work can take place without the need for highly specialised spaces such as laboratories or workshops.* *The majority of learning spaces have ready and immediate access to outdoor learning areas which can be utilised for formal instruction as well as for creative and exploratory learning.*
Principle 6—whole of life, flexible and adaptive 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.	*The development aims to delivery a high environmental performance and has been designed to provide multi-purpose learning spaces.* *This is to ensure that it is a multi-use facility that can be adapted over time.*
Principle 7—aesthetics 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. The built form should respond to the existing or desired future context, particularly, positive elements from the site and surrounding neighbourhood, and have a positive impact on the quality and sense of identity of the neighbourhood.	*Delivering a high-quality architecturally designed building is a key component of the development.* *This has been achieved by its site selection, built form, articulation and use of modern alpine building elements such as skillion roofs, stone walls and non-combustible cladding.* *This will ensure the building integrates with the existing school and locality and provides a positive impact on the quality and neighborhood character.*

Community Use:

In accordance with clause 35(6)(b), the consent authority is to take into consideration whether the development enables the use of school facilities (including recreational facilities) to be shared with the community.

The proposed development is for students at the school and does not incorporate community facilities suitable for sharing.

State Environmental Planning Policy (State and Regional Development) 2011

The proposed development is not for a new school; however it comprises of additions to an existing school.

With a total Capital Investment Value (CIV) of $10m, the proposed development is not categorised as 'State Significant Development', however the development is categorised as a 'Regional Development' as defined under Schedule 7 by being a development with a CIV over $5 million which is '*private infrastructure and community facilities'.*

'Private infrastructure and community facilities' includes 'educational establishments', which are defined as:

> ***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.

Accordingly, the development will require determination by the Southern Joint Regional Planning Panel as the consent authority.

State Environmental Planning Policy No. 55 – Remediation of Land

Clause 7 of State Environmental Planning Policy No 55—Remediation of Land (SEPP 55) applies to the proposed development and states that the consent authority must not consent to development on the land unless it has considered if the land is contaminated, and if so can be made suitable for the proposed development.

The overall school site has been previously used by the SMHEA as a workshop and depot before being re-purposed into the current school.

Due to the previous use of the overall school site as a workshop and depot and potential fill material and contaminating activities associated with bulk fuel storage, metal fabrication, use of lead paint as well as an historic fuel bowser which has been removed, a Detailed Site Investigation was commissioned and undertaken by Robson Environmental Pty Ltd.

This assessment concluded that based on field observations and the analytical result of soil testing, that the SMGS are no longer considered to be areas of concern and the site is suitable for the current and proposed land use. This was provided with recommendations, which can form conditions of consent (where relevant).

This fulfils the requirements under SEPP 55 and a copy of the Detailed Site Investigation report has been provided with the DA in full, separately.

Snowy River Local Environmental Plan 2013

The subject site is located within the Snowy River Shire area of Snowy Monaro Regional Council and therefore the Snowy River Local Environmental Plan 2013 (SRLEP, 2013) applies.

The subject site is zoned R1 – General Residential as illustrated above in figure 14.

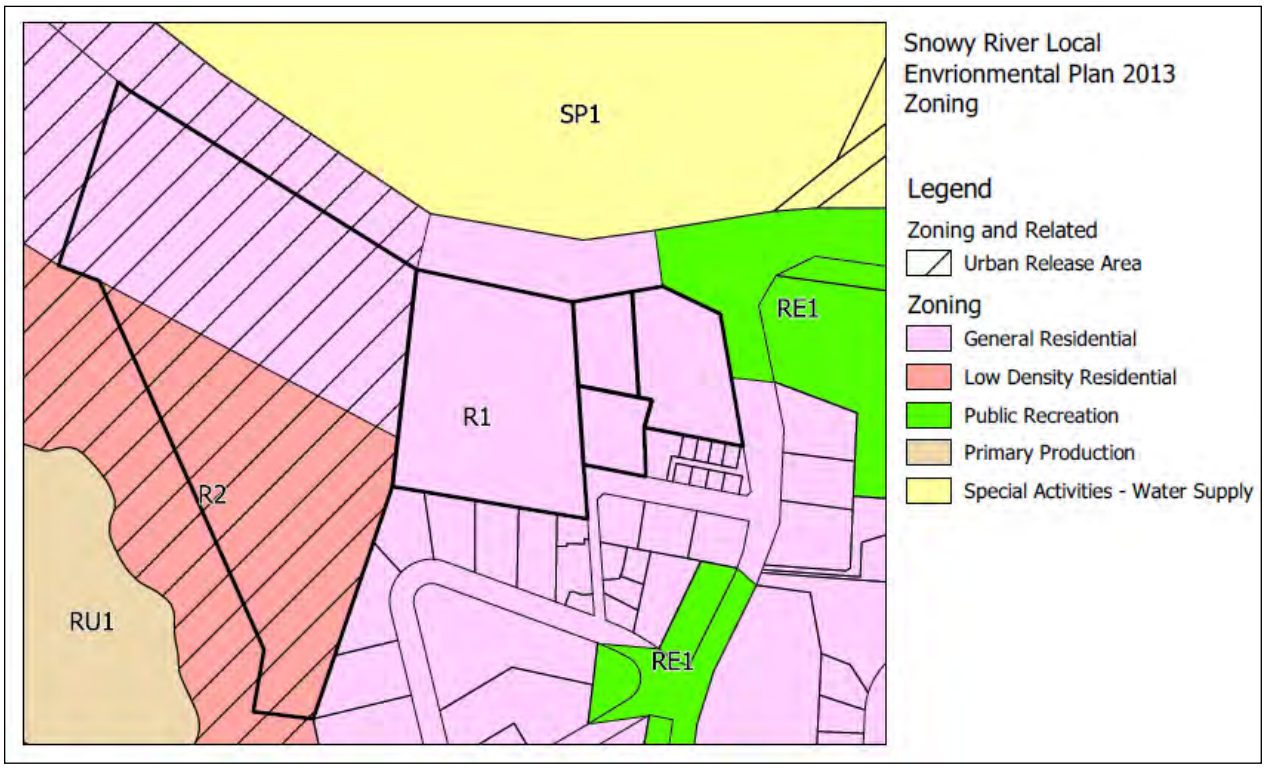


Figure 14: LEP Zoning Map Extract (Source: SMRC)

Under the Education SEPP, 2017 the proposed development is permitted with consent.

Regarding the proposed development, the following clauses are considered applicable under the SRLEP, 2013.

Clause 4.3 Height of Buildings

The maximum height of a building as shown on the Height of Buildings Map, with an extract provided in figure 15 below is 9m.

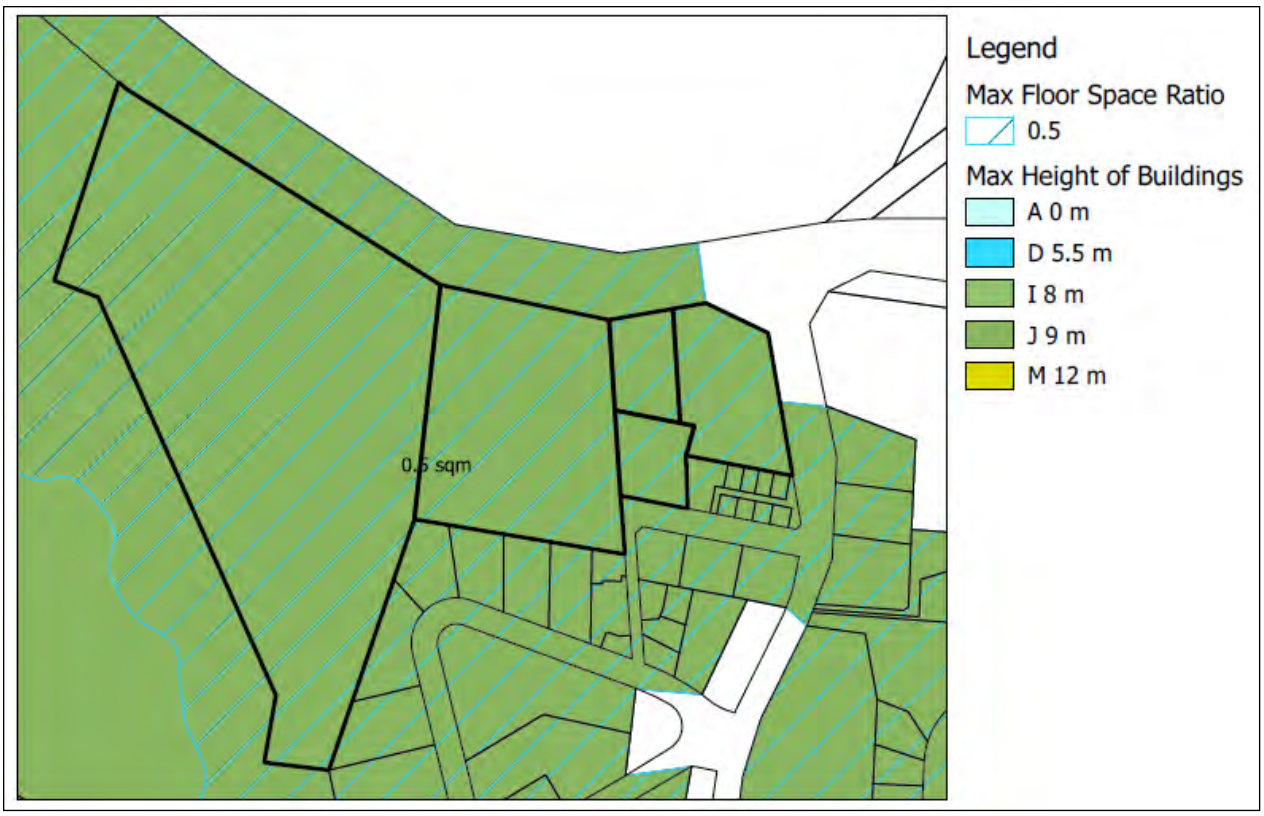


Figure 15: LEP Building Height and FSR Map (Source: SMRC)

Due to the slope of the land, geotechnical constraints and provision for pedestrian and disabled access and integration with the existing school and built environment, the proposed development will breach the 9m height limit at its eastern end.

This will comprise a small portion of the eastern thermal chimneys which have been included as a passive design element to encourage passive air movement, whilst will providing natural light and removing heat.

The maximum height at the highest point above the ground plane is 10.195m which is 1.195m above the 9m height limit.

In context with the existing built environment, the proposed building will predominantly sit below the 9m limit and the height of the Snowy Shed roof form.

Therefore, the proposed development will have a similar building height to the adjacent building to its east and with its architectural design, scaling, articulation and use of colours and materials together with the proposed landscaping, the overall building height is considered acceptable.

On this basis, a clause 4.6 variation is sought as discussed below.

Clause 4.6 Exceptions of development standards:

A variation to the building height limit is sought under clause 4.6 of the SRLEP, 2013.

This variation request is permitted as it does not involve a subdivision and minimum lot size.

In accordance with clause 4.6(3), a written request has been prepared that demonstrates (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and (b) that there are sufficient environmental planning grounds to justify contravening the development standard.

The written request has been prepared and provided in Appendix C.

Clause 4.4 Floor Space Ratio:

The maximum floor space ratio (FSR) across the subject site is 0.5:1 as per the LEP floor space ratio map above.

With the main campus allotment currently being 2.57 hectares (25,700m^2), the maximum floor space permitted would be 12,850m^2.

With the boundary adjustment with Lot 4, the allotment will be enlarged to 2.81ha (28,100m^2).

Accordingly, the maximum gross floor area permitted would increase to 14,050m^2. The proposed development includes 2424m^2 of gross floor area, as defined.

The existing school buildings have been measured to include approximately 3777m^2 of floor area within the main campus (Lot 12) and the boarding accommodation at approximately 1160m^2.

The total gross floor area for the main campus would therefore increase from 4937m^2 to 7361m^2, representing an FSR of 0.28:1 based on the current lot size or 0.26:1 on the amended lot sizes, well below the maximum permitted.

Clause 5.10 European Heritage:

The subject site does not include any heritage items as shown in Councils Heritage LEP map extract below.

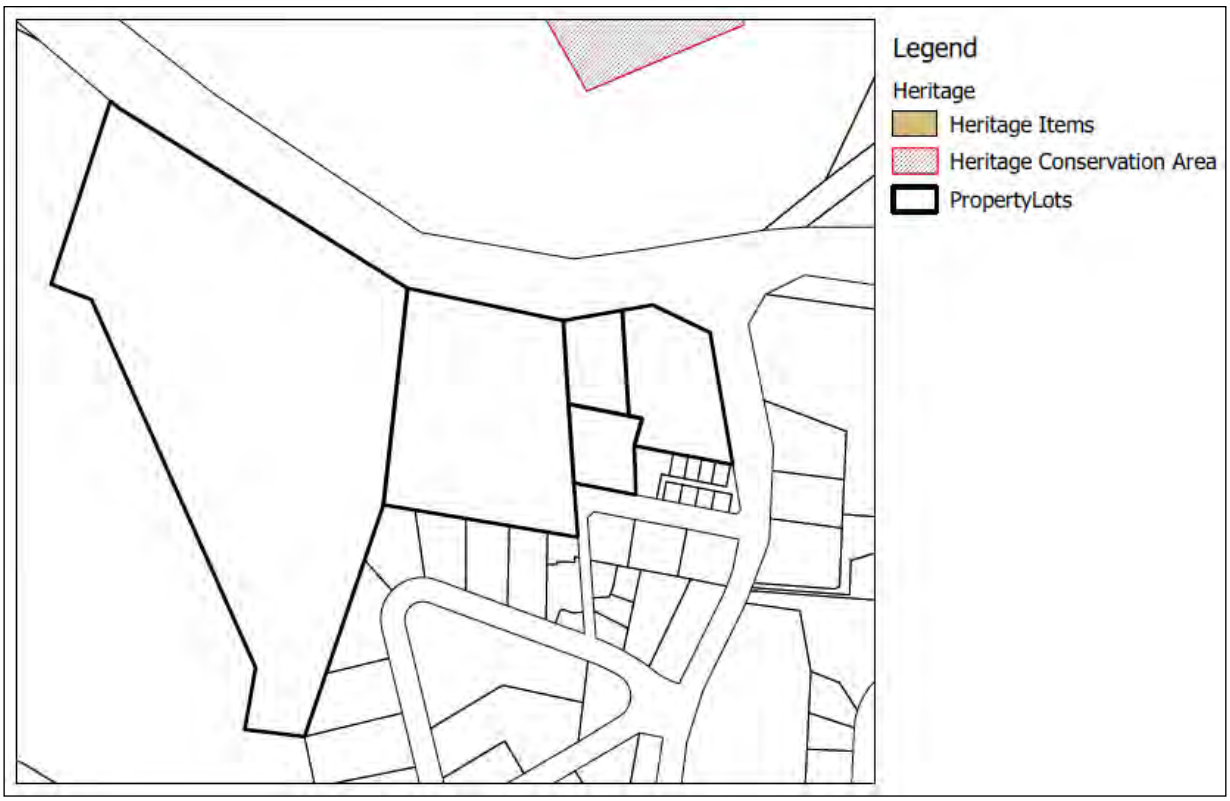


Figure 16: LEP Heritage Map (Source: SMRC)

Part 6 Land Release Areas

Part of the proposed development sits within current Lot 4, the vacant land to the west of the school campus. Part of this land is being used for the proposed development, with a boundary adjustment underway to allow for the entire development to sit within one single lot, an enlarged Lot 12 comprising of the school campus.

Lot 4 was rezoned residential (R1 and R2) under the SR LEP, 2013 and is therefore mapped as a Land Release Area under the SRLEP, 2013 as shown below. Accordingly, clauses 6.1 and 6.2 apply as discussed below.

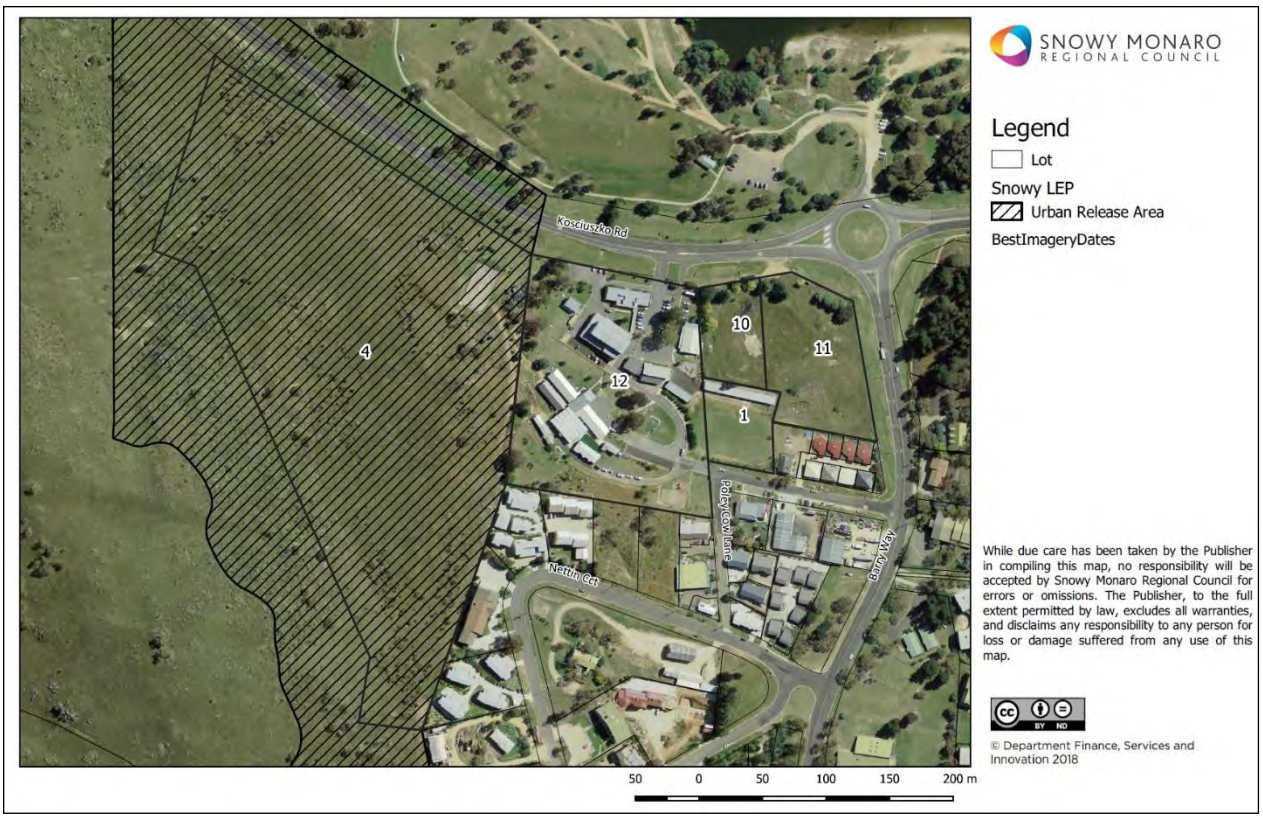


Figure 17: LEP Land Release Areas Map (Source: SMRC)

Clause 6.1 Public utility infrastructure

This clause relates to future development of Lot 4, including the future subdivision of the site.

As the proposed development mostly sits within Lot 12 associated with the school campus, the development is able to utilise all of the infrastructure available for the school and therefore does not require augmentation of any public utility infrastructure to service the development.

Clause 6.2 Development control plans for land release areas

In accordance with clause 6.2(4) this clause is not applicable to the proposed development as it is only captured by way of a realignment of boundaries that does not create additional lots, with most of the development situated within current Lot 12.

Clause 7.2 Terrestrial biodiversity

A review of the Terrestrial Biodiversity Map shows that the subject site is largely devoid of any areas mapped as "Biodiversity", except for a single polygon located adjacent to the tennis courts, mostly covering the disturbed access track as shown in the extracted map provided above in figure 13 and below in figure 18.

This is consistent with the site being previously disturbed and most of the native vegetation being removed.

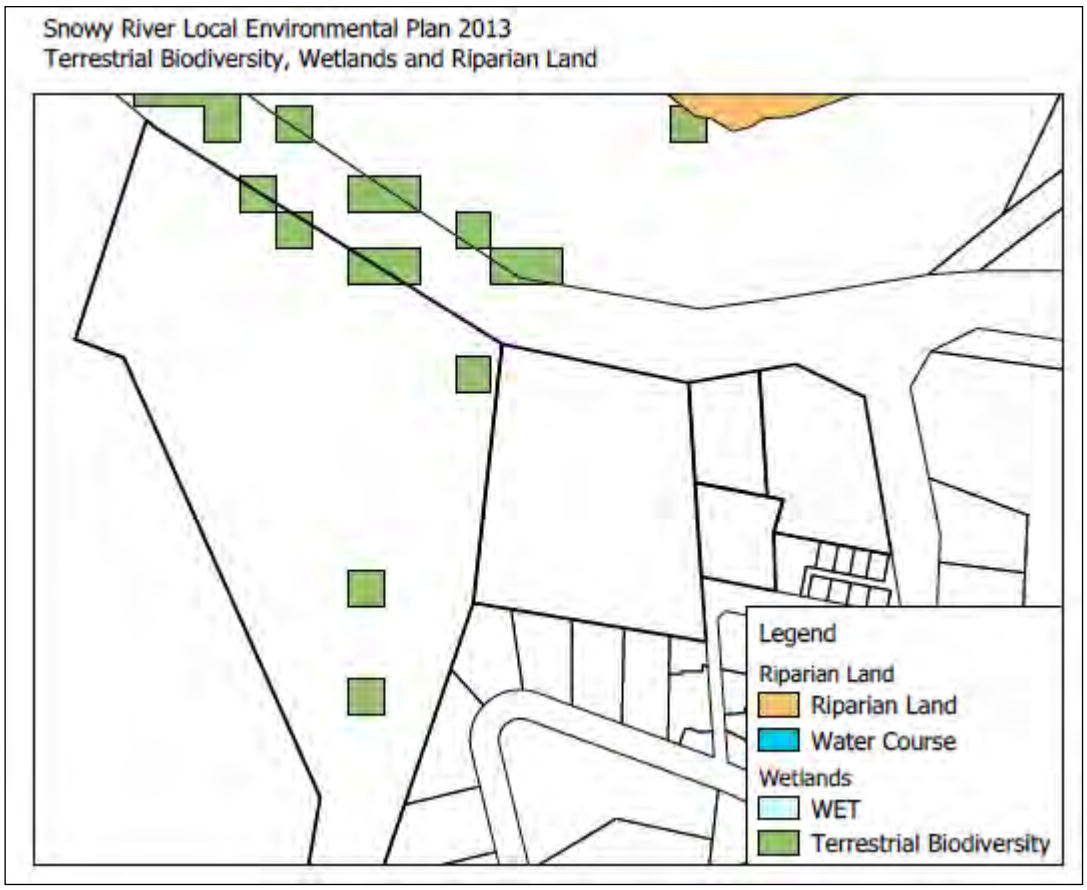


Figure 18: LEP Terrestrial Biodiversity, Riparian Land and Watercourses Map (Source: SMRC)

Further consideration of clause 7.2 is therefore not necessary.

Clause 7.9 – Essential services

Clause	Response
Development consent must not be granted for development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required: (a) the supply of water, (b) the supply of electricity, (c) the disposal and management of sewage, (d) stormwater drainage or on-site conservation, (e) suitable vehicular access.	*The Development Application includes the construction and installation of a new substation at the NW corner of the building which will serve the building as well as provide a much needed upgrade for the whole site.* *Water supply will be achieved from the nearby service.* *Sewer will be connected into the existing system.* *Stormwater will be collected as per the hydraulic plans and connected into the existing stormwater system. This is then conveyed under Kosciuszko Road into Lake Jindabyne, approximately 300m to the north, which provides a large water storage reservoir.* *Access is covered in Section 3.3 above.*

5.1.2 SECTION 4.15(1)(a)(ii) – DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

There are no draft Environmental Planning Instruments that are relevant in the assessment of the proposed development.

5.1.3 SECTION 4.15(1)(a)(iii) – DEVELOPMENT CONTROL PLANS

The Snowy River Development Control Plan 2013 (SRDCP, 2013) applies to the subject site and proposed development.

An assessment of the relevant chapters of the SR DCP, 2013 has been undertaken and provided in Appendix D.

This assessment concluded that the proposed development is considered consistent with the SR DCP, 2013.

5.1.4 SECTION 4.15(1)(a)(iiia) – PLANNING AGREEMENTS

There are no known Planning Agreements applicable to the proposed development.

5.1.5 SECTION 4.15(1)(a)(iv) – REGULATIONS

The development application has been made in accordance with the requirements contained in Clause 50(1A) of the Environmental Planning and Assessment Regulation 2000.

5.1.6 SECTION 4.15(1)(b) – LIKELY IMPACTS

Natural and Built Environment:

The proposed development will have a minimal impact on the natural environment with the site predominantly disturbed and the development requiring the removal of six (6) native trees and some shrubs.

Impacts on the built environment have been mitigated through the site selection, building design, colours and materials and proposed landscaping.

Social and Economic impacts in the locality:

Social and economic impacts from the proposed development are expected to be positive by providing new education facilities that will meet current and future demand.

Furthermore, the construction and employment generated will add to the overall positive economic impacts generated by the significant capital investment of the development with construction jobs being created.

5.1.7 SECTION 4.15(1)(c) – SUITABILITY OF THE SITE

The overall site forms part of the SMGS School Campus.

The development site was selected due to its proximity to the existing school facilities and access to services and infrastructure.

The north facing slope is mostly disturbed and provides solar access and views to Lake Jindabyne to the north.

Given the constraints and opportunities offered by the site, the subject site overall is considered suitable for the proposed development.

5.1.8 SECTION 4.15(1)(d) –SUBMISSIONS

The consent authority is required to consider any submissions made in response to any public notification or advertising undertaken.

5.1.9 SECTION 4.15(1)(e) – THE PUBLIC INTEREST

The above assessment has demonstrated that the proposal satisfies the objectives and relevant clauses prescribed under the relevant environmental planning instruments and policies, including the Education SEPP, 2017, Snowy River LEP 2013 and Snowy River DCP 2013.

Consequently, the proposed development is considered to be within the public interest.

5.2 BIODIVERSITY CONSERVATION ACT, 2016

The Biodiversity Conservation Act 2016 and Local Land Services Amendment Act 2016 together with the Biodiversity Conservation Regulations 2017 were enacted on the 25 August 2017 and came into effect on the 25 February 2018.

A review of the subject site in relation to the Biodiversity Values Map shows that the site and immediate locality is not mapped as comprising of high biodiversity vallues as shown in the map provided in figure 19 below.

Figure 19: Biodiversity Values Map

The proposed development is therefore not located within the Biodiversity Values mapped area.

Therefore, under the clearing threshold, the site has a minimum lot size of 700m^2, which allows up to 2500m^2 of clearing of native vegetation without having to undertake a Biodiversity Development Assessment Report (BDAR) assessment and therefore triggering the Biodiversity Offsets Scheme (BOS).

The total disturbance associated with the proposed development will be well below this threshold, with the total canopy coverage of all the native trees and shrubs combined being less than 1000m^2.

Accordingly, the overall disturbance to native vegetation will be small and well below the 2500m^2 threshold and further assessment with regards to a BDAR with the triggering of the BOS or a five-part test are not necessary.

6. CONCLUSION

The proposed Learning Hub development represents the first major stage of the delivery of the Schools Masterplan with a significant capital investment.

This proposed building has been designed to cater for existing and future student demand.

The new Learning Hub will provide education facilities for school students and address the immediate need for upgrades to the school's specialist facilities, while at the same time providing a collection of spaces in which future focused pedagogies could be properly implemented.

The building has been subject to a comprehensive site analysis process to achieve a modern purpose-built learning facility that responds to the site and its setting with an integrated landscaped environment to enhance on-site amenity, contribute to the streetscape and provide age-appropriate outdoor learning areas.

The design approach for the development is to deliver high environmental performance by minimising the consumption of energy, water and natural resources and reduce waste and encourage recycling with a building that is durable, resilient and adaptable, enabling it to evolve over time to meet future requirements.

Together with its modern alpine architecture and setting, the building will integrate with the existing school-built form responding to its unique setting with solar access and views to the north over Lake Jindabyne.

To ensure that all the environmental, planning and associated legislation is complied with and fulfilled, the proposed development has been considered in regard to Section 4.15 of the Environmental Planning and Assessment Act, 1979, Biodiversity Conservation Act, 2016, State Environmental Planning Policies and and Councils Local Environmental Plan and Development Control Plan.

This has included a clause 4.6 variation request to the building height limit under the SRLEP, 2013 regarding the height of the building.

The proposal has been found to be generally consistent with the above legislation and relevant Environmental Planning Instrument, as detailed in this SEE.

On balance, the proposed development will generate significant positive social and economic impacts by providing modern education facilities to cater for current and future student capacity and needs whilst minimising impacts on the natural and built environment.

APPENDIX A

PHOTOGRAPHS

Figure 1: View of the centre of the site and Art building to be demolished

Figure 2: View of the rocky outcrop and shrubs at the western end of the site to be removed

Figure 3: View of the western end of the site

Figure 4: View of the Snowy Shed and eastern end of the site from the south

Figure 5: View of the Art building and waste enclosure to be demolished at the eastern end of the site

Figure 6: View of the site from the rear, with the Eucalypts to be removed

Figure 7: View of the site from the front boundary

APPENDIX B

CLAUSE 4.6 VARIATION REQUEST

Clause 4.6 Variation Request to Development Standard

Stage 1 – Senior School Learning Hub
Snowy Mountains Grammar School, Kosciuszko Road, Jindabyne
5.02.2020

Variation Request:

To ensure that this clause 4.6 variation request follows the proper processes, this variation request has been prepared in accordance with the NSW Department of Planning & Infrastructure Guideline; 'Varying development standards: A Guide, August 2011'. The fourteen (14) questions identified in Appendix 3 have therefore been addressed, as follows:

1. What is the name of the environmental planning instrument that applies to the land?

Snowy River Local Environmental Plan 2013.

2. What is the zoning of the land?

R1 – General Residential.

3. What are the objectives of the zone?

- *To provide for the housing needs of the community.*
- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To encourage residential development that has regard to local amenity and in particular public and private views.*
- *To provide for a range of tourist and visitor accommodation compatible with the surrounding residential character.*

4. What is the development standard being varied? e.g. FSR, height, lot size

Building height.

5. Under what clause is the development standard listed in the environmental planning instrument?

Clause 4.3–Height of buildings.

6. What are the objectives of the development standard?

Clause 4.3 – Height of buildings:

(1) The objectives of this clause are as follows—

(a) to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality,

(b) to minimise the visual impact, disruption of views, loss of privacy and loss of solar access to existing development and to public areas and the public domain, including parks, streets and lanes,

(c) to minimise the adverse impact of development on heritage items.

7. What is the numeric value of the development standard in the environmental planning instrument?

9m.

8. What is proposed numeric value of the development standard in your development application?

To accommodate a two storey building with sufficient floor to ceiling heights for an education facility, a north facing skillion roof to accommodate solar panels together with thermal chimneys, the development exceeds the 9m building height limit, at its eastern end where the land slopes down.

The building height and floor levels are also governed by the provision of pedestrian access to both the road below and adjacent buildings, together with compliant ramps for disabled access.

Preliminary geotechnical investigations revealed that excavation was limited to avoid a large rock shelf.

As a result, a small portion of the eastern thermal chimney will exceed the 9m height limit.

The maximum roof height at this point is 10.195m, which exceeds the 9m height limit by 1.195m.

The following extract from the DA plans shows the extent of the building height variation sought.

Figure 1: Northern elevation

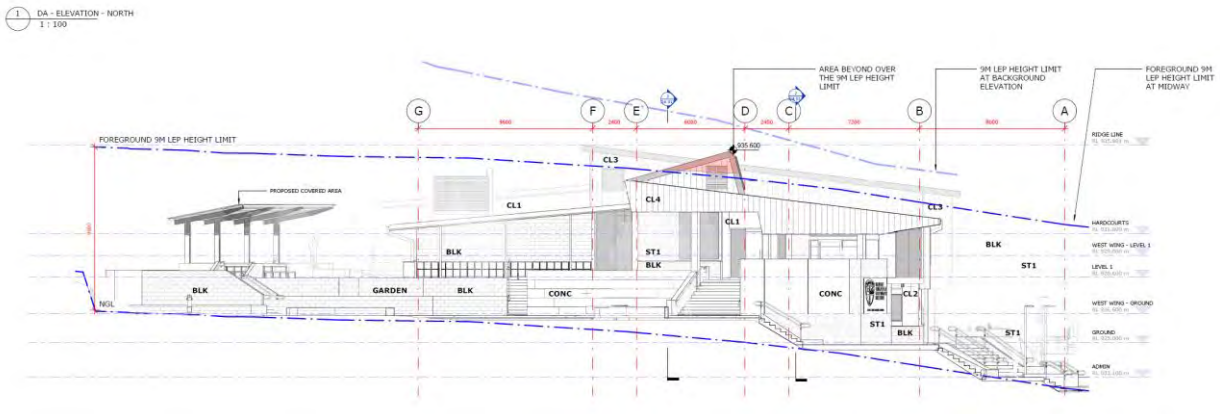


Figure 2: Eastern elevation

9. What is the percentage variation (between your proposal and the environmental planning instrument)?

The maximum roof height at this point, exceeds the 9m height limit by 1.195m. This represents a 13.27% variation to the building height limit.

10. How is strict compliance with the development standard unreasonable or unnecessary in this particular case?

The proposed development provides a two-storey learning facility, consistent with the built form of the existing school buildings and height of the Snowy Shed adjacent which has roof height of RL 935, as shown below.

Figure 3: Streetscape elevation

A 9m height limit allows for a two storey development based on a ceiling to floor level of 3.2m.

Due to the sloping ground and geotechnical constraints of the site, the proposed two storey building incorporates a thermal chimney that exceeds the height limit.

Thermal chimneys utilise the natural buoyancy of hot air to encourage passive air movement through the building and purge this air through high level vents.

Compliance with the development standard could be achieved in part by either removing this passive design element, sliding the building forward and down the slope or further excavating the building down.

Removing the thermal chimney would result in the removal of an important passive design and ecologically sustainable development element.

Sliding the building forward is limited by the internal road and need to provide both stairs and ramps together with landscaping in between. Furthermore, sliding the building forward would impact on the ability to provide a pedestrian connection to the main thoroughfare to the school campus behind the Snowy Shed building.

Excavating the building further down is also limited by the geotechnical constraints, existing ground levels and pedestrian connectivity.

Overall, the design of the development ensures that it can be compatible with the height, bulk and scale of existing built environment within the school and locality, with a two storey building that responds to the slope of the land.

As the development does not generate potential view loss or privacy issues, the relatively minor non-compliance in relation to the thermal chimney element of the roof, representing a variation of 13% is considered acceptable and allows for the development to achieve the building height objectives under the SRLEP, 2013 as follows.

> *a) to ensure that buildings are compatible with the height, bulk and scale of the existing and desired future character of the locality,*
> *(b) to minimise the visual impact, disruption of views, loss of privacy and loss of solar access to existing development and to public areas and the public domain, including parks, streets and lanes,*
> *(c) to minimise the adverse impact of development on heritage items.*

Requiring strict compliance with the development standard would not result in a better design outcome.

Accordingly, it would be considered highly unreasonable and unnecessary to require strict compliance with the 9m building height limit.

11. How would strict compliance hinder the attainment of the objects specified in Section 1.3 of the Act.

The objects of this Act are:

(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,
(c) to promote the orderly and economic use and development of land,
(d) to promote the delivery and maintenance of affordable housing,
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),
(g) to promote good design and amenity of the built environment,

(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,
(j) to provide increased opportunity for community participation in environmental planning and assessment.

Requiring such strict compliance to the development standard would hinder attainment of the objects of the Act as it would result in a compromised design that would result in other detrimental impacts.

12. Is the development standard a performance based control? Give details.

No, its a prescribed numerical development standard.

13. Would strict compliance with the standard, in your particular case, would be unreasonable or unnecessary? Why?

Yes, for the reasons outlined above.

14. Are there sufficient environmental planning grounds to justify contravening the development standard? Give details.

Yes, for the reasons outlined above.

Ivan Pasalich
Principal
Dabyne Planning Pty Ltd

5 February 2021

APPENDIX C

AHIMS SEARCH

AHIMS Web Services (AWS)
Search Result

Purchase Order/Reference : 02-20

Client Service ID : 565119

dabyne planning

Date: 02 February 2021

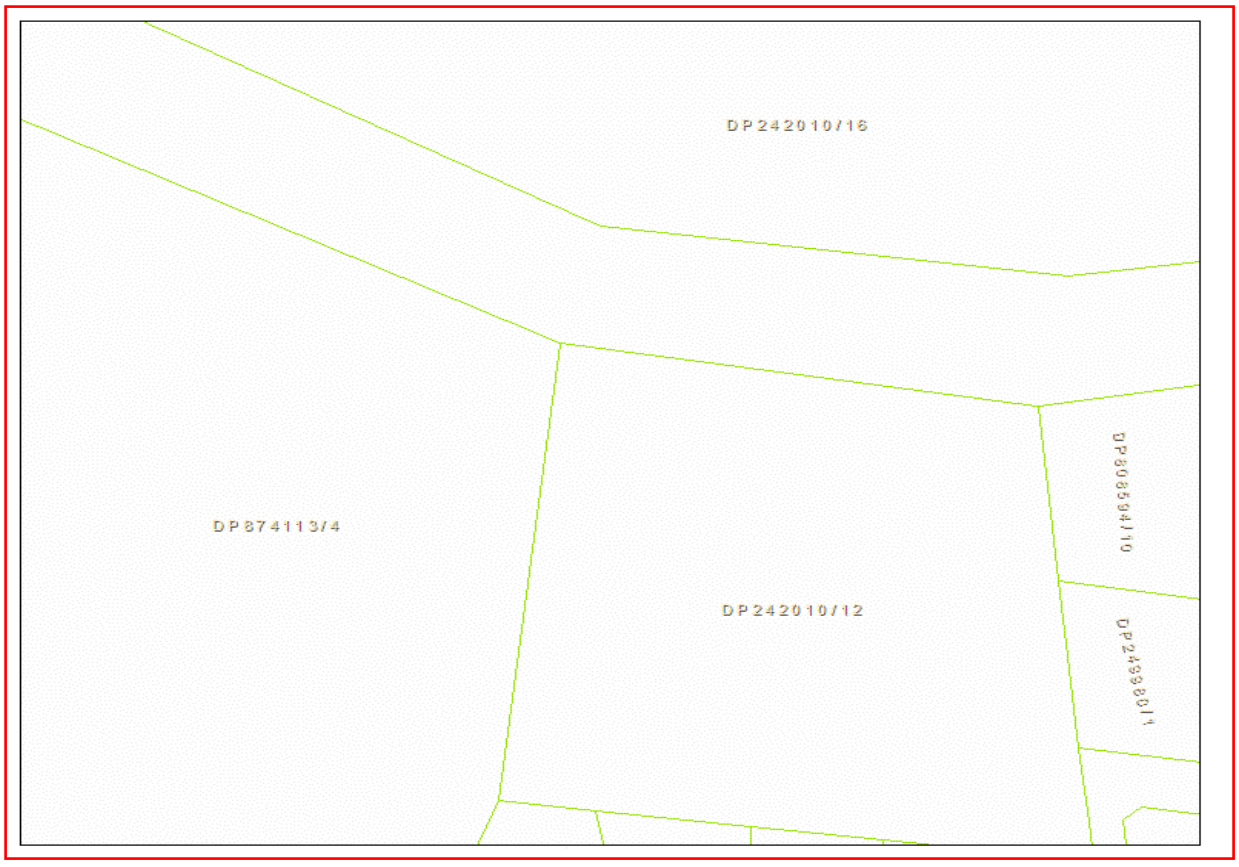
Attention: Ivan Pasalich

Email: ivan@dabyneplanning.com.au

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lat, Long From : -36.4162, 148.6064 - Lat, Long To : -36.414, 148.61 with a Buffer of 0 meters, conducted by Ivan Pasalich on 02 February 2021.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the NSW Government Gazette (http://www.nsw.gov.au/gazette) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date .Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

3 Marist Place, Parramatta NSW 2150
Locked Bag 5020 Parramatta NSW 2220
Tel: (02) 9585 6380 Fax: (02) 9873 8599

ABN 30 841 387 271
Email: ahims@environment.nsw.gov.au
Web: www.environment.nsw.gov.au

APPENDIX D

SNOWY RIVER DCP 2013—ASSESSMENT TABLES

Snowy River Development Control Plan 2013

C2 - Design

1. Visual & Scenic Impact

Control	*Comment*
C2.1-1 Visual Landscape Character Assessment (a) Before granting development consent for development involving the carrying out of any works or building construction, the consent authority must have regard to the likely visual impacts of carrying out the development, including the visual impacts of ancillary uses like driveways and fencing and of the provision of electricity and other services to the site of the development. (b) When assessing visual impacts of the proposed development consideration must be given to: • Important visual features and the landscape character of the site and surrounding land; • Minimising the visual impact of the development on views from public areas, including public roads; • Reducing the visual impact of driveways and of the provision of services to the development; • Reducing the visual impact of proposed buildings by ensuring that external finishes are non-reflective and of a colour that blends in with the surroundings; and • Ensuring fencing and building styles are compatible with the visual character of the area.	*The proposed development has been designed to respond to the site and its topography as discussed in 4.2 of the SEE.*
C2.1-2 Building on Ridgelines (a) A building must not be erected on a ridgeline if the building would be visible from a public place such as an arterial road and appear as a skyline structure from that place or road. However, Council may consent to the erection of a building on a ridge line where: • The proposed location of the building comprises the only part of the land on which it is proposed to be erected which has reasonable vehicular access to a public road; • The whole of the land on which it is proposed to be erected is within the ridge line; • The function and architecture of the building has such significance to the community that, in the Council's opinion, it should stand out as a landmark. Development shall take into account the topography of the area avoiding significant skylines.	*The subject site slopes from the south to the north (rear to the front) and is not located on a ridgeline or a landmark site.*

Snowy River Development Control Plan 2013	
C2.1-3 Development in Lake Eucumbene and Lake Jindabyne Scenic Protection Areas In addition to the objectives (above) the following also apply for sites within the Lake Eucumbene and Lake Jindabyne Scenic Protection Areas: • Protect the sense of isolation which can be enjoyed in many areas on and adjacent to Lake Eucumbene. • Protect the environmental attractions and recreational functions of Lake Eucumbene and Lake Jindabyne including its attraction as a prime fishing destination. • Ensure that the Lakes and adjacent urban settlements continue to have a clear rural setting. • Protect the water quality, water storage functions and groundwater of Lake Eucumbene and Lake Jindabyne Scenic Protection Areas. • Protect the flora and fauna, including aquatic habitats. (a) Consideration must be given to the visual impact of the development when viewed from Lake Jindabyne, and Lake Eucumbene at its full supply level. (b) Consideration must be given to whether the design and construction of any new buildings (including fencing) prevent any intrusion into the view from the Lake and surrounding areas. (c) Consideration must be given to whether provision has been made for the planting of appropriate native species where the planting would visually screen the development. (d) Development consent must not be granted to development where the development will have an unacceptable visual impact on the scenic quality of the area. (e) The development has been designed to prevent any visual intrusion into the view from Lake Jindabyne and Lake Eucumbene (at its full supply level). (f) A visual impact analysis must be provided of an appropriate scale clearly showing the potential of any buildings to intrude into the landscape sufficient to enable it to properly assess the visual impact of the proposed development on the views from the Lake.	*Not applicable.*
C2.1-4 Development within the Eastern Approaches to Kosciuszko National Park Development consent must not be granted to development of land in the Eastern Approaches unless the consent authority has considered a visual impact analysis of an appropriate scale clearly showing the potential of any buildings to intrude into the landscape sufficient to enable it to properly assess the visual impact of the proposed development on the views from the Alpine Way and Kosciuszko Road. Development is to be designed and located so it causes no detriment to the scenic and rural character of land within the Eastern Approaches to Kosciuszko National Park, particularly when viewed from the Alpine Way or the Kosciuszko Road.	*Not applicable.*

Snowy River Development Control Plan 2013	
C2.1-5 Building Design (a) The design and site coverage of the development should reflect the slope of the site and it may be desirable to leave steeply sloping parts of sites in their natural state. (b) All structures are designed and sited in order to minimise the need for excavation or fill for foundations and associated hardstand areas. (c) Buildings should utilise suspended slab construction, pole or steel frame, or brick and/or steel piers in order to minimise the disturbance to the natural grade caused by the building. Where areas on a site are already disturbed, those areas should be used for siting of buildings. (d) On steeply sloping sites and treed hillsides, building height and bulk, particularly on the downhill side is to be minimised and the need for cut and fill is to be reduced by designs which minimise the building footprint and allow the building mass to step down the slope. (e) Sub-floor areas must be enclosed or otherwise treated so that they do not look untidy when viewed from a public place. (f) Building heights are similar to those in the surrounding landscape with taller buildings sited so as to minimise impacts on the landscape. (g) New structures are designed to blend rather than contrast with the existing environment and the use of external reflective finishes is restricted. (h) The building design is not to include highly reflective surfaces such as 'zincalume' or tinted glass panels. External finishes may be natural or untreated, or where colours are used, these should have a light reflectivity index of 12% or below.	*The development has been designed to respond to the site and its attributes with a north facing orientation for views, solar access and integration with the existing school buildings.* *The development has been designed to respond to the topography of the site with a split-level design and multi-terracing.* *Building height is restricted to two stories with skillion roof forms, with a similar height and scale as the existing Snowy Shed structure.* *A contemporary alpine design outcome for the development will be achieved through the use of the proposed materials and finishes.*
C2.1-6 Landscaping (a) The design of any new development must integrate with the landscape, by building on and incorporating existing landscape features such as vegetation and rocky outcrops. (b) Development must not involve the removal of bushrock or significant areas of vegetation. (c) Planting is to be located to soften the view of the development from any existing public roads and public vantage points.	*The existing site comprises a mix of native vegetation and exotics with (6) native trees to be removed.* *The Concept Landscape Plan includes the planting of Eucalypt trees plu range of shrubs and ground covers in accordance with Councils species prescribed under the DCP.*
C2.1-7 View Sharing (a) All property owners should be able to develop their property within existing planning controls however views should not be substantially affected where it is possible to design to share views. (b) The location and design of dwellings and outbuildings must reasonably maintain existing developed view corridors or vistas from the neighbouring dwellings, streets and public open space areas. (c) In assessing potential view loss impacts on neighbouring dwellings, retaining existing views from the living areas (living room, dining room, lounge and kitchen) should be given a priority over those obtained from the bedrooms and non-habitable rooms. (d) The design of fences and selection of plant species must minimise obstruction of views from the neighbouring dwellings and the public domain.	*Due to the location and scale of the development, loss of views within the site is minimum with no view loss for any adjoining land owners.*

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C3 Car Parking, Traffic & Access

3. Vehicle Access

Control	*Comment*
C3.1-1 Permanent and Practical Legal Access (a) All development, including all allotments created by subdivision (including boundary adjustments) must have coinciding legal and practical (properly constructed) access in accordance with Councils development design and construction specifications. (b) Access roads are to be designed to minimise road infrastructure by utilising the most direct, and where possible the existing, legal routes. (c) An applicant wishing to construct a Crown public road is required to obtain Council's concurrence to the ownership of the road being transferred to Council. Where the applicant cannot obtain the concurrence of Council to the transfer of ownership, the application for road construction will not be accepted. (d) Access by undedicated roads (including undedicated Crown reserve roads, Forestry roads and Livestock Health and Pest Authority reserves) requires the consent of the public authority (eg. Roads and Maritime Services) and will only be permitted in similar circumstances to those for rights of carriageway and subject to the same conditions applicable to rights of carriageway. (e) Where the development requires a second bushfire access/egress route, this is to be a permanent legal and practical access. (f) Where the existing road alignment does not match the dedicated or legally recognised road alignment, the road alignment should be rectified through re- alignment, closure, road construction or dedication. (g) Any additional length of public road created as part of the development and proposed to be transferred to the control of Council is to be minimised. (h) Direct access from either the Alpine Way or Kosciuszko Road is not to be provided to a development unless the site has no other practical alternatives that exist or can be created. (i) Consideration must be given to whether traffic associated with the proposed development will cause the condition of the roads to deteriorate and whether funds are or will be available for road maintenance and whether any financial contributions from the proposed development are sufficient to upgrade the roads likely to be affected.	*The subject site has coinciding legal and practical access.*

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C3.1-2 Rights of Carriageway for Subdivision (a) Where access to the allotment is via an existing right of carriageway, the subdivision will only be permitted in exceptional circumstances as follows, where: - the subdivision is for large rural property where the cost of providing public road access would be prohibitive; or - the subdivision is in remote rural localities of the Shire. (b) Access may be provided by a vehicular right of carriageway for development involving subdivision of land into up to five (5) additional residential lots (or development where traffic generation has a similar or greater impact) if: - the right of carriageway is constructed to a standard approved by the Council; and - where relevant, the consent of all adjoining land owners, whose land is burdened by the vehicular right of way, has been gained. (c) Access may be provided by a vehicular right of carriageway for new development (other than that referred to in sub-clauses a) and b) above) where traffic will have a minimal impact if: - the right of way is constructed to a standard agreed to by Council; and - where relevant, the consent of all adjoining land owners, whose land is burdened by the vehicular right of way, has been gained. (d) If further subdivision takes place utilising the right of carriageway and increasing the number of lots utilising the right of carriageway to more than six (6) allotments, the right of carriageway is to be replaced with a public road (refer below). (e) The right of carriageway in non-urban areas is to be a minimum of twenty (20) metres wide. (f) Construction and maintenance of the right of carriageway is the responsibility of the landowner and is to be in accordance with Councils development design and construction specifications. (g) Council may require a Deed of Agreement for the operation, management and maintenance of the right of carriageway.	*Not applicable.*

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C3.1-3 Public Roads (a) Where subdivision results in six (6) or more additional allotments, the access shall be by way of a public road. (b) Where a new road is to be constructed or an existing road is to be utilised for addition allotment access, it shall be constructed in accordance with Councils development design and construction specifications for access and subdivision on the following basis: - Two Lane Gravel Road – any road likely to be extended or form part of a through road and "no through roads" servicing six (6) to ten (10) allotments and not in a R5 Large Lot Residential Zone. - Two Lane Bitumen Road – any road servicing more than ten (10) allotments. Council may also require this type of road for short lengths of road which connect with an existing sealed road or which are over a gradient of 10%. (c) If the subdivision will result in six (6) or more lots in the R5 Large Lot Residential Zone, each lot is to be linked by a 2 lane bitumen sealed road to the nearest urban centre, constructed to Council's approved standards. (d) If the subdivision will result in six (6) or less lots in the R5 large Lot Residential Zone, each lot is to be linked to the nearest public road by a two lane road suitable for two wheel drive vehicles, constructed to Council's development design and construction specifications. (e) Where development (including subdivision) front existing public roads, and where the existing public road is unconstructed or is not constructed to a satisfactory standard for the proposed development (e.g. not presently maintained by Council), the full cost of upgrading that road is to be borne by the developer. This requirement may also apply to subdivision's that require the construction or upgrading of existing public roads to give access to the subdivision. (f) Each lot is to be provided with an adequate all weather access to enable satisfactory vehicular passage from the public road into the individual allotment. This will generally require gravelling from the road shoulder to the boundary and in most cases will require the provision of a piped gutter crossing in accordance with Council's specification for property accesses. (g) Each lot to be created must include vehicular access that will be flood free in the event of a 1:50 year probability flood occurring. (h) The location of the individual access points are to be nominated by the developer and subject to approval of, and meeting the standards established by the Director Technical Services and Operations, having regard to road drainage requirements and sight distance.	*Not applicable.*
C3.1-4 Development Fronting Main or Arterial Roads (a) Where development is proposed land which: fronts a classified or arterial road; or relies solely on a classified or arterial road for it access; or has access to a road which intersects with a classified or arterial road, where the point of access is within 90 metres of the intersection of the road and the classified or arterial road, the following must be considered: - whether the traffic likely to be generated by the development will cause a traffic hazard or reduce the capacity and efficiency of the classified or arterial road; - access points and on-site management plans for vehicle movement and parking; - the effect the development will have on future improvements or realignment of the classified or arterial road.	*The development fronts Kosciuszko Road, however it will utilise the existing intersection. Only a temporary new access is required for construction.*

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C3.1-5 Adequacy of Access (a) The standard of all weather access roads to the development is to adequately cater for existing and potential traffic. (b) The road reserve width is to be sufficient to cater for all functions that the road is expected to fulfill, including the safe and efficient movement of all users and acting as a buffer from traffic nuisance for residents. (c) The carriageway width is to allow vehicles to proceed safely at the operating speed intended for that road. (d) The design of intersections is to allow all movement to occur safely and projected traffic volumes are to be used in designing all intersections. (e) All intersections and vehicular entrances are to satisfy the relevant design standards published by the Roads and Maritime Authority. (f) Access is designed in accordance with the design criteria set out in the Aust Roads Guide to Road Design and the Council's Development Design and Construction Specifications.	*Access to the site is already provided. Temporary construction access will be provided and this is covered by the GHD Traffic Assessment Report.*
C3.1-6 Minimising Impacts (a) Consideration is to be given to the impact the traffic associated with the proposed development will have on existing roads, road safety and other road users. (b) Physical impact on the environment and on the visual landscape are to be minimised through site planning and design. (c) Car parking areas and access roads to be designed, surfaced and sloped to facilitate stormwater infiltration on-site. (d) Access roads are not to exceed 12% slope and are to be designed to work with the contours of the land (minimising cut and fill). (e) Access roads are not to proceed through rock outcrops, natural features or existing vegetation stands and are not to be located on prominent hill faces or ridgelines. Note: Refer to Planning for Bush Fire Protection 2006 (PBP) at www.rfs.nsw.gov.au for any special access requirements related to developments within Bush Fire Prone Land (Refer Chapter C7 – Natural Hazard Management).	*Not applicable.*
C3.2-1 Pedestrian and Cycle Access a) All development is to provide high quality accessible routes to public and semipublic areas, including major entries, communal open space, site facilities, parking areas and pedestrian pathways. b) All pedestrian links are to have appropriate levels of illumination. c) All entrances to buildings are to be accessible from the street and are to integrate ramps into the overall building and landscape design to promote equity of access. d) The design of *commercial premises* or other non-residential forms of development shall consider staff change rooms and shower facilities to encourage bike riding as a form of transport. e) Potential pedestrian and vehicle conflict is to be minimised by ensuring clear sight lines at pedestrian and vehicle crossings, utilising traffic calming devices and separating and clearly distinguishing pedestrian and vehicular accessways (eg using bollards or changes in pavement treatment). f) All vehicle access points to a development are to provide a minimum 1.5 metres landscaped setback to neighbouring properties.	*The proposal allows for pedestrian connectivity including disable access with the existing school campus.*

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C3.3-1 Design a) The design of all car parking is to be in accordance with Council's car parking design specifications. b) The design of car parking areas, including entry and exit points, is not to create traffic conflicts or impact on pedestrian and cyclists movements. c) All car parking spaces are to be sited behind the front building line. d) All car parking spaces must be designed to enable vehicles to enter and exit a site in a forward direction. This may be modified for single dwelling houses provided safe manoeuvring can be demonstrated. e) The appearance of car parking and service vehicle entries located within a development are to be improved by: o screening and locating garbage collection, loading and servicing areas within the development; and o avoiding black holes in the façade by providing security doors to car park entries. f) Where doors are not provided to a car park, the visible interior of the car park is to be incorporated into the façade design and material selection and the building services pipes and ducts are to be concealed. g) The design and construction of driveways, roads and car parking areas must conform to the requirements of Council's Engineering Guidelines for Subdivision and Developments. h) All development in residential, business, industrial and village zones must incorporate a concrete or bitumen sealed driveway apron that extends from 1.0m inside the property boundary to the edge of the road. i) Parking spaces and areas are to be designed in accordance with the following diagrams: AS/NZS 2890.1 2004 Figure 2.2.	*The development does not include any additional parking. Parking has been assessed as part of the GHD Traffic Assessment Report.*
C3.3-2 Safety a) Car parking is to be designed to providing clear, safe and easily accessible paths of travel for both cars and pedestrians. b) Safe and secure access is to be provided for building users, including direct access for residential apartments. c) Parking and storage of bicycles (both resident and visitor) is to be provided at convenient and secure locations.	*Not applicable.*

Snowy River Development Control Plan 2013	
C3.3-3 Landscaping a) Landscaping of car parking areas to improve the appearance of the car park and provide shade and shelter from weather is to be provided in all development. b) Proposals for car parking areas are to be accompanied by a landscape plan, prepared by a qualified landscape architect or designer, illustrating means to soften the visual impact of parked care and any associated structures. c) Significant environmental features within the land such as rock outcrops, benches and trees are to be retained as a landscaped feature of the car parking area. d) Landscaping is to be included car park design, within and on the perimeter of the car parking area. Accordingly, the following is required: o Planting beds fronting a street or public place are to have a minimum width of one (1) metre; o Shade trees are to be provided in open car parking areas at the ratio of one (1) shade tree for every six (6) car parking spaces; and o Plants to avoid are those that have a short life, drop branches, gum or fruit or those that interfere with underground pipes. e) Parking areas are to incorporate a 150mm concrete kerb or edge treatment to reduce the likelihood of vehicles damaging adjoining landscaped areas. The use of bollards should also be considered. f) The choice of landscaping species and design for the car parking area is to create a safe environment through selecting plants that do not provide the opportunity for concealment. Refer to Chapter C5 Appendix C5-01 Recommended Species for Landscaping.	*No additional carparking is proposed.*

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C3.4-1 Car Parking a) Sufficient on site car parking is to be provided to accommodate the parking demands of the development. b) The amount of on-site car parking for specific types of development is to be in accordance with the Table of Parking Requirements (below). c) In calculating the number of car spaces required, Council takes into consideration the: o type of development (or land use) proposed; o size and scale of the development; o intensity of the development, and o street hierarchy and existing traffic situation. d) Car parking requirements may be reduced where it can be demonstrated that separate uses can share a single parking facility or where there are different and complementary demands for car parking space on a site. e) Council does not encourage, but may consider stacked parking for parked spaces in a controlled parking situation which: o allow no more than two cars in the stacked parking arrangement; o is likely to maintain a very low turnover; or o is able to function easily within the management of the site's future operation. f) Where a development involves a change of use between any of the following uses within an existing premises, where: o a change of use is proposed from one type of food and drink premises (restaurant, café, take away food and drink premises or pub) to another food and drink premises, no additional parking is required; o a change of use is proposed from a retail premises, office premises or business premises to a food and drink premises (restaurants, cafe, take-away food and drink premise or pub), the following parking requirements will apply: - the public area in the proposed use is less than 100 sqm, no additional parking is required; - the public area in the proposed use is equal to or greater than 100 sqm the existing parking requirements in this Chapter will continue to apply. g) Council will consider waving the increased parking requirements, where the gross leaseable floor area (GLFA) and gross floor area (GFA) is not being increased. h) For certain tourist and visitor accommodation and eco-tourist facilities development (ie motels and resorts only), consideration will be given to a maximum 25% discount in the total provision of on-site car parking spaces provided that it can be demonstrated than any shortfall in on-site car spaces can be met by the provision of dedicated on-site bus bays. To demonstrate, an applicant will need to submit a traffic impact study prepared by a Traffic Engineer indicating that the design of the bus bays and all associated car parking and manoeuvring areas for the proposed development complies fully with Council's and the RMS's requirements. i) Council will determine the minimum parking requirements, in consultation with the applicant, where a development application is received for a development type or use that is not listed in the Table of Parking Requirements (below).	*Refer to the GHD Traffic Assessment Report which outlines that the proposed development meets the minimum requirements of the DCP.*
C3.4-2 Table of Parking Requirements	*See above.*

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C8 Environmental Management

1. Minimising Conflicts

Control	*Comment*
C8.1-1 Minimising Conflicts (a) Locate residential, eco-tourist facilities and tourist and visitor accommodation to minimise land use conflicts between other land uses in rural areas including agriculture, intensive agriculture and extractive industries. (b) Where proposed residential or tourist based development adjoins or is in the vicinity of existing agriculture, intensive agriculture or extractive uses, the development application must be accompanied by an assessment demonstrating how land use conflicts have been considered and addressed. (c) In assessing development adjoining the existing uses, the Council must: • Consider whether or not the development is likely to have a significant impact on the use that, in the opinion of the Council having regard to land use trends, is likely to be the preferred use of the land in the vicinity of the development. • Evaluate any measures proposed by the applicant to avoid or minimise any incompatibility. • Design and site the development in a way to minimise land use conflicts between other uses including existing residential development. (g) Where proposed tourist and visitor accommodation or eco-tourist facility development adjoins or is in the vicinity of existing residential development, the development application is to be accompanied by an assessment demonstrating how land use conflicts have been considered and addressed. (h) In assessing development adjoining the existing residential uses, the Council must consider whether or not the development is likely to have a significant impact on the residential uses including increased vehicle movement and noise	*Not applicable, as not located in a rural area.*

3. Land Management – Erosion, Sediment & Stormwater Control

Control	*Comment*

Snowy River Development Control Plan 2013	
C8.3-1 Erosion & Sediment Control (a) Measures are to be implemented during development construction to ensure that the land form is stabilised and erosion is controlled and that water quality in streams and lakes downstream of the development site is protected. (b) Systems are designed to optimise the interception, detention and removal of waterborne pollutants prior to discharge to receiving waters. (c) Vegetated riparian buffers to waterways are to be maintained. (d) A development application is to be accompanied by a stormwater and soil management plan demonstrating: • how sedimentation and erosion of fill and soil is to be managed on the site; and • development adjacent to the bank or the bed of a watercourse, addressed the environmental impact on the receiving waters. (e) Stormwater or surface water runoff is not to be redirected or concentrated onto adjoining properties or to create worsening effect on adjoining properties. (f) All disturbed areas are to be re-stabilised and re-vegetated as soon as practicable. (g) Landscaping is to use native species suitable to the locality and with consideration of bush fire requirements (Refer Recommended Landscaping Species – Appendix C5-1).	*Erosion and Sediment controls have been provided in the Civil Engineering plans provided.*
C8.3-2Slopes & Batters (a) Cut and fill within sites are to be sensitively treated through gentle slopes and adequate stability to avoid erosion and slippage. (b) Where the foundation strata of the area permits slopes in excess of 1:3, and where supported by technical documentation prepared by a suitably qualified professional, steeper slopes will be considered.	*Cut and fill has been assessed as part of the Geotechnical Report provided.*
4. Weed Management	
Control	***Comment***
C8.4-1 Weed Management (a) Development should occur in a manner that does not increase the potential for, or result in, the spread of noxious weeds. (b) Where development is to be located on a property with a current weed notice or history of weed notices, a weed management plan is to accompany the development application. The weed management plan must identify: weeds to be controlled and in what area they are to be controlled; and timeframe and method of control to be employed.	*Not applicable.*
5. Ecological Impacts	
Control	***Comment***

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C8.5-1 Ecological Impacts (a) The development is to minimise any impact on the local ecology including water quality, aquatic habitats and fish passage. (b) Where development may have an impact on threatened species, populations or ecological communities (including development on land significant for flora and fauna), an Assessment of Significance (AOS) is to be undertaken. Where it is found that there would be a significant impact on threatened species, their habitats or endangered ecological communities a Species Impact Statement (SIS) would be required. Note: if a Species Impact Statement is required, the Office of Environment and Heritage will have a statutory role in concurrence of the development. Council will review an AOS as part of its determination of a development application and use the information provided to determine if the applicant has justified the level of impact by: - Avoiding the impact where possible; - Minimising the impact where it can not be avoided; - Offsetting the remaining impact after it has been minimised to the greatest extent possible.	*The proposal will require removal of a small amount of native trees and shrubs. This will be replaced as outlined in the Landscape Concept Plans provided.*

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E6 Educational Establishments	
Control	***Comment***
E6.1-1 Access for People with a Disability (a) Reasonable provision within the building and access areas is to be made for movement and circulation by people with disabilities. (b) The development must comply with the provisions of the Disability Discrimination Act 1992 (Commonwealth). (c) Where existing buildings are identified as heritage items, an assessment may be made on the balance between providing disabled access and the required modification of the original building fabric.	*The proposed development is required to achieve compliance with the Access to Premises Standard as part of compliance with the BCA. A report on BCA Compliance has been prepared and submitted with the DA separately.*
E6.1-2 Amenity (a) Noise and odour impacts must be assessed and determined not to adversely impact on the amenity of neighbours or other land holders within the vicinity of the site. (b) Suitable documentation is to accompany the development application that clearly demonstrates that no impacts on land uses in the vicinity of the development will result from noise or odour emissions from the subject development.	*The proposed development is for education purposes and is fairly isolated on the site, well as from adjoining residents.* *Impacts with regard to noise would be consistent with the existing school operations.*
E6.1-3 Year Round Operation Basis (a) The educational facility is to provide sufficient diversity to maintain a year round operation. (b) The educational facility is managed to achieve at least 75% of its student capacity during any NSW school term, whether through student term rotation or full year attendance by students; or (c) Where seasonal operation is proposed, the applicant is to provide with the development application sufficient justification to demonstrate why year round operation is not possible and justify the need for seasonal operations.	*The school is already established and operates year-round and the new learning hub building will form part of the year-round operation.*
E6.1-4 Waste Management (a) Waste is to be managed in a safe, tidy and environmentally responsible manner and in accordance with legislative requirements. (b) Waste management is to be based on the principles of waste avoidance and maximising reuse and recycling of material. (c) Details of the waste management strategy for the educational facility (both construction and operational phases) are to be submitted to Council when a development application is lodged. (d) Any processes that generate liquid waste must have measures in place to dispose of the waste. A trade waste application must be made to Council under section 68 of the Local Government Act when liquid trade waste is proposed to be discharged to Council's sewer.	*The existing waste management receptacles are required to be removed to make way for the new development. Therefore, new waste management receptables are proposed as outlined in the DA plans.*

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E6.1-5 Car Parking (a) Car parking and manoeuvring is to be sufficient to ensure safe and adequate on-site parking. (b) Car parking, loading and manoeuvring areas are to be visually attractive and located, designed and constructed to ensure safe use and minimise conflict between vehicles and pedestrians. (c) A car parking plan is to be provided that demonstrates adequate on-site parking and manoeuvring and sufficient screening through design and landscape treatment to minimise visual impact of car parking areas. The car parking plan must show: • Car parking layout • Landscape treatment • Site entry and exit points • Loading and unloading areas (where required) • Manoeuvring • Disabled access and parking (where required) must meet the requirements of the Building Code of Australia. Note: refer to Chapter C3 Car Parking, Traffic and Access for specific requirements.	*No additional parking is proposed as part of this development.*